



**10.2** PIER ROAD CLOSURE, ST KILDA - APPROVAL TO COMMENCE STATUTORY ROAD CLOSURE PROCESS

**EXECUTIVE MEMBER:** LACHLAN JOHNSON, GENERAL MANAGER, OPERATIONS AND INFRASTRUCTURE

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**1. PURPOSE**

1.1 The purpose of this report is to:

- a) Seek Council's endorsement to commence the process to restrict the passage of vehicles on the section of Pier Road between Jacka Boulevard and the Royal Melbourne Yacht Squadron -in accordance with the Local Government Act 1989, Section 207 (Power of Council over traffic), Schedule 11, Clause 9 (Power to place obstructions or barriers on a road permanently) (known as the "road closure"); and
- b) Subject to Council's decision, inform the local community of the road closure process and provide an opportunity for community members to make submissions, between 1 May 2023 and 28 May 2023, for Council's consideration.

**2. EXECUTIVE SUMMARY**

- 2.1 The extension of the St Kilda Pier landing through to Jacka Boulevard is part of the St Kilda Pier redevelopment project, which is funded through the Department of Transport and Parks Victoria. Parks Victoria is the appointed Project Manager for the rebuild.
- 2.2 The extension of the Pier landing will require a change of the status of a section of the Pier Road, effectively closing the road to vehicular access. The formal process to partially or fully close roads requires a statutory notification process and application to Department of Transport and Planning (DTP).
- 2.3 Works to improve the integration of the Pier, Pier Road entrance and Foreshore will provide safer access for vehicles, pedestrians, and bike riders to this busy area of the foreshore. It will ensure logical connections for visitors between the Pier and other parts of St Kilda, particularly Fitzroy Street and gaps in the Bay Trail.
- 2.4 The Council Plan 2021-31 included \$3.7M for this project over three years.
- 2.5 Works to Pier Road entrance and environs will address current pedestrian, bike rider, bus, visitor and event conflicts, and help to make a safer environment for the local community and general public.
- 2.6 Council report on 3 November 2021 included the following resolutions:
  - 3.3 *Resolves to partner with Parks Victoria by funding a further extension of the landside design to ensure the Pier connects to Jacka Boulevard, creating a safer and more welcoming landing spot for future tourism to this area.*
  - 3.4 *Defines the additional works to be delivered by Parks Victoria as;*
    - *Extension of the Pier landing through to Jacka Boulevard.*



- *Upgrades to the Bay Trail between the Pier and Royal Melbourne Yacht Squadron, ensuring the finish and character is in line with the rest of the Foreshore Promenade.*
  - *Increasing green public space adjacent to the Pier through redesigning the Sea Baths car park entry and creation of a safe bus drop off solution.*
- 3.5 *Notes Council will lead the design development of additional landside works.*
- 3.6 *Notes Council will deliver the greening works and tree establishment maintenance period to the value of \$165,000 excluding GST.*
- 3.7 *Funds Parks Victoria \$1,961,000 excluding GST to directly deliver the additional works at the same time as their St Kilda Pier project land connection works.*
- 3.8 *Requests Parks Victoria recognise our construction contribution to project announcements as \$2,226,000 excluding GST being the value of the funding commitment plus additional design and greening works delivered by Council.*
- 3.9 *Notes a construction compound will be set up on St Kilda foreshore for a three-year period and that the construction of all landside works will happen in year three of the construction program.*
- 3.10 *Accepts ownership of all assets on Council managed land to maintain at the completion of the project.*
- 3.12 *Delegates to Chief Executive Officer to formalise this resolution with Parks Victoria in the form of a letter exchange prior to the Victorian Government announcement and a funding agreement at the conclusion of the design.*
- 2.7 This report seeks Council's endorsement to formally commence the associated road closure process.

### **3. RECOMMENDATION**

That Council:

- 3.1 Proceeds with the statutory process to permanently block or restrict the passage of vehicles on Pier Road, between Jacka Boulevard and the Royal Melbourne Yacht Squadron, St Kilda, in accordance section 207, schedule 11, clause 9 of the Local Government Act 1989. Subject site is shown on the aerial photo in Figure 02.
- 3.2 Gives public notice to affected stakeholders of the proposal to permanently block or restrict passage of vehicles on part of Pier Road, St Kilda and invites submissions in accordance with Section 223 of the Local Government Act 1989.
- 3.3 Authorises the Chief Executive or delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the ACT in relation to the matter.
- 3.4 Resolves to hear and consider any submissions received pursuant to Section 223 of the Local Government Act 1989 at a future Council meeting to be determined at a later date.

**4. KEY POINTS/ISSUES**

- 4.1 Continuation of the Pier extension to Jacka Boulevard to create an iconic visitor entrance with consideration to safety, access and public viewlines will reconnect the Pier to S Kilda foreshore landscape in a manner that respects the important history and function of the site.



*Figure 01. – Artist's Impression - Landside works funded through Parks Victoria project*

- 4.2 The permanent restriction of vehicles to Pier Road between Jacka Boulevard and the Royal Melbourne Yacht Squadron will provide a better connection with Catani Gardens to the St Kilda neighbourhood and it is an integral component of the St Kilda Pier Redevelopment and Foreshore Integration project.



Figure 02. – Subject Site

- 4.3 St Kilda Pier Landside Works project will deliver a public space outcome that mitigates vehicle-pedestrian issues and provides a holistic design approach that enhances the iconic status of the St Kilda Pier.
- 4.4 For some events managed by Council, the Pier Road is temporarily closed to vehicles to cater for thousands of patrons that attend the events. Whilst providing a visual cue and some level of protection from potential vehicle and pedestrian conflicts, the barriers used on event days do not provide the level of protection that rated HVM barriers and object to, which must perform to a standard. Other public realm shortcomings include inadequate public lighting, a lack of shade and areas to sit, and inadequate road crossing facilities on new Pier landing to meet demand during the tourist season.
- 4.5 The existing vehicular entrance to the St Kilda Sea Baths carpark will be reconfigured with consideration to visitor experiences, connectivity, safety and stakeholder satisfaction.





*Figure 03. – Artist's Impression - Council funded Landside Upgrade*

- 4.6 A proposal to close the road, under the Local Government Act 1989 (the Act), requires Council by virtue of section 207A of the Act, to comply with the provisions of section 223 (right to make a submission) of the Act. This requires Council to invite submissions to the proposal to close road.
- 4.7 Subject to Council's decision and as part of road closure process, Council will notify all properties affected by the proposed road closure.
- 4.8 Council will also publish a Notice of Intent to close the road in The Age newspaper on 1 May 2023. Information about the road closure, including background information and maps, will also be published on Council's Have Your Say website on 1 May 2023, with an invitation for affected community members to make a submission to this proposed road closure.
- 4.9 Submissions regarding the proposed road closure should be received by Council no later than 5 pm on 28 May 2023. Instructions for how to make a submission will be available in The Age newspaper advertisement and on Council's Have Your Say website.
- 4.10 Council will consider submissions received at its Ordinary Meeting of Council on 19 July 2023. Any person who makes a submission (or persons acting on their behalf) is entitled to speak to their submission at this Council Meeting.
- 4.11 Council will make a decision regarding whether to permanently close the road to vehicular access at the Ordinary Meeting of Council on 2 August 2023 unless submissions are received, in which case, the decision will be made at a further Ordinary meeting of council.



## 5. CONSULTATION AND STAKEHOLDERS

5.1 The local community was extensively engaged in from September to October 2017 through the development of the St Kilda Pier Redevelopment project, which involved more than 550 participants. This engagement program was undertaken in three stages:

- Project website and survey (21 September – 21 October 2017)
- Stakeholder meetings (August-October 2017)
- Listening posts (08 & 15 October 2017)
- Posters, postcards and letter drop (September-October 2017)

Tools and techniques	Wk01 18 Sep	Wk02 25 Sep	Wk03 02 Oct	Wk04 09 Oct	Wk05 16 Oct	Wk06 23 Oct
Website survey	● x121 surveys	● x68 surveys	● x54 surveys	● x77 surveys	● x71 surveys	●
Stakeholder meetings			●	●	●	●
Listening posts			● 08 Oct St Kilda Pier	● 15 Oct Esplanade		
Postcards and Letterbox drop	● Postcards to residential		● Postcards to businesses	● Postcards to businesses		

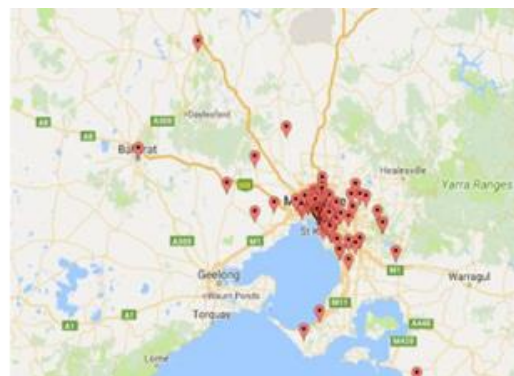


Figure 04. – Postcode distribution of participants

5.2 Feedback received specifically about renewing the St Kilda Pier entrance included:

- The current entrance to the pier is underwhelming and does little for the pier experience.
- The current entrance adds nothing to the overall experience. Participants felt the entrance was a ‘non-event’ – not so much an entrance as simply the beginning of the pier. For some people, this was enough, nearly 30 per cent of responses suggesting it was ‘fine as is’. However, for the other 70 per cent of respondents there was potential for a more inviting, accessible, safe and legible entry point to the pier.
- Participants referenced crowds of people, congestion with cyclists, the proximity to the carpark, and overflowing litter as ‘off-putting’. These elements discouraged people from lingering in the area or making the walk up the pier.



- Common suggestions to improve the entrance included:
  - Improved signage describing the pier, the penguin viewing, the recent history and the local Aboriginal history of the area.
  - An archway to walk through in recognition of the history of the pier.
  - A fanned entrance to the pier, to allow greater walkability and crowd management.
  - Greater separation of cyclist and pedestrian access and paths.
  - 'Stopping spots' for photo opportunities and information signage to draw crowds off the main path and help facilitate the movement of people along the pier.
  - Accessibility needs for people with different needs – universal access design principles

5.3 The feedback was considered by Parks Victoria in finalizing the conceptual design for foreshore integration in November 2021.

5.4 Parks Victoria has a communications plan in place to inform the community of the build process [St Kilda Pier Redevelopment \(parks.vic.gov.au\)](https://parks.vic.gov.au)

5.5 The project webpage and Council's Have Your Say website will be updated with the latest project information prior to commencing the road closure process.

5.6 During the road closure process, the local community will be engaged through the development of the concept plan for St Kilda Pier entry area as well as along the Pier Road outside Royal Melbourne Yacht Squadron in parallel. This engagement program will be undertaken in three stages:

- a) Stage 1: Draft Concept Plans - Online surveys, workshops and drop in- sessions
- b) Stage 2: Final Concept Plan – Have Your Say project page
- c) Stage 3: Detailed Design - Have Your Say project page and workshops

## 6. LEGAL AND RISK IMPLICATIONS

6.1 Council has the power to place obstructions on a road permanently to restrict the passage of vehicles under Schedule 11, clause 9 of the Local Government Act 1989.

6.2 Council must not exercise this power unless it has received a report from Department of Transport and Planning, concerning the exercise of this power.

6.3 A key risk to the successful delivery of this project in partnership with Parks Victoria is the requirement for the road closure process to be concluded by December 2023. If this timeline is not achieved, Council runs the risk of ending the partnership for the delivery of the Stage 1 works, between the Pier entry and Sea Baths carpark.

6.4 To mitigate this risk, and in recognition of the local community's extensive involvement in the development of the initial concept plan, it is proposed that the road closure process takes place over May/ June 2023, with a report being presented to Council in July 2023, to enable construction timelines to align with partnership approach.

6.5 Aside from the timeline risks, there are some unknowns at the site regarding soil contamination, drainage requirements and underground service locations.



- 6.6 By complying with legislation, policy and creating reasonable provision for service authorities, there is no legal risk associated with changing the function of these road.
- 6.7 Council will need to obtain formal acceptance by the Sea Baths for the proposed changes to their current lease with Council.

## 7. FINANCIAL IMPACT

- 7.1 The full project cost, including contingency and project management fees, is \$3.7M, over three years.
- 7.2 The initial costings for the project were based on a cost plan organised by Parks Victoria with Donald Cant Watts Corke. The cost plan, based on the concept designs, indicates that the project can be delivered within the existing project budget.

## 8. ENVIRONMENTAL IMPACT

- 8.1 The new entrance will provide increased canopy cover and decrease the urban heat island effect through new garden beds and canopy tree planting.

## 9. COMMUNITY IMPACT

- 9.1 This project received overall community support through the previous consultation process during the concept development phase of the St Kilda Pier Redevelopment and Foreshore Integration project.
- 9.2 Once the project complete, it will increase the provision of public space in the foreshore area.
- 9.3 Well-design public spaces have economic benefits and help facilitate the economic recovery from the COVID-19 pandemic.
- 9.4 Public space contributes to the liveability of our City and defines our unique sense of identity and place. It is open and accessible to people. It is where we meet our friends, exercise, play sport and relax and is essential to our physical and mental well-being.
- 9.5 The project will provide additional open space and align with Council's vision to create a well-connected network of public spaces for all people that nurture and support the health, wellbeing, social connection, creative expressions, economy, and environment of our community.
- 9.6 Furthermore, the new Pier entrance will offer improved access and circulation throughout the foreshore area by providing upgraded paths and safer opportunities to access the area by more users.

## 10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 The permanent closure of Pier Road to vehicular traffic creates an iconic visitor entrance aligning with the key moves of council's Places for People: Public Space Strategy 2022-2032 to repurpose road space to create more usable public spaces, ensuring our community is within a short, easy, and safe walking distance to public space.

### 10.2 Council Plan – Liveable Port Phillip

Strategic Objective – Port Phillip is a great place to live, where our community has access to high quality public spaces, development and growth are well managed, and it is safer and easy to connect and travel within.





What we will work towards (our four-year strategies) – Port Phillip is safer with liveable streets and public spaces for people of all ages and abilities to enjoy.

We will provide – Access to upgraded, expanded and well-maintained public and outdoor spaces for people of all ages and abilities to visit, in line with our 10-year Public Space Strategy (once adopted by Council), prioritised within available budgets each year.

We will facilitate and advocate for – The best possible public space outcomes that support community health and wellbeing, through infrastructure projects undertaken in our City by other levels of government and stakeholders.

### 10.3 Council Plan – Sustainable Port Phillip

Strategic Objective – Port Phillip has a sustainable future, where our environmentally aware and active community benefits from living in a bayside city that is greener, cooler, cleaner and climate resilient. The importance of action in this area is emphasised by Council declaring a Climate Emergency in 2019.

What we will work towards (our four-year strategies) – Port Phillip has cleaner streets, parks, foreshore areas and waterways where biodiversity flourishes.

We will provide – Urban forests to increase tree canopy, vegetation, greening and biodiversity and reduce urban heat, in line with Council's Greening Port Phillip and Act and Adapt Strategies prioritised within available budgets each year.

We will provide – Increased permeability of ground surfaces across public streets and in our public spaces as well as examining ways to support greater permeability on private property.

## 11. IMPLEMENTATION STRATEGY

### 11.1 TIMELINE

- a) Before proceeding with the proposed closure of the Road, Council must give public notice of such proposal and invite submissions from interested persons allowing at least 28 days to make a submission in accordance with sections 207A and 223 of the Act. The notice will be published in The Age newspaper on or around 29 April 2023.
- b) Where a person has made a written submission to Council requesting that he or she be heard in support of the written submission, Council must permit that person to be heard before a meeting of Council or the Committee which has delegated authority to hear those submissions, giving reasonable notice of the day, time and place of the meeting.
- c) After hearing any submissions made, Council must determine whether to permanently restrict the access by vehicles on Pier Road.
- d) It is anticipated that officers will finalise the road closure process by August 2023.
- e) It is anticipated that construction of the extension of Pier landing will commence later this year.

### 11.2 COMMUNICATION

- a) Council can resolve to commence statutory procedures to close Pier Road to vehicular access.



- b) A public notice must give details of the proposal and invite submissions from interested persons allowing at least 28 days to make a submission.
- c) Any interested person will be given the opportunity to make a submission and to be heard in person and have their views considered.
- d) After submissions have been considered, Council may decide to proceed with to permanently restrict the access by vehicles on Pier Road or to reject the proposal in entirety.
- e) Information about this project will be available on Council's website, along with information about how to sign up for updates on the project's process.
- f) Additionally, a project consultation page will be created on Council's Have Your Say website, to access information and to support our community to make a submission as part of the process

**12. OFFICER DIRECT OR INDIRECT INTEREST**

12.1 No officers involved in the preparation of this report have any material or general interest in the matter.

**ATTACHMENTS**

**Nil**