



unChain Newsletter

March Quarter 2015

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1. The St Kilda Triangle Forum

unChain has organised a Community Forum on the St Kilda Triangle. Council has a concept of 'community co-design' for the Triangle. What is this? Why is it taking so long? How will it be funded? Will it be too big? Too small? Too boring? Too exciting? How can we have our say?

There is an impressive panel to answer these and many other questions.

- Claire Ferres-Miles is the City of Port Phillip General Manager responsible for Place Strategy and Development. She is in charge of the Triangle project. She will be able to explain what the Council process is.
- Jill Garner is the Acting Victorian State Architect. She will be able to talk about the buildings and public places that could be at the Triangle.
- Kate Brennan is the former CEO of Federation Square. She will be able to talk about how public spaces can be used for the public benefit.

WHEN IS THE FORUM?

- Thursday 30 April at 7.30 pm.

WHERE IS THE FORUM?

- The ALEX Theatre (the old George Cinema)
- 135 Fitzroy St St Kilda.

What else do I need to know? It may be useful to be familiar with the St Kilda Foreshore UDF and the community consultation for *St Kilda Triangle 2012*. It may also be useful to get an update on what is happening with the Palais.

2. What was in the St Kilda Foreshore UDF re the Triangle?

The St Kilda Foreshore Urban Design Framework (UDF) identified opportunities for the development of the Triangle Site as an entertainment and leisure precinct, with significant public spaces. It was adopted as part of the Port Phillip Planning Scheme in 2004.

In 2008 the former Council approved a Babcock Brown-Citta plan for the St Kilda Triangle that had a large shopping mall and a nightclub precinct. unChain consistently opposed the BBC plan on the ground that it did not meet the promises in the UDF. After the community rejected this proposal in the 2008 elections, the new Council reached a commercial settlement with BBC.

The UDF envisaged a new building at the back of the Palais and a new building replacing the Palace. The UDF made 11 proposals for the Triangle. They were:

P9.1 Construct a new building at the rear of Palais Theatre to provide for backstage facilities. Preferred supporting uses for this building would relate strongly to the precinct's cultural and entertainment heritage, and could comprise dance and entertainment venues, cinemas, galleries, a bar or nightclub. Other possible uses may include a small hotel, reception and conference centre, restaurant, artists' studios or retail.

P9.2 Investigate the opportunity to remove surface car parking and replace with underground parking in association with new development.

P9.3 Create a forecourt space to Palais Theatre incorporating Lower Esplanade and with steps leading to Upper Esplanade.

P9.4 Improve the forecourts to both Luna Park and Palais Theatre, using complementary surface treatments and improving pedestrian interconnectivity.

P9.5 Create a predominant new public plaza west of Palais Theatre, incorporating some structures for shops, studios and activities to front it. Some of these can be located under a viewing platform extension to Upper Esplanade.

P9.6 Replace the Palace Entertainment Complex building with an improved, contemporary building adjoining a new plaza, which retains views from Upper Esplanade to the horizon and which creates a sense of visual connection to the beach and with other key destinations. The Framework envisages replacement of the Palace Entertainment Complex, but the retention and improvement of the existing building is also an option. Any new building(s) should retain the use of the Palace Entertainment Complex, be publicly accessible and provide for cultural and entertainment uses, such as a dance venue, cinema, ice skating rink, and artists' studios, craft shops and gallery space. The new and (or) improved building(s) could incorporate

basement car parking and an upper level pedestrian link across Jacka Boulevard.

P9.7 Construct a sound shell/performance space in association with the new plaza and provide high quality landscape treatment, including both hard surfaces and park- like spaces. Landscape themes can include both hard and parklike spaces.

P9.8 Improve landscaping in Cavell Street and investigate its use for bus parking

P9.9 Create active frontages to buildings that face Jacka Boulevard, where possible and appropriate.

P9.10 Protect views to the entrance of Luna Park, including unobstructed views from Upper Esplanade.

P9.11 Consider the siting and height of any new built forms on the St Kilda Triangle site in relation to:

- the range of distances from which the various parts of the development and important features of its surrounding context can be seen,*
- the relative number of people likely to see views such as the Luna Park entrance—*

Mr Moon— from South Beach and approaching vehicles on Jacka Boulevard,

- the length of time during which each view can be experienced, and*
- the quality of the view experience.*

3. What was in the *St Kilda Triangle 2012* document?

After the termination of the BBC plan, the Council decided not to simply have another attempt at implementing the vision for the St Kilda Triangle in the Foreshore UDF. It decided to ask the community what it wanted and what it did not want. This consultation began in 2010 and ultimately the Council adopted the *St Kilda Triangle 2012*.

The elections in 2008 and the consultation from 2010 demonstrated that the community does not believe that a massive commercial shopping mall and a hub of nightclubs would be justified to fund restoration of the Palais. Overwhelmingly people want an entertainment and cultural precinct with significant public open space as had been promised in 2004 in the Foreshore UDF.

In *St Kilda Triangle 2012* Council said it had heard the following messages:

WHAT DO WE WANT

- Public open space*
- Landscaping that reflects and responds to Carlo Catani's landscape vision and surrounding land*
- Sustainable development that accounts for the future impacts of climate change and potential sea level rise*

- *Design outcomes that respond to the sensitive context and respect the surrounding buildings and heritage, location, setting and topography*
- *A strong creative arts focus*
- *Improved beach access for pedestrians, including pedestrian priority over cars*
- *Optimised public transport opportunities*
- *Some car parking*
- *A diverse commercial offer that strengthens the precinct*
- *Live music opportunities that are carefully balanced with amenity considerations*
- *Maintained views of foreshore*
- *A proposal that is affordable*
- *A partnership with the State Government*
- *Clarity of what will happen on the site*
- *A plan developed by Council with the community*

WHAT DON'T WE WANT

- *The status quo*
- *Land uses that drive outcomes of inappropriate scale*
- *Large retail and/or commercial development*
- *Land uses that are dominated by alcohol*
- *Obscured views of the Palais, beach and horizon*
- *A project that is too expensive to deliver*

The Council has 'pledged to co-design a project for the St Kilda Triangle with the community'. The unChain forum on 30 April will help us understand how this will be done.

4. The Palais

Council and the State government are working to develop an Strategic Works Plans and funding arrangement for the Palais. The Council has confirmed its funding commitment of \$7.5 million (including \$1.4 million already spent) and the Labor Party promised in the election campaign to invest \$13.4 million.

The works required in Phase 1 and Phase 2 will cost \$25.5 million over a three to four year period. In Phase 1 are 'emergency works' that have to be done immediately for safe operations of the theatre. These will cost \$18 million. In Phase 2 there are other 'Compliance Works' necessary to achieve minimum compliance with the Building Code of Australia. The result would be a theatre that reaches the minimum acceptable level of compliance with current standards. The result will also be that there will be significant rental payments to Council. Phase 3 involves other optional upgrades and would cost \$17.9 million. (For details see the report to the Council meeting on April 14).

The current operator has a lease until March 2017. Council has short-listed candidates for a long-term lease of the Palais. Council has released the names of the short-listed candidates. They are:

- Palais Theatre Management (the current operator)
- Live Nation
- Playbill

The ilovemypalais group includes unChain members. It has submitted to Council that the Council should detail its objectives in this second stage of the long-term lease. These can be found (*inter alia*) in the Municipal Strategic Statement, the St Kilda Foreshore Area Policy, the St Kilda Foreshore UDF and St Kilda Triangle 2012.

The ilovemypalais group said that applied to the Palais, Council policies would include the following considerations:

1. *'St Kilda-ness'*: Respondents should address how they will contribute to the unique cultural heritage of St Kilda. This is a major challenge identified in the Municipal Strategic Statement. The MSS says that a key planning challenge is *'Maintaining the special features, sense of community and cultural diversity that contribute to the "St Kilda-ness" of St Kilda'*. Rather than attempting to define 'St Kilda-ness' we can use an analogy from the restaurant industry: Council wants a Galleon restaurant or a Cicciolina's, not a McDonalds.

2. *Palais Neutrality*: To maximise the leisure and entertainment roles of the Palais, the Council should consider whether respondents will make the Palais available for all interested parties. The Palais should not be monopolized by a particular stable of artists. If a respondent is a vertically integrated entertainment conglomerate, it should spell out how it would separate out its 'wholesale' and 'retail' functions like Telstra does in the telecommunications industry.

3. *Community Service*: The Council should consider the extent to which the respondent will provide for local community needs by providing the Palais at reduced rates to appropriate users. Will the respondent simply attempt to maximise profits and not to provide for local community needs? Respondents who promise community benefits should demonstrate their track record in so doing. Specifically respondents should provide examples of community service and document notable achievements and successes. The RFP should also consider enforcement mechanisms for any successful respondent who fails to deliver promised community benefits.

4. *St Kilda Triangle Vision*: Respondents to the EOI process were invited to share their vision for the Palais with Council within the context of the Triangle, the future of which is being collaboratively explored with the community. Respondents' understanding of and commitment to the *Cultural Charter* for the Triangle, and the issue of the Palais' cultural, functional and physical integration with the future Triangle need to be tested in the RFP.

5. *Design Excellence*: The St Kilda Foreshore Area Policy aims to encourage design excellence in buildings, structures and spaces. All restoration, modifications or 'functional upgrades' proposed for the Palais are potentially complex, prominent and highly significant architectural

projects, and at the very least highly sensitive heritage interventions. Prospective developers must be challenged to deliver the highest standard of architectural ambition, architectural insight and architectural appropriateness to the Palais Theatre, the future Triangle and to the St Kilda Foreshore

6. *Heritage*: Enhancement of the heritage values of the Palais is clearly an important Council objective. Respondents should address this including a promise that the name of the theatre will remain 'The Palais' and that the theatre will not be commercially branded.

7. *Other*: There may be other important considerations that this document has not identified. One possibility is that the RFP should invite applicants to suggest ways in which performance on all the criteria, especially those that are difficult to quantify, like 'St-Kilda-ness' and 'community service', should be measured and reported on during the life of the contract.

5. The St Kilda Festival

The festival ran from 31 January to 8 February. Council says that the Festival Sunday attracted over 410,000 people who listened to over 60 bands. The question is how should the festival be structured and funded in the future. Council is preparing a three-year strategic plan to deal with this issue.

6. Fishermans Bend

Fishermans Bend poses major issues for the Council. What will the new state government deliver? Martin Foley said in reply to the unChain questionnaire in the election campaign last year:

We need to stop the Liberals Fishermans Bend Nightmare. With no real consultation, no height restrictions, no plan to manage congestion and no plan for open space, community services or strategies to manage growth, this community is rightly concerned about the planning disaster heading their way ... Only Labor will work with the community and Local Government to avoid the massive congestion heading our way. Labor has pledged to review the Fishermans Bend Structure Plan because we only get one chance to get Fishermans Bend right.

However the new state government has not yet reviewed the FB Strategic Framework Plan. What can be done?

Fishermans Bend is zoned 'Capital City' zone. In simple terms this means that the state government is the responsible authority for approving the 'big' buildings and the Council for approving the 'small' buildings. The State government will consult the Council on applications for the 'big' buildings.

In February Council resolved to form a Fishermans Bend Community Forum comprising Councillors and representatives of various organisations including unChain. The Forum will allow Council to regularly inform members about projects and initiatives being undertaken in the FBURA precinct either by

Council or State agencies. The Forum will not be a decision making body but will be informed about planning applications that Council is considering.

In March Council resolved to withdraw a delegation to Council staff of the power to approve applications that complied with the FB Strategic Framework Plan. This was at the request of four organisations - Port People Inc, Montague Community Alliance, Beacon Cove Neighbourhood Association and Fishermans Bend Network. This means that the Councillors, in the public eye, will be deciding planning applications in Fishermans Bend.

The appropriate development of Fishermans Bend will be one of the most important issues for the Council and the state government over the next four years. It is important that there be the comprehensive review of the FB Strategic Framework Plan that the Labor party has promised.

7. The Review of Port Phillip ward boundaries

The *Local Government Act 1989* requires the Victorian Electoral Commission (VEC) to conduct an electoral representation review of each municipality in Victoria before every third council general election. In Victoria local Council elections are conducted through

- Full preferential where there are single-Councillor wards.
- Proportional representation where are multi-Councillor wards.

The current electoral representation review for Port Phillip City Council commenced on Wednesday 11 February 2015.

The VEC received a total of nine preliminary submission including one from the Council. unChain, CAPP and the Greens made submissions. unChain supported the Council submission to retain the current 7 wards each electing one Councillor with minor changes to the ward boundaries. CAPP supported 9 wards each electing one Councillor. The Greens argued for 3 wards each electing 3 Councillors. There are good arguments for both single Councillor and multi-Councillor wards.

The VEC considers that there are three major factors that should be taken into account:

- diversity of the population
- councillors' workloads and
- the situation in similar municipalities.

The VEC is recommending that Port Phillip be restructured into three 3-Councillor wards for the 2016 elections. The wards would be called Gateway, Lake and Canal. The two alternative options are

- 3 wards with different boundaries between Gateway and Lake
- Minor changes to the current seven single-Councillor wards.

The VEC said that:

Multi-councillor wards are less vulnerable than single-councillor wards to population shifts that require boundary changes because growth areas and

other areas can be combined in the same ward. They can be particularly suitable for municipalities whose population is growing rapidly and unevenly.

More important reasons for multi-councillor wards relate to the nature of representation. From media reports, it appears that elections for Port Phillip City Council tend to be passionately fought. Under a single-councillor ward structure, there is a possibility of one group of candidates being elected to represent a majority of wards. Under the proportional representation system that applies in multi-councillor wards, election results are much more in proportion to support. Proportional representation allows more scope for the representation of diversity of opinion.

The 'Gateway Ward' includes South Melbourne and Port Melbourne—the area adjacent to the CBD, characterised by rapid growth and high-rise development. It also includes Albert Park.

The 'Lake Ward' is based on St Kilda and includes the suburbs to its north and north-west including St Kilda West, Middle Park and St Kilda Rd.

The 'Canal Ward' combines the suburbs east and south-east of St Kilda, distinguished by their residential nature and high degree of ethnic diversity. These are Elwood, Ripponlea, Balaclava and St Kilda East.

Any person can make a submission to the VEC in response to the options. These submissions must be received by the VEC by 5.00 pm on Wednesday 6 May 2015.

Feedback on the newsletter

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