

unChain St Kilda Inc

Statement of Activities to December 2008.

Background

unChain St Kilda Inc is an incorporated association, no A00051216V. Its members are a coalition of people, from all walks of life, who live, work and visit St Kilda, originally brought together by our outrage at the size and focus of the proposed commercial development on the St Kilda Triangle Crown land. Subsequently the interests of unChain St Kilda Inc expanded into the full gamut of responsibilities of the Port Phillip Council. The Triangle was found to be the tip of an iceberg of sub-standard Council governance and decisions.

The purpose of this document is to outline the major activities and funding of unChain St Kilda Inc. The document and its attachment summarise the funding of unChain St Kilda and disclose the expenses of the recent local Council election campaign. This goes well beyond the statutory disclosures required of candidates in local Council elections.

Activities

In furtherance of its goals, the committee and supporters of unChain St Kilda Inc have undertaken four broad areas of activity over the last 12 – 18 months. These areas are:

1. A public campaign relating to the Development Plan approval for the Triangle development

Amongst other things, unChain St Kilda:

- Arranged public meetings and forums, and a media campaign, to raise community awareness of the proposed development.
- engaged a wide range of highly qualified independent experts (planning, economic, traffic, legal, environmental and heritage) to review the Development Plan in detail on the community's behalf ; These included Professor Roz Hansen (2 planning reports), Tim Nott (2 economic and social impact reports), Clive Lucas (heritage report) and O'Brien Traffic (parking and traffic report).
- presented development alternatives to Council.
- organised wide ranging community action against the development proposal including a march of in excess of 2500 people to the St Kilda Town Hall and almost 6,000 individually submitted objections.
- assisted in the creation and lodging of a petition containing in excess of 10,000 signatures with the Legislative Council.
- Made submissions to the Select Committee of the Legislative Council on Public Lands which resulted in the House of Parliament referring the Triangle process to the Ombudsman for investigation.

The major expense in this campaign has been payment for the independent experts. It was necessary for unChain St Kilda to commission these reports because the Council, contrary to all best practices, felt it sufficient to rely only upon experts paid by the developers and its own officers. unChain St Kilda paid for the independent expert reports the Council should have commissioned. For more details of this planning campaign see www.unchainstkilda.org

2. A campaign to have information and documentation released to the community.

The Council and Developer have continuously refused to disclose many important aspects of the project to the community. Vital information has been withheld including all details of the Development Agreement and the Crown Land Lease between the developer and the Council. unChain St Kilda has pursued the release of such information through requests to Council and, reluctantly, a number of Freedom of Information applications. Due to the Council and developers opposition to these applications all are now subject to legal proceedings at VCAT. unChain St Kilda is represented in relation to these matters by legal counsel. This has involved a considerable expense to ensure that the community is appropriately informed. It has already achieved successes such as the release of a redacted version of the Development Agreement on the St Kilda Triangle signed by the Council, the state government and the developers.

3. A legal challenge to the validity of the Council's planning approval for the development.

unChain St Kilda has begun a legal challenge to the approval of the Development Plan for the Triangle. This has involved the engagement of a range of legal and planning experts including solicitors and Senior and Junior Counsel.

The essence of the unChain St Kilda case is that the retail-intensive proposal, with its focus on liquor consumption and its obstruction of views from the Upper Esplanade, does not comply with the council's own planning scheme and the project's urban design framework. We did not launch this case lightly nor maliciously. The Council is required to follow proper process in approving all developments. In the case of The St Kilda Triangle, our lawyers and one of Melbourne's leading planners advise that the Council's decision did not meet the relevant planning requirements. Under the circumstances, a review by VCAT under section 149B of the Planning and Environment Act is the appropriate course of action. This hearing is scheduled for February 2009.

4. The endorsement and support of the November 2008 Council election campaign by unChain Pt Phillip.

unChain Port Phillip was chosen as the theme for candidates endorsed by unChain St Kilda Inc to contest the November 2008 Council elections. The theme unChain Port Phillip indicated that the candidates did not have a focus solely on St Kilda. It also indicated that the

candidates were not a 'single issue' group focused just on the Triangle proposal. The theme unChain Port Phillip saw development of detailed Action Plans under five headings

- Open, honest and accountable governance;
- Social justice for our diverse community;
- Promotion and practice of the highest environmental standards;
- Development sensitive to residents and local business;
- Responsible financial management.

The policies can be viewed at www.unchainportphillip.com

The unChain Port Phillip candidates were Serge Thomann (Catani ward), David Carter (Carlisle), Richard Roberts (Sandridge), Jane Touzeau (Point Ormond) and Anna Griffiths (Junction). Two unChain Port Phillip candidates, Serge Thomann and Jane Touzeau, were successful. They will form part of a new team representing of a wide range of communities, in a new loose, cooperative coalition with Community Alliance of Port Phillip and The Greens.

Our political opponents made various false and defamatory comments about the campaign of the unChain Port Phillip candidates. Examples include that

- unChain had spent up to \$500,000 on the poll
- Unchain St Kilda have bitterly opposed the triangle yet they have taken support from a failed bidder to develop the triangle
- reports linked Mr Fox with donations to the Unchain Port Phillip election campaign, in particular a fleet of Mercedes Benz cars
- 'how can you be anti-development if you are being funded by a developer?'
- the intervention of a failed developer into the campaign was ugly and disappointing

The truth is that

- unChain spent less than \$70,000 on the five election campaigns – an average of 'only' \$13,834, not an unusually high amount for a contested local election
- unChain did not take any money from Mr Fox or any of the other failed tenderers for the Triangle project. Nor did it take any money from the former leasees of the Palais or the Palace. Nor did it receive any support from Babcock&Brown or Citta, the successful tenderers for the Triangle project.
- St Kilda resident, Chris McMillan, Director of KahDo, an advertising and car lease firm, lent five Smart cars for the campaign period for unChain to use as a publicity device. Unknown to unChain, Lindsay Fox is a minority shareholder in this company. When alerted to this, unChain returned the cars. The three day use represents an in kind contribution of \$857.14, or \$171.43 per candidate. unChain paid \$2,200 for the advertising signage on the cars.
- unChain has raised a significant amount of money for political, legal and planning campaigns from a combination of inspiration and perspiration as detailed below. Its successful fundraising is a gauge of community dissatisfaction with the outgoing Council and its desire for a change of governance.

Election Campaign Expenses

unChain St Kilda paid \$69,172.78 for the campaign expenses of its candidates in the November Council elections. It made financial contributions to the election campaigns of its 5 candidates as follows:

Serge Thomann: \$ 17,857.93

David Carter: \$ 17,224.10

Richard Roberts: \$12,113.36

Jane Touzeau: \$11,788.07

Anna Griffiths \$13,416.51

In addition, in kind services to the value of \$8925.15 were provided to assist the election campaign by committee members and/or supporters of unChain St Kilda. These consisted of \$1608 in web design and hosting services (by Web Generation (ABN: 83 925 215 241) and \$6460 from John Bennetts/ Asia Pac Consulting Pty Ltd for office use and services of project manager and \$857.15 in car hire from C McMillan/KahDo.

Details of the election campaign expenses are provided in the attached spreadsheet.

Fund raising

Numerous fundraising initiatives have been undertaken by unChain St Kilda to support these four areas of activity. The total funds (raised and anticipated) amounts to over \$300,000. Many members of the community have donated money or services to assist unChain. These fundraising activities include:

- **Sale of prints** donated by artists (Mirka Mora and Greg Irvine): \$ 78,725. A further \$123,425 will be collected from the remaining Irvine prints and a second Mirka print.
- **Donations** : \$58,305 in donations and direct payments were made. The highest single donation was \$20,000 by John Bennets, an unChain St Kilda Inc executive member. The candidates themselves contributed \$18,145 to their election campaigns. Hundreds of people contributed \$2999 through street collections towards the planning and legal campaigns. There were a further 40 plus donors who contributed a total of \$17,160 in amounts ranging from \$5 to \$5000. As stated above no donations have been received from developers interested in the Triangle project.
- **Sale of wine** \$ 7284
- **St Kilda Flicks Movie night series** \$17,999 (supported by Palace Cinemas and IGA donation of \$5000):

- **Fund raising events** \$10,284
- **Merchandise sales** \$2365
- **Subscriptions** \$1330
- Pro bono donations of services: from numerous experienced legal professionals, IT professionals, town planning experts, architects, heritage advisers, accountants, financial experts, sustainability consultants and construction experts. These have provided valuable assistance to unChain St Kilda on a pro bono or reduced fee basis in connection with the planning and legal campaigns.

Details of the fund raising are provided in the attached spreadsheet.

Further Information

For further information contact Peter Holland, Secretary of unChain St Kilda Inc, at hollandp@netspace.net.au

UCSK Activity Statement - Revenue

Unchain St Kilda Inc

Revenue from Incorporation to 31 December 08

Incorporation 8.2.08

2007/8 to Dec 08 **TOTAL**

Initial Balance \$ 7,493.11

Income to December 08

Donations & Direct Payments	\$ 29,689.15	\$ 28,615.80	\$ 58,304.95
Interest	\$ 142.06	\$ 14.32	\$ 156.38
Membership	\$ 670.00	\$ 660.00	\$ 1,330.00
Mirka Mora Print 1	\$ 50,150.00	\$ 2,000.00	\$ 52,150.00
Greg Irvine	\$ 2,000.00	\$ 24,575.00	\$ 26,575.00
Contra		\$ 2,500.00	\$ 2,500.00
Merch Sales	\$ 1,815.46	\$ 550.00	\$ 2,365.46
Wine	\$ 458.00	\$ 6,826.14	\$ 7,284.14
Film S/Ship		\$ 17,999.00	\$ 17,999.00
Women's Lunch	\$ 2,884.00		\$ 2,884.00
Blokes' Lunch		\$ 2,477.00	\$ 2,477.00
Concert		\$ 2,535.00	\$ 2,535.00
Trivia Night		\$ 2,388.00	\$ 2,388.00
TOTAL	\$ 87,808.67	\$ 91,140.26	\$ 178,948.93
Future Income			
Balance Irvine Print			\$ 23,425.00
Mirka Mora Print 2			\$ 100,000.00
Other Fundraising			na
Total Future			\$ 123,425.00
TOTAL CURRENT AND FUTURE INCOME			\$ 309,867.04

UCSK Activity Statement - Donations

Donations 2007/8

4/02/08	Street Collect	\$ 149.35
4/02/08	Julie Lo GIU	\$ 200.00
8/02/08	Street Collect	\$ 893.80
11/02/08	SARAH BAXTE	\$ 200.00
11/02/08	M BUCKLEY	\$ 200.00
12/02/08	Sue Humphrie	\$ 500.00
12/02/08	H Van Leeuwir	\$ 300.00
12/02/08	Renegade Film	\$ 100.00
12/02/08	March Collect	\$ 1,050.00
12/02/08	Kino Butterfly	\$ 2,660.00
14/02/08	John Bennetts	\$ 20,000.00
14/02/08	dons	\$ 50.00
14/02/08	Street collect	\$ 556.00
14/02/08	dons	\$ 100.00
20/02/08	I & R Hewitson	\$ 1,000.00
20/02/08	Mirka with fra	\$ 750.00
20/02/08	Street collectio	\$ 350.00
11/03/08	dons	\$ 100.00
8/05/08	PayPal Mirka	\$ 330.00
13/05/08	Dons	\$ 100.00
18/06/08	Irvine	\$ 100.00
Sub Total 07/8		\$ 29,689.15

Donations 2008/9

17/07/08	D Fernandes	\$ 40.00
1/08/08	B Valentine	\$ 30.00
1/08/08	D Vernon	\$ 10.00
1/08/08	J O'Neil	\$ 30.00
1/08/08	I Silver	\$ 30.00
1/08/08	E Chappel	\$ 30.00
1/08/08	A Churchyard	\$ 30.00
30/09/08	A Birrell	\$ 30.00
16/09/08	R Roberts	\$ 1,000.00

Donations 2008/9 contd

3/11/08	D Foulds	\$ 10.00
10/11/08	Jack Ekstein	\$ 1,000.00
11/11/08	Richard Roberts	\$ 5,000.00
2/12/08	Backlash to banner	\$ 100.00
2/12/08	R and I Hewitson	\$ 100.00
2/12/08	Ralph Taranto	\$ 5,000.00
15/12/08	J and K Raymond	\$ 300.00
15/12/08	Save Our Suburbs	\$ 300.00
	Tony Pride	\$ 350.00
<i>Committed</i>	Anna Griffiths	\$ 5,000.00
<i>Donations via Pay Pal</i>		
11/11/08	P Holland	\$ 50.00
11/11/08	S Hibbard	\$ 50.00
30/10/08	L Richards	\$ 100.00
29/10/08	B Parncott	\$ 100.00
27/10/08	B Fraser	\$ 100.00
6/10/08	M Sweldan	\$ 40.00
26/09/08	K Richards	\$ 250.00
1/09/08	H Avisar	\$ 50.00
13/07/08	M Hamilton	\$ 40.00
5/05/08	R Carr	\$ 10.00
27/04/08	P Holland	\$ 50.00
22/04/08	D Raulli	\$ 60.00
16/04/08	L Van Dort	\$ 5.00
Sub Total 08/09		\$ 19,295.00

Direct Payments for Planning and Political Campaigns

P Holland	(Mail & report)	\$ 1,874.00
David Carter	(Bicycle)	\$ 5,445.00
S Thomann	(cars and print)	\$ 1,700.00
D. Wolowski	(T shirts)	\$ 301.80
Sub Total		\$ 9,320.80

TOTAL DONATIONS and DIRECT PAYMEN \$ 58,304.95

UCSK Activity Statement - Expenses

Campaign Expenses unChain Port Phillip

	S. Thomann	D. Carter	R. Roberts	J. Touzeau	A. Griffiths	Total
Item						
Postcards	\$ 540.10	\$ 540.10	\$ 540.10	\$ 540.10	\$ 540.10	\$ 2,700.50
Flyers	\$ 3,450.15	\$ 3,450.15	\$ 1,643.40	\$ 2,022.40	\$ 1,643.40	\$ 12,209.50
Banners	\$ 1,286.00	\$ 670.00	\$ 670.00	\$ 439.00	\$ 439.00	\$ 3,504.00
Letters	\$ 1,573.09	\$ 1,401.06	\$ 1,148.75	\$ 414.85	\$ 439.25	\$ 4,977.00
Envelopes	\$ 377.08	\$ 251.39	\$ 226.77	\$ 213.81	\$ 226.77	\$ 1,295.80
Postage	\$ 923.08	\$ 747.00	\$ 553.85	\$ 523.08	\$ 801.35	\$ 3,548.35
Letter Stuffing/ Envelopes & Post	\$ 3,579.95	\$ 4,035.92	\$ 1,202.01	\$ -	\$ 1,875.75	\$ 10,693.63
Corflutes	\$ 321.75	\$ 321.75	\$ 321.75	\$ 214.50	\$ 214.50	\$ 1,394.25
How To Vote cards	\$ 831.60	\$ 831.60	\$ 831.60	\$ 831.60	\$ 831.60	\$ 4,158.00
Graphic Design	\$ 958.54	\$ 958.54	\$ 958.54	\$ 958.54	\$ 958.54	\$ 4,792.70
Advertising	\$ 1,380.00	\$ 1,380.00	\$ 1,380.00	\$ 1,380.00	\$ 1,380.00	\$ 6,900.00
Cars	\$ 440.00	\$ 440.00	\$ 440.00	\$ 440.00	\$ 440.00	\$ 2,200.00
Bicycles	\$ 1,089.00	\$ 1,089.00	\$ 1,089.00	\$ 1,089.00	\$ 1,089.00	\$ 5,445.00
T- shirts	\$ 485.75	\$ 485.75	\$ 485.75	\$ 485.75	\$ 301.80	\$ 2,244.80
Mr Whippy	\$ 308.00	\$ 308.00	\$ 308.00	\$ 308.00	\$ 308.00	\$ 1,540.00
Misc. - Officeworks etc	\$ 313.85	\$ 313.85	\$ 313.85	\$ 313.85	\$ 313.85	\$ 1,569.25
Total Expenses	\$ 17,857.93	\$ 17,224.10	\$ 12,113.36	\$ 10,174.47	\$ 11,802.91	\$ 69,172.78
In Kind Services						
In Kind IT services - Web Generati	\$ 321.60	\$ 321.60	\$ 321.60	\$ 321.60	\$ 321.60	\$ 1,608.00
In Kind Project Mgr Services - Asia	\$ 1,100.00	\$ 1,100.00	\$ 1,100.00	\$ 1,100.00	\$ 1,100.00	\$ 5,500.00
In Kind Office Hire - Asia Pac	\$ 132.00	\$ 132.00	\$ 132.00	\$ 132.00	\$ 132.00	\$ 660.00
In Kind Office Utilities - Asia Pac	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 300.00
McMillan/KahDo car hire	\$ 171.43	\$ 171.43	\$ 171.43	\$ 171.43	\$ 171.43	\$ 857.15
Total In Kind Services	\$ 1,785.03	\$ 1,785.03	\$ 1,785.03	\$ 1,785.03	\$ 1,785.03	\$ 8,925.15
Total Actual and In-kind Service	\$ 19,471.53	\$ 18,837.70	\$ 13,726.96	\$ 11,788.07	\$ 13,416.51	\$ 77,240.78