

Response to consultation feedback

Key issues and feedback from the consultation	Response to feedback
Road closures	
<ul style="list-style-type: none"> The closure of Ferrars Street between Buckhurst Street and Gladstone Street will negatively impact access to businesses at the northern end of Ferrars Street. 	<ul style="list-style-type: none"> Employees and visitors to the northern end of Ferrars Street will be able to access these businesses via a pedestrian pathway. Vehicle access will be maintained to the existing off-street car parks. Furthermore visitors will have convenient access to the nearby 20 new angle car spaces proposed on Douglas Street.
Revised streetscape design	
<ul style="list-style-type: none"> The revised streetscape design is a compromise which considers local businesses and the future community. 	<ul style="list-style-type: none"> The revised streetscape design aims to provide safe access to the precinct as it evolves, while balancing feedback from existing residents and businesses.
<ul style="list-style-type: none"> The revised streetscape design will provide access for parents and school staff. It provides more parking around the school and better drop-off and pick up zones. 	<ul style="list-style-type: none"> The revised streetscape design includes drop-off zones spread around the precinct with 26 time-limited parking spaces, to allow traffic to enter, drop-off/pick-up and disperse during the morning and afternoon.
<ul style="list-style-type: none"> The revised streetscape design is more business-friendly and provides better access through car parks on Douglas Street and loading zone on Meaden Street. 	<ul style="list-style-type: none"> The revised streetscape design provides 20 angle parking spaces on the school side of Douglas Street for short term ticket parking on weekdays, for people visiting residents and businesses in the area. A new loading zone on Meaden Street will provide for people for dropping off or picking up goods or passengers.
Alternative design submission	
<ul style="list-style-type: none"> An alternative design was submitted which proposed a “cul-de-sac” arrangement for Ferrars Street, providing access to driveways at Surveyors Place but also adding 16 car parking spaces on Ferrars Street. This alternative design is intended to provide access and on-street parking for businesses at the northern end of Ferrars Street. 	<ul style="list-style-type: none"> The alternative proposal would have the following impacts: <ul style="list-style-type: none"> Adding 16 parking spaces on Ferrars Street would reduce the size of Montague Community Park. Council’s aim is to maximise the size of the park as much as possible. It may compromise and require re-design of the “knuckle” layout of the intersection of Ferrars, Buckhurst and Douglas streets, as it would require this to revert back to a cross-intersection. It may cause unnecessary traffic circulation and haphazard parking in the cul-de-sac as parents seek to access the school. It could require additional traffic calming measures to avoid pedestrian/vehicle conflicts.

Key issues and feedback from the consultation	Response to feedback
<ul style="list-style-type: none"> This alternative design submission states that adding 16 parking spaces will result in a loss of 180m² of Montague Community Park. 	<ul style="list-style-type: none"> Including 16 car parking spaces on Ferrars Street as proposed in the alternative design is estimated by Council to require over 300m² of space. This space would be needed to accommodate the on-street parking, a wider access road and a turnaround area at the end of the cul-de-sac. This is in contrast to Council’s proposal for a narrow vehicle access (similar to a long driveway) without on-street parking to minimise unnecessary vehicle circulation and to maximise the size of Montague Community Park.
On-street parking	
<ul style="list-style-type: none"> Support for removing on-street parking spaces to create open space for the public. Removing on-street parking will give the area a better feel compared to its current industrial feel. It is inefficient to have on-street parking in a dense area. 	<ul style="list-style-type: none"> Council is seeking to maximise the size of Montague Community Park through closing Ferrars Street (between Douglas Street and Gladstone Street) and Gladstone Street (between Kerr Street and Ferrars Street) and narrowing Kerr Street.
<ul style="list-style-type: none"> The removal of parking spaces on Ferrars Street between Buckhurst Street and Gladstone Street (as a result of the road closure) will have a negative impact on businesses at the northern end of Ferrars Street. These businesses require parking and loading zones in close proximity to the front of their properties. 	<ul style="list-style-type: none"> The revised streetscape design will provide driveway access to the existing off-street parking within the boundaries of Surveyors Place. The revised streetscape design includes 20 parking spaces on Douglas Street which will provide on-street parking for visitors to the precinct. These parking spaces are approximately 120 to 185 metres from the entrance of the business at the northernmost end of Ferrars Street. A loading zone has also been included on Meaden Street to provide access for deliveries to the precinct.
<ul style="list-style-type: none"> The changes to parking restrictions in the precinct as development activity increases will migrate parking pressure to streets south of City Road, unless greater parking restrictions are placed on all streets. Unless parking in residential streets is proactively managed (e.g. near Sol Green Reserve) through introducing restrictions of less than four hours, these residential streets will be used for all-day parking by people visiting Montague Precinct businesses, impacting on residential amenity. 	<ul style="list-style-type: none"> The proposed parking restriction changes are generally located around the school and community park. Existing parking restrictions in the wider precinct and surrounding areas will remain unchanged at this stage. Council will continue to monitor parking conditions as the precinct gradually redevelops and may propose new parking restrictions where necessary.
<ul style="list-style-type: none"> Parents with children at the school should be issued with on-street parking permits to allow them to park their cars in close proximity to the school. 	<ul style="list-style-type: none"> Parents driving to the school can access several drop-off zones proposed in the precinct.

Key issues and feedback from the consultation	Response to feedback
	<ul style="list-style-type: none"> There is no provision under Council's Parking Permit Policy for parking permits associated with the school use.
Emergency vehicle access	
<ul style="list-style-type: none"> Concern that emergency vehicles will not be able to access the fire hydrant on the corner of Ferrars and Gladstone Street. 	<ul style="list-style-type: none"> Council will provide a trafficable surface to the fire hydrant on the corner of Ferrars and Gladstone streets to provide emergency vehicle access.
Montague Community Park	
<ul style="list-style-type: none"> The space at 2-4 Buckhurst Street is large enough to accommodate Montague Community Park without closing Ferrars and Gladstone streets. 	<ul style="list-style-type: none"> Council is seeking to maximise the size of Montague Community Park through closing Ferrars Street (between Douglas Street and Gladstone Street) and Gladstone Street (between Kerr Street and Ferrars Street) and narrowing Kerr Street.
Bicycle lanes and bicycle parking	
<ul style="list-style-type: none"> The design should include sufficient bicycle parking to encourage students and parents to cycle to school. 	<ul style="list-style-type: none"> The new South Melbourne Ferrars Street Primary School will include 80 bike racks located within the school site. Council will monitor this arrangement and may install additional bicycle parking rails in the streetscape around the school.
<ul style="list-style-type: none"> The design should include Copenhagen style (separated) bicycle lanes which are grade separated from footpaths and the road and have a different surface material. 	<ul style="list-style-type: none"> The <i>Fishermans Bend Vision</i> allows for grade separated cycle lanes which are proposed to be installed when major streetscape works are undertaken along Buckhurst and Ferrars Streets. In the interim Council will continue to monitor traffic conditions and may propose additional treatments where appropriate. The Victorian Road Rules allow for children under the age of 12 (and supervising adults) to cycle on footpaths.
Access to public transport	
<ul style="list-style-type: none"> There should be a direct connection between the Route 96 tram stop and the new school to make it easier for parents and children to access the tram. 	<ul style="list-style-type: none"> This is outside the scope of Council's revised streetscape design, however Public Transport Victoria will be upgrading Stop 126 City Road (Route 96). Currently, the only pedestrian link from Stop 126 is down the embankment onto Whiteman Street. Public Transport Victoria will upgrade the tram stop and will provide a pedestrian ramp from the tram stop on the embankment linking directly to Railway Place, near the school. This upgrade will provide a direct link to the new South Melbourne Ferrars Street Primary School.
Speed limits	
<ul style="list-style-type: none"> The speed limit in the precinct should be reduced to 30km/h. 	<ul style="list-style-type: none"> A 40km/h School Zone is proposed around the school that will apply during peak school times (typically 8-9.30am, 2.30-4pm School Days).

Key issues and feedback from the consultation	Response to feedback
	<ul style="list-style-type: none"> • The reduced 40km/h speed limit will improve pedestrian safety, particularly for students and parents travelling to/from the school. • Further speed limit reduction is not warranted nor consistent with VicRoads guidelines.
Planning scheme amendment	
<ul style="list-style-type: none"> • Council should update the planning scheme amendment to reflect community feedback. 	<ul style="list-style-type: none"> • Update the amendment request and documentation for a 20(4) Ministerial Amendment to implement Amendment C135 by updating the proposed Incorporated Document. This will implement the development of the park and streetscape works to reflect the addition of parking along Ferrars Street south of Buckhurst Street and also along Douglas Street.
Businesses in the precinct	
<ul style="list-style-type: none"> • Businesses require safe and free vehicle access to and from the precinct. • The Fishermans Bend Vision states that creative businesses are to be encouraged. 	<ul style="list-style-type: none"> • The revised streetscape design aims to provide safe access to the precinct as it evolves, while balancing feedback from existing residents and businesses. • The design includes new angle parking spaces on Douglas Street as well as a loading zone on Meaden Street.

Summary of individual consultation submissions

Submission number	Relationship to the area	Position	Comments on the revised streetscape design
1	Local resident	Supports the revised streetscape design	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> Complimented Council on the revised streetscape design
2	Local resident	Does not support the revised streetscape design	<p>Road closures</p> <ul style="list-style-type: none"> Does not support the closure of Ferrars Street and Gladstone Street or narrowing of Kerr Street. <p>Wider traffic and access issues</p> <ul style="list-style-type: none"> Suggests instead of closing Ferrars Street and Gladstone Street and narrowing Kerr Street that these streets could be used for short term drop off/pick up parking spaces for the school. <p>Provision of the new park</p> <ul style="list-style-type: none"> Suggests 2-4 Buckhurst Street is large enough to accommodate Montague Community Park without the need for road closures.
3	Community group representative	Supports the revised streetscape design	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> Said the design is a “terrific compromise” which considers local businesses as well as the future community.
4.	Not answered	No position stated	<p>On-street parking</p> <ul style="list-style-type: none"> Supports the removal of on-street parking to create open space for the public. <p>Wider traffic and access issues</p> <ul style="list-style-type: none"> Suggests speed limit should be reduced to 30km/h full time. <p>Cycle infrastructure</p> <ul style="list-style-type: none"> Suggests better provision for cycle access is needed to encourage children to travel to the school by bike.

Submission number	Relationship to the area	Position	Comments on the revised streetscape design
5.	Local resident	Generally supports the revised streetscape plan	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> Commended Council on removing on-street car parking. Stated it is inefficient to have on-street car parking in a dense area. <p>Cycle infrastructure</p> <ul style="list-style-type: none"> Said the design should include sufficient bicycle parking to encourage students and parents to cycle to school.
6.	Local resident	No position stated	<p>Cycle infrastructure</p> <ul style="list-style-type: none"> Said the design should include Copenhagen style (separated) bicycle lanes, which are grade separated from footpaths and the road and have a different surface material. Stated that Copenhagen style bicycle lanes provide safe and easy access for all road users and are superior to other on-road cycle lanes.
7.	Not answered	Supports the revised streetscape plan	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> Said the revised design looks fine and the more access to parents and school staff, the better.
8.	Local resident	Supports the revised streetscape plan	<p>On-street parking</p> <ul style="list-style-type: none"> Supports the proposed changes to parking restrictions in the area. Concerned about changes to parking restrictions throughout Montague Precinct as development activity increases will migrate parking pressure to streets south of City Road, unless greater parking restrictions are placed on all streets. States that unless unrestricted parking in residential streets is proactively managed (e.g. near Sol Green Reserve) through introducing restrictions of less than four hours, these residential streets will be used for all-day parking by people visiting Montague Precinct businesses. This would impact on residential amenity.
9	Employee in the precinct	Supports the revised streetscape plan	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> States that the removal of on-street parking and development of Montague Community Park will give the area a better feel compared to its current industrial feel, which is a good thing.

Submission number	Relationship to the area	Position	Comments on the revised streetscape design
10	Owner/manager of a business in the precinct	No position stated	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> States that the revised plan is more business-friendly and provides better access through providing car parks on Douglas Street, loading zone on Meaden Street, more parking around the school and better drop-off and pick up zones. <p>Road closures</p> <ul style="list-style-type: none"> States that the closure of Ferrars Street will impact on properties fronting Ferrars Street. Suggests the design should include a cul-de-sac option for Ferrars Street to provide vehicle access and some parking to those properties fronting Ferrars Street. Concerned that emergency vehicles will not be able to access the northern end of Ferrars Street. Concerned that the closure of Ferrars Street and removal of on-street parking will make it more difficult to lease their property.
11.	Local resident	No position stated	<p>On-street parking</p> <ul style="list-style-type: none"> Suggests parents and carers should be issued with on-street parking permits to allow them to park their cars in close proximity to schools, after school activities. States that it is unfair to fine parents who are dropping off or picking up their children. Suggests parking spaces near schools should be free of charge for parents/carers.
12.	Local resident	Supports the revised streetscape plan	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> Supports the revised streetscape plan and comments that it encourages people to use public transport which is good. <p>Access to public transport</p> <ul style="list-style-type: none"> Suggests a direct connection between the Route 96 tram stop and the new school to make it easier for parents and children to access the tram.

Submission number	Relationship to the area	Position	Comments on the revised streetscape design
13.	Statutory Authority (APA VTS Operations Pty Ltd)	No “in-principal” objection to the plan	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> Notes that APA is the owner of the South Melbourne – Brooklyn High Pressure Gas Transmission Pipeline that runs along Douglas Street, Ferrars Street and Buckhurst Street. Notes that the gas pipeline has recently undergone additional protective measures, so APA has no “in-principal” objection to the proposed configuration of open space, roads and car parking in the precinct.
14.	Owner of a business in the precinct and property owner (see attached submission 14)	Does not support the revised streetscape plan	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> Notes that the businesses at the northern end of Ferrars Street are creative businesses including interior design, social media marketing, graphic design, internet design and software development. Welcomes the creation of Montague Community Park in the precinct. States that the revised streetscape plan completely ignores access to businesses at the northern end of Ferrars Street. States this will be an obstacle to the success of the future of these small businesses. Urges Council to maintain pedestrian and vehicle access to the northern end of Ferrars Street. <p>Alternative proposal</p> <ul style="list-style-type: none"> Supports the plan submitted by Peter Harvey of Surveyors Place and urges Council to consider this plan. <p>On-street parking</p> <ul style="list-style-type: none"> Acknowledges that Council has made some effort to address community concerns through providing parking spaces and loading zones on Douglas and Meaden streets.
15.	Commercial property owner (see attached submission 15)	Does not support the revised streetscape plan	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> States that representatives of local businesses have made several submissions to Council with revised plans which seem to have had little impact on Council decision making. States that the revised streetscape plan will restrict trading for businesses in the northern end of Ferrars Street.

Submission number	Relationship to the area	Position	Comments on the revised streetscape design
			<ul style="list-style-type: none"> • States that it is not possible to conduct business without some form of parking in close proximity. Tenants need space for visitors, deliveries etc. • The lack of parking would make the properties at the northern end of Ferrars Street unviable which would in turn lead to bankruptcy. • States that businesses do not want to hinder Council’s plan, they want to work with Council on a “win-win” solution. <p>Businesses in the precinct</p> <ul style="list-style-type: none"> • States that property owners have invested millions into their properties with the long term view that investments will fund retirement. • Asks Council to consider the “human element” of decision making. <p>Alternative proposal</p> <ul style="list-style-type: none"> • States that businesses do not want to hinder Council’s plan, they are looking for a “win-win” scenario. • Urges Council to be more sympathetic and flexible to the needs of these businesses.
16.	Representative of Owners Corporation of Surveyors Place, 111 Ferrars Street (see attached submission 16)	Generally supports the revised streetscape plan with some additional comments	<p>Revised streetscape plan</p> <ul style="list-style-type: none"> • Congratulates Council and Council officers for reviewing the streetscape plan and considering access and parking. • The current proposal addresses many concerns including access to the school, school drop-off and pick-up, access to businesses via Douglas and Meaden streets, parking in Meaden Street. • States the main issue with the revised streetscape plan is the lack of parking and access to businesses in Surveyors Place at the northern end of Ferrars Street. The revised streetscape plan will disadvantage these businesses and make them unviable. • Notes that there will be access for emergency services to the northern end of Ferrars Streets and asks that this be represented on final plans. • States that Surveyors Place and surrounding businesses are supportive of Montague Community Park. • States that Surveyors Place is encouraged by the revised streetscape plan and is willing to continue working with Council officers to develop a workable plan.

Submission number	Relationship to the area	Position	Comments on the revised streetscape design
			<p>Alternative proposal</p> <ul style="list-style-type: none"> Submitted an alternative proposal design drawing which includes driveway access to Surveyors Place via Ferrars Street and 16 car parking spaces. This parking could be used for workers and visitors to Surveyors Place. States that this alternative proposal would only encroach 180m² into Montague Community Park, which would not significantly affect the operation of the park but would provide great benefit to the businesses at the northern end of Ferrars Street. Urges Council to amend the current planning scheme amendment to reflect community concerns. <p>Businesses in the precinct</p> <ul style="list-style-type: none"> States that Surveyors Place and surrounding businesses want to co-exist with the school and park. States that businesses require safe and free vehicle access to and from the precinct. Notes that the Fishermans Bend Vision states that creative businesses are to be encouraged. <p>Planning scheme amendment</p> <ul style="list-style-type: none"> Urges Council to modify the current planning scheme amendment (September 2016) to reflect community concerns. States that if the planning scheme amendment is not modified, it may give rise to compensation claims from affected property owners and businesses under S98 of the <i>Planning and Environment Act 1987</i>.

Submission 14

10 March 2017

To Port Phillip Council

FERRARS STREET EDUCATION AND COMMUNITY PRECINCT – MONTAGUE PARK**RESPONSE TO "HAVE YOUR SAY"**

Dear Mayor, Councillors and Council Officers

I am the owner of the property located at [REDACTED] that is being severely and detrimentally impacted by Council's plans to remove existing pedestrian and vehicular access, as well as parking areas, to allow for the building of Montague Park.

Similarly affected are offices located at [REDACTED] Ferrars Street. These accommodate creative businesses with activities ranging from interior design, social media marketing, graphic design, Internet design and software development.

Of course we welcome the construction of a park adjacent to our properties and I appreciate that Council has made a significant effort to address some of our neighbours' major concerns, particularly the parking and loading zones in the vicinity of Douglas and Meaden Streets.

The recent revisions as published on Council's website have however completely ignored access to businesses located at the northern end of Ferrars Street.

This exercise creates a real obstacle to the success of our small businesses and makes the future viability of this building to house offices that employ dozens of people questionable and contrary to stated aims.

I urge Council to maintain pedestrian and vehicle access to these offices to ensure that normal business activities can continue.

We have employed the services of architect Peter Harvey who has submitted a plan that includes 16 car spaces with minimal reduction in the area allocated to the Park and urge Council to accept this reasonable solution.

Yours sincerely

Submission 15

FERRARS STREET PI EDUCATION – OFF STREET PARKING CLOSURE

My name is [REDACTED] and I own [REDACTED] which are situated at the Gladstone Street end of Ferrars Street. The area directly impacted by the off street parking closure to make room for the proposed Park.

We, at Surveyor's Place, have made several applications to the Port Phillip Council pointing out how the proposed alteration to the off street parking in Ferrars and adjacent street will adversely impact on the businesses conducted in our properties. However, no matter how valid our arguments are - we seem to have little impact on your decision making.

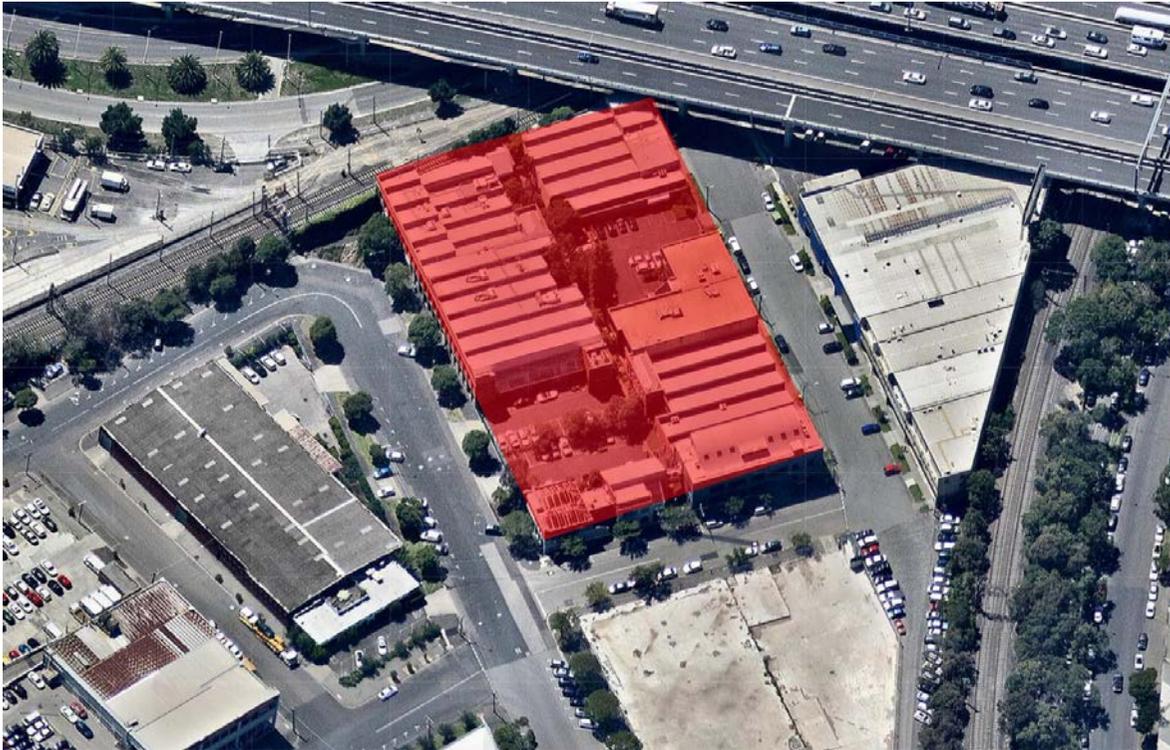
We have shown the Council alternatives, drawn up by professionals, which would work for both parties - but the Council seems to have other agendas. I can only repeat that the Council's plan, in its present form will restrict trading to the businesses in the areas they are closing off.

All of us at Surveyors Place have invested millions into these properties with the long term view that these investments will fund our retirements. We understand the Council's "Green" policies but we ask them to consider the human element here. It is not possible to conduct business without some form of parking facility within close proximity. Therefore if we cannot offer this facility to our tenants or even have space for their visitors, deliveries etc. - our properties become unviable. This in turn bankrupts our investments and ruins our retirements.

In the event of a fire, the fire hydrant connection point is outside 111 Ferrars Street. I understand that you must provide access for the fire brigade so why not include some car parks along this access route which could help alleviate our problem.

I sincerely hope that our arguments do not keep falling on deaf ears. Our aim is not to hinder the Council's plan - we are happy to make some adjustments, but considering that there are options that would provide a "Win - Win" scenario for both sides - we can't understand why the Council can't be more flexible and sympathetic towards our needs.

Submission 16 (see overleaf)



Response to
“Have Your Say” request
Ferrars St Education &
Community Precinct
Planning for Streetscape &
Montague Park

From
Surveyors Place
Owners Corporation
111 Ferrars St
Southbank

Re: Response to “Have Your Say” Ferrars St Education and Community Precinct – Planning for Streetscape and Montague Park.

Dear Mayor, Councillors & Council Officers

My name is Peter Harvey; I represent the Owners Corporation of Surveyors Place, 111 Ferrars St, Southbank. It sits directly opposite the new Montague School & Park.

It houses over 25 ++ Businesses and 295 ++ employees.

The immediate surrounds has over 400 employees and 30 businesses.

I am also a long standing property owner within Surveyors Place and run an Architectural Practice from 2-4 Douglas St.

I have worked in the area for over 25 years.

I would like to congratulate the Council in allowing Council Officers to revisit the many issues associated with the Street Scape, Access and Parking in this Precinct.

Comments to the proposal:

Generally we support the thrust of this new proposal.

We also commend the Council Officers, in particular Anthony Traill & his team for their work.

This current proposal goes a long way to addressing, many concern such as:

- Access to the school,
- School Children Drop Off & Pickup management
- Access to the vibrant Creative Hub via Douglas St & Meaden St and the like.
- Lack of Parking in Douglas St which can service the school and local businesses.

However the main problem still remaining is the lack of access and parking to the buildings and businesses within Surveyors Place at the end of Ferrars St.

This will cause great disadvantage to the point of making these businesses unviable and the building un-leasable.

We have prepared an Alternative Plan which will allow a “Win-Win” scenario.



Alternative Proposal

The attached Plan shows a small area in front of the driveway access to Surveyors Place that can be set aside for the inclusion of some 16 car spaces.

This will only encroach approximately 180 sqm into the park – not significant at all to the functionality of the Park, but of great benefit to the Businesses in the Creative Hub.

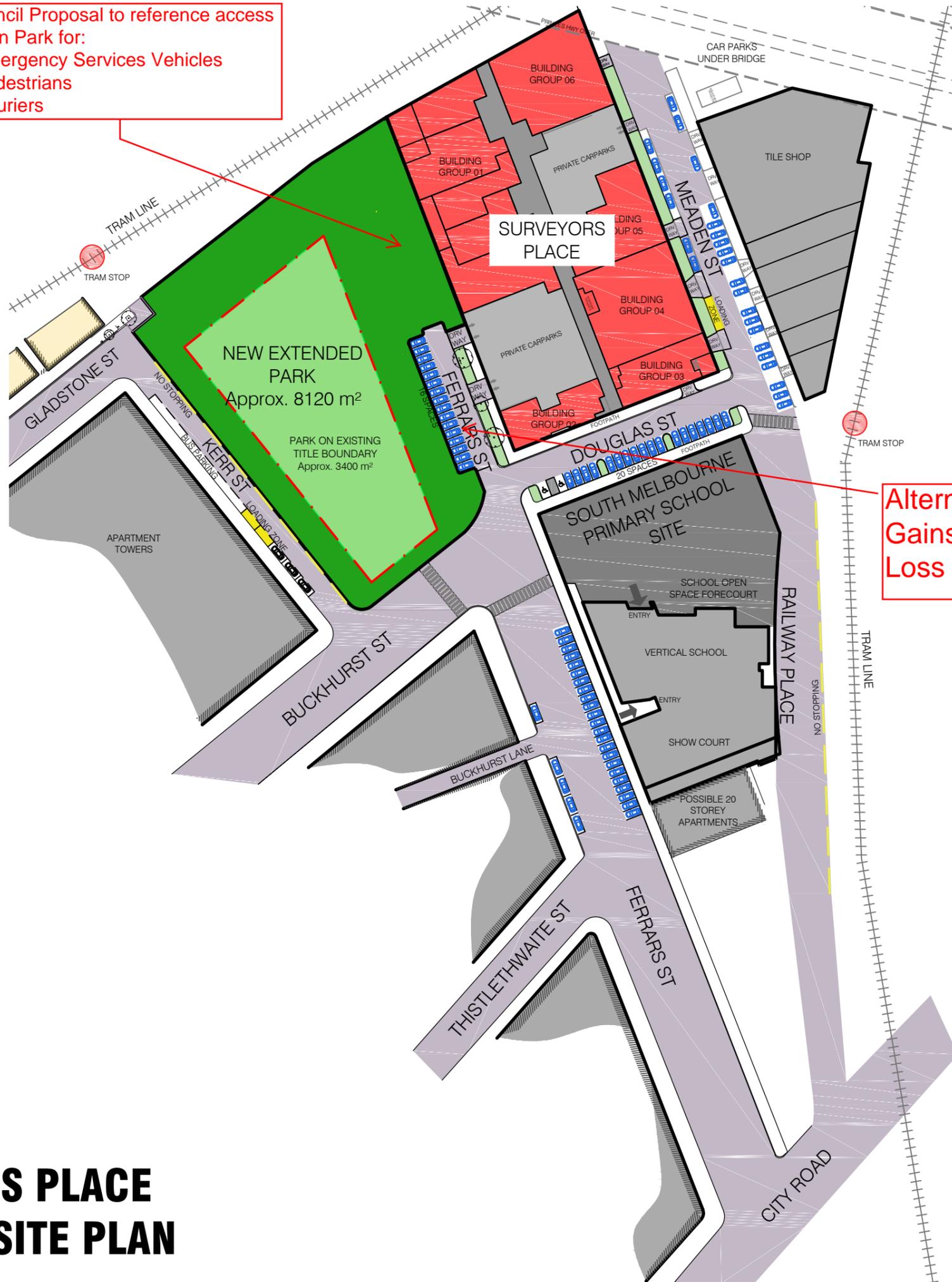
This can be used for parking for workers and visitors to the main Surveyors Place Creative Hub.

In addition although it is not shown on the diagram, we understand from Anthony Trill that there will be trafficable surfaces within the park to the end of Ferrars Street to allow for Emergency Vehicles and Couriers.

We request this be noted somewhere on the council documentation.

Council Proposal to reference access within Park for:

- Emergency Services Vehicles
- Pedestrians
- Couriers



Alternative Plan
Gains 16 Cars
Loss of only 180 sq of Park

SURVEYORS PLACE PROPOSED SITE PLAN

 NEW / EXTENDED PARK

INFORMATION ONLY

Architect
PETER HARVEY & CO
architecture > interiors > project management

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Project
FERRARS ST EDUCATION & COMMUNITY PRECINCT - COMMENTS

Drawing Name:
SURVEYORS PLACE - PROPOSED PLAN

Job No: 201608	Drawing No: A-0050	Rev. No: -
Scale@A1 NTS	Drawn by	
Proj. Start Date JUN 2016	ORIGINAL SHEET SIZE - A1	

Comment: - For the benefit of new councillors, I would like to briefly reiterate on previous submissions:

- 1 Surveyors Place & surrounding businesses (400 staff & 30 + businesses) are in favour of the School
- 2 Surveyors Place & surrounding businesses (400 staff & 30 + businesses) are in favour of the Park
- 3 As good community members and a Creative Business HUB, we simply want to be able to co-exist with the School and the Park.
- 4 This requires safe and free vehicle access and parking to & from the Montague Precinct, especially the School, Park and our Creative Business HUB of Surveyors Place.
- 5 We are concerned that should the Ministerial Amendment to the Planning Scheme go ahead in its current form the outcome will be devastating to our Creative Community and in addition create a very congested and dysfunctional School and Park environment – especially for the school pickup and drop off zones.
We questioned the functionality and the safety of the previous plans for Children and Parents – these have been substantially addressed in the current proposal.
- 6 We note that we are the exact Creative Industries which are stated in the Fishermans Bend Vision Statement which are to be encouraged and supported as a priority, it states: I quote
“A focus on retaining and developing creative and existing successful industries currently in FBURA; to assist in retaining and attracting businesses and to maintain competitiveness in the creative industries/graphic design/advertising sector”

This Ministerial Amendment in its current form will drive these industries away.

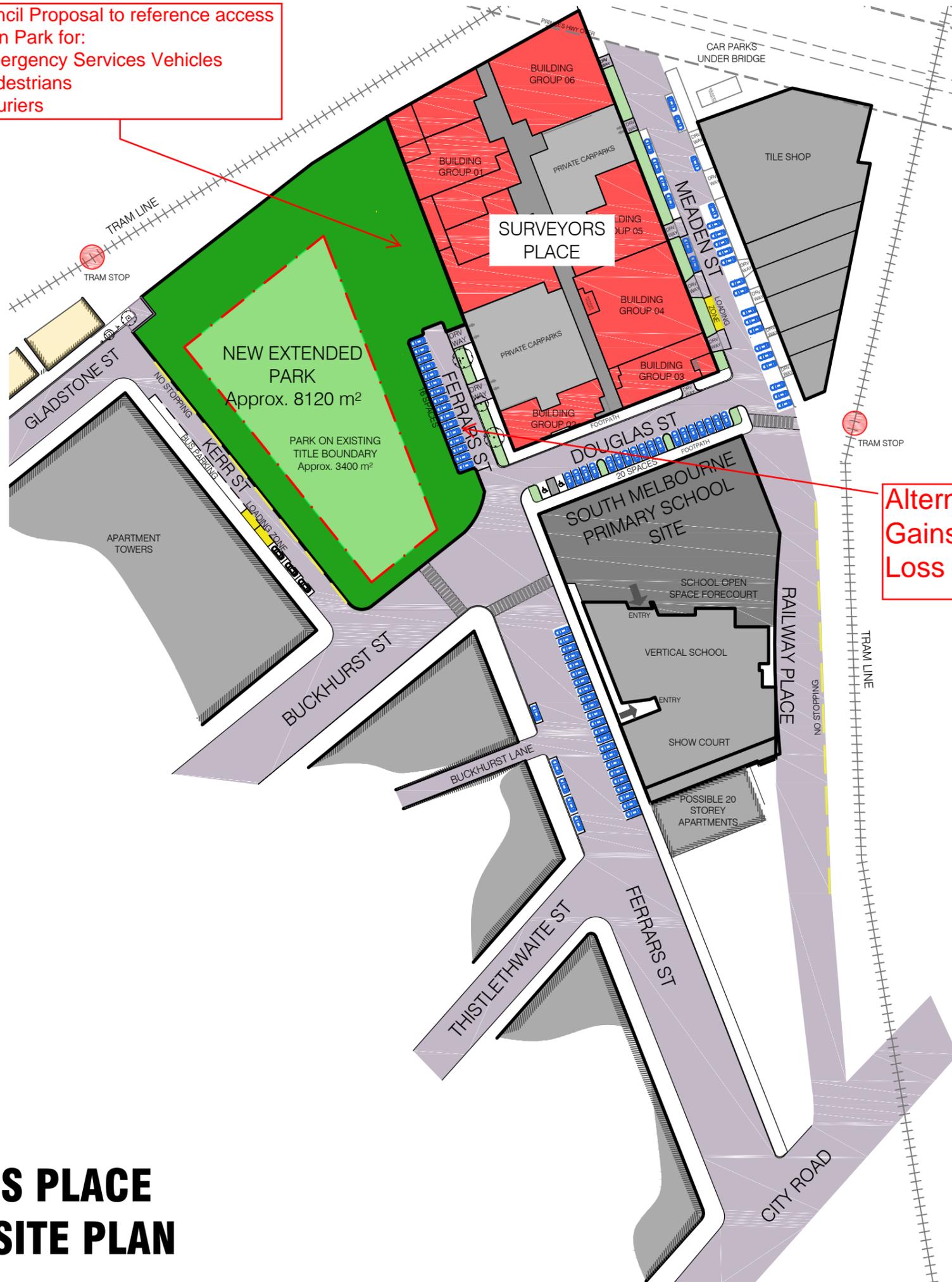
- 7 We also note that this is the first of the Fishermans Bend major developments and it's imperative that this is successful to all stakeholders and matches the Vision Statement.
- 8 We are encouraged by the thrust of the recommendations contained in this latest proposal and will be more than happy and willing to work with the Council and its Officers to come up with workable solutions.
- 9 We have engaged Gadens Lawyers to provide a legal opinion on the documentation issued by Council after 13/9/2016 and the subsequent request for a Ministerial Planning Scheme Amendment. It is their opinion should the Amendment proceed in its current form, it may give rise to compensation claims from affected property owners & businesses under s98 of the Planning and Environment Act 1987 (attached).
- 10 We encourage the Council and Officers to reconsider the current Amendment and modify it to reflect Community concerns regarding access and parking – especially to and from the School, the Park and Creative HUB of Surveyors Place
These sorts of massive changes as to the way a community functions should be transitional over time and not instant!!
- 11 We support the School and Park and endorse the recommendation with amendments as per the **Alternative Plan**.

We just want to co-exist within this community.

I thank you for your consideration.
Peter Harvey
B Arch ARIA
Managing Director
Peter Harvey & Company Pty Ltd

Council Proposal to reference access within Park for:

- Emergency Services Vehicles
- Pedestrians
- Couriers



Alternative Plan
Gains 16 Cars
Loss of only 180 sq of Park

SURVEYORS PLACE PROPOSED SITE PLAN

 NEW / EXTENDED PARK

INFORMATION ONLY			
Architect			
PETER HARVEY & CO			
architecture > interiors > project management			
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Project			
FERRARS ST EDUCATION & COMMUNITY PRECINCT - COMMENTS			
Drawing Name:			
SURVEYORS PLACE - PROPOSED PLAN			
Job No:	Drawing No:	Rev. No:	
201608	A-0050	-	
Scale@A1	NTS	Drawn by:	
Proj. Start Date	JUN 2016	ORIGINAL SHEET SIZE	A1

Montague Community Park
Partial road closure of Ferrars Street and Gladstone Street, Southbank

Council meeting on 13th December 2016

Submission on behalf of Surveyors Place Owners Corporation

To the Councillors of Port Phillip City Council

This submission is made on behalf of the Surveyors Place Owners Corporation.

It is submitted that the Amendment C135 documentation should not be approved in its current form. We raise the following issues below which require Council's further consideration and consultation with interested parties.

It has also come to our attention that the Amendment documentation published on the Council website as approved at the Council meeting was not in fact the document that has been sent to the Minister for approval, which is of concern.

1. The Amendment (as adopted) is not generally in accordance with Council officer's recommendations outlined in the Agenda for the Council meeting on 13 September 2016.

- At the outset, Council officers entertained two options in relation to the road closures in the area surrounding the proposed Montague Community Park. The Agenda for the Council meeting on 13 September 2016 stated further that the two options being considered did not deliver a balanced outcome across all the assessment criteria
- As a result, a third option was developed by Council officers which:
 - provides a more balanced outcome and meets the assessment criteria; and
 - considers transition and staging opportunities in accordance with further feedback received.
- The endorsement of this 'balanced outcome' by Council officers however was not adopted by the former Councillors who decided instead to approve an option which did not meet the prescribed assessment criteria and was clearly not recommended by Council officers.
- The Amendment (as adopted) does not adequately provide for the consideration of transition and staging opportunities or enable a review to occur in 2023 as set out in the Agenda for the meeting on 13 September 2016. The extensiveness of the road closures, especially in relation to Ferrars Street, Douglas Street and Meaden Street, will directly and adversely affect businesses in Surveyors Place, including with respect to their value. The immediate removal of such large number of car parking spaces in the area is a drastic and unreasonable change.
- It would be a more appropriate course, to set a future date for review of the parking and traffic conditions in 2023 which would enable an informed decision to be made taking into account any impact of the new arrangements in an evidenced-based manner. This would be consistent with the consideration of transition and staging opportunities and ensure that a net community benefit can be considered at the relevant time.
- A future review trigger would mean that actual data and operational considerations can be taken into account including any safety issues in relation to the school drop-off point and the appropriateness of any future changes.

2. The Amendment as sent to the Minister contains errors and does not reflect the Council resolution

- It appears that the Incorporated Document as published on the Council website as part of the Minutes was not the document subsequently sent to the Minister for approval. The published document appears to be in accordance with the 'balanced outcome' option. However, the

Incorporated Document that was in fact sent to the Minister appears to be Option 1 which itself contradicts with the resolution in the Minutes of the Council meeting on 13 September 2016.

- It is clear from the Minutes of the Council meeting on 13 September 2016 that Council approved the 'balanced outcome' option. Paragraph 1.4 state that the Amendment 'balances the maximising of public open space in the long term with temporary traffic and parking needs in recognition of current creative industry operations'. This appears to be a reference to the 'balanced outcome' option recommended by Council officers which included an extension of Ferrars Street for street parking and not to Option 1 which was sent to the Minister.
- The Incorporated Document sent to the Minister for approval does not provide for the Ferrars Street extension, does not reflect the Council resolution and therefore should be withdrawn.

3. The Amendment (as adopted) does not 'support important creative industries' and does not take into account the significant detrimental impact it will have on creative industries.

- On page 10 of the minutes of the Council meeting on 13 September 2016, approval was given for "constructing the full vision of the park by 2018 while also supporting the important creative industries."
- The effect however, of the Amendment and construction of the full vision of the park as outlined in the proposed Incorporated Document, is that the creative industries in the area will experience significant detrimental effects as follow:

- **Street parking**

According to Council's own report by officers, the Amendment would see the elimination of 194 existing car spaces in the affected area. Such a significant loss of car parking spaces which are currently used by staff and customers of creative industries in and around Surveyors Place would be highly detrimental to these businesses.

While the minutes of the Council meeting on 13 September 2016 states that "20 local employment car parking spaces for Surveyors Place owners and employees" are to be offered, this is an inadequate concession for the 194 car parking spaces which are currently available. In any case, there is no provision of this in the Incorporated Document of the Amendment and so even this small concession is not ensured if the Amendment were to be approved.

- **General access to businesses**

The Amendment in its current form will restrict access for business deliveries, couriers, rubbish disposal as well as fire truck access to buildings at Surveyors Place. It will also restrict routine business activities requiring travel into and outside the Fishermans Bend area.

Given the car park within Surveyors Place is gated with restricted security only access at its frontage with Ferrars Street, delivery vehicles will have practically nowhere to stop except to double-park while they wait for the security roller door to be opened by someone. The fact that this remaining section of northern Ferrars Street will become very short and narrow under the Amendment is likely to lead to unintended congestion in that area.

It is submitted that the restriction of convenient public access and parking near the entrance to the premises to such a large extent is unacceptable and an unnecessary outcome in light of the fact that Council officers had developed and recommended an option with a balanced outcome.

These factors will have a significant adverse effect on the viability of the businesses at Surveyors Place.

4. The Amendment may give rise to compensation claims for affected property owners under s98 of the *Planning and Environment Act 1987*.

- A formal public consultation process has not taken place in relation to the Amendment with the opportunity to seek and assess independent expert advice in relation to this project. A decision to extensively close roads which service existing businesses should not proceed as fast as it has without formal consultation and adequate time for interested and affected parties to make submissions and seek expert advice.
- As a result, the proposal that has been sent to the Minister will, among other detrimental effects, significantly restrict access to businesses at Surveyors Place.
- If the Amendment proceeds in its current form, the owners of properties in Surveyors Place may have a potential right to claim compensation under Part 5 of the Act, s98(1)(d), for financial loss suffered as the natural, direct and reasonable consequence of access to the land being restricted by the closure of a road by a planning scheme.

5. Use of RXO land for temporary extension of Ferrars St

One further matter we raise for consideration is in relation to Council's support for the Council officers' recommendation to adopt the 'balanced outcome' option. Under the balanced option this would include a temporary extension of Ferrars Street and would provide a more balanced parking option. However, since this option nevertheless involves a road closure overlay (**RXO**) over the area forming the Ferrars Street extension, there is an issue that would need to be addressed to ensure adequate Council/State responsibility for the area is addressed.

In our submission, in the adoption of the balanced outcome, the area forming the Ferrars Street extension should not be subject to the RXO to avoid such issues in the interim period until the proposed review date/sunset date.

Conclusion

On behalf of our clients, we request that Amendment C135 be withdrawn from the Minister and further consideration given to the issues raised above. The standard process of public consultation and a Panel hearing if submissions can't be resolved would also serve to facilitate an appropriate outcome for the community and interested parties.

While our clients support the Council's decision to build a primary school and park, we believe important considerations have been overlooked and that there is a more balanced outcome which can be reasonably achieved in the interests of all parties.

Further, we commend the approach in the Council Officer's report and recommendation for the Council meeting (at 1.5) to authorise the officers to work with our client to re-scope the streetscape works to consider measures to address our client's concerns about business access and loss of parking.

Representatives from the Surveyors Place Owners Corporation will address the matters raised in this submission at the Council meeting on 13 December 2016.

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