

# MARINA RESERVE MASTERPLAN

*Response to DSE request for further information on the  
Marina Reserve Masterplan application for coastal consent  
(2<sup>nd</sup> February 2011)*

City of Port Phillip





## **1. Introduction**

The following information is provided in response to the Department of Sustainability and Environment (DSE) letter of the 11 November 2010 concerning the application for the use and development of coastal Crown land at Marina Reserve St (refer Attachment 1).

The DSE, as the Minister's delegate, requested further information pursuant to Section 39(2) of the *Coastal Management Act 1995*, addressing the following:

- Justifications for recommending the Marina Reserve was an inappropriate site in the 2004 assessment but is now the preferred site ( Section 4.1);
- An assessment of (a) the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners and (b) the semi-enclosed pocket, against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 ( Criteria for use and development on coastal Crown land, p. 56) ( Section 4.2);
- An assessment of the community benefit derived from (a) the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners and (b) the semi-enclosed pocket<sup>1</sup>( Section 4.3); and
- A risk analysis of placing an active skateable recreational activity and skateable space in an off-leash dog area (Section 4.4).

## **2. Background and context**

### **2.1 Background**

- Marina Reserve is a triangle wedge shape of 1830m<sup>2</sup> located between Marina Parade, the St Kilda Marina and the foreshore. It was created as part of the St Kilda Marina development in the 1960s<sup>2</sup>.
- Council lodged an application for consent under Section 40(1) of the Coastal Management Act 1995 for the use and development of Marina Reserve in accordance with the Marina Reserve Masterplan September 2010 on the 14 October 2010. <sup>3</sup>
- Marina Reserve is part of the St Kilda foreshore which is a 1.5km stretch of foreshore from West Beach Pavilion to the St Kilda Marina. It hosts a number of facilities and infrastructure (refer Attachment 3.).
- The Marina Reserve Masterplan provides for an upgraded park with new pathways, open lawn area, increased indigenous vegetation, active recreation and skateable space, smaller car park, amenities and a considerably improved environmental footprint.

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<sup>1</sup> DSE Officers have agreed to the use of the term "semi-enclosed pocket" instead of "bowl like structure".

<sup>2</sup> Further detail on the Marina Reserve application for coastal consent is provided at Attachment 2

<sup>3</sup> The application can be viewed at <http://haveyoursayatportphillip.net.au/document/index/6>

## **2.2. Distinction between sport and recreation**

A key point in the DSE letter of the 11 November is the distinction made between 'sport' and 'recreation'. The letter states that:

*'DSE does not support incorporation of a 'skate bowl' into the plan which would be seen to elevate the use to a sporting level...'*

This implies that infrastructure that supports recreational use as opposed to sporting use may be acceptable.

The Encarta on-line dictionary has been used to define the terms 'sport' and 'recreation':

- Sport – *"an individual or group competitive activity involving physical exertion or skill, governed by rules, and sometimes engaged in professionally",*
- Recreation – *"an activity that a person takes part in for pleasure or relaxation rather than as work".*

It is contended that the act of skating or other form of wheeled play is a form of recreation. It is a sport only to the extent that it will involve a level of physical exertion.

The entire active space including the semi-enclosed pocket intentionally does not meet the necessary requirement to be deemed a sporting facility nor is the infrastructure of a size or scale to cater for competitive or professional activity. It has been designed as a play space adjacent to a pathway system that stretches along the whole length of the foreshore. It is intended to be enjoyed by all ages and all groups within the community.

A typical day in the life of Marina Reserve is included at Attachment 4 to indicate how the space could be used.

It is considered that skating and other forms of wheeled play are some of the many existing and legitimate recreational pastimes on the foreshore. The active recreation and skateable space can be compared to bicycle paths, playgrounds and car parks along the foreshore. Bike paths facilitate cycling, children's playgrounds facilitate young children's play accompanied by their parents, grandparents or carers and car parks support access for people who reside beyond the local area or who have special access needs. These are all uses placed on the foreshore which support the outdoor recreation culture of St Kilda plus the general community's use and enjoyment of the foreshore.

## **3. Consistency of the application with the Victorian Coastal Strategy 2008**

It is the Council's view that the application for coastal consent is consistent with the Victorian Coastal Strategy 2008.

The Victorian Coastal Strategy (VCS) recognises as policy that good coastal infrastructure should be provided (see page 63). The Strategy also recognises that an urban coastline has a different function to a non-urban coastline and serves different needs. In particular an urban coastline functions as community open space, a social and cultural gathering place and is important for recreation (see page 57). Please see Attachment 5 for excerpts of the relevant sections of the VCS. .

It is within this context that the further information is provided, particularly in relation to the discussion on coastal dependency and community benefits of the semi-enclosed pocket and skating infrastructure.

#### **4. Further information**

The request for further information from DSE on 4 topics is provided below.

##### **4.1 Justifications for recommending the Marina Reserve was an inappropriate site in the 2004 assessment but is now the preferred site.**

The DSE letter of the 11 November 2010 noted that the 2004 assessment ranked Fitzroy street as 96% suitable for a skate park and Marina Reserve as only 46% suitable. The request for further information has requested “*justifications for recommending the Marina Reserve was an inappropriate site in the 2004 assessment but is now the preferred site*”.

The following points are made:

##### **4.1.1 Ranking for Marina Reserve**

The site that was assessed and given the rating of 46% in the 2004 assessment was the Marina Reserve car park site only (also known as the “Turkey Tom” car park) and not the proposed active recreation and skateable space within Marina Reserve.

- In 2001 Council conducted a planning process to assess a masterplan for Marina Reserve which included a skating element.
- On 7 November 2001, Council considered a report on the masterplan and agreed to remove the skating component and finalise the masterplan (page 41 of Agenda).<sup>4</sup> Following this decision Council initiated an investigation into the identification and assessment of sites for a new skate park in St Kilda.
- On 3 November 2004, Council considered a Council Report that provided the results of a comparative site analysis undertaken on seven sites including the Marina Reserve car park (page 39 of Agenda)<sup>5</sup>. The report clearly shows that “Marina Reserve car park” was the site and did not include any other part of Marina Reserve.

A subsequent report to the Council on the 22 November 2004 provided additional information on the assessment process and criteria used based on 8 sites. In this list the “Marina Reserve car park” site was abbreviated to the “Marina Reserve” site and the Shakespeare Grove site was included in the list (page 1 of attachment to Council report)<sup>6</sup>. The criteria used appear to be derived from the location and siting checklist criteria in the Sport and Recreation Victoria Skate Facility Guide 2001 at page 107<sup>7</sup>. Not all the listed criteria have been used and there are some additional criteria.

A comparison of the 22 November 2004 assessment criteria and the Facility Guide criteria is included at Attachment 7 along with an assessment of the current site against the Facility Guide criteria.

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<sup>4</sup> <http://www.portphillip.vic.gov.au/default/o540.pdf>

<sup>5</sup> <http://www.portphillip.vic.gov.au/default/o12348.pdf> and <http://www.portphillip.vic.gov.au/default/o12349.pdf>

<sup>6</sup> <http://www.portphillip.vic.gov.au/default/o12648.pdf> and <http://www.portphillip.vic.gov.au/default/o12649.pdf>

<sup>7</sup> See [http://www.dpcd.vic.gov.au/\\_data/assets/pdf\\_file/0018/39213/skatefacilityguide.pdf](http://www.dpcd.vic.gov.au/_data/assets/pdf_file/0018/39213/skatefacilityguide.pdf)

#### **4.1.2 2004 Assessment**

The 2004 assessment provided a very low score of 46% for the Marina Reserve car park and a high score of 96% for the Fitzroy Street site.

On review of the assessment this appears to be mainly from the fact that the car park is an asphalt covered, hard surface on Marine Parade. It therefore failed criteria such as being undeveloped and available, unimpeded by infrastructure, able to accommodate design options and diversity of skate elements, ability to restrict access to vehicles to prevent night skating and suitable soil/environmental conditions. There were also a few criteria that were not achieved which on a current review would be achievable. These include the suitability of the planning scheme zone and reservation and being close to shops selling food and drink.

#### **4.1.3 Suitability of the Fitzroy Street site**

With regard to the suitability of the Fitzroy Street site, it is noted that in addition to scoring highly in the 2004 assessment, it also scored highly in the Independent Assessor's report and was included as one of the nine short listed sites. However in the Independent Assessor's final recommendation the Fitzroy Street site was not supported. In relation to this site, the Independent Assessor report states the following:

*The siting of a skate park at this location would have many benefits from a skating perspective. However, the divided view of the community and local groups as to the suitability of this site was evidenced with the magnitude of objections and the protracted planning process undertaken for same project in 2008. The weight of community opinion rejecting the site clearly suggests that this site is 'highly unlikely' to deliver a skate park to the community in the short to medium term, if at all (page 6).*

The St Kilda Skate Park Community Reference Group also did not support the Fitzroy Street site. The Minutes of the 20 May 2009 states the following:

*The majority agreed that the Marina Reserve site is the preferred site and that this is in agreement with RS report.*

*Re the Fitzroy Street site, there was a mixed view about the suitability of Fitzroy Street site and an agreement that it was unlikely to be able to deliver a skate park to the community.*

There is no support from the Port Phillip Council to site any type of active recreation and skateable space at the Fitzroy Street site.

**4.2 An assessment of:**

- (a) the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners and**
- (b) the semi-enclosed pocket, against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 (Criteria for use and development on coastal Crown land, p. 56);**

An assessment of both the Marina Reserve Masterplan and the active recreation and skateable space against the coastal dependency requirements was undertaken as part of the Council's October 2010 application. A further detailed assessment as requested by DSE has been undertaken and is included below.

The total area of the active recreation and skateable space is 750m<sup>2</sup> which is made up of:

- four pods of 535m<sup>2</sup> (95m<sup>2</sup>, 100m<sup>2</sup>, 120m<sup>2</sup>, 70m<sup>2</sup> and 95m<sup>2</sup>)
- a semi-enclosed pocket of 70m<sup>2</sup> (9.5 metre diameter and 2100mm in depth)
- a feature wall that wraps around the entire space of 145m<sup>2</sup>.

See attachment 6 for further information.

DSE has requested that the skateable space be assessed as two clearly definable structures. Although separable it should be noted that the "wall" wraps around itself to form the semi-enclosed pocket and is therefore part of a single structure. It is envisaged that this would create the experience of a bowl without necessitating an enclosed structure. The other way to consider the semi-enclosed pocket is to treat it as a pod surrounded by part of the sculptural wall, whose form is a bowl with one sixth cut off. It is experienced as a bowl but does not provide a complete bowl like experience because it is not an intact bowl.

The assessment below indicates that both the skateable infrastructure (including the four pods, sculptural elements, walls, transitions and corners) and the semi-enclosed pocket can be justified in terms of the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008.

<b>Criteria - Use and development on coastal Crown land:</b>	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including four pods, sculptural elements, walls, transitions and corners	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including the semi-enclosed pocket
<p>1. Has demonstrated need to be sited on the coast and requires a coastal location to function</p>	<ul style="list-style-type: none"> <li>• The proposed skateable infrastructure (including four pods, sculptural elements, walls, transitions and corners) needs to be sited on the St Kilda foreshore coast.</li> <li>• Marina Reserve is part of the St Kilda foreshore and is within the St Kilda foreshore activity node. This area currently hosts a number of facilities and infrastructure that provide a range of experiences and activities for users of various ages and abilities from the local and wider community.</li> <li>• The St Kilda foreshore is currently missing infrastructure that provides active recreational opportunities for all ages and abilities and especially for young people aged 8 – 17.</li> <li>• The St Kilda foreshore requires infrastructure that provides recreational opportunities all year round and especially in the colder months.</li> <li>• Successful foreshore spaces are created by a mix of people and supporting infrastructure that encourages lateral movement along the foreshore (with a mix of activities). It is considered that active recreation and skateable space is an essential part of an activity mix that is foreshore dependent, whereby families and young people are encouraged to access a range of healthy activities that foreshore environments</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is an integral part of the active recreation and skateable space and therefore needs to be sited on the St Kilda foreshore coast.</li> <li>• The semi-enclosed pocket is not an intact bowl but a bowl pocket that fits within the overall design.</li> <li>• It was not included in the draft masterplan but a semi-enclosed pocket was included in the final masterplan as a response to community consultation and community demand for a more complete coastal recreation experience.</li> <li>• It will provide a bowl like (back and forth) experience for skaters, cyclists and other forms of wheeled play. It will therefore complete the experience for those wanting to actively recreate on the grassed area within this coastal location. More details on the semi-enclosed pocket are included at Attachment 6.</li> <li>• The semi-enclosed pocket is needed as it will attract a range of more experienced skaters and therefore provide a more inclusive form of recreational</li> </ul>

<sup>8</sup> Siting and Design Guidelines for Structures on the Victorian Coast 1998 Page 11



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	<p>provide. The location of the skate elements elsewhere does not provide families and young people with the unique mix of passive and active activities that a coastal strip presents. Skateable infrastructure therefore enhances the ability for all members of the community to enjoy and appreciate our foreshore in a variety of ways.</p> <ul style="list-style-type: none"> <li>• The particular design of the skateable infrastructure with its sculptural elements and curved walls will fit into the proposed redesigned and reshaped Marina Reserve. This design has coastal references with its wave inspired design, undulating surface and palette of materials ranging from coloured concrete to timber in keeping with the language of the wider foreshore precinct.</li> <li>• The four pods, sculptural elements, walls, transitions and corners will serve as a shared space for a variety of user groups. This will enable the activation of the space and the conduct of a broad range of activities including skating, sitting, performing (i.e. used as an outdoor stage). It is therefore considered that these works will “...<i>contribute significantly to public enjoyment and appreciation of the coast</i>”.</li> <li>• The works are considered to be coastal dependant as they are needed to complete the range of experiences and activities available within an urban coastline such as the St Kilda foreshore.</li> </ul>	<p>infrastructure.</p> <ul style="list-style-type: none"> <li>• The semi-enclosed pocket will improve the appeal of this space for family groups with more experienced skaters and wheeled sports enthusiasts and better cater for spectators.</li> <li>• If the semi-enclosed pocket is removed it would reduce the experience offered and the target audience. It is a moment within the wider active recreation area that allows for back and forth movement and is easily accessed by all users of the space.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Further to this is the association between teenage depression and obesity. The unstructured nature of skating allows for self expression through activity strengthens relationships between the community and the individual opening lines of communication and support. Whilst encouraging young people to be active.</li> <li>• Skateboarding has strong relationships and history associated with watersports such as surfing, sail boarding and kite surfing drawing upon similar skill sets of balance strength and flow (this was highlighted in submissions)</li> </ul>	
2. Located within an activity node or recreation node	<ul style="list-style-type: none"> <li>• The four pods, sculptural elements, walls, transitions and corners are proposed within Marina Reserve which is located within the St Kilda Foreshore Activity Hub. This area is envisaged as an area that should cater for the local and wider community</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is proposed as part of the active recreation and skateable space within Marina Reserve which is located within the St Kilda Foreshore Activity Hub. This area is envisaged as an area that should cater for the local and wider community</li> </ul>
3. Fulfils an identifiable need or demand that cannot be met elsewhere	<ul style="list-style-type: none"> <li>• The need for the skateable infrastructure was established through the initial deliberation of Council in June 2009 and subsequently in September 2009 when it was agreed to review the 2002 Marina Reserve masterplan.</li> <li>• The need for the four pods, sculptural elements, walls, transitions and corners has been established</li> </ul>	<ul style="list-style-type: none"> <li>• The need for the skateable infrastructure was established through the initial deliberation of the Council in June 2009 and subsequently in September 2009 when it agreed to review the 2002 Marina Reserve masterplan.</li> <li>• The need for the semi-enclosed pocket</li> </ul>

<b>Criteria - Use and development on coastal Crown land:</b>	<b>Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including four pods, sculptural elements, walls, transitions and corners</b>	<b>Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including the semi-enclosed pocket</b>
	<p>through the consultation exercise that has been carried out as part of reviewing the draft masterplan. A consistent view within submissions was the need for the skateable infrastructure to provide a range of experiences and it is considered that the proposed four pods, sculptural elements, walls, transitions and corners will provide this.</p> <ul style="list-style-type: none"> <li>• This demand cannot be met elsewhere. There are no other sites that were identified as suitable by the Council in its process of selecting a site for skateable infrastructure. This issue was revisited as part of the process of reviewing public submissions (Council reports of the 13 September and 11 October 2010). The advice was that there are no other sites that can provide active recreation and skateable space in the near future. If the development of skateable infrastructure does not proceed on this site it is likely to not proceed at all.</li> </ul>	<p>was established through the consultation exercise that has been carried out as part of reviewing the draft masterplan.</p> <ul style="list-style-type: none"> <li>• The draft masterplan did not include a bowl but the Council did request feedback on if a skate bowl should be included in the skateable infrastructure. A strong view within submissions showed the need to include a bowl of some sort, to provide a complete experience and to maximise inclusiveness of the skateable infrastructure space. For this reason the Council directed that a shallow bowl-like structure should be included within the skateable infrastructure to provide a range of experiences.</li> <li>• It is considered that the semi-enclosed pocket whilst not technically a complete bowl, will provide a bowl like skating and wheeled sport experience.</li> <li>• The demand for a semi-enclosed pocket cannot be met elsewhere. There are no other sites that were identified as suitable by the Council in its process of selecting a site for skateable infrastructure. This issue was revisited as part of the process of reviewing public submissions (Council</li> </ul>

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		reports of the 13 September and 11 October 2010). The advice was that there are no other sites that can provide active recreation and skateable space in the near future. If the development of skateable infrastructure does not proceed on this site it is likely to not proceed at all.
4. Demonstrates considerable net community and public benefit and ensures equity in community access to new and existing use and development	<ul style="list-style-type: none"> <li>• The proposed works including the four pods, sculptural elements, walls, transitions and corners will achieve these criteria.</li> <li>• The application demonstrates that there is a net community and public benefit from improving the reserve and catering for a wide range of user groups. The following section provides a full community benefit assessment.</li> <li>• The active recreation and skateable space will enhance, rather than detract from, existing uses of Marina Reserve and will attract new sectors of the community to participate in existing activities including walking, cycling, enjoying the adjacent boat harbour and the public art in the area.</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space and will achieve this criterion.</li> <li>• The application demonstrates that there is a net community and public benefit from improving the reserve and catering for a wide range of user groups.</li> <li>• The community benefit is enhanced by including the semi-enclosed pocket to provide a fuller recreation experience and cater for a more diverse group. The following section provides a full community benefit assessment.</li> </ul>
5. Involved consultation with local and broader	<ul style="list-style-type: none"> <li>• The decision to include the four pods, sculptural elements, walls, transitions and corners as part of the skateable infrastructure has been based on broad consultation.</li> </ul>	<ul style="list-style-type: none"> <li>• The decision to include the semi-enclosed pocket as part of the skateable infrastructure has been based on broad consultation.</li> </ul>

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community	<ul style="list-style-type: none"> <li>The draft masterplan included 3 areas of skateable infrastructure with no defined form of infrastructure. This was revised as part of the consideration of submissions and Council agreed to combine the 3 skateable areas into one area of 750m2 and include a shallow skate bowl and supporting transition areas catering for beginners, intermediate and some advanced users within the same footprint.</li> <li>Further detail and a 3D impression was provided in the revised masterplan to provide a clearer indication of the type of skateable infrastructure that is proposed as well as how it would fit into the landscape.</li> </ul>	<ul style="list-style-type: none"> <li>The draft masterplan included 3 areas of skateable infrastructure with no defined form of infrastructure. This was revised as part of the consideration of submissions and Council agreed to combine the 3 skateable areas into one area of 750m2 and include a shallow skate bowl and supporting transition areas catering for beginners, intermediate and some advanced users within the same footprint.</li> <li>Many submitters stressed the importance of including a bowl like experience in addition to other forms of skateable infrastructure. This has been achieved with the semi-enclosed pocket which whilst not a complete bowl will provide a bowl like experience.</li> </ul>
6. Facilitates multi-use of sites and existing infrastructure and the rationalisation of existing buildings and car parks without resulting in	<ul style="list-style-type: none"> <li>The skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners has been designed as a shared space that can be appropriated by those actively recreating as well as all park users from those walking and sitting to those sun baking or reading books (amongst other things). It will therefore facilitate multi-use of the reserve.</li> </ul>	<ul style="list-style-type: none"> <li>The semi-enclosed pocket is part of the active recreation and skateable space and has been designed as an integrated component of the shared space.</li> <li>The semi-enclosed pocket will integrate with the reshaped topography and complement the four pods, sculptural</li> </ul>

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over-use	<ul style="list-style-type: none"> <li>• The space integrates with the reshaped topography and provides a multitude of unstructured active recreation opportunities catering to all disciplines (skate, BMX, scooter, inline), levels (beginner to intermediate) and ages (5 to 55).</li> <li>• Multi-use will be facilitated as the design encourages both active and passive forms of recreation with plenty of seating and decking to encourage spectating of all forms of activity within the space.</li> <li>• As access for many users of the skate infrastructure will be along the foreshore the proposed infrastructure will encourage greater use of foreshore paths for walking, cycling, scooting and skating and will attract new users to enjoy these activities</li> </ul>	<p>elements, walls, transitions and corners, catering for a multitude of unstructured active recreation opportunities.</p> <ul style="list-style-type: none"> <li>• The semi-enclosed pocket will provide a wonderful space for spectators to observe as it is likely to be the location for the best display of skill levels by active participants. It will therefore facilitate multi-use of the reserve.</li> </ul>
7. Facilitates improvements of sites or existing developments that have poor environmental or social performance	<ul style="list-style-type: none"> <li>• The skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners will facilitate improvement of the reserve from both an environmental and social performance perspective.</li> <li>• The proposed works are part of the suite of environmental improvements including WSUD. Surface runoff water will be captured and harvested through rain gardens and planting treatments. The water can be used to irrigate vegetation within the reserve or fed back into the bay.</li> <li>• The proposed works will lead to social improvements</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space and it will facilitate improvement of the reserve from both an environmental and social performance perspective.</li> <li>• The proposed works are part of the suite of environmental improvements including WSUD and they will lead to social improvements to the reserve and improve how it caters to different user groups.</li> <li>• The semi-enclosed pocket in particular will encourage informal less structured</li> </ul>

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	<p>to the reserve and improve how it caters for different user groups. These works in particular will encourage informal less structured recreation for all age groups but most significantly young people (8–17yrs) who currently are not as well served on the rest of the promenade. This is critical in a period where it is important to encourage young people to participate in healthier lifestyle and more active forms of recreation. Providing infrastructure that encourages outdoor play at the coast will make a significant contribution for the local community and especially young people.</p>	<p>recreation for all age groups but most significantly young people (8–17yrs) who currently are not as well served on the rest of the promenade.</p> <ul style="list-style-type: none"> <li>• Including the semi-enclosed pocket has been a theme in the community consultation and particularly in the children's consultation. It will make the skateable infrastructure more attractive. This is critical in a period where it is important to encourage young people to participate in more healthy lifestyle and more active forms of recreation instead of being over connected to computers and forms of social networking (instead of physical interaction)</li> </ul>
<p>8. Is consistent with the requirements of Coastal Action Plans, management plans and the relevant planning scheme</p>	<ul style="list-style-type: none"> <li>• The proposed skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners are consistent with the Port Phillip Planning Scheme. There is no Coastal Action Plan or management plan in place. An assessment of the proposed works compliance against the planning controls was included in the CMA application.</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space and is consistent with the Port Phillip Planning Scheme. There is no Coastal Action Plan or management plan in place. An assessment of the proposed works compliance against the planning controls was included in the CMA application.</li> </ul>

Criteria - Use and development on coastal Crown land:	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including four pods, sculptural elements, walls, transitions and corners	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including the semi-enclosed pocket
<p>9. Exhibits excellence in siting and design, complements or integrates with the coastal landscape and setting, maintains important public views, vistas and sightlines and is set back from the coast as far as practicable in line with vulnerability assessments (please see the "Siting and Design Guidelines for Structures on the Victorian Coast" and the "Good Design and the Coast" brochure, both available at <a href="http://www.vcc.vic.gov.au">www.vcc.vic.gov.au</a>)</p>	<ul style="list-style-type: none"> <li>• The four pods, sculptural elements, walls, transitions and corners are part of the active recreation and skateable space.</li> <li>• It is considered that the active recreation and skateable space displays excellence in design and will integrate with the proposed earthworks on the reserve. These works propose to create an amphitheatre-like setting which opens towards the northern edge and creates a greater sense of space on the site. The site will retain the existing height but shift the high point further south. The active components of the reserve will then predominately occur to the north west of the amphitheatre, which will buffer the prevailing winds and create a more sheltered space for these zones. This will also minimise visible vertical structures, built objects and earth works and help to conserve the bay views as a feature of the site.</li> <li>• A visual assessment was undertaken and is included in the design report at section 5.20. The assessment found that the visual impacts are not significant.</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space and its clever inclusion within the reconfigured landscape displays excellence in design. It will not be visible as a separate structure, integrates with the coastal landscape and setting, maintains important public views, vistas and sightlines and is set back from the coast as far as practicable.</li> <li>• A visual assessment was undertaken and is included in the design report at section 5.20. The assessment found that the visual impacts of the semi-enclosed pocket as part of the active recreation and skateable space are not significant.</li> </ul>



<b>Criteria - Use and development on coastal Crown land:</b>	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including four pods, sculptural elements, walls, transitions and corners	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including the semi-enclosed pocket
10. Will not be vulnerable to climate change risk within the lifespan of the new development	<ul style="list-style-type: none"> <li>• The four pods, sculptural elements, walls, transitions and corners are part of the active recreation and skateable space.</li> <li>• These proposed works are considered to achieve this criterion and not be vulnerable to climate change risk within the lifespan of the new development.</li> <li>• This matter was addressed in the coastal vulnerability assessment in the CMA application. This assessment found that the reserve's relative elevation make it highly unlikely to be affected by climate change or sea level rise within the foreseeable life of the proposed development.</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space.</li> <li>• These proposed works are considered to achieve this criterion and not be vulnerable to climate change risk within the lifespan of the new development.</li> <li>• This matter was addressed in the coastal vulnerability assessment in the CMA application. This assessment found that the reserve's relative elevation make it highly unlikely to be affected by climate change or sea level rise within the foreseeable life of the proposed development.</li> </ul>
11. Enhances public access to the coast and will not result in a reduction of open space	<ul style="list-style-type: none"> <li>• The proposed skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners will provide an important contribution to the open space network along the foreshore. It does not include any closed structures and will encourage people to be involved in active recreation and thus encourage the public to visit and access the coast.</li> <li>• By locating activity on this section of coast foreshore</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space and will provide an important contribution to the open space network along the foreshore. It will encourage people to be involved in active recreation and thus encourage the public to visit and access the coast.</li> </ul>

<sup>9</sup> There are currently 7 playgrounds on the foreshore. They are located within Sandridge Reserve, Plum Garland (Albert Park), Catani Gardens, Rotary Park, Point Ormond, Elwood Beach House Café and Elwood Reserve.

<b>Criteria - Use and development on coastal Crown land:</b>	<b>Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including four pods, sculptural elements, walls, transitions and corners</b>	<b>Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including the semi-enclosed pocket</b>
	<p>users will be encouraged to use the area south of Brookes Jetty, creating greater lateral connections around the coast between St Kilda and Elwood beaches.</p> <ul style="list-style-type: none"> <li>• It is considered to be part of open space in the same way as a children's playground (for younger children) is considered to be an accepted part of foreshore open space.<sup>9</sup></li> <li>• It is not considered to result in a reduction of open space.</li> </ul>	<ul style="list-style-type: none"> <li>• It is considered to be part of open space in the same way as a children's playground (for younger children) is considered to be an acceptable part of foreshore open space. The different elements of the active recreation and skateable space can be compared to a children's playground which incorporates a range of play equipment. A swing set requires an area in the order of 40m<sup>2</sup><sup>10</sup>. The proposed semi-enclosed pocket is equivalent to 2 swing sets. This is considered to be an acceptable element to be provided as part of open space on a foreshore reserve.</li> </ul>
12. Has carefully considered access, pedestrian safety and implications to the surrounding community from	<ul style="list-style-type: none"> <li>• The proposed skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners has addressed these criteria.</li> <li>• The four pods, sculptural elements, walls, transitions and corners will be surrounded by pathways, decking and seating that form part of a new pathway network</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space and has addressed these criteria.</li> <li>• The semi-enclosed pocket is part of the proposed active recreation and skateable space and will be surrounded by</li> </ul>

<sup>10</sup> See <http://www.omnitech.com.au/products/freestanding/exswing.html>

<b>Criteria - Use and development on coastal Crown land:</b>	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including four pods, sculptural elements, walls, transitions and corners	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including the semi-enclosed pocket
demand likely to be generated by the new use	<p>through the reserve. This will improve the pedestrian experience and provide access for all abilities around the entire site.</p> <ul style="list-style-type: none"> <li>• There is not considered to be any skateable infrastructure implications with regard to access and safety to the surrounding community from demand likely to be generated by the new use.</li> <li>• It is considered that it will generate positive outcome for young members of the surrounding community.</li> </ul>	<p>pathways, decking and seating that form part of a new pathway network through the reserve. This will improve the pedestrian experience and provide access for all abilities around the entire site.</p> <ul style="list-style-type: none"> <li>• There is not considered to be any implications with regard to access and safety to the surrounding community from demand likely to be generated by the new use.</li> </ul>
13. Encourages access by modes other than private vehicle	<ul style="list-style-type: none"> <li>• The skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners will encourage access by foot, bicycle, scooter and skateboard.</li> <li>• Bicycle parking is provided close to the space.</li> </ul>	<ul style="list-style-type: none"> <li>• The semi-enclosed pocket is part of the active recreation and skateable space and will encourage access by foot, bicycle, scooter and skateboard.</li> <li>• Bicycle parking is provided close to the skateable infrastructure.</li> </ul>
14. Ensures that off-site impacts of the use or development do not detrimentally affect coastal and marine natural and cultural values	<ul style="list-style-type: none"> <li>• The skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners will achieve this criterion.</li> </ul>	<ul style="list-style-type: none"> <li>• The skateable infrastructure including the semi-enclosed pocket will achieve this criterion.</li> </ul>

<b>Criteria - Use and development on coastal Crown land:</b>	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including four pods, sculptural elements, walls, transitions and corners	Assessment against the coastal dependency requirement as outlined in the Victorian Coastal Strategy 2008 of the skateable infrastructure, including the semi-enclosed pocket
15. Does not disturb coastal acid sulfate soils	<ul style="list-style-type: none"> <li>The skateable infrastructure including the four pods, sculptural elements, walls, transitions and corners will achieve this criterion.</li> </ul>	<ul style="list-style-type: none"> <li>The skateable infrastructure including the semi-enclosed pocket will achieve this criterion.</li> </ul>
16. Supports market rent and appropriate rates and taxes for all commercial use of coastal Crown land to discourage the use of coastal Crown land as a cheap alternative to private land.	<ul style="list-style-type: none"> <li>This is not relevant</li> </ul>	<ul style="list-style-type: none"> <li>This is not relevant</li> </ul>

#### 4.2.1 Conclusion

In conclusion, the active recreation and skateable space including the four pods, sculptural elements, walls, transitions, corners and the semi-enclosed pocket, is considered to be consistent with the above criteria.

**4.3 An assessment of the community benefit derived from**  
**(a) the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners and**  
**(b) the semi-enclosed pocket**

**4.3.1 Community benefits of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners.**

- Complements the range of recreational experiences and unstructured activities already available on the St Kilda foreshore thereby catering better for the wider and local community.
- Skateable infrastructure continues the themes of the St Kilda foreshore as a place for all to have fun, play and congregate.
- Improves the usability of the reserve given that the reserve, while on the coast, offers no direct physical relationship or access to the bay or sandy beach, has low natural ecological values and is generally underutilised and considered to be a poor quality site on the St Kilda foreshore.
- Attracts people to visit, enjoy and appreciate this part of the coast which is considered to be an overlooked and under-developed component of the St Kilda foreshore.
- Part of an integrated redevelopment that will lead to improvements in the physical condition, environmental performance and attractiveness of the reserve, which are unlikely to occur otherwise.
- Fulfils an identifiable need for more active and social opportunities that has been confirmed in the surveys and through the community consultation process.
- Provides infrastructure that will create an inclusive space that supports community connectedness and promotes interaction between multiple generations becoming a space for the family, for groups or for individuals to utilise in various ways.
- Encourages all ages to be more active which generates important social and health outcomes.<sup>11</sup>
- Encourages young people in particular to want to be on the coast and hone their physical skills, improve their health and fitness levels and develop social skills. This will lead to improved community well-being, healthier local communities and positive lifestyle outcomes. This is especially critical given the high rates of teenage obesity and sedentary behaviour.<sup>12</sup>
- Provides recreational opportunities all year round and especially in the colder months, thereby encouraging outdoor activity.
- Provides a space that can be shared by various user groups and lead to a range of structured and unstructured activities.

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<sup>11</sup> Infrastructure that supports increased levels of sport and recreation can play important roles in:

- giving children the best start in life; children's participation in sporting, cultural and leisure activities can enhance social skills, self esteem and physical development including understanding of social rules and development of friendships, imagination and creativity;
- getting young people back on track; sport is the major contributor to a happy life for 18-25 year olds;
- helping older Victorians stay independent; an exercise prescription involving resistance training for muscle strength, aerobic exercise for maintaining cardiovascular fitness, as well as flexibility, and balance exercises, has been proposed as the best combination for maintaining independent living; Fairer Victoria - April 2005

<sup>12</sup> Adolescent obesity is becoming a national issue with only 14% of students engaged in recommended levels of physical activity and about 70% exceeded recommended levels of sedentary behaviour (Cancer Vic 2007); approximately 25% of Australian children and adolescents are currently overweight or obese. A 20% increase since 1996. (Centre for the Advancement of Adolescent Health at the Royal Alexandra Hospital)

- Allows for staging of events and community activities within the reserve thereby relieving pressure for events spaces in other areas within the St Kilda foreshore which are heavily used and which have greater cultural heritage, greater environmental significance or offer direct sandy beach access. This provides for better overall management of activity along the St Kilda foreshore.
- Encourages more lateral movement across the St Kilda foreshore by providing a point of interest and an attraction for people to use or enjoy as observers appreciating the athleticism and spectacle of active recreation and skateboarding.
- Encourages greater use of wheeled devices as a form of personal transport.
- Provides an opportunity for recreation in a public setting for disabled members of the community. There are currently limited opportunities for wheelchair dependant people to participate in gentle and safe exercise along the foreshore. Part of the skateable infrastructure will allow for more gentle slopes.
- Works will necessitate the creation of changes to the overall reserve and pathways leading to a separated bicycle path and additional pathways thereby improving pedestrian and cyclist access and safety.
- Exhibits excellence in urban design and siting with works to create an amphitheatre- like setting to support the skateable infrastructure. These works will assist in opening the reserve towards the northern edge, create a greater sense of space on the site and create a more usable, sheltered flat, grassed area that will buffer prevailing winds.
- Exhibits excellence in design with the use of the wave inspired design to respond to the site's coastal location
- May result in higher levels of visitation and longer stays within Marina Reserve than what is currently experienced.

#### **4.3.2 Community costs of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners.**

- May result in higher levels of visitation and longer stays within Marina Reserve than what is currently experienced which would be considered a cost by some local residents.
- May reduce the perceived amenity of some local residents who currently experience a limited range of activity within the reserve.
- May result in noise impacts from increased usage of the reserve. (Can be mitigated through careful design and discouragement of late hour usage.)
- Temporary construction impacts associated with earthworks, construction activity and planting will cause disruption. (Can be addressed through the Construction Management Plan and is considered to be short term.)

#### **4.3.3 Community benefits of the skateable infrastructure including the semi-enclosed pocket.**

Benefits of including the semi-enclosed pocket are considered to be similar to the benefits associated with the four pods, sculptural elements, walls, transitions, corners as well as the following:

- Extends the range of recreational experiences and unstructured activities already available on the St Kilda foreshore and provides a fuller experience. It is considered that the extra area required to accommodate the pocket will

significantly increase the appeal and level of enjoyment of the active recreation and skateable space.

- Continues the themes of the St Kilda foreshore being a leading edge and special place for Melbournians to have fun play and congregate. Not including the semi-enclosed pocket will compromise the design and ability of the infrastructure to provide a full range of experiences for skaters and other users of wheeled sports.
- Increases the functionality and inclusiveness of the active recreation and skateable space by appealing to a wider range of users. Two separate but linked points were made by Submitters. Firstly that one of the crucial experiences for the young skater is the feeling of obtaining progression. Progression comes in the form of being able to incrementally add skill in an unstructured environment that has a range of surfaces and challenges. Secondly that including a semi-enclosed pocket increases the range of skating and provides a space for all users likes and needs. One submitter stressed that this was particularly important for more experienced skaters and older skaters in particular. The older skaters like this shape best and it will therefore be an attractive space for them. As part of ensuring that skaters of all ages and abilities can enjoy the skateable infrastructure it is important to provide a full range of possible skating experiences.
- Would increase the appeal of the space which will result in more people using and visiting the site and staying at the site for longer periods of time.

#### **4.3.4 Community costs of the skateable infrastructure including the semi-enclosed pocket.**

Costs of including the semi-enclosed pocket are considered to be the costs associated with the four pods, sculptural elements, walls, transitions, corners as well as the following:

- Would increase the appeal of the space which may result in more people using and visiting the site and staying at the site for longer periods of time than if just the four pods, sculptural elements, walls, transitions, corners were provided.
- May result in higher levels of visitation and longer stays within Marina Reserve than what would be experienced if just the four pods, sculptural elements, walls, transitions, corners were provided which would be considered a cost by some local residents.
- May reduce the perceived amenity for some local residents.

#### **4.3.5 Community costs of the skateable infrastructure if approved without the semi-enclosed pocket.**

It should be noted that if the skateable infrastructure is approved without the semi-enclosed pocket there are some significant costs as follows:

- The likelihood of the Council supporting and funding such a space would be unlikely, especially following the extensive community consultation which indicated a high level of support for including a bowl like structure.
- The proposed space will be less than effective in catering to its target market and there would be significant disappointment within the community about the limited design.

#### **4.4 A risk analysis of placing an active skateable recreational activity and skateable space in an off-leash dog area.**

Marina Reserve is a Dog Off Leash Park all year round. This status has been in place since 2001.

##### **4.4.1 Requirements of dog owners within Dog Off Leash areas**

Dogs may be exercised off leash at any time provided they are under effective control; this is regarded as meaning that there is an immediate response to any sight or voice control by the owner<sup>13</sup>. Dog owners should carry a leash at all times, and ensure the dog remains in sight and is under effective voice control, not threaten other people or animals, and pick up after their dog. The area to the north of Marina Reserve between Brooks Jetty and the northern end of the car park is a dog off leash beach all year round.

##### **4.4.2 Animal Management**

Our Animal Management Officers advise that Marina Reserve is not considered to be well used by dog owners with Officers rarely observing anyone using the reserve. This is because it is not very large, the beach area to the north provides a better exercise opportunity with sand and direct water access for swimming and there are other grassed areas close by that offer larger areas for dogs to run freely away from busy roads. These areas include Peanut Farm and Moran Reserve which are close by and considered to provide a better area for off leash access. Officers report that there have been very few incidents in Marina Reserve, most likely due to lack of use of the reserve.

##### **4.4.3 Previous Consultation**

As part of the consultation exercise, there was extensive notice about the development of the masterplan including a sign on site, advertising in local newspapers, direct mail to 3300 owners and occupiers surrounding the reserve and notification by email to Council's dog owner and carer's contacts. There were very few concerns raised about any impact on the dog off leash area.

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<sup>13</sup> Council Order No 3 adopted on the 10 August 2009 states:

2. Dogs must be under effective control

(1) The Owner of any dog must keep the dog under effective control by means of a chain, cord or leash held by the Owner and attached to the dog while the dog is in a Public Place except where that Public Place is a Designated Area or Prohibited Area.

(2) Sub-clause (1) does not apply where a chain, cord or leash attached to the dog is securely fastened to a post or other fixture and the dog remains under sight or voice control by the owner.

(3) A dog shall be deemed to be under effective control of its owner, whether on or off leash, if:

- It will return to its owner upon command;
- The owner retains a clear and unobstructed view of the dog;
- It does not bother, attack, worry or interfere with other people or animals.



#### 4.4.4 Dog Off Leash Risk Analysis

A risk analysis based on Council's risk assessment matrix<sup>14</sup> is provided below.

<b>Risk Description</b>	<b>Consequences</b>	<b>Likelihood rating</b>	<b>Impact rating</b>	<b>Inherent Risk Rating</b>	<b>Existing Controls</b>	<b>Control rating</b>	<b>Residual Risk rating</b>
1. Dogs stray onto active recreation and skateable space	Conflict between dogs and skaters/other users of the active recreation and skateable space	Moderate	Minor	Medium	Skateable space is separated /differentiated from other areas including the grassed area through changes in height and materials; dogs must be under effective control; and reserve monitoring by Animal Management can increase if issues arise.	Excellent	Low
2. Dogs are upset by noise from skaters and other wheeled sports	Dogs may become difficult to manage by owner and display inappropriate behaviour	Moderate	Minor	Medium	Design of skateable space will minimise noise generation; space is separated from the grassed area; and dogs must be under effective control at all times; skaters and other noise generating activities are already present in other areas along the foreshore.	Excellent	Low
3. There is an altercation between dog owners and	There is a dispute between users of public open space	Unlikely	Minor	Low	Skateable space is clearly separated from other areas; dogs must be under effective control; and Council will monitor	Good	Low

<sup>14</sup> Refer Attachment 8 for definitions

<b>Risk Description</b>	<b>Consequences</b>	<b>Likelihood rating</b>	<b>Impact rating</b>	<b>Inherent Risk Rating</b>	<b>Existing Controls</b>	<b>Control rating</b>	<b>Residual Risk rating</b>
visitors to the active recreation and skateable space					behaviour and will work with the Police to address any reoccurring behavioural issues if they arise.		
4. People frequenting the active recreation and skateable space tease or antagonise dogs	Dogs may become difficult to manage by owner and display inappropriate behaviour	Unlikely	Minor	Low	Location and proposed design will attract a wide range of people which will ensure the presence of a wide cross section of people and 'capable guardians' and assist in minimising bad behaviour; and Council will monitor behaviour and will work with the Police to address any reoccurring behavioural issues if they arise; dogs must be under effective control at all times.	Good	Low
5. There is a decrease in dog attendance at Marina Reserve due to concerns from dog owners about the other activities within the reserve	There is a decline in dog and dog owner/carer attendance at the reserve	Likely	Minor	Medium	The reserve is not well utilised currently so any decrease in usage is not considered to be significant, especially given the presence of other off leash dog areas within close proximity and with better features.	Good	Medium
6. Infections caused by dog	Infections result	Moderate	Insignificant	Low	Skateable space is separated from other areas; dogs must be	Excellent	Low

<b>Risk Description</b>	<b>Consequences</b>	<b>Likelihood rating</b>	<b>Impact rating</b>	<b>Inherent Risk Rating</b>	<b>Existing Controls</b>	<b>Control rating</b>	<b>Residual Risk rating</b>
excrement to visitors to the active recreation and skateable space					under effective control; dog owners must clean up after their dogs and reserve monitoring by Animal Management can increase if issues arise.		

The risk analysis indicates that the 6 risks are all considered to have adequate controls on place and have a low residual risk rating. Based on the Council's risk approach this would mean that one risk (reduction in possible dog owner attendance) would require minimal monitoring.

Furthermore the proposed changes to the reserve are considered to improve upon the current off leash conditions because:

- It will provide access via pathways to all parts of the reserve,
- It removes the bicycle path away from the pedestrian path and sites it along Marine Parade, and
- It includes a toilet which will considerably improve amenity for dog owners/walkers.



**Attachments**

1. **DSE letter of the 11 November 2010**
2. **Further detail on Marina Reserve application for coastal consent**
3. **St Kilda foreshore map**
4. **Typical day in the life of the active recreation and skateable space at Marina Reserve**
5. **Excerpts from the Victorian Coastal Strategy**
6. **Active recreation and skateable space**
7. **Comparison of assessment criteria between**
  - **2004 November Council assessment**
  - **Skate Park Facilities Guide 2001**
8. **City of Port Phillip Risk Definitions and Ratings**



Response to DSE request for further information on the Marina Reserve Masterplan application for coastal consent – 2 February 2011

**Attachment 1. DSE letter of the 11 November 2010**



## Department of Sustainability and Environment

30 Prospect Street,  
Box Hill, Victoria 3128  
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ABN 90 719 052 204

Our Ref: 1204389/MP, PLEPS 2310  
Your Ref: 76/04/20/11

11 November 2010

Kay Rundle  
Chief Executive Officer  
Port Phillip City Council  
DX 35706  
BALACLAVA

Dear Ms Rundle,

### **APPLICATION FOR USE AND DEVELOPMENT OF COASTAL CROWN LAND ST KILDA MARINA RESERVE MASTERPLAN, ST KILDA MARINA RESERVE**

Thank you for your application letter dated 13 October 2010 requesting consent to use and develop Coastal Crown land under Section 38 of the *Coastal Management Act 1995*. Your letter was received on 14 October 2010.

It is noted that the final masterplan includes a 'bowl like semi enclosed pocket', and skateable infrastructure comprising four pods, sculptural elements, walls, transitions and corners. A letter to Port Phillip City Council from the Department of Sustainability and Environment (DSE) dated 19 August 2010 stated that "DSE does not support incorporation of a 'skate bowl' into the plan which would be seen to elevate the use to a sporting level, which does not require a coastal location to function, and would therefore not be coastal dependant as required in the Victorian Coastal Strategy 2008 (VCS 2008). DSE may, however, be willing to consider low-key skateable infrastructure that would enable use by a wide range of ages and abilities and that does not dominate the reserve."

In addition, I note that the assessment of potential sites for a skate park undertaken by the City of Port Phillip in 2004, ranked Fitzroy Street site as 96% suitable for a skate park and Marina Reserve only 46% suitable as it only met 11 of the 24 criteria. In 2009, Simon Leisure Consulting ranked Sea Baths Car Park 1<sup>st</sup> at 287, West Beach 2<sup>nd</sup> at 274 and Marina Reserve 3<sup>rd</sup>, at 262 but recommended Marina Reserve as the preferred site.

A review of the information submitted has revealed that the requirement for coastal dependency and strategic justification for siting a skate park on coastal Crown land requires further investigation. For these reasons, as the Minister's delegate, I request additional information pursuant to Section 39(2) of the *Coastal Management Act 1995*, addressing the following:

- Justifications for recommending that Marina Reserve was an inappropriate site in the 2004 assessment but is now the preferred site;
- An assessment of (a) the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners and (b) the bowl like structure, against the coastal dependency

#### **Privacy Statement**

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Information Privacy Act 2000*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Manager Privacy, Department of Sustainability & Environment, PO Box 500, East Melbourne, 3002.





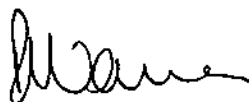
requirement as outlined in the Victorian Coastal Strategy 2008 (Criteria for use and development on coastal Crown land, p. 56);

- An assessment of the community benefit derived from (a) the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners and (b) the bowl like structure; and
- A risk analysis of placing an active skateable recreational activity and skateable space in an off-leash dog area.

DSE has received a number of representations from concerned local residents in relation to the construction of a skate park in St Kilda Marina Reserve. Please note that DSE intends to consult with local residents regarding the proposal.

If you have further inquiries, please contact Nicola Prior, Environmental Planner, at the Department's Box Hill office on (03) 9296 4540 or email [nicola.prior@dse.vic.gov.au](mailto:nicola.prior@dse.vic.gov.au)

Yours sincerely,



**RODNEY P. WARREN**  
STATEWIDE PROGRAM LEADER  
PUBLIC LAND SERVICES



## **Attachment 2. Further details on application for coastal consent**

Marina Reserve is a triangle wedge shape of 1830m<sup>2</sup> located between Marina Parade, the St Kilda Marina and the foreshore. It was created as part of the St Kilda Marina development in the 1960s. The reserve is Coastal Crown Land Reserve (P362393) which is reserved permanently for public recreation. It is a completely man made site that was flat until works were undertaken in 2002/2003 to create a 1500mm high mound in accordance with the 2002 Marina Reserve Masterplan.

Council lodged an application for consent under Section 40(1) of the Coastal Management Act 1995 for the use and development of Marina Reserve in accordance with the Marina Reserve Masterplan September 2010 on the 14 October 2010.

Marina Reserve is part of the St Kilda foreshore which is a 1.5km stretch of foreshore from West Beach Pavilion to the St Kilda Marina (refer Attachment 3.). It hosts a number of facilities and infrastructure including the foreshore promenade, St Kilda Pier, St Kilda Harbour, Royal Melbourne Yacht Squadron and boatshed, West Beach Pavilion, Sea Baths complex ( includes cafes, function centre, gymnasium and health spa), St Kilda Life Saving Club, 2 restaurants, several kiosks, Brookes Jetty and the St Kilda Marina. There are barbecue facilities at Catani Gardens, shelters, two children's playgrounds (Catani Gardens and near Catani Arch), two large grassed areas, separated cycle path along part of the foreshore and public toilets in several locations. The range of infrastructure currently serves very young children or older members of the community with little active recreational infrastructure for young people aged 8 – 17.

The Marina Reserve Masterplan provides for an upgraded park with new pathways, open lawn area, increased indigenous vegetation, active recreation and skateable space, smaller car park, amenities and a considerably improved environmental footprint. The active recreation and skateable space consists of four pods, sculptural elements, walls, transitions, corners and a semi-enclosed pocket. This proposed works are illustrated in Attachment 3. The total area of the active recreation and skateable space is 750m<sup>2</sup> which is made up of four pods of 535m<sup>2</sup> (95m<sup>2</sup>, 100m<sup>2</sup>, 120m<sup>2</sup>, 70m<sup>2</sup> and 95m<sup>2</sup>), a semi-enclosed pocket of 70m<sup>2</sup> (9.5 metre diameter and 2100mm in depth) and a feature wall that wraps around the entire space of 145m<sup>2</sup>.

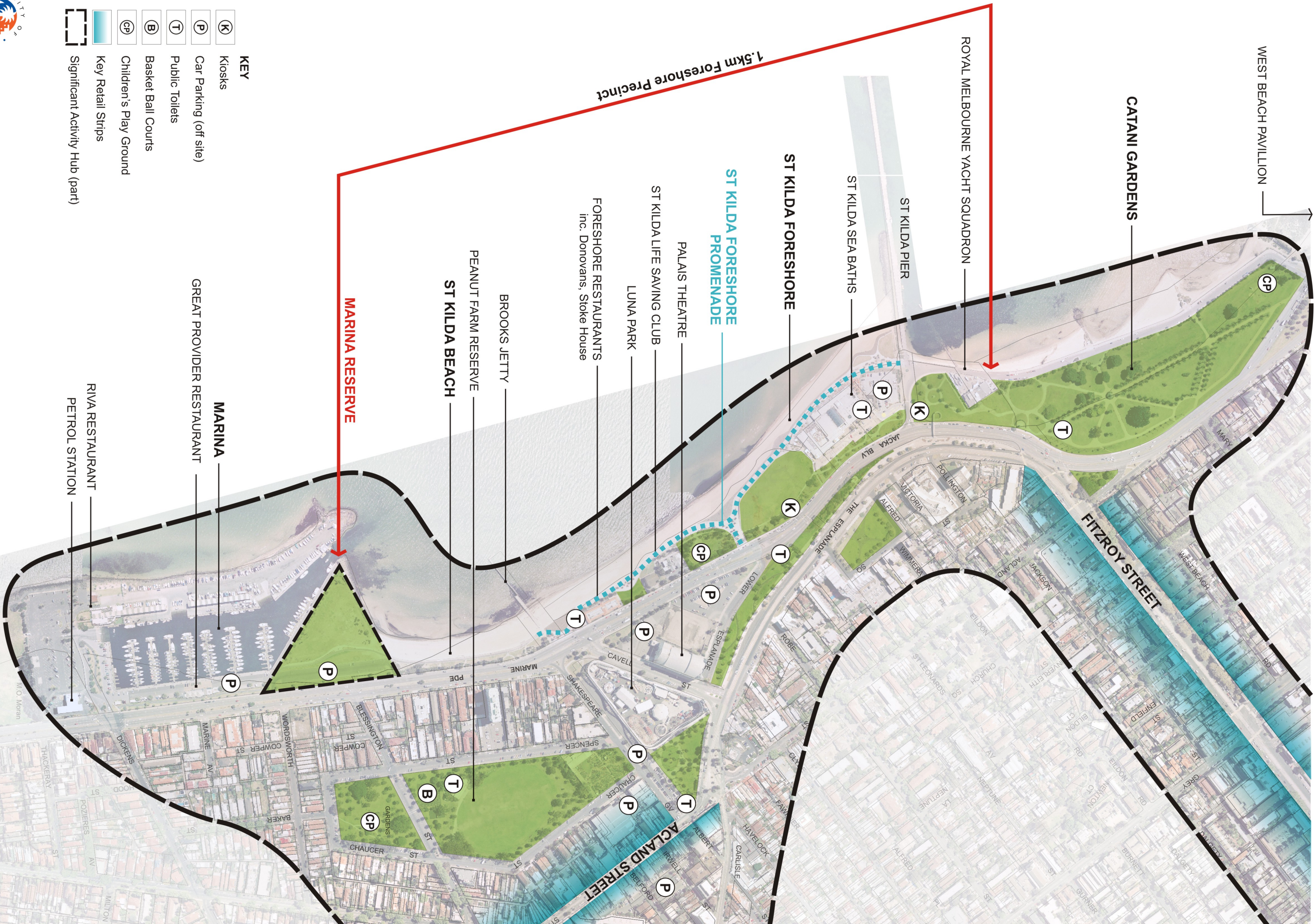
In the Marina Reserve Masterplan Coastal Management Act 1984 Consent Application dated 13 October 2010 Council outlined in section 3.4 "Skateable Infrastructure Area" that the design was not for competition type sporting activity. The unstructured play and activity areas, including the semi enclosed pocket, are not proposed as a sporting facility or for any form of sporting competition.

**Attachment 3.        St Kilda foreshore map**





# St Kilda Foreshore







**Attachment 4. Typical day at the active recreation and skateable space at Marina Reserve**

<b>Time</b>	<b>Likely activity</b>
6am	<ul style="list-style-type: none"> <li>• People walking along the pathway stop to sit on the decks/seats to view the city skyline from the top of the active recreation and skateable space and to watch the one or several people playing in the space</li> <li>• Cyclists start to become more prevalent along the bike path and some veer off the cycle path and play within the active recreation and skateable space</li> </ul>
9am	<ul style="list-style-type: none"> <li>• Young children with their parent/carer start to come and play on low wheeled scooters and tricycles</li> <li>• Parents/carers sit on the benches/deck and watch the children play</li> <li>• Older adults come and sit and watch the views of the sea and the activities of some of the younger children</li> </ul>
12 pm	<ul style="list-style-type: none"> <li>• The active recreation and skateable space is visited by different groups from parents/carers with young children to individuals to groups of young non-school aged adults who cycle or skate within the space and then continue to travel towards St Kilda or Elwood</li> <li>• People strolling along the foreshore promenade stop at the active recreation and skateable space and watch the activity</li> </ul>
3 pm	<ul style="list-style-type: none"> <li>• Older adults ( individually or in groups of 2 or more) come and stop and sit and watch the activity of others in the space</li> <li>• Individuals come and sit at the active recreation and skateable space and watch the sea and read books</li> </ul>
4 pm	<ul style="list-style-type: none"> <li>• A large number of school children come ( by foot, scooter, bicycle or skateboard) to Marina Reserve and play within the active recreation and skateable space – skating, scootering, sitting and talking, etc</li> <li>• </li> </ul>
6 pm	<ul style="list-style-type: none"> <li>• Some parents/carers meet the younger children at the space and make a barbecue for an early dinner</li> <li>• Some older adults come after work , on their way home to play within the space – skating mostly in the semi-enclosed pocket</li> <li>• Many cyclists, on their way home, stop at the active recreation and skateable space and either play in the space or sit and watch the activity – some meet up with friends for a barbecue</li> </ul>
9pmmm	<ul style="list-style-type: none"> <li>• In summer there are a few people playing in the active recreation and skateable space as the sun goes down.</li> <li>• In winter there is little activity as the space is not lit.</li> </ul>
11 pm	<ul style="list-style-type: none"> <li>• Marina Reserve is quiet</li> </ul>
1 am	<ul style="list-style-type: none"> <li>• Marina Reserve is quiet</li> </ul>





## **Attachment 5. Relevant excerpts from Victorian Coastal Strategy**

It is the Council's view that the application for coastal consent is consistent with the Victorian Coastal Strategy 2008. This is in relation to policy and in relation to the strategy's recognition that an urban coastline is different to a non-urban coastal location, i.e. functioning as community open space, a social and cultural gathering place and being an important recreation resource.

The Victorian Coastal Strategy recognises as policy that good coastal infrastructure should be provided. At page 63 it states the following as relevant policy in relation to Coastal Crown land buildings and infrastructure:

*1 Ensure provision of buildings and infrastructure on coastal Crown land is coastal dependant, sustainable, accessible, equitable and meets community needs for coastal and water-based experiences.*

*2 Apply the criteria for use and development on coastal Crown land (page 56) when considering investment or development on coastal Crown land.*

*3 Ensure clear lease agreements are in place and direct revenue from coastal Crown land, coastal waters or the seabed to coastal management and to protecting, developing and maintaining the environment and infrastructure in accordance with approved management plans.*

*4 Support investment in activity nodes and key recreation nodes with significant community benefit outcomes, and where a genuine need is identified through a strategic assessment consistent with this strategy.*

*5 Relocate non-coastal-dependent uses away from coastal Crown land, when the opportunity arises.*

The Victorian Coastal Strategy 208 also recognises that an urban coastline has a different function to a non-urban coastline and serves different needs. In particular an urban coastline functions as community open space, a social and cultural gathering place and is important for recreation. At page 57 the Strategy states:

*The urban coastline has enormous social, cultural and environmental values for the local community and visitors. However, it is significantly different to many other coastal areas in Victoria. The urban coastline has been extensively developed, experiences intensive levels of demand and use and has been highly modified in many areas. Some coastal settlements' foreshores also exhibit these characteristics.*

*The urban coastline around metropolitan Melbourne, Geelong and the Mornington and Bellarine Peninsulas are dynamic coastal environments with diverse local economies, valued highly by residents and the many visitors who come to enjoy them. The urban coast offers a unique experience of city life on the bay, and performs important functions as community open space, a social and cultural gathering place along with the conventional role of city and suburban beach. In these areas the foreshore and water also provide a sense of identity and place for those people and communities who live near or regularly visit their coast.*

*Increasingly, the coast is important for recreation as residential densities in established urban coastal areas continue to grow. In some municipalities coastal Crown land may be the only substantial open space available for community use.*

Response to DSE request for further information on the Marina Reserve Masterplan application for coastal consent – 2 February 2011

It is within this context that the further information is provided, particularly in relation to the discussion on coastal dependency and community benefits of the semi-enclosed pocket and skating infrastructure.

## **Attachment 6. Active recreation and skateable space**

The total area of the active recreation and skateable space is 750m<sup>2</sup> which is made up of:

- Four pods of 535m<sup>2</sup> (95m<sup>2</sup>, 100m<sup>2</sup>, 120m<sup>2</sup>, 70m<sup>2</sup> and 95m<sup>2</sup>)
- A semi-enclosed pocket of 70m<sup>2</sup> (9.5 metre diameter and 2100mm in depth)
- A feature wall that wraps around the entire space of 145m<sup>2</sup>

Materials used within the active recreation and skateable space are as follows:

<b>Material</b>	<b>Percentage of active recreation and skateable space</b>
Concrete	75%
Garden Bed	12%
Timber	10%
Steel <i>(note the steel will be integrated to have a minimal noise generating features)</i>	3%

Semi-enclosed pocket in image

	<b>Woden semi-enclosed pocket (photo included in following image)</b>	<b>Proposed Marina Reserve semi-enclosed pocket</b>
Area	31 m <sup>2</sup>	70m <sup>2</sup>
Diameter	6.5 metres	9.5 metres
Depth	1200mm	2100mm
Opening at pocket intersection to surrounding pods	4700mm	4000mm

The following images show:

- spot levels of the active recreation and skateable space
- an artist impression of the active recreation and skateable space
- cross section of the proposed semi enclosed pocket, photograph of a semi- enclosed pocket at Woden, Canberra







Key

- 1500mm spot level
- POD skate areas
- sculptural wall - 140 m<sup>2</sup>
- skate pod boundary
- skateable infrastructure zone - 745 m<sup>2</sup>

MARINA RESERVE MASTERPLAN  
SKATE SPACE SPOT LEVEL  
SCALE (A1): 1:200 DATE: SEPTEMBER 2010

REF: 10302\_REV G



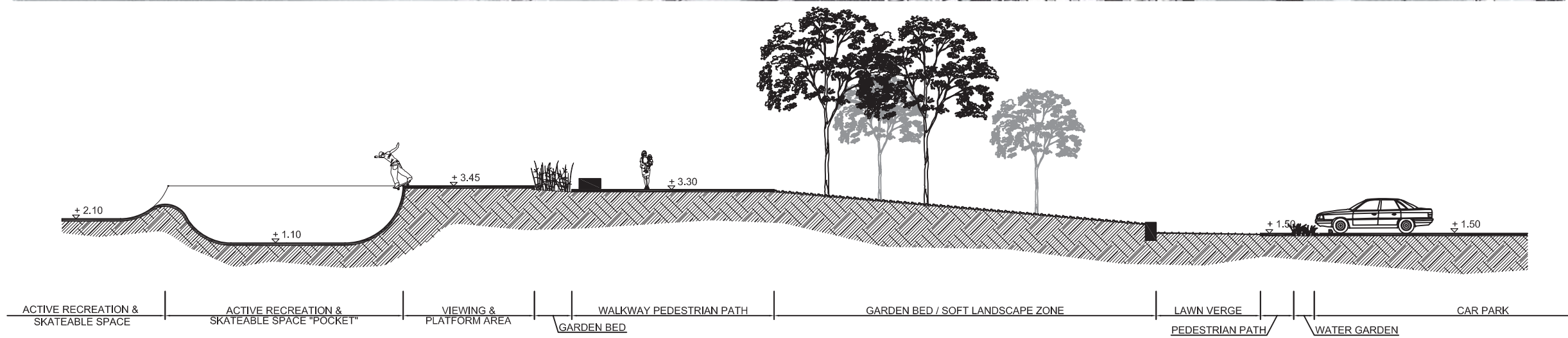












**AA** TYPICAL ACTIVE SPACE CROSS SECTION  
SCALE 1:200









**Attachment 7. Comparison of assessment criteria between:**

- **2004 November Council assessment**
- **Skate Park Facilities Guide 2001**

Below is a table that provides a comparison of assessment criteria between the 2004 November Council assessment and the Skate Park Facilities Guide 2001, and the Skate Park Facilities Guide 2001 criteria and firstly, the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners and secondly the semi-enclosed pocket.

<b>Criteria from Port Phillip Council Report 22 November 2004</b>	<b>Rating of the Marina Reserve car park site in 2004 assessment</b>	<b>Comment</b>	<b>Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001</b>	<b>Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010</b>	<b>Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011</b>	<b>Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011</b>
1. Located where young people want to be, or adjacent to where they congregate.	Achieved		Located where young people want to be, or adjacent to where they congregate.	Young people like to be in the area. This was confirmed through the survey response (high proportion of young people responding (18% between 5 – 17) (See Volume 2 Attachment 6 <sup>15</sup> ), submissions and in the schools consultation. School	Same as adjacent response	Same as adjacent response

<sup>15</sup> Available at <http://www.portphillip.vic.gov.au/default/4 - Attach 4 - Marina Reserve - Recreational Opportunities Survey Results May 2010.pdf>

<sup>16</sup> See Schools Consultation Report in Volume 2, Attachment 7

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
				<p>aged children were very enthusiastic and the proposed improvements.</p> <p>In terms of what school aged children would use the following is a list in order of priorities: Bbq, skateable infrastructure, clean bathrooms, open park, shelter/trees and drinking fountains.</p> <p>In terms of how they would use it their response as follows:</p> <ul style="list-style-type: none"> <li>Picnic/gathering - the most anticipated use of the space is social gathering and eating around the</li> </ul>		

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
				bbq's and shelters, <ul style="list-style-type: none"> <li>• Fun/play – in the open space and the playground,</li> <li>• Walk/explore – along the connective paths and boardwalk, on the beach and in the forested areas, and</li> <li>• Skate/cycling/soccer - the three most anticipated sports in the reserve.<sup>16</sup></li> </ul>		
2. Where a major community hub or central area with undeveloped land (either council-owned or Crown land)	Not achieved	This may have been considered to be not achieved as the site was unavailable due to the car park.	Where a major community hub or central area with undeveloped land (either council-owned or Crown land) is available, is	Marina Reserve is part of the St Kilda Foreshore Activity hub and is currently in a poor state and is considered to not fulfil its potential.	Same as adjacent response	Same as adjacent response

<b>Criteria from Port Phillip Council Report 22 November 2004</b>	<b>Rating of the Marina Reserve car park site in 2004 assessment</b>	<b>Comment</b>	<b>Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001</b>	<b>Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010</b>	<b>Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011</b>	<b>Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011</b>
is available, is being recycled, or has low value for other users			being recycled, or has low value for other users (e.g. under freeway fly-overs).			
3. Co-location or partnerships with existing shopping centres, sport or recreation facilities, or interested schools may be possible.	Not achieved		Co-location or partnerships with existing shopping centres, sport or recreation facilities, or interested schools may be possible.	At this stage no partnerships have been pursued. It may be possible to pursue partnerships with local school and other recreational groups ( i.e. the disabled, cycling groups, sports training groups etc)	Same as adjacent response	Same as adjacent response
4. Where there will be minimal conflict with other users (e.g. pedestrians) or other sports	Achieved		Where there will be minimal conflict with other users (e.g. pedestrians) or other sports (e.g.	There will be minimal conflict with other users. The active recreation and skateable space are adjacent to the pedestrian pathway and have been designed to allow	Same as adjacent response	Same as adjacent response



<b>Criteria from Port Phillip Council Report 22 November 2004</b>	<b>Rating of the Marina Reserve car park site in 2004 assessment</b>	<b>Comment</b>	<b>Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001</b>	<b>Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010</b>	<b>Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011</b>	<b>Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011</b>
(e.g. netball).			netball).	for shared use with minimal conflict. This was a recommendation of the bike path network assessment undertaken by Trafficworks Pty Ltd.		
5. Ability for design to compliment existing visual amenity of site	Not achieved	This was considered to be not achieved as the site is an existing car park.	Not included	The design will be able to compliment the visual amenity of the site. This was demonstrated in the visual site analysis included in the CMA application.	Same as adjacent response	Same as adjacent response
6. Adequate distance from residential dwellings and incompatible land uses i.e. avoiding noise and light	Not achieved	This was not achieved as the car park is much closer to residential dwellings than the proposed active	Adequate distance from residential dwellings and incompatible land uses (i.e. avoiding noise and light	The distance between the edge of the skateable infrastructure space to the nearest fence is 70 metres and to the nearest house is 77 metres. The distance between the semi- enclosed pocket to the nearest fence	Same as adjacent response	Same as adjacent response

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
intrusions (Minimum of 100m from adjacent dwellings).		recreation and skateable space.	intrusions).	is 82 metres and to the nearest house is 90 metres. It is considered that the design of the space and the already high ambient noise levels will not create significantly greater levels of noise to residential dwellings. <sup>17</sup> With regard to lighting, an assessment on the lighting conditions was undertaken by BRT Consulting Pty. Ltd <sup>18</sup> . Key conclusions: • The current provision of lighting on the reserve will need to be upgraded to		

<sup>17</sup> The Skate Facility Guide (Sport and Recreation 2001) under the section titled “Noise considerations (page 76)” makes reference to noise and suggests some key steps to minimise noise and the impact of noise. The Guide suggests to “site skate facilities and steel ramps a minimum of 100m from adjacent dwellings (desirably 200m)”. The Guide also suggests measuring noise and employing a qualified noise engineer. While the nearest residence from the edge of the skateable infrastructure zone is between 77 to 90 metres it should be noted that the 100 metre guideline is not mandatory and what is critical is the minimisation of noise rather than the distance. The skateable infrastructure area has been designed within an amphitheatre like setting to minimise noise and visual impact to residents of Marine Pde. This is consistent with the initial findings of the

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
				<p>accommodate the required Australian Standard lighting levels for the proposed facilities and pathways.</p> <ul style="list-style-type: none"> <li>• With good design and careful placement of light fittings the proposed lighting arrangements will improve current lighting arrangements</li> <li>• The residents are currently significantly impacted by the road lighting in the median strip along Marine Parade. The additional lighting proposed shall have little to no impact on the existing</li> </ul>		

acoustical engineer. An assessment of the proposed noise levels was undertaken by Heggies Pty Ltd. The key conclusions were that residences along Marine Parade are already subject to high noise levels from the considerable traffic which uses Marine Parade, and the anticipated skate infrastructure noise level (both LAeq and LAMax) is unlikely to contribute any further to the already existing high ambient noise environment. Report is included at Volume 2, Attachment 7.

<sup>18</sup> Included at Volume 2, Attachment 7

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
				lighting levels measured at their property frontage if designed in accordance with the reports recommendations (for example include using low poles to minimise interruptions to site lines, and localised light spillage).		
7. Associated amenities, such as a telephone, toilets, water, shelter and shade are available or cost-effective to provide.	Achieved		Associated amenities, such as a telephone, toilets, water, shelter and shade are available or cost-effective to provide.	Associated amenities (toilet, water) are being planned as part of the masterplan.	Same as adjacent response	Same as adjacent response
8. Easy access to public transport	Achieved		Easy access to public transport (preferably train	The site has easy access to public transport via the No. 96 tram (Acland St) and bus	Same as adjacent response	Same as adjacent response

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			— especially if BMX provision is planned).	services No's 246, 600, 922 & 923 (Barkly St). Off-road and on-road car parking is available adjacent to the site. It is noteworthy that in the survey over 17% of people travelled to the foreshore by public transport.		
9. Close to shops selling food and drink	Not achieved	It is considered that this criterion would be now achieved.	Close to shops selling food and drink.	The nearest shop is the petrol station which is 400 metres away. There may be opportunities for other cafes closer to the space within the precinct to also provide refreshments.	Same as adjacent response	Same as adjacent response
10. Car parking	Achieved		Not included		There will be car parking available within proximity to the skateable infrastructure	Same as adjacent response

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11. Site is adequately sized ( <i>minimum bowl 285m<sup>2</sup> – 16m x 18m; Street Course 530m<sup>2</sup> – 14m x 36m; Bowl and Street Course 1200m<sup>2</sup> – 40 x 30m</i> )	Achieved		Not included		The proposed skateable infrastructure is adequate sized.	The proposed semi-enclosed pocket is 70m <sup>2</sup> is much smaller than the proposed minimum size bowl referred to in the criteria.
12. Site not impeded by existing infrastructure e.g. covenants, easements	Not achieved	It is not understood why this criteria was not achieved unless the existing car park was considered to be an impediment.			Site is not considered to be impeded by existing infrastructure	Same as adjacent response

<b>Criteria from Port Phillip Council Report 22 November 2004</b>	<b>Rating of the Marina Reserve car park site in 2004 assessment</b>	<b>Comment</b>	<b>Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001</b>	<b>Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010</b>	<b>Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011</b>	<b>Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011</b>
13. Variety of design options e.g. bowl, street, vert.	Not achieved	It is not understood why this criteria was not achieved unless the existing car park was considered to preclude a variety of design options.	Not included		Achieved in relation to the street and vert components	Achieved in relation to the pocket component
14. Site suitable to accommodate diversity of skate elements	Not achieved	It is not understood why this criteria was not achieved unless the existing car park was considered to	Not included			

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		preclude a variety of skate elements.				
15. Needs of different skill levels addressed	Achieved		Not included		This would be achieved	Same as adjacent response
16. Access for users and spectators	Achieved		Free access to users and spectators.	Achieved. Spectators are encouraged and the decking and seating will provide opportunities for people of all ages and all abilities to enjoy the space and watch more active participants within the space and within the wider reserve.	Same as adjacent response	Same as adjacent response
17. Visually prominent, pleasant site with good public surveillance for	Achieved		Visually prominent, pleasant site with good public surveillance for	The skateable infrastructure component will have good public surveillance. There are no plans to pursue sponsorship.	Same as adjacent response	Same as adjacent response



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safety and high marketability (e.g. for obtaining sponsorship).			safety and high marketability (e.g. for obtaining sponsorship).			
18. Restricted access to vehicles to prevent skating at night by car lights.	Not achieved	This may have been considered to be not achieved as part of the site would have presumably been retained as an existing car park.	Restricted access to vehicles to prevent skating at night by car lights.	Achieved. The design of the space and the proposed changes in topography will not allow for lighting from parked cars at night.	Same as adjacent response	Same as adjacent response
19. Emergency vehicle access (fire and ambulance).	Achieved		Emergency vehicle access (fire and ambulance).	There is emergency vehicle access.	Same as adjacent response	Same as adjacent response
20. Not too close to a busy	Achieved		Not too close to a busy road.	Achieved. There is a separation between the	Same as adjacent response	Same as adjacent

<b>Criteria from Port Phillip Council Report 22 November 2004</b>	<b>Rating of the Marina Reserve car park site in 2004 assessment</b>	<b>Comment</b>	<b>Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001</b>	<b>Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010</b>	<b>Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011</b>	<b>Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011</b>
road				active recreation and skateable space and Marine Parade with a car park and pedestrian path.		response
21. Suitable soil, slope and environmental conditions.	Not achieved	This may have been considered to be not achieved as the site is an existing car park.	Suitable soil, slope and environmental conditions.	Complies. The soil and environmental condition support the proposed works.	Same as adjacent response	Same as adjacent response
22. Consistent with other Council /stakeholder policy strategy	Not achieved	This may have been considered to be not achieved as the site was directly on Marine Parade with limited set	Not included		The skateable infrastructure is considered to be consistent with Council /stakeholder policy	Same as adjacent response

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
		back.				
23. Suitable planning scheme zone.	Not achieved	This may be an error as the site zoning is suitable unless the proximity to a Road Zone was of a concern.	Suitable planning scheme zone.	Complies. Zoning is suitable. The site is within a Public Park and Recreation Zone.	Same as adjacent response	Same as adjacent response
24. Does the reservation of the land support the use	Not achieved	This may be an error as the land is reserved permanently for public recreation			Achieved as the land is reserved permanently for public recreation	Same as adjacent response
			Existing and projected age of the population is largest for 10–19	There is a significant existing and projected population within this age category. The relevant	Same as adjacent response	Same as adjacent response

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
			year olds (or 8–24 year olds).	analysis as well as some recent population projections was included at Attachment 3 in the 11 October 2010 Council report which is in Volume 2 Attachment 9. They indicate the following: <ul style="list-style-type: none"> <li>• based on SRV estimate of participation by age group, there is a catchment of 2034 person in the municipality aged between 5 – 19 who would skate if a facility was provided ( based on 2006 census figures)</li> <li>• Population of 7- 25 year olds in Elwood/Ripponlea and St Kilda (closest neighbourhoods) will remain relatively stable between 2010 and 2020.</li> </ul>		

Criteria from Port Phillip Council Report 22 November 2004	Rating of the Marina Reserve car park site in 2004 assessment	Comment	Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001	Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010	Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011	Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011
			The catchment (regional or local) matches the proposed facility.	Complies. It has been designed as a local facility that is integrated into the landscape and not a competition standard or regional facility.	Same as adjacent response	Same as adjacent response
			Suitably sized (allow for expansion, and space for parking if a district or regional skate park).	There is no plan to expand beyond what is proposed in the masterplan. As it is proposed to be a local facility the space for parking for district or regional purposes is not relevant.	Same as adjacent response	Same as adjacent response
			Suitable to fence if required (e.g. where a skate bowl is sited).	Fencing is not proposed, rather the design is such that the skate pocket is integrated into the space and will not require separation for safety purposes.	Same as adjacent response	Same as adjacent response

<b>Criteria from Port Phillip Council Report 22 November 2004</b>	<b>Rating of the Marina Reserve car park site in 2004 assessment</b>	<b>Comment</b>	<b>Criteria from location and siting checklist (chapters: 4, 5 and 6, page 107) Skate Park Facilities Guide 2001</b>	<b>Assessment of the active recreation and skateable infrastructure component compliance from CMA application October 2010</b>	<b>Assessment of the skateable infrastructure, including four pods, sculptural elements, walls, transitions, corners component compliance January 2011</b>	<b>Assessment of the skateable infrastructure, including the semi-enclosed pocket component compliance January 2011</b>
			Served by an off-road shared bicycle path network or route.	Achieved	Same as adjacent response	Same as adjacent response
			On a local circulation route.	Achieved. Marina Reserve is part of the St Kilda foreshore and publicly accessible.	Same as adjacent response	Same as adjacent response

## **Attachment 8. City of Port Phillip Risk Definitions and Ratings**

### ***Definitions***

#### **Definition of risk**

The chance of an event occurring that will have an adverse effect on business objectives. It is managed in terms of consequences and likelihood. The consequent liability is usually measured in financial terms but may involve bodily injury, financial loss or property damage.

#### **Definition of likelihood**

Description of probability and frequency.

#### **Definition of consequence**

The outcome of an event or situation expressed qualitatively or quantitatively, being a financial loss, human impact, service delivery interruption or reputation loss.

#### **Definition of risk control**

That part of risk management, which involves the provision of policies, standards and procedures to eliminate, avoid or minimise risks facing an enterprise.

### **Likelihood & consequence ratings**

#### **Likelihood ratings**

<b>Description</b>	<b>Likelihood of Occurrence</b>
<b>Rare</b>	Event may occur only in exceptional circumstances
<b>Unlikely</b>	The event may occur at some time, say once every 5 years
<b>Moderate</b>	The event will probably occur at least once in the next 2 years
<b>Likely</b>	The event will probably occur at least once, if not many times during the year ahead.
<b>Almost Certain</b>	The event is already occurring or is very likely to occur within the coming year.

### Impact Ratings

Description of the outcome	Overall Guide	Financial	Human	Business Interruption	Reputation	Regulatory
<b>Catastrophic</b>	Likely to impact Council in such a way that it would take a significant amount of time to recover from such an event, if at all. Time frames could well be in excess of 10 to 15 years. E.g. closure of the whole business or significant portion of the business.	A financial loss greater than \$10M. A severe financial blow to Council which would lead to a collapse or other drastic change in management or structure.	An event which will be long remembered and will significantly diminish the standing of Council into the future. Significant deterioration of environmental conditions for the community or multiple fatalities of Council employees.	Critical service loss for more than one month	Serious adverse public or media attention with ongoing national and local coverage. Very embarrassing for the stakeholders, Councillors and staff. Directly impacting the potential future credibility.	Very serious regulatory outcome leading to criminal prosecution of Council, Councillors and / or officers leading to imprisonment.



Description of the outcome	Overall Guide	Financial	Human	Business Interruption	Reputation	Regulatory
<b>Major</b>	Would significantly challenge the business and take a considerable amount of time to get over. (It would take between 3 – 10 years to recover from).	A loss of between \$1M and \$10M. A significant financial impact, which would not lead to collapse, but certainly give rise to a substantial restructuring or change in direction.	Considerably diminishes the standing of Council. Very unpleasant or unhealthy environmental conditions for the community. Single fatality or severe irreversible disability that could have been avoided.	Critical service loss for up to one month	Significant adverse State media / public attention. Will directly impact on the future business and will take a considerable amount of time to be forgotten.	Serious regulatory outcome, leading to regulatory sanction and large fines being imposed. Unlikely to include prosecution.
<b>Moderate</b>	Would need involvement from executives to resolve and would probably need to be dealt with at Council level and / or Audit Committee. May take between 1 month and a year to overcome and could take up to 3 years to recover from.	A loss between \$250K and \$1M.	Severe injury that incapacitates the person for many months.	Critical service loss not back in agreed time	Serious attention / concern from public and or local media. Unwanted publicity, but will be forgotten in a few months.	Moderate fines or sanctions from regulatory body. Creates ongoing sensitivity within Council and with regulators.

<b>Descripti on of the outcome</b>	<b>Overall Guide</b>	<b>Financial</b>	<b>Human</b>	<b>Business Interrupti on</b>	<b>Reputatio n</b>	<b>Regulatory</b>
<b>Minor</b>	Some impact which can be dealt with through some executive involvement and in the normal day to day operations. May need up to a few months to resolve and overcome.	A loss between \$1K and \$250K.	Injury requiring medical treatment.	Brief service loss for minimum period	Minor adverse local public or media attention.	Small fine or warning from regulators. Creates some level of sensitivity.
<b>Insignific ant</b>	No real impact to Council and would be dealt with in the day to day operational process. Can be resolved in a few weeks.	A loss less than \$1K.	No medical treatment required.	Business disruption, but no loss of service	Minimal public attention, mainly noticed within Council and creating internal embarrassment.	No fine, very little sensitivity.

### Inherent risk ratings

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Medium	Medium	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Moderate	Low	Medium	Medium	High	High
Unlikely	Low	Low	Low	Medium	Medium
Rare	Low	Low	Low	Medium	Medium

### Control rating

Inadequate	Rating	Description
	<b>Non-existent</b>	Controls do not exist or are not operating.
	<b>Poor</b>	At best, control addresses risk, but is not documented or in operation.
	<b>Fair</b>	Control addresses risk, at least partly, but documentation and/or operation of control could be improved.
Adequate	<b>Good</b>	Control addresses risk, but documentation and/or operation of control could be improved.
	<b>Excellent</b>	Control addresses risk, is officially documented and in operation.

### Residual risk rating

Management control ratings	Inherent Risk rating			
	Low	Medium	High	Extreme
Non-Existent	Medium	Medium	Extreme	Extreme
Poor	Low	Medium	High	Extreme
Fair	Low	Medium	High	Extreme
Good	Low	Medium	Medium	High
Excellent	Low	Low	Medium	High

### Suggested Residual Rating Range

Low	No monitoring required
Medium	Minimal monitoring required
High	Needs close monitoring
Extreme	Needs urgent attention