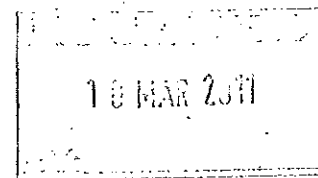




## Department of Sustainability and Environment



Our Ref: 1204389, PLEPS 2310  
Your Ref: 76/04/20-12

30 Prospect Street,  
Box Hill, Victoria 3128  
Telephone: (03) 9296 4400  
Facsimile: (03) 9890 0075  
ABN 90 719 052 204

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

Dear Ms Rundle,

### **APPLICATION FOR USE AND DEVELOPMENT OF COASTAL CROWN LAND MARINA RESERVE MASTERPLAN WORKS, ST KILDA MARINA RESERVE AND SURROUNDING FORESHORE, MARINE PARADE, ST KILDA**

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*. The application was received on 13 October 2010. Further information in respect to this application was requested on 11 November 2010 and a complete response was received in our office on 8 February 2011.

DSE supports Port Phillip City Council (council) in its endeavours to develop a masterplan for Marina Reserve to enhance public facilities at the site and improve the amenity of the reserve.

The application is for Marina Reserve Masterplan works, including:

- Reshaping of the existing central mound;
- New path networks including a new shared zone to provide access to beach and new community cyclist path (along Marine Parade);
- Reduction in the size of the car park (Turkey Tom car park) from 122 to 50 spaces with a reduced hard paved footprint;
- New formalised seating areas and viewing deck;
- New active skateable space (see condition 1a. and b. on attached consent notice)
- Reconfigured lawn area, including a single flat large lawn space;
- Planting of indigenous plant species, including coastal grasses, trees and shrubs; and
- New amenities including a public toilet, seating, lighting, water fountain, bicycle parking and rubbish bins.

The Victorian Coastal Strategy 2008 (VCS) outlines the importance for structures on the coast to be 'coastal dependant' and requires buildings and infrastructure to be sustainable, accessible, equitable and meet community needs for coastal and water-based experiences".

DSE has advised Council on a number of occasions that the incorporation of a 'skate bowl' into the plan would not be supported. DSE would however consider low-key skateable infrastructure that does not dominate the reserve and would enable use by a wide range of ages and abilities.

#### **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.



DSE acknowledges that council has sought to design a space which can be used by multiple ages and user groups. Inclusion of a semi-enclosed pocket (skate-bowl) is considered to restrict usage of the recreation zone to skaters and would potentially discourage other uses of the reserve. For these reasons, the inclusion of a 'semi-enclosed pocket' is considered inconsistent with the Victorian Coastal Strategy 2008.

The inclusion of a semi-enclosed pocket (skate-bowl) does not meet several of the VCS criteria for the use and development on coastal Crown land including:

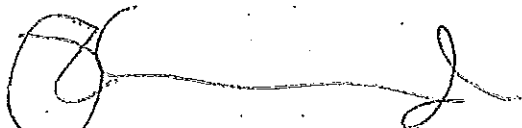
- the need to be sited on the coast and requires a coastal location to function,
- fulfils an identifiable need that can be located elsewhere,
- demonstrates considerable net community and public benefit and ensures equity in community access to new and existing use and development.

As delegated, I consent to the proposed works pursuant to Section 40 of the *Coastal Management Act* 1995 subject to the conditions on the attached consent notice.

Please note that this consent is conditional the removal of the proposed semi-enclosed pocket (skate-bowl) from the plans and a reduction in the area of skateable infrastructure, to the satisfaction of DSE. The need for such infrastructure in the coastal environment has not been sufficiently demonstrated.

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,



**DICK FORD**

A/DIRECTOR PUBLIC LAND MANAGEMENT & USE  
PUBLIC LAND DIVISION

ISSUE DATE: 8/3/2011

**SECTION 40 COASTAL MANAGEMENT ACT 1995**

**CONSENT FOR USE AND DEVELOPMENT OF COASTAL CROWN LAND**

Address of land: 1) CA 90D, no sec, (P362393) Parish of Melbourne South, Township of St Kilda at Melbourne South;  
2) CA 90E, no sec, (P362392) Parish of Melbourne South, Township of St Kilda at Melbourne South; and  
3) CA 90F, no sec, (P362388) Parish of Melbourne South, Township of St Kilda at Melbourne South.

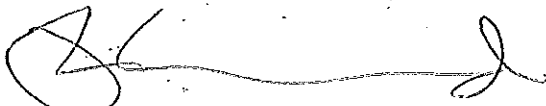
The subject Crown land is known as 'St Kilda Marina Reserve and surrounding foreshore'.

Consent for: Marina Reserve Masterplan works

As delegated, I consent to the proposed use and development pursuant to Section 40 of the *Coastal Management Act 1995* subject to the following conditions:

1. Detailed design plans must be submitted to and approved by DSE prior to any works being undertaken, showing the following:
  - a. Removal of the semi-enclosed pocket (skate bowl) from the plans;
  - b. Reduction in the area of skateable infrastructure to a maximum of 500m<sup>2</sup>;
  - c. Detailed design of the proposed toilet block in accordance with 3.2.5 of the Siting and Design Guidelines, 1998; and
  - d. Dimensions, construction materials and colours of all proposed infrastructure in accordance with 3.2.4 of the Siting and Design Guidelines, 1998.
2. All aspects of the masterplan must be implemented once condition 1 has been met, including landscaping and bike/pedestrian path works.
3. The active recreation zone must not be used for skating competitions. There must not be temporary skating infrastructure placed on site to allow for events or competitions.
4. Any modification to the works proposed will require further approval by the Manager, Environmental Planning, Public Land Services, DSE.
5. Lighting location and design must be kept to the minimum necessary for safety and security and must not include 'sports level' lighting.
6. All planting of vegetation within the Crown Land Reserve must utilise locally sourced indigenous species.
7. The proposed works must be carried out in accordance with EPA Publication No. 275 Construction Techniques for Sediment Pollution Control (May 1991).

8. Construction equipment, building materials, refuse and site run-off must be contained and controlled and not permitted to impact on the beach or enter the bay.
9. All works must be completed and maintained to the satisfaction of Port Phillip City Council.
10. The site must be left in a clean and tidy condition after completion of works to the satisfaction of Port Phillip City Council.
11. This consent will expire if the works are not completed within two years of the date of issue, unless an extension of time is applied for and granted by the Manager, Environmental Planning, Public Land Services, DSE.



**DICK FORD**  
A/DIRECTOR PUBLIC LAND MANAGEMENT & USE  
PUBLIC LAND DIVISION

ISSUE DATE: 8/3/2011