



10.2 **COBDEN STREET POCKET PARK - APPROVAL TO COMMENCE STATUTORY ROAD CLOSURE PROCESS**

EXECUTIVE MEMBER: **CHRIS CARROLL, GENERAL MANAGER, CUSTOMER, OPERATIONS AND INFRASTRUCTURE**

PREPARED BY: **LACHLAN JOHNSON, EXECUTIVE MANAGER CONSTRUCTION, CONTRACTS AND OPERATIONS**
LUKE RAINES, SENIOR PROJECT MANAGER
BRIDGETTE KENNEDY, TEAM LEADER PROPERTY OPERATIONS
CAROL TU, COORDINATOR STRATEGIC ENGAGEMENT

1. PURPOSE

1.1 The purpose of this report is to:

- a) Seek Council's endorsement to commence the road closure process for Cobden Street and Kings Place in accordance with the Local Government Act 1989, Section 207 (Power of Council over traffic), Schedule 11, Clause 9 (Power to place obstructions or barriers on a road permanently); and
- b) Subject to Council's decision, inform the local community of the road closure process and provide an opportunity for community members to make submissions, between 15 December 2021 and 23 January 2022, for Council's consideration.

2. EXECUTIVE SUMMARY

- 2.1 Cobden Street Pocket Park, South Melbourne, is part of the Kings Place Plaza project, which is included as a project within the Domain Precinct Public Realm Masterplan that was endorsed on 18 September 2019.
- 2.2 In March 2020, the Cobden Street Pocket Park project received \$1.3M in funding from the Department of Environment Land Water and Planning (DELWP) as part of the Local Parks Program. The grant is conditional on the project being completed by 30 October 2022 (revised from 30 June 2022). Council has committed a further \$500k towards the project across the 2021/22 and 2022/23 financial years. The total project budget is \$1.8M.
- 2.3 The creation of the pocket park will require a change of road function for a section of Cobden Street and Kings Place, effectively closing parts of these streets. The formal process to partially or fully close roads requires a statutory notification process and application to Department of Transport (DoT).
- 2.4 Council, at its 4 August 2021 Ordinary meeting, resolved to engage the community of the intent to change the function of Cobden Street and Kings Place from roadways to road reserve. This report seeks Council's endorsement to formally commence the road closure process.



3. RECOMMENDATION

That Council:

- 3.1 Proceeds with the statutory road closure process for a
- a) permanent road closure of Cobden Street, South Melbourne, extending from chainage 023 of 049 north of Kings Way; and
 - b) permanent partial road closure of Kings Place, South Melbourne, extending from chainage 000-084 northeast of Kings Way. Kings Place will become a one-way roadway with a nominal width of 3.6 m.
- in accordance section 207, schedule 11, clause 9 of the Local Government Act 1989.
- 3.2 Gives public notice to affected stakeholders of the proposal for the road closures of the following roads:
- c) permanent road closure of Cobden Street, South Melbourne, extending from chainage 023 of 049 north of Kings Way; and
 - d) permanent partial road closure of Kings Place, South Melbourne, extending from chainage 000-084 northeast of Kings Way. Kings Place will become a one-way roadway with a nominal width of 3.6 m.
- and invites submissions in accordance with Section 223 of the Local Government Act 1989.
- 3.3 Resolves to hear and consider any submissions received pursuant to Section 223 of the Local Government Act 1989 at an Ordinary Council meeting to be held on 16 February 2022.

4. KEY POINTS/ISSUES

- 4.1 At its 4 August 2021 Ordinary meeting, Council resolved to endorse the concept design for Cobden Street pocket park (refer Attachment 1), inform the local community of the concept design and project timelines, and specifically engage the community of the intent to change the function of Cobden Street and Kings Place, South Melbourne, to a road reserve.
- 4.2 A proposal to discontinue or close the roads, under the Local Government Act 1989 (the Act), requires Council by virtue of section 207A of the Act, to comply with the provisions of section 223 (Right to make a submission) of the Act. This requires Council to invite submissions to the proposal to discontinue or close roads.
- 4.3 Subject to Council's decision and as part of road closure process, Council will notify all properties abutting the roads affected by the proposed road closure for Cobden Street and Kings Place.
- 4.4 Council will also publish a Notice of Intent to close the roads in The Age newspaper on 15 December 2021. Information about the road closures, including background information and maps, will also be published on Council's Have Your Say website on 15 December 2021, with an invitation for affected community members to make a submission to these proposed road closures.
- 4.5 Submissions regarding the proposed road closures should be received by Council no later than 5 pm on 23 January 2022. Instructions for how to make a submission will be



available in The Age newspaper advertisement and on Council's Have Your Say website.

- 4.6 Council will consider submissions received at its Ordinary Meeting of Council on 16 February 2022. Any person who makes a submission (or persons acting on their behalf) is entitled to speak to their submission at this Council Meeting.
- 4.7 Council will make a decision regarding whether to close the roads at the Ordinary Meeting of Council on 16 February 2022.
- 4.8 Subject to the approval and completion of the road closure process, further Council endorsement will be sought to remove the road from the City of Port Phillip Register of Public Roads pursuant to section 17(4) of the Road Management Act 2004 and to undertake the statutory procedures required to discontinue these roads in accordance with clause 3 of Schedule 10 of the Local Government Act 1989.

5. CONSULTATION AND STAKEHOLDERS

5.1 The local community was extensively engaged in 2018/19 through the development of the Domain Precinct Public Realm Masterplan. This engagement program was undertaken in three stages:

a) Stage 1: Identity Surveys

- The Place Identity Surveys were undertaken online and as intercept surveys.
- Following this, an independently facilitated workshop was held.
- A total of 453 survey responses were received and 14 people attended the facilitated workshop.
- Feedback received included that the current precinct had a lack of green space, pedestrian connection and no community heart.

b) Stage 2: Precinct Design

- Community members provided feedback on the design response to the first stage of engagement by completing an online survey or attending a facilitated workshop on Saturday 25 May 2019.
- A total of 74 survey responses were received and 35 people attended the workshop.
- Community feedback on the design response was considered and incorporated where possible into proposed designs in a draft masterplan.

c) Stage 3: Draft Masterplan

- The draft masterplan was exhibited online for public comment in July and August 2019.
- A direct mailout to all households in the precinct (4,767 letters) were sent to local residents advising them the draft masterplan was on exhibition.
- A pop-up information session was held during the exhibition period, and Council officers had over 30 conversations about the project with interested community members throughout the exhibition period.



- Information boards relating to each of the proposed projects were erected around the precinct to communicate the opportunity to provide feedback on the draft masterplan.
 - Fifty-seven submissions to the draft masterplan were received during the exhibition period, with one late submission received outside of this period.
- 5.2 Feedback received specifically on Kings Place Plaza included:
- Support for more pedestrian areas and activation.
 - Questions about access to properties and future developments with the proposed one-way arrangement.
 - Concerns about safety and how the shared space / zone will function.
- 5.3 This feedback was considered in finalising the masterplan, which was adopted by Council on Wednesday 18 September 2019.
- 5.4 Further information on the community consultation is available in the Domain Precinct Public Realm Masterplan on pages 22-23.
- 5.5 Further consultation was also identified in the St Kilda Road North Precinct Plan (four-year process), which was adopted by Council in 2015.
- 5.6 The community's input through the masterplan development process, including the development of the scope for the King Place Plaza project and the Cobden Street Pocket Park sub-project, has helped to shape the current concept design for the pocket park.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 A key risk to the successful delivery of this project is the requirement for construction to be completed by end October 2022 as part of DELWP's grant funding conditions. If this timeline is not achieved, Council runs the risk of having the grant withdrawn.
- 6.2 To mitigate this risk, and in recognition of the local community's extensive involvement in the development of the masterplan, including the vision for the Kings Place Plaza, it is proposed that the road closure process takes place over December 2021 / January 2022, with a report being presented to Council in February 2022, to enable construction timelines to align with grant funding conditions.
- 6.3 Aside from the timeline risks, there are some unknowns at the site regarding soil contamination. Preliminary soil testing has indicated that soils would receive an EPA 'Fill Material' classification for off-site disposal, however this classification may change based on the prevalence of known contamination throughout the City.
- 6.4 By complying with legislation, policy and creating reasonable provision for service authorities, there is no legal risk associated with changing the function of these roads.

FINANCIAL IMPACT

- 6.5 The full project cost, including contingency, is \$1.8m and is made up of Council funding and \$1.3M in funding from the DELWP Local Parks Program. The grant funding is to be fully expended by 30 October 2022.
- 6.6 An independent cost plan prepared by a qualified quantity surveyor was undertaken in June 2021. The cost plan, based on the concept designs, indicates that the project can be delivered within the existing project budget.



7. ENVIRONMENTAL IMPACT

- 7.1 The new park will provide increased canopy cover and decrease the urban heat island effect through new garden beds, a lawn area and canopy tree planting.
- 7.2 WSUD features have not been included in this project due to potential for them to be damaged through future development. They will be considered in the design for the future Kings Place Plaza project.

8. COMMUNITY IMPACT

- 8.1 This project received overall community support through the 2019 Domain Precinct Public Realm Masterplan engagement process.
- 8.2 The area is not currently a park, and once complete, will increase the provision of public space in the Domain Precinct.

9. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

9.1 Council Plan – Liveable Port Phillip

Strategic Objective – Port Phillip is a great place to live, where our community has access to high quality public spaces, development and growth are well managed, and it is safer and easy to connect and travel within.

What we will work towards (our four-year strategies) – Port Phillip is safer with liveable streets and public spaces for people of all ages and abilities to enjoy.

We will provide – Access to upgraded, expanded and well-maintained public and outdoor spaces for people of all ages and abilities to visit, in line with our 10-year Public Space Strategy (once adopted by Council), prioritised within available budgets each year.

We will facilitate and advocate for – The best possible public space outcomes that support community health and wellbeing, through infrastructure projects undertaken in our City by other levels of government and stakeholders.

9.2 Council Plan – Sustainable Port Phillip

Strategic Objective – Port Phillip has a sustainable future, where our environmentally aware and active community benefits from living in a bayside city that is greener, cooler, cleaner and climate resilient. The importance of action in this area is emphasised by Council declaring a Climate Emergency in 2019.

What we will work towards (our four-year strategies) – Port Phillip has cleaner streets, parks, foreshore areas and waterways where biodiversity flourishes.

We will provide – Urban forests to increase tree canopy, vegetation, greening and biodiversity and reduce urban heat, in line with Council's Greening Port Phillip and Act and Adapt Strategies prioritised within available budgets each year.

We will provide – Increased permeability of ground surfaces across public streets and in our public spaces as well as examining ways to support greater permeability on private property.



10. IMPLEMENTATION STRATEGY

10.1 TIMELINE

- 10.1.1 Subject to Council's decision, officers will progress this project to the following timeline:
- 10.1.2 Commence road closure process from mid-December 2021 to late January 2022, with a report on the outcome of this process to be presented to Council in February 2022.
- 10.1.3 Finalise designs in February 2022.
- 10.1.4 Commence construction of Cobden Street pocket park in June 2022, with an expected completion date by October 2022.

10.2 COMMUNICATION

- 10.2.1 The road closure process, which includes formal community / stakeholder notification, will commence following Council's endorsement to proceed with this process at its 8 December 2021 Ordinary meeting.
- 10.2.2 Information about this project will be available on Council's website, along with information about how to sign up for updates on the project's process.
- 10.2.3 Additionally, a project consultation page will be created on Council's Have Your Say website, to access information and to support our community to make a submission as part of the road closure process.

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11. OFFICER DIRECT OR INDIRECT INTEREST

- 11.1 No officers involved in the preparation of this report have any material or general interest in the matter.

ATTACHMENTS 1. Cobden Street Pocket Park – Landscape Design Report