

24 November 2009**HOWEY PLACE, MELBOURNE – EXTENSION TO
INTERMITTENT CLOSURE****Committee** Connected City**Presenter** Cr Louey**Purpose**

1. The purpose of this report is to recommend that the intermittent closure of Howey Place, Melbourne be extended in order to facilitate increased outdoor dining opportunities for the cafés that are currently operating along Howey Place and Presgrave Place, and to generally improve pedestrian amenity in this area.

Recommendation

2. That Council:
 - 2.1. approve the extension of the intermittent closure of Howey Place, Melbourne to vehicular traffic from the current 11am to 4pm, Monday to Friday to 10am to 4pm, Monday to Sunday as shown on the attached locality plan number 8P1710 (Attachment 1 of the Committee report); and
 - 2.2. notify in writing every person who has lodged a separate submission of the decision and reason/s for the decision.

Council Report Attachment:

1. Connected City Committee, Agenda Item 5.2, 10 November 2009

10 November 2009

**HOWEY PLACE, MELBOURNE
EXTENSION TO INTERMITTENT CLOSURE**

Division Sustainability and Regulatory Services

Presenter Geoff Robinson, Manager – Engineering Services

Purpose

1. To recommend that the intermittent closure of Howey Place, Melbourne be extended in order to facilitate increased outdoor dining opportunities for the cafés that are currently operating along Howey Place and Presgrave Place, and to generally improve pedestrian amenity in this area.

Recommendation from Management

2. That the Connected City Committee recommend that Council:
 - 2.1. approve the extension of the intermittent closure of Howey Place, Melbourne to vehicular traffic from the current 11am to 4pm Monday to Friday to 10am to 4pm Monday to Sunday as shown on the attached locality plan number 8P1710 (Attachment 1); and
 - 2.2. notify in writing every person who has lodged a separate submission of the decision and reason/s for the decision.

Background

3. Howey Place is an ‘L’ shaped laneway running off the south side of Lt Collins Street, between Swanston and Elizabeth Streets, in Melbourne’s Central Business District. It is a cul-de-sac, and comprises a north-south leg, approximately 57 metres in length and an east-west length of approximately 13 metres in length. Pedestrian arcade walkways connect the southern end of Howey Place with both Swanston and Collins Streets. The carriageway widths of the north-south and east-west legs of the laneway are approximately 5.70 and 4.90 metres, respectively. There are no footpaths or buffer kerbs in either leg of Howey Place. Refer to attached locality plan number 8P1710 (Attachment 1) for further details.
4. Presgrave Place runs off the east side of Howey Place, approximately 28 metres south of Collins Street. This lane is also a cul-de-sac comprising an east-west leg approximately 37 metres in length and a north-south leg, approximately 19 metres in length. The carriageway widths for this lane vary between 3.10 metres and 4.90 metres
5. Land use abutting Howey Place (and Presgrave Place) is predominantly boutiques, restaurants, food outlets, retail businesses and a hotel. A residential building is accessed from the rear of Presgrave Place.
6. Howey Place is currently closed to vehicular traffic between 11am and 4pm Monday to Friday.

7. The City of Melbourne received a petition from 14 Howey Place property occupiers, initiated by Mr Grant Phelan proprietor of Solarino Café at 7 Howey Place, requesting that Council extend the intermittent closure to have the lane operate as follows:
 - 7.1. 7am to 11am, Monday to Friday, as a Shared Zone;
 - 7.2. 11am to 4pm, Monday to Friday, closed to traffic;
 - 7.3. 4pm to 6pm, Monday to Friday, as a Shared Zone;
 - 7.4. 6pm to 11pm, Monday to Friday, closed to traffic, and
 - 7.5. 7am to 11pm, Saturday and Sunday, closed to traffic.
8. A proposed extension of the intermittent closure of Howey Place to operate between 10am to 7pm Monday to Sunday was advertised and nine submissions were received. These submissions were considered by Council's Submissions Committee and are summarised and commented on in Attachment 2. A copy of the submissions is annexed to this report as Attachment 3.

Key Issues

9. The Submissions Committee, at its meetings held on 3 August 2009 and 10 August 2009, concluded that:
 - 9.1. *the closure be made between 10am to 4pm Monday to Sunday noting that this will improve safety at pedestrian peak times (10am to 11am) which will still allow access for garbage trucks prior to 10am;*
 - 9.2. *the above closure will:*
 - 9.2.1. *allow delivery to properties before 10am and after 4pm similar to current restrictions;*
 - 9.2.2. *accommodate the few or no service vehicles using the lane between 4pm and 5pm; and*
 - 9.2.3. *improve safety on weekend.*
10. The main issues raised in the opposing submissions related primarily to reduced access for servicing requirements for residents, businesses, and access for emergency vehicles. Submissions were also received from a number of businesses requesting that the proposed closure hours be further extended.
11. The Submissions Committee considered that the intermittent closure hours of Howey Place should only be extended to operate between 10am and 4pm Monday to Sunday to:
 - 11.1. allow access to Howey Place for servicing requirements for residents and businesses as well as for waste management purposes which require a 3 hour access period from 7am; and
 - 11.2. improve safety for pedestrians at one of the peak periods (10am to 11pm) as well as on Saturday and Sunday during weekend trading.

12. While the best arrangement from a road safety perspective would be to ban all vehicle movements in the laneway, this is not practical given the need to service properties and collect garbage. In addition a closure up until 7pm would create the outdoor dining opportunities put forward by the applicants. However, the Submissions Committee concluded that the closure time could not be extended past the existing 4pm time due to the negative impact this would have on the servicing of the abutting properties, particularly those occupied by residents, between 4pm and 7pm.
13. In addition to the recommended closures two further pedestrian safety measures are being implemented in Howey Place and Presgrave Place:
 - 13.1. a Shared Zone will operate when the lanes are open to traffic and limit vehicular speed to 10km/hr; and
 - 13.2. a row of bollards will be installed on each side of the north-south section of Howey Place approximately one metre from the building line to keep traffic, such as large garbage vehicles, in the centre of the lane so that pedestrians have an opportunity to observe traffic movements.
14. The Submission Committee also considered Council's current Swanston Street Review and whether these decisions should be delayed till that is finalised. It concluded that the recommended extensions would not significantly impact properties abutting Swanston Street and that there is a pressing road safety reason to proceed with these changes as soon as possible.

Time Frame

15. If approved by Council, works to extend the intermittent closure of Howey Place could be operational in December 2009/January 2010.

Relation to Council Policy

16. The proposed extension to the intermittent closure of Howey Place to vehicular traffic is in line with Section 3 of Council's *Transport Strategy 2020*:

"Council will provide an effective, safe and engaging environment for pedestrians..."

17. The proposal is in line with Section 1.4 of Council's *Road Safety Plan 2005-2006*:

"to create a significantly safer street environment for vulnerable road users".

Consultation

18. Section 207A of the *Local Government Act 1989* ("the Act") provides for submissions under Section 223 of the Act in regard to the exercise of Council powers to block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road. In accordance with the Act, a public notice outlining the proposal was advertised in the 'The Age' newspaper on Saturday 2 May 2009 and letters have been forwarded to owners and occupiers of properties deemed to be affected.

Government Relations

19. As required by the Act, Council has considered VicRoads' report on this proposal. VicRoads offers no objection to the proposal.

Finance

20. The overall project cost, which includes the installation of new permanent bollards and changes to advisory signage, has been estimated at \$12,500.

Conflict of Interest

21. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Legal

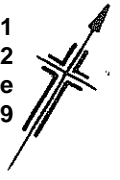
22. The proposal constitutes a proposal to place a permanent obstruction or barrier for the purposes of clause 9 of Schedule 11 of the Act. The report accurately identifies the statutory requirements in the Act.

Sustainability

23. The proposal to extend the intermittent closure of Howey Place is designed to increase the opportunity for a kerbside café environment enhance the attraction of Melbourne to all visitors and improve pedestrian amenity in this area, whilst maintaining access for servicing of abutting properties.
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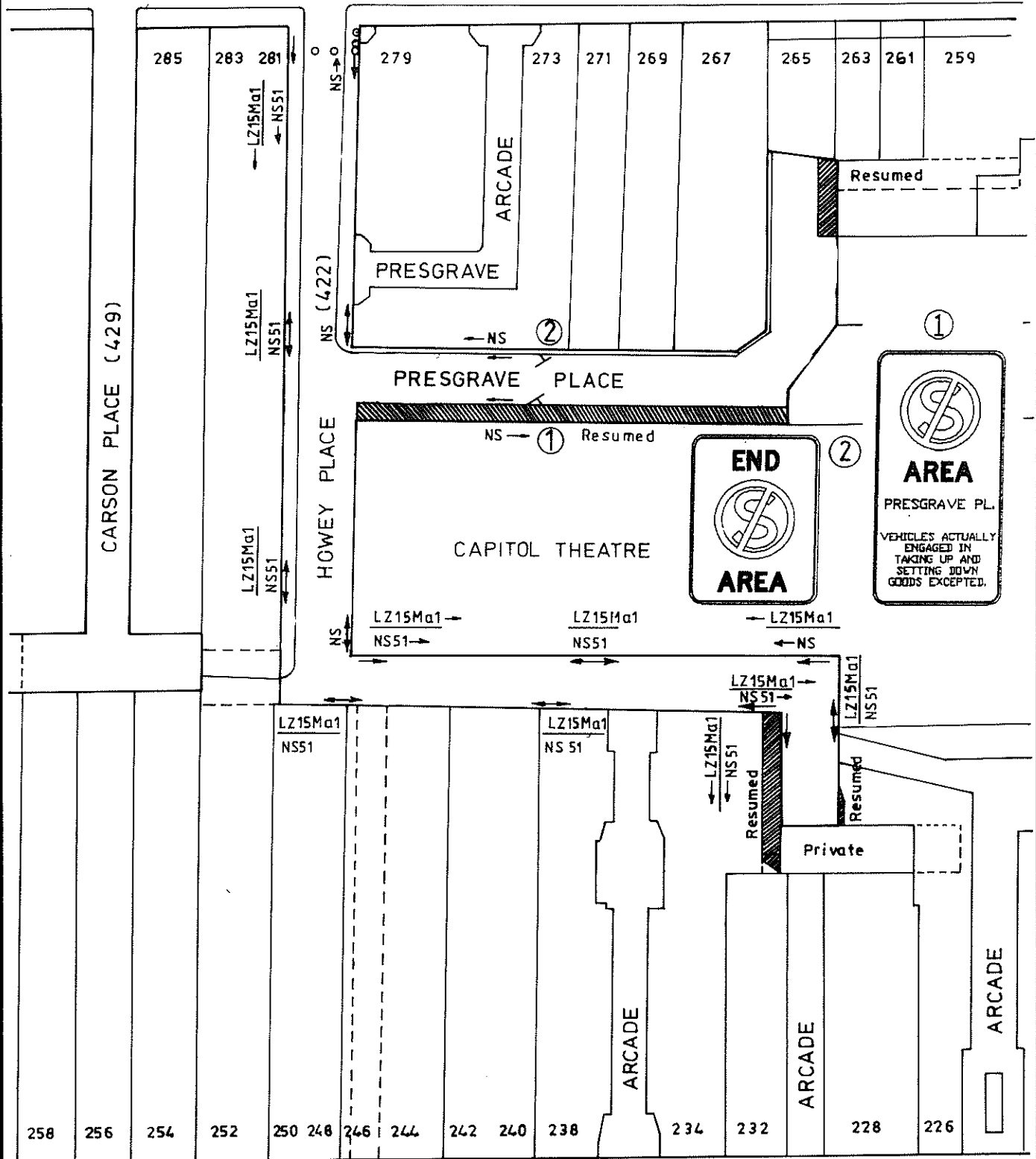
Attachments:

1. Plan No 8P1710
2. Summary of Submissions
3. Copy of Submissions
4. Panel Minutes



LT. COLLINS ST.

See 8 E 232



COLLINS ST.

See 8 E M37

TRAFFIC ENGINEERING BRANCH—CITY OF MELBOURNE

City Engineer

Date / /

PARKING PLAN
 HOWEY PLACE
 SOUTH OF LT. COLLINS ST.

Scale
 1 : 480
 Drawn A.R.L.
 Checked

DRAWING No.

8P1710

PROPOSED EXTENSION OF INTERMITTENT CLOSURE OF HOWEY PLACE, MELBOURNE

SUMMARY OF SUBMISSIONS

	NAME	BUSINESS NAME/ ORGANISATION	NATURE OF SUBMISSION	COMMENTS
1	Mr John W. Jennings	Committee Member Manchester Unity Building Body Corporate Room 308, 220 Collins St Melbourne	<p>Objection and alternative proposal. Comments made in submission:</p> <p>Manchester Unity Building has approximately 120 lot owners comprising of retail, professional services, manufacturing and residential who require ongoing access for goods deliveries, residents moving in and out of building, building services, building maintenance and maintenance by tenants on their lots.</p> <p>The combination of access restrictions to kerbside parking along the building’s Collins Street frontage, (due to tram “super stop”) and possible further restrictions along Swanston Street following Council’s review of its operation, together with extended hours of the closure will significantly increase servicing difficulty.</p> <p>Reluctantly propose to extend intermittent closure from 11.00am to 6.00pm (rather than 10.00am to 7.00pm).</p>	<p>The proposed extension to the closure hours of Howey Place will result in reduced servicing opportunities.</p> <p>Agreed.</p> <p>Possible variation to proposal at hand.</p>
	Mr John W Jennings	As above	Additional comments advising that the submissions meeting should be deferred until after Council has made its final decision on the Swanston Street redevelopment	Noted

2	Ms Christine Diorietes	<p>Affiliated Importers Victoria, Manchester Unity Building Room 605, 220 Collins Street Melbourne</p>	<p>Objects to the proposal. Comments made in the submission:</p> <p>Howey Place runs to the back of the Manchester Unity Building. The laneway is signed as a 15 minute Loading Zone which is used by applicant for the delivery of goods and by tradespeople conducting maintenance and dropping off equipment.</p> <p>Applicant uses Loading Zone outside business hours including weekends to complete renovations</p> <p>Emergency vehicles need to be able to use this laneway to gain access to Manchester Unity Building.</p> <p>The Swanston St redevelopment has not been finalised, therefore the Howey Place proposal is premature.</p>	<p>Access will be restricted resulting in reduced servicing opportunities.</p> <p>The proposed extension to the closure hours of Howey Place will result in reduced servicing opportunities.</p> <p>Access for emergency vehicles will always be available via Swanston Street. In case of emergency, the bollards used to effect the intermittent closure can be forcibly removed by fire fighters. Ambulance officers are able to access patients in Howey Place or Presgrave Place without removing bollards.</p> <p>Access may be further restricted depending on which scheme is adopted by Council for Swanston Street.</p>
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<p>3</p>	<p>Mr Paul Goujon</p>	<p>Facilities Manager, Knight Frank Australia Pty Ltd Level 4 230 Collins Street Melbourne</p>	<p>Objects to the proposal. Comments made in submission:</p> <p>Howey Place is required for deliveries at Collins Two3four due to the fact that the parking outside the Collins Street frontage was removed to make way for the platform tram stop and the generally high demand for parking in Collins Street.</p> <p>Swanston Street is severely restrictive to couriers wanting to park and deliver to these 3 buildings (230 Collins St, Manchester Unity and Capital Arcade)</p> <p>Lt Collins St (Swanston to Elizabeth St) is near impossible to get a park to receive deliveries.</p> <p>Further reducing the hours for vehicle access to Howey Place will create a concentration of vehicles needing to get in to Howey Place in that reduced time zone and will result in congestion.</p> <p>Any building works that are required for the above development or removal of furniture fixtures will be severely restricted.</p>	<p>Agreed. Collins Street, along with most streets within the CBD, particularly in the retail, parking is in high demand.</p> <p>Parking in Swanston Street primarily caters for delivery vehicle access. This access is available as-of-right by commercially registered vehicles up to 10.00am and via Council permit. Recent surveys undertaken in this section of the street revealed that the weekday parking occupancy rate for the sixteen (16) spaces ranged from a low of 17% at 6.00am at peaked at 38% at 10.00am, indicating that parking opportunities are available as an alternative to Howey Place. Access to Swanston Street is currently being reviewed by Council which may ultimately impose further restrictions on vehicular access.</p> <p>Possible further restrictions along Swanston Street following Council's review of its operation, together with extended hours of the closure will also impact on the servicing of the building.</p> <p>Lt Collins Street, along with most streets within the CBD, particularly in the retail core, experiences a high demand for parking.</p> <p>Delivery vehicles would need to use alternative loading zones in Lt Collins Street or queue in legitimate parking areas in Lt Collins Street if vehicular access to Howey Place was essential.</p> <p>Council may, at its discretion, suspend the operation of the intermittent closure of Howey Place together with any outdoor café permit for the purpose of allowing abutting property owners/occupiers to undertake maintenance to their building.</p>
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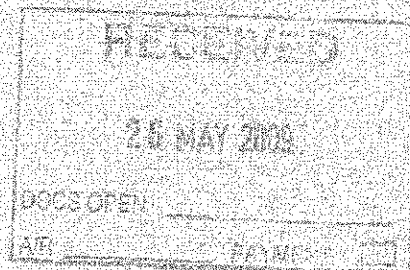
	Mr Scott Law	Resident of 5/15 Presgrave Place Melbourne	<p>Objects to the proposal. Comments made in submission:</p> <p>Howey Place is the only access for residents of 15 Presgrave Place. By extending the closure hours, residents of this building will be further denied access to pick up or drop off goods. In addition, emergency services will also be restricted.</p>	<p>Access for residents and other occupiers will be restricted resulting reduced servicing opportunities via Howey Place. Access for emergency vehicles will always be available via Swanston Street. If fire truck access is required to Howey Place in an emergency, the bollards used to effect the intermittent closure can be forcibly removed by fire fighters. Ambulance officers are able to access patients in Howey Place or Presgrave Place without removing bollards.</p>
5	Ms Loretta Skorin	Resident of 5/15 Presgrave Place, Melbourne	<p>Objects to the proposal. Comments made in submission:</p> <p>Howey Place is the only access to resident's premises at 15 Presgrave Place. This proposal causes great concern for safety and clear access as there has been a fire in the building. The proposed extended closure hours will increase the inconvenience of loading unloading personal items and people who service the building.</p>	<p>Access for residents and other occupiers will be restricted resulting reduced servicing opportunities via Howey Place. Access for emergency vehicles will always be available via Swanston Street. If fire truck access is required to Howey Place in an emergency, the bollards used to effect the intermittent closure can be forcibly removed by fire fighters. Ambulance officers are able to access patients in Howey Place or Presgrave Place without removing bollards.</p>
6	Mr Ivan Constable and Ms Lisa Bakes	Residents of 2/15 Presgrave Place	<p>Objects to the proposal. Comments made in submission:</p> <p>The extended closure hours will restrict access for deliveries to and from building.</p> <p>Emergency access for 15 Presgrave Place is reduced as Howey Place is the only access for this building.</p> <p>Access for maintenance and service people as well as residents bringing in or removing goods is reduced.</p>	<p>The proposed extension to the closure hours of Howey Place will result in reduced servicing opportunities.</p> <p>Access for emergency vehicles will always be available via Swanston Street. If fire truck access is required to Howey Place in an emergency, the bollards used to effect the intermittent closure can be forcibly removed by fire fighters. Ambulance officers are able to access patients in Howey Place or Presgrave Place without removing bollards.</p> <p>Access will be restricted resulting in reduced servicing opportunities.</p>

7	Grant and Dale Phelan	Proprietors of the Solarino Café at 7 Howey Place	<p>Objection and alternative proposal. Comments made in submission:</p> <p>Mr Grant Phelan initiated the petition and consequently, at an on-site meeting with representatives from Engineering Services on 24 March 2009, agreed to a revision of the closure times that form the basis of these legal procedures for the intermittent closure of Howey Place.</p> <p>Mr Phelan requests that the closure hours be extended beyond those proposed to at least bring them in line with the trading hours of the retailers operating within the lane. He believes that there is an urgent safety issue resulting from the unmanaged mix of pedestrians and vehicles. He advises that pedestrian volumes in Howey Place have grown and that he has witnessed “numerous” near misses between pedestrians and delivery vans, waste collection trucks and contractor vehicles.</p>	<p>Howey Place, like numerous other laneways in the CBD that serve a pedestrian access function and servicing role, require vehicles and pedestrians to share the road space. The lane is approximately 5.5 metres wide. Therefore if service vehicles (2.5 metres wide) were to park centrally, pedestrians would have approximately a clear circulation space of 1.5 metres on either side of the vehicle.</p> <p>In order to improve pedestrian amenity, an application has been made to VicRoads to introduce a Shared Zone in Howey Place. This traffic control measure will require vehicles to travel at a maximum of 10km/hr and pedestrians will have priority over motor vehicles in the lane.</p>
	Mr Harry Georgiou	Proprietor of the JASONGRECH Retail Gallery at 12 Howey Place, Melbourne	<p>Supports proposal but requests further extension of closure times. Comments made in submission:</p> <p>Mr Georgiou has requested that the intermittent closure to be extended on Friday evenings as he believes that vehicles are driving down lane at dangerous speeds.</p> <p>Mr Georgiou’s has also suggested that the start time for the closure be varied to start earlier than the 10.00am start time.</p>	<p>The suggested extension would restrict access for residents and other to bring in or remove goods from their premises. An application has been made to VicRoads to introduce a Shared Zone in Howey Place. This restriction will require vehicles to travel at a maximum of 10km/hr and pedestrians will have priority over motor vehicles.</p> <p>The proposed 10.00 am start time for the intermittent closure was based on cleansing (including private waste collection) and servicing. The proposed earlier start time cannot be supported.</p>

9	Mr Anthony Cardamone	Proprietor of the Sidewalk Soul shoe store at 8-10 Howey Place	<p>Supports proposal but requests further extension of closure times. Comments made in submission:</p> <p>Mr Cardamone has requested that the closure:</p> <ul style="list-style-type: none"> • Commence at 9.00 am rather than 10 am as staff of this store arrive at 9.30 am. He believes that allowing cars and trucks to drive through this very tight squeeze is just an accident waiting to happen. <p>• Operate at least until 10.30 pm on a Friday evening for similar reasons outlined above</p>	<ul style="list-style-type: none"> • The proposed 10.00 am start time for the intermittent closure was based on cleansing (including private waste collection) and servicing. The proposed earlier start time cannot be supported. <p>Howey Place, like numerous other laneways in the CBD that serve a pedestrian access function and servicing role, require vehicles and pedestrians to share the roadway. The lane is approximately 5.5 metres wide. Therefore if service vehicles (2.5 metres wide) were to park centrally, pedestrians would have approximately a clear circulation space of 1.5 metres on either side of the vehicle.</p> <p>An application has been made to VicRoads to introduce a Shared Zone in Howey Place. This restriction will require vehicles to travel at a maximum of 10km/hr and pedestrians will have priority over motor vehicles.</p> <p>The suggested extension would restrict access for residents and other to bring in or remove goods from their premises.</p>
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Affiliated Importers Victoria



Mr. Haig Poulson
 Principal Engineer Traffic Engineering
 City of Melbourne
 P.O. Box 1603
 Melbourne Vic. 3001

May 22, 2009

Dear Mr Poulson,

Re: Notice for proposed extension of intermittent closure hours for Howey Place

As you can see from our letterhead our business is located in the Manchester Unity building. I feel that the proposed extension of these hours will have an effect on the operations of our office and I have listed my concerns as follows;

- Howey Place runs all the way through to the back of the Manchester Unity Building (which is not shown on the concept plan). This area has a 15 Minute Loading Zone which we do use for delivery of goods. Tradespeople conducting maintenance to our office also need access to this area to drop off equipment.
- My company also uses this Loading Zone outside business hours (9am to 5pm) including weekends, as this is often the only opportunity we have to complete renovations etc.
- Emergency vehicles such as fire and ambulance would need to be able to use this laneway to gain access to the M.U. Building.
- Waste removal vehicles also need access to this laneway and often rubbish is still waiting for pick up after 9am. In addition to this service vehicles for water gas and electricity also use Howey Place to get to M.U.

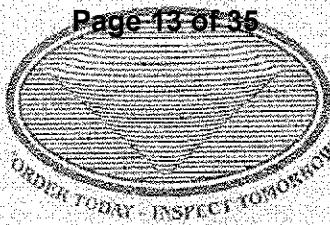
The plans for redeveloping Swanston Street are obviously still under consideration; I feel that making a decision about Howey Place without knowing what is going to happen in Swanston Street is premature.

SAPPHEX PTY. LTD

ACN 500 261 268

Trading as

Affiliated Importers Victoria



*Affiliated Importers
Victoria*

Most of the M.U. building is occupied by small business. After speaking with several tenants we agreed that restricting entry to Howey Place will be detrimental to our businesses. If access is denied through Howey Place, then I feel more accessibility must be gained through Swanston Street. Where businesses in M.U. can have a loading zone available 7 days a week/ 24 hrs a day with a minimum of fuss.

I look forward to hearing from you in regards to this matter.

Yours sincerely

Christine Diorietes

SAPPHEx PTY. LTD.

ACN 001 255 290

Trading as

Affiliated Importers Victoria

Sarah Castuera

From: Scott Law [scottylaw@hotmail.com]

Sent: Friday, 29 May 2009 4:07 PM

To: Dimitrios Kasapidis

Subject: Proposed extension of intermittent road closure hours of Howey Place Melbourne

I am expressing my strong objection to the proposed extension of hours in Howey place. I have been a resident of Presgrave place for 9 years a fact the council obviously over looked while reading a petition from eighteen shoppers NOT RESIDENTS of the effected area. This lane way is our only access point to our front door. By extending the closure hours we will be further inconvenienced bye affactably denying us access to drop off or pick up goods to our homes. Secondly this is the only access point for emergency services to access not only our building but also the fire exit of the capital building, and the hi-fi Bar and ballroom, and the capital theater. I can not express enough my disappointment at the way these matters have been handled as the resedents of 15 presgrave place were not even advised of such a proposal until a shopkeeper told me on 29/5/09. Whilst not being able to personally view my concerns, due to work commitments i would like the committee to be advised of my total objection to any increase in closure hours. As for a proposed dinning area the cafe concerned have been unlawfully trading in the lane way from the day they opened. Council has advised me the matter is currently being investigated. I am happy to discuss this matter further if contacted.

Yours Truthfully

Scott Law

5/15 Presgrave Place Melbourne 3000

0430436950

Sarah Castuera

From: Dimitrios Kasapidis
Sent: Tuesday, 2 June 2009 8:33 AM
To: Gavin Attard
Subject: FW: re....proposed extension of road closure hours. CoM Ref: DM # 5155922

From: ivan constable [mailto:ivanconstable@hotmail.com]
Sent: Monday, 1 June 2009 9:45 PM
To: Dimitrios Kasapidis
Subject: re....proposed extension of road closure hours. CoM Ref: DM # 5155922

attention; mr dimitrios kasapidis my name is ivan constable my partner lisa bakes and i have lived at presgrave place for sixteen years in that time we as tennants and retailers/owner occupiers have consulted and worked together for the benefit of all ,which makes letter dated 17 april re howey place mel proposed ext of intermittent road closure hours ,that was not made available to the tennants of 15 presgrave place a matter for the reflection of some but not all occupiers being hardly fair ,so i would like to think in future information will be recieved to everyone affected. my concerns with the proposal are extended closure hours from 10am to 7pm, monday to sunday are ;

1. access for deliveries to and from building.
2. emergency access to 15 presgrave place, as this is our only entry and exit to the building .
3. access for maintenance / service people to the building.
4. access for refuse removal from presgrave place as we have on going refuse removal issues now, as local business' and residents use presgrave place for their main refuse storage bins as this will become a health issue.
5. and finally this will have a negative impact on my coming and going to and from my residence which i have greatly enjoyed over the last sixteen years, we have made arrangements to comply with the current closure of howey place between the hours of 11 am to 4 pm mon to friday and any extension to these closure hours will greatly affect the current accessibility to the area and this is not fair to all who live and work in the area , i hope you understand my concerns i am not anti business but common sense must prevail.

Thank you

Ivan Constable and Lisa Bakes
 2/15 Presgrave Place
 Melbourne 3000

Contact No: 03 9650 2759

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Sarah Castuera

From: LORETTA SKORIN [lorettaskorin@hotmail.com]
Sent: Monday, 1 June 2009 9:47 AM
To: Dimitrios Kasapidis
Subject: COM Ref: DM#5155922 Proposed Extension of Intermittent Rd Closure Hours HOWEY PLACE

Dear Mr Kasapidis,

I am writing to you with Objection to the Proposed Extension of Intermittent Rd Closure Hours for HOWEY PLACE.

I am a resident of PRESGRAVE PLACE and have been for 14 years now, and was very surprised not to receive the letter dated 17 April 2009 outlining the above proposal. I was made aware of the proposal by another concerned Retailer in the area. As you outlined that it was to improve general pedestrian amenities, this I find interesting as Howey Place has been of the same good condition over the last 14 years and it is the possibility of the outdoor dining area that is the focus here as the owners of the current Restaurant have personally expressed to me that they intend to extend closure of Howey Place as they did not realise I was a resident of Presgrave Place and since have had no continuing conversations with me. As we use Howey Place to enter Presgrave Place this is our only entry and exit points as we enter our apartments from the rear of the building as the Swanston St entry is Retail. This causes great concern for safety and clear access as we have had a fire in the building. Restricting access between the hours of 10am-7pm Monday to Sunday is of great concern to me and other residents of the building. We currently have the bollards up in Howey Place between the hours of 11am-4pm Monday to Friday which we have all accepted and have worked around as it affects maintenance people who come to the building to do repairs and are restricted by the access times or even when we drive our cars in to load or offload our personal items at our door.

I am currently working out of Melbourne and would appreciate being kept up to date with the outcome by email or phone as I am not sure I will be available to attend the Committee meeting.

Thank you

Loretta Skorin
5/15 Pesgrave Place
Melbourne 3000

Contact No: 0408 790 028

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City of Melbourne

PO Box 1603

Melbourne 3001

Attention: Dimitrios Kasapidis dimkas@melbourne.vic.gov.au

cc: Councillors peter.clarke@melbourne.vic.gov.au Jennifer.kansis@melbourne.vic.gov.au

May 12, 2009

Howey Place Melbourne – Proposed Extension of Intermittent Road Closure Hours

Dimitrios, thank you for meeting with me last week and for explaining the proposed extension to Howey Place closure. In connection therewith, I would appreciate if you would pass on the following submission to your Committee.

I am a committee member of the Manchester Unity Building Body Corporate (BCP 347127) 220 Collins St Melbourne, and I have been requested by the committee to respond to your letter of 17 April, seeking to extend closure of Howey Place from the current 11am to 4pm daily to 10.00am until 7.00pm daily.

Council should be aware that the Manchester Unity Building has approximately 120 lot owners comprising retail, professional services, manufacturing and residential in a 12 storey heritage listed building on the corner of Collins and Swanston Sts., and that Council derives substantial rate revenue from the lot owners.

Naturally, a building of this size, age and heritage and engineering complexity with such a diverse group lot owners requires ongoing access for goods deliveries, residential tenant movements, building services, building maintenance and maintenance by tenants on their lots.

The most convenient "goods" access to our building is via Howey Place, the closest access point to the building's lifts. Access is no longer available in Collins St., due to super tram stop and traffic lights, and future access via Swanston St is under threat with the proposed Swanston St revamp. Clearly, if building and maintenance works have to be performed outside of normal business hours, because of restricted access in Howey Place, such works will be significantly more expensive.

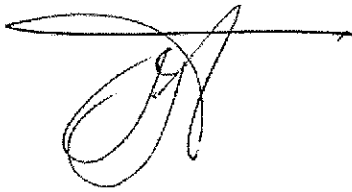
Our Committee is alarmed with the proposal to extend Howey Place closure times from 5 to 9 hours a day, as it will adversely impact on the operating efficiency of our building and the significantly increase the cost of doing business.

We also note that Council has not responded to our letter from our body corporate manager, Victoria Body Corporate Services Pty Ltd. of March 13, 2009 as to our concerns as to the state of Howey Place, and in particular the state of cleanliness of the glass roof. This together with general filth is a health issue, and together with poor lighting detracts from the amenity of the area.

Following due consideration, our Committee has reluctantly agreed to an extension of the closure to 11.00 am until 6.00 pm and not from 10.00 am until 7.00 pm as proposed.

In due course, we would like to meet with Councillors to discuss this and other major issues that confront us in maintaining a commercially viable heritage listed building (a Melbourne icon), in the heart of the city, in the absence of financial incentives/assistance from Council or the State Government.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'John W. Jennings', written over a horizontal line.

John W. Jennings
Committee Member

Manchester Unity Building Body Corporate

Room 308, 220 Collins St., Melbourne

Email: aafmproi@bigpond.net.au

cc: The Chairman of the MUB Body Corporate, Dr. Kia Pajouhesh theteam@smilesolutions.com.au
Body Corporate Manager, Mr. Herman Klein herman.klein@vbcs.com.au

Sarah Castuera

From: Paul Goujon [Paul.Goujon@au.knightfrank.com]
Sent: Wednesday, 20 May 2009 10:49 AM
To: City of Melbourne - Customer Relations
Subject: Howey Place - proposed road closure hours.

Attention: **Haig Poulson**
Principal Engineer Traffic Engineering

coM ref: DM # 5155922 SR: 710311

Dear Haig,

I refer to your proposal to extend the street closure hours of Howey Place, currently 11:00am to 4:00pm, to 10:00am to 7:00pm.
Knight Frank Australia manage 230 Collins Street, Collins two3four, and also 250 Collins Street.

I do object strongly to the proposed closure because of the facts that,

- Howey Place is required for deliveries to retailers at collins two3four due to severe parking restrictions for deliveries in Collins Street because of very limited loading zones and a "super tram stop" at the very front of our premises which reduces traffic to one lane with no stopping what so ever.
- Swanston Street is severely restrictive to couriers wanting to park and deliver to these 3 buildings
- Little Collins Street between Swanston and Elizabeth Street is near impossible to get a park at any time to receive deliveries because of the amount of vehicles that use it for parking.
- Lt. Collins is totally blocked now between the hours of 12 noon to 2:00pm
- further reducing the hours for vehicle access to Howey Place will create a concentration of vehicles needing to get in to Howey Place in that reduced time zone and create congestion.
- any future building works I may have requiring large scale deliveries or removal of furniture or fixtures will be severely restricted.
- pedestrian traffic in Howey Place is quite limited until around 11:00am daily.
- these proposed hours of closure would seem to suit Howey Place traders and would not suit traders at collins two3four requiring regular deliveries.

I suggest that 11:00am to 6:00pm is adequate for the closure, and not 10:00am to 7:00pm. certainly at least from Saturday to Thursday.

Regards
Paul Goujon
Facilities Manager


Paul Goujon
Facilities Manager, Facilities Management
Knight Frank Australia Pty Ltd
Level 4
230 Collins Street
Melbourne VIC 3000



+61 (0) 3 9650 4373 - Direct Line
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+61 (0) 418 511 271 - Mobile

15/10/2009

Paul.Goujon@au.knightfrank.com
www.knightfrank.com.au

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Sarah Castuera

From: Haig Poulson
Sent: Monday, 25 May 2009 12:21 PM
To: Dimitrios Kasapidis
Subject: RE: Howey place lane closer

From: JASONGRECH - Howey Place [mailto:howey@jasongrech.com]
Sent: Monday, 25 May 2009 11:06 AM
To: Dimitrios Kasapidis
Cc: Haig Poulson; John Kanelopoulos
Subject: Howey place lane closer

Hi Dimitrios and team,
I would like to firstly thank you for the considerable amount of time your office is allocating in ensuring our concerns as Howey Place retailers are being addressed and also appreciate the action taken to date.

I have two concerns relating to the time's intended on lane closer.

1) Friday night closer of lane perhaps needs to be extended due to late night trading. We are finding vehicles are driving down lane at dangerous speeds. This is a major safety concern as vehicles are driving very close to our shop fronts.

2) 10am start to closer needs to be earlier. Our stores open at 10am and I am finding the barriers are not in place till at least 11:30am. This still allows people to enter and stay in lane for ridiculous lengths of time.

Please consider the above upon making your final decision regarding the lane time closer's.

thanks

Harry Georgiou



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Sarah Castuera

From: Dimitrios Kasapidis
Sent: Friday, 22 May 2009 4:38 PM
To: Gavin Attard
Subject: FW: Howey Place

From: Anthony Cardamone [mailto:anthony@sidewalksoul.com.au]
Sent: Thursday, 21 May 2009 11:53 AM
To: Dimitrios Kasapidis
Cc: Haig Poulson; John Kanelopoulos
Subject: Howey Place

Thank you for considering our concerns of safety for not only the traders and consumers of Howey Place but also the general public that uses this attractive laneway as a thoroughfare between Lt Collins and Collins st. Although the new closure times are a vast improvement on the previous I feel this laneway should be closed from 9am rather than 10am as our staff arrives at their store and begins preparation from around 9.30am. Allowing cars and trucks to drive through this very tight squeeze is just an accident waiting to happen.

Keeping auto traffic out of Howey Place until at least 10.30pm on a Friday evening should also be considered as having witnessed the danger first hand on one occasion when dining at Solarino. Possibly due to late night trading or tourists staying at the Causeway Hotel there is an obvious increase in people flow in this area at this time of the week. For this reason it seems an unnecessary risk to those concerned and one which can be easily avoided.

Regards,
Anthony Cardamone



Suite 1A, 491 Nicholson Street
Carlton North Victoria 3054
T: 03 9347 8444
F: 03 9347 7444
M: 0418 596 569
E: anthony@sidewalksoul.com.au

17 February 2009.

Dear Mr Haig Poulson

PRINCIPLE ENGINEER, ENGINEERING SERVICES.

CITY OF MELBOURNE.

**SUBJECT: CLOSURE HOURS OF HOWEY PLACE
YOUR REFERENCE : 710311. DATED 16TH JANUARY 2008**

I wish to draw your attention to an urgent safety issue existing in Howey Place, Melbourne. There is a dangerous mix of unmanaged vehicles and pedestrians, shop staff and hotel guests in this lane.

The lane is a vibrant and bustling street and recognised for its fashion and retail boutiques. The amount of pedestrians in Howey Place has grown in recent times and has now reached new levels with the introduction of our boutique restaurant/café and the on going success of Hotel Causeway.

However, the lane is clearly unjustifiably open to traffic for the majority of the day, ie. (existing) between 4pm to 11am, Monday to Friday, and 24 hours Saturday to Sunday. Since opening our restaurant my staff and I have witnessed numerous 'near misses' between pedestrians and delivery vans, waste collection trucks and contractor vehicles. I can assure you that someone will be injured or killed if the extension of the intermittent closure of Howey Place is not considered with utmost haste.

The likelihood is extremely high as patrons and shoppers tend to walk in and out of shops whilst drivers of vehicles attempt to swerve and dodge people going about their normal daily business.

Last January 2008 we requested that consideration be given to extend the intermittent road closure hours to **include weekend trading hours**. (Please refer to Ref 710311).

We are now proposing to lengthen the closure hours of Howey Place to at least bring it in to line with the trading hours of the retailers operating within the lane. The closing hours we propose of :

Monday to Friday;

7am-11am and 4pm to 6pm as a 'shared zone'

11am to 4pm Closed (as is current)

6pm to 11pm Closed

Saturday and Sunday;

7am to 11pm Closed

is more appropriate and is in keeping with other laneway thoroughfares in the immediate areas such as The Causeway, Centre Place, Degraeves Street, Block Place and Hardware Lane.

The trucks, delivery vans, large sanitary vehicles, contractors and all other cars that access the lane mixed with the heavy pedestrian use presents a daily public safety issue. These types of vehicles can enter the lane prior to 7am or after 11pm to service the lane like most other similar lanes in the city as mentioned above.

I would be extremely concerned if Council delays the process of addressing this matter, particularly when we have seen the death of a young woman on Swanston Street recently crushed by a large Bus.

As such I plead with you to consider extending the intermittent closure times from the existing times of 11am -4pm. This is a logical course of action in exercising your duty of care for managing public safety and vehicular circulation. As vehicles are allowed to enter freely for the majority part of the day, an accident is bound to happen.

Please find attached letters of support from abutting land owners and business owners supporting the alteration of intermittent closures of Howey Place 7 days per week.

I shall be pleased to meet with you and your senior Engineering staff on site to give you first hand experience of the prevailing issues.

Yours sincerely....Grant and Dale Phelan
On behalf of Howey Place

5 December 2008

Mr Haig Poulson
Principle Engineer, Engineering Services

Melbourne City Council

Further to our correspondence regarding the extension of Howey Place closure hours- dated 9 October 2008. Please refer to reference no. 710311.

Preferred closure suggestion:

Saturday and Sunday 7am - 11pm closed

Monday - Friday :

7 am - 11 am Shared zone

4 pm - 6 pm Shared zone

11 am - 4 pm closed

6 pm - 11 pm closed SHARED ZONE *[Handwritten signature]*

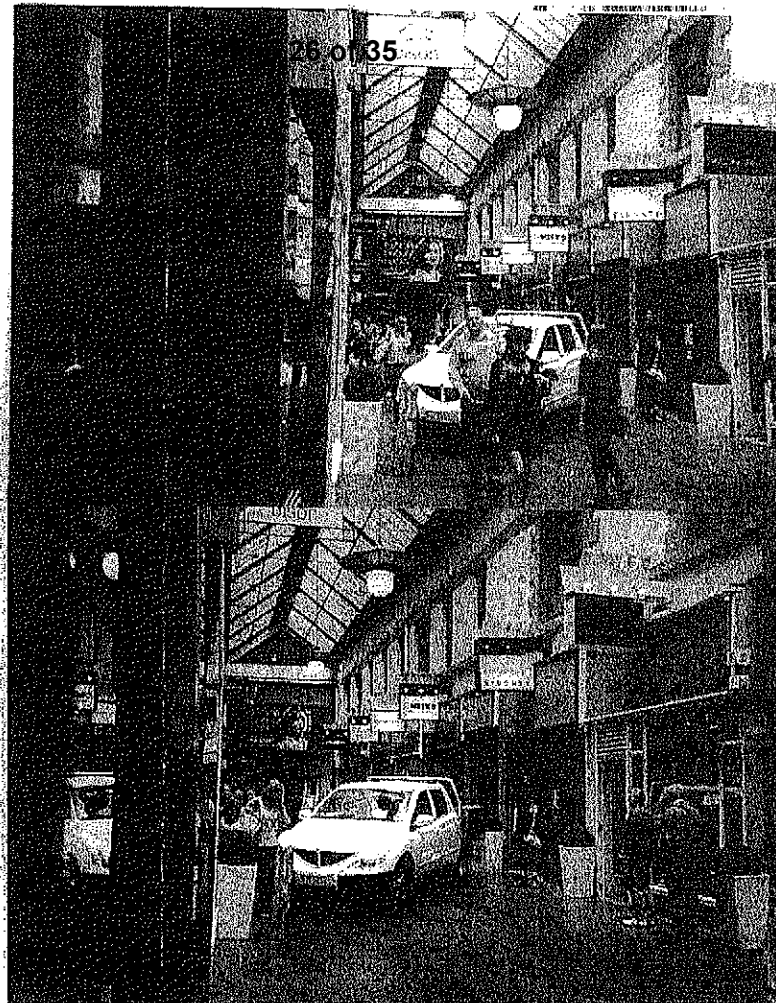
The following businesses in Howey Place and Presgrave Place have expressed their enthusiastic support for this proposal.

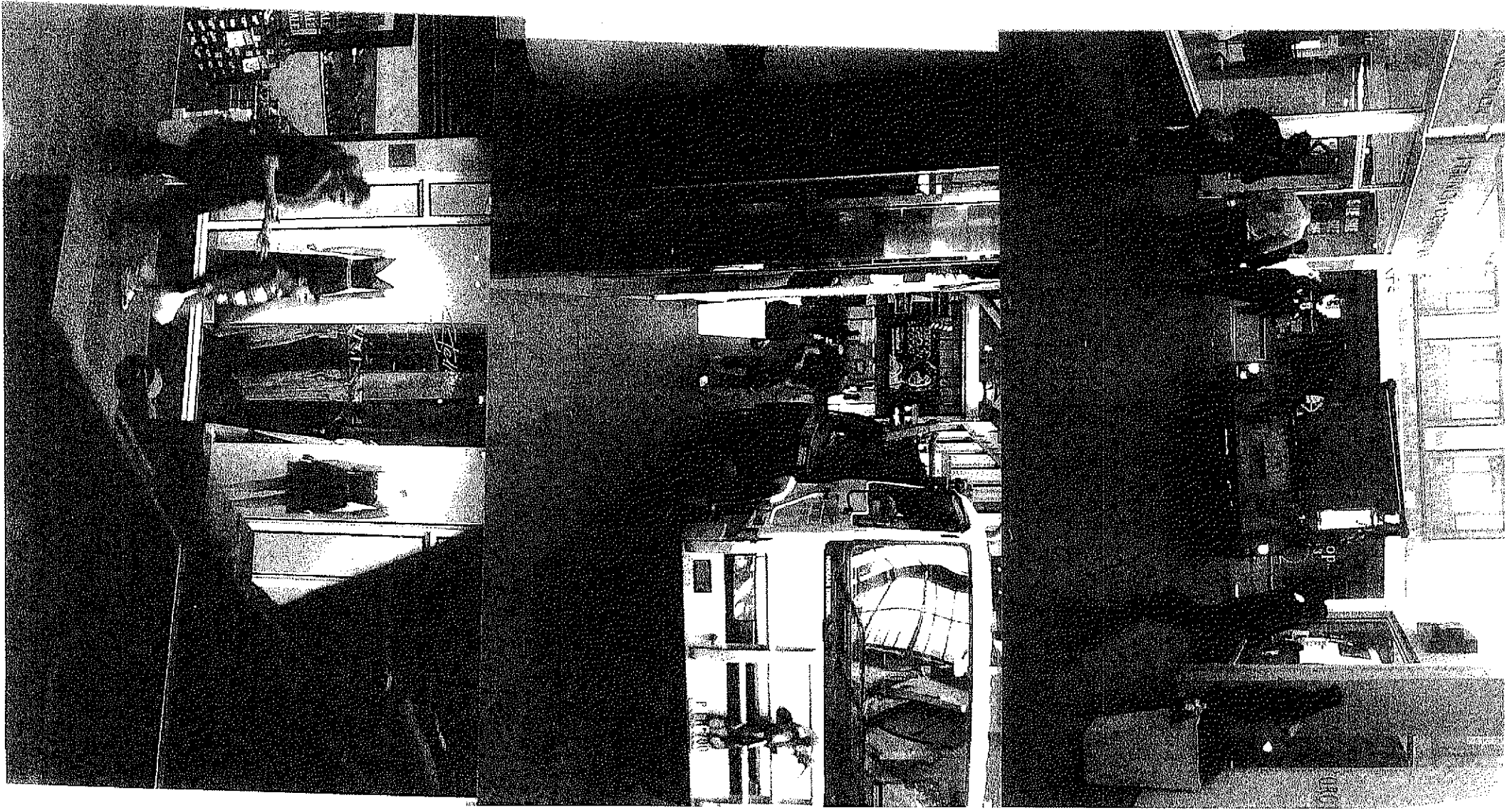
- [Handwritten checkmark]* James Alfredson 26 Howey Place *[Handwritten signature]*
- Stellini 6-8 Howey Place *[Handwritten signature]*
- Solarino 7 Howey Place *[Handwritten signature]*
- Sidewalk Soul 10 Howey Place *[Handwritten signature]*
- Jason Grech 12 Howey Place *[Handwritten signature]*
- Bisonte *9/11* Howey Place *[Handwritten signature]*
- Andrea Yasmin 20 Howey Place *[Handwritten signature]*
- Glass Tree 22 Howey Place *[Handwritten signature]*
- James Alfredson 26 Howey Place *[Handwritten signature]*
- Middleton* Brimlows 15 Howey Place *[Handwritten signature]*
- Bison *9/11* Howey Place *[Handwritten signature]*
- Causeway Hotel 9 Howey Place
- Pushka Presgrave Place *[Handwritten signature]*
- Thai-Viet Presgrave Place
- Luke Burns Resident 15 Presgrave Place *[Handwritten signature]*
- Lynda Kingsbury Resident 115 Swanston St
- Jarrold Scully Resident 115 Swanston St

This represents a clear majority of businesses in the lane.

MELKO - MADE IN BRAZIL - GILDO MELO *[Handwritten signature]*

06 of 35









City of Melbourne
PO Box 1603
Melbourne 3001
Attention: Dimitrios Kasapidis dimkas@melbourne.vic.gov.au
cc: Councilor peter.clarke@melbourne.vic.gov.au

July 9, 2009

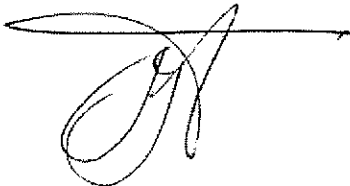
Howey Place Melbourne – Proposed Extension of Intermittent Road Closure Hours

Further to Council's advice that it plans to re-advertise the proposed extension to Howey Place closure and to hold the submissions meeting later in the year, we request that the submissions meeting be deferred until after Council has made a final decision on the Swanston Street redevelopment.

As discussed at our recent on-site meeting with Councilor Clarke, it will be not possible to properly evaluate the Howey Place proposal until the final approved Swanston St redevelopment plans are available. In the meantime, Council should also re-evaluate the adequacy (including permitted time limits) of commercial on street parking zones for deliveries to properties on Collins/Swanston and Little Collins Streets.

We would greatly appreciate if Council will agree to these requests.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'JW', written over a horizontal line.

John W. Jennings
Committee Member
Manchester Unity Building Body Corporate
Room 308, 220 Collins St., Melbourne
Email: aafmproj@bigpond.net.au
cc: The Chairman of the MUB Body Corporate, Dr. Kia Pajouhesh theteam@smilesolutions.com.au
Body Corporate Manager, Mr. Herman Klein herman.klein@vbcs.com.au

SUBMISSIONS (SECTION 223) COMMITTEE

**Wednesday, 1 July 2009
3.00pm**

**Council Meeting Room
Level 3
Melbourne Town Hall**



Present

Manager Financial Services, Joe Groher
Manager Customer Relations, Fran Duiker
Acting Manager Media Relations, Damien Cocks

Appointment of Chair

Moved: Manager Customer Relations, Fran Duiker

That the Manager Financial Services, Joe Groher, be elected Chair of the Submissions (Section 223) Committee.

Seconded: Acting Manager Media Relations, Damien Cocks
Carried unanimously.

1. Commencement of Meeting and Apologies

The meeting commenced at 3.04pm. There were no apologies.

2. Declarations of Conflicts of Interests

There were no declarations of conflicts of interests.

3. Adjournment of Meeting

Moved: Acting Manager Media Relations, Damien Cocks

That the Submissions (Section 223) Committee adjourn this meeting until Monday, 3 August 2009 commencing at 3pm.

Seconded: Manager Customer Relations, Fran Duiker
Carried unanimously.

4. Resumption of Meeting

The meeting of the Submissions (Section 223) Committee resumed at 3.04pm on Monday, 3 August 2009 with the following members present:

- Acting Manager Media Relations, Damien Cocks;
- Manager Customer Relations, Fran Duiker;
- Manager Parks and Urban Design, Rob Moore;
- Acting Manager Financial Services, Phu Nguyen;
- Manager Engineering Services, Geoff Robinson;
- Manager, Health Services, Russell Webster; and
- Manager Planning and Building, Shiran Wickramasinghe.

In Attendance:

- Coordinator Traffic Engineering, Dimitrios Kasapidis;
- Principal Engineer Traffic Engineering, Haig Poulson;
- Senior Coordinator Traffic Engineering, John Tekieli; and
- Manager Legal Services, Kim Wood.

Submissions/Correspondence

The Committee noted that the following submissions had been received:

Requests to Address the Committee

- Dale Phelan; and
- Grant Phelan.

Copies of written submissions received were circulated to Committee members prior to the commencement of the meeting.

Dale Phelan addressed the Committee expressing concerns with the safety of pedestrians in Howey Place, particularly with the number of rubbish collection trucks and the times in which they access the lane. Mr Phelan had provided Committee members with supporting documentation prior to the commencement of the meeting. Mr Phelan suggested that a shared zone could rectify the current issues between vehicular traffic and pedestrian traffic in Howey Place.

Grant Phelan addressed the Committee highlighting the need to manage Howey Place in relation to vehicular traffic and pedestrian traffic. Mr Phelan had provided supporting documentation to Committee members prior to the commencement of the meeting. Mr Phelan expressed concerns in relation to rubbish collection vehicles using the lane at times of high pedestrian traffic particularly on a Friday evening with late night shopping when stores were open for trading.

The Principal Engineer Traffic Engineering, Haig Poulson, advised the Committee that garbage collection within Howey Place was carried out by a private operator, and not by Council.

5. Adjournment of Meeting

Moved: Manager Planning and Building, Shiran Wickramasinghe

That the Submissions (Section 223) Committee adjourn this meeting until Monday, 10 August 2009 commencing at 3pm.

Seconded: Manager Parks and Urban Design, Rob Moore

Carried unanimously.

6. Resumption of Meeting

The meeting of the Submissions (Section 223) Committee resumed at 3.02pm on Monday, 10 August 2009 with the following members present:

- Acting Manager Media Relations, Damien Cocks;
- Manager Customer Relations, Fran Duiker;
- Manager Parks and Urban Design, Rob Moore;
- Acting Manager Financial Services, Phu Nguyen;
- Manager Engineering Services, Geoff Robinson;
- Manager, Health Services, Russell Webster; and
- Manager Planning and Building, Shiran Wickramasinghe.

In Attendance:

- Coordinator Traffic Engineering, Dimitrios Kasapidis;
- Principal Engineer Traffic Engineering, Haig Poulson;
- Senior Coordinator Traffic Engineering, John Tekieli; and
- Manager Legal Services, Kim Wood.

The Chair, Manager Engineering Services, Geoff Robinson, advised the Committee the many factors had been looked into in relation to Howey Place, including traffic input, garbage collection and truck usage of Howey Place.

Discussion ensued in relation to truck usage of Howey Place and the possible pedestrian safety implications of trucks using the laneway at peak times, particularly clients leaving the hotel.

Moved: Manager Engineering Services, Geoff Robinson

1. *That the Submissions (Section 223) Committee, having considered all submission received, recommend to Council, through the Connected City Committee that:*
 - 1.1. *the closure be made between 10am to 4pm Monday to Sunday noting that this will improve safety at pedestrian peak times (10am to 11am) which will still allows garbage trucks prior to 10am;*
 - 1.2. *Council notes that the above closure will:*
 - 1.2.1. *allow delivery to properties before 10am and after 4pm similar to current restrictions;*
 - 1.2.2. *accommodate the few or no service vehicles using the lane between 4 and 5pm; and*
 - 1.2.3. *will improve safety on weekends;*
 - 1.3. *Council notify every person in writing of its decision; and*
 - 1.4. *Council notes that a shared zone will be installed under delegation.*

Seconded: Manager Parks and Urban Design, Rob Moore
Carried unanimously.

The Chair, Manager Engineering Services, Geoff Robinson, advised the submitters that this matter would proceed to Committee and Councillors would make a decision on this matter. The Chair further advised that submitters would be welcomed to address Councillors in relation to this matter.

7. Closure of Meeting

The meeting closed at 3.24pm.

Chair
Submissions (Section 223) Committee

FINANCE ATTACHMENT

HOWEY PLACE – INTERMITTENT CLOSURE

The overall project cost, which includes the installation of new permanent bollards and changes to advisory signage, has been estimated at \$12,500. This is provided for within the existing 2009/2010 operational budget for Engineering Services.

Phu Nguyen
Acting Manager Financial Services

LEGAL ATTACHMENT

HOWEY PLACE – EXTENSION TO INTERMITTENT CLOSURE

Howey Place is a public road under the care and management of the Council and a public highway within the meaning of the *Local Government Act 1989* (“the Act”). The proposed extension to the intermittent closure constitutes a road closure and necessitates the implementation of the road closure under clause 9 of Schedule 11 of the Act.

Schedules 10 and 11 of the Act prescribe various powers a Council can exercise in respect to roads and traffic on roads.

Section 207A of the Act provides that in some cases where a Council proposes to exercise a power in schedule 10 or 11, it must first carry out a statutory submission process under section 223 of the Act. This proposal for the extension of the intermittent closure of Howey Place is such a proposal. The report details that the public notice and submissions procedures were complied with in accordance with the Act.

Clause 9 of Schedule 11 of the Act also stipulates that Council must not exercise the road closure power unless it has considered a report from the Roads Corporation concerning the exercise of the power. This report also details that such a report from VicRoads has been considered.

Tiffany Crawford
Acting Manager Legal Services