

26 April 2006**PLANNING ISSUES RELATING TO THE MELBOURNE
CONVENTION CENTRE (PLENARY HALL) DEVELOPMENT****Committee** Planning Committee**Presenter** Cr Clarke**Purpose**

1. To seek Council's position on a proposed Amendment to the Melbourne Planning Scheme to grant planning consent to the Melbourne Convention Centre development.

Referral Notice

2. This matter was the subject of a referral notice lodged by Councillor Clarke from the special Planning Committee meeting held on 20 April 2006.

Subsequent to Committee

3. Upon receiving legal advice, the words "*or similar agreement*" have been inserted after the words "*Section 173 Agreement*" as detailed in paragraph 4.1.1 below.

Recommendation

4. That Council:
 - 4.1. recommend to the Minister for Planning that the Planning Scheme Amendment (the Incorporated Document) include the following:
 - 4.1.1. that the design of the new pedestrian bridge and the public areas to be funded by the Council subject to a Section 173 Agreement, or similar agreement, with the Council;
 - 4.1.2. that a study be undertaken regarding the proposed bridge, its likely usage, positive attributes and negative impacts;
 - 4.1.3. the development and implementation of a public transport strategy which should include improved access to existing public transport services in Clarendon Street, Normanby Road and Flinders Street extension, and might include consideration of a tram or light rail diversion into the site itself;
 - 4.1.4. that the on-site car parking is managed to service the Convention Centre and the associated retail, hotel and residential uses rather than as a commuter car park;
 - 4.1.5. public access by pedestrians and cyclists is maximised both to and through the site, and to the new bridge and waterfront;

- 4.1.6. any third party promotional signage is subject to a separate signage strategy which will ensure that it does not detract from the architecture, the precinct and the experience of the public realm;
- 4.1.7. further development of the proposal to resolve the interface between the new commercial retail and residential buildings, and the existing South Wharf buildings;
- 4.1.8. that the detailed design of all spaces between buildings be revised to ensure good amenity and connectivity between the site and the rest of the city;
- 4.1.9. that the above matters be subject of further consultation with the Council to the satisfaction of the Minister; and
- 4.1.10. all of those more detailed issues listed in Paragraph 36 of this report;

20 April 2006

**PLANNING ISSUES RELATING TO THE MELBOURNE
CONVENTION CENTRE (PLENARY HALL) DEVELOPMENT**

Division Sustainability & Innovation

Presenter John Noonan, Group Manager Sustainable Regulatory Services

Purpose

1. To seek Council's position on a proposed Amendment to the Melbourne Planning Scheme to grant planning consent to the Melbourne Convention Centre development.

Recommendation

2. That the Planning Committee recommend to the Minister for Planning that the Planning Scheme Amendment (the Incorporated Document) include the following:
 - 2.1. that the design of the new pedestrian bridge and the public areas to be funded by the Council are to the satisfaction of the Council and/or are subject to a Section 173 Agreement with the Council;
 - 2.2. the development and implementation of a public transport strategy which should include improved access to existing public transport services in Clarendon Street, Normanby Road and Flinders Street extension, and might include consideration of a tram or light rail diversion into the site itself;
 - 2.3. that the on-site car parking is managed to service the Convention Centre and the associated retail, hotel and residential uses rather than as a commuter car park;
 - 2.4. public access by pedestrians and cyclists is maximised both to and through the site, and to the new bridge and waterfront;
 - 2.5. any third party promotional signage is subject to a separate signage strategy which will ensure that it does not detract from the architecture, the precinct and the experience of the public realm;
 - 2.6. further development of the proposal to resolve the interface between the new commercial retail and residential buildings, and the existing South Wharf buildings; and
 - 2.7. all of those more detailed issues are listed in Paragraph 37 of this report.

Key Issues

Proposal

3. The redevelopment includes a Plenary Hall, and facilities to cater for 5000 person conventions, 50,000m² retail uses, 10,000m² commercial/office uses, 400 residential units and 315 hotel suites. The Plenary Hall includes an 18m high glass wall façade fronting the Yarra, 32 meeting rooms, a grand foyer for 11,000 people and commercial displays.
4. A new pedestrian and cycle bridge is proposed between the primary uses and facilities, providing connection to North Wharf and to Docklands. Detailed information on the development of Precinct 3, (North Wharf) is yet to be determined, noting that the recently proposed relocation of the bridge will impact on the design of this area which has recently been constructed as a public park.
5. Significant upgrades and development of the waterfront for public use will be undertaken in close consultation with Council. It is proposed that the development would be approved by a Ministerial Amendment to the Melbourne Planning Scheme by the addition of an Incorporated Document in the Scheme exempting the development from compliance with the normal planning scheme provisions.
6. In addition to Plenary Hall and public works, the proposal includes:
 - 6.1. car parking for 2844 vehicles with access proposed from roads from the west and south (under VicRoads jurisdiction). The car parking provision includes an open lot car park for 673 cars under the West Gate Freeway and 853 open lot spaces in an area earmarked for staged expansion of the existing Exhibition Centre;
 - 6.2. a two storey 'homemaker' retail component at the west end with a large connecting basement retail floor;
 - 6.3. specialty shops behind the cargo sheds (with third level car parking and town houses above);
 - 6.4. a 16 storey residential and office tower on the Charles Grimes Bridge corner;
 - 6.5. a 16 storey hotel with conference facilities adjacent to Plenary Hall; and
 - 6.6. promotional, business identification and directional signage as follows:
 - 6.6.1. two double-sided major promotion pole signs projecting from the southern enclosed car park to be visible from the West Gate Freeway, each panel with dimensions 18.99m length, 4.57m high (area: 86.78m² each);
 - 6.6.2. a three-sided major promotional rooftop sign above the west end 'homemaker' retail building, each panel with dimensions 32.7m length, 6m high (area: 196m² each);
 - 6.6.3. a double-sided blade/pole sign between Dukes Dock and the Plenary Hall, each panel with dimensions 6m wide, 9m high (area: 54m² each);
 - 6.6.4. three double-sided blade/pole signs along the east-west roadway entrance which extends to Plenary Hall with dimensions 4m wide, 6m high (area: 24m² each);
 - 6.6.5. a double-sided blade/pole sign defined as 'homemakers directional' at the western entrance to the 'homemaker' retail with dimensions 3.5m wide, 13m high (area: 45.5m² each);

- 6.6.6. single-sided car park entrance signs to the existing Exhibition Centre car park and the proposed Normanby Road car park with dimensions 12.66m width, 3.55m high (area: 44.94m² each);
- 6.6.7. street furniture with dimensions 1.2m, 1.8m (area: 2.16m²) (no locational details provided); and
- 6.6.8. indicative major promotional business identification signage areas are also shown on the south, east and west facades of the west end 'homemaker' retail building.

Comments

- 7. The contract between the State Government and the preferred developer requires that planning scheme approval of the project be in place by 1 May 2006. Given that deadline, there has been insufficient time to comment on the details of the proposed planning scheme amendment and associated plans; however the following issues have been identified.

Council Contribution to Public Works

- 8. Council has entered into a contract with the State Government to support the development of this large site, which presents significant opportunities to enhance the international image of the City, with a contribution of \$43 million towards the new bridge and associated public works and marketing.
- 9. Council's financial contribution of \$15M will be allocated to a new pedestrian bridge designed by Grimshaw Architects connecting North Wharf and the Melbourne Convention Centre. The bridge is designed to enhance pedestrian access to the new Plenary Hall and the new retail and hotel facilities.
- 10. The remainder of Council's contribution will be allocated to the public realm approaches to the bridge (\$2M) and other public works (\$20M), with a portion proposed to be allocated to marketing (\$6M).
- 11. Council will ensure that it is adequately consulted on all aspects of work affecting the public realm in order to be satisfied that its funds are appropriately allocated and that the design in respect to pedestrian and bicycle movements is justified in terms of future use projections and public transport connections.
- 12. A dedicated or shared path link of the Yarra Trail Bicycle network is required along the south bank to capture the last remaining opportunity for bicycles to cross under the Charles Grimes Bridge.

Public Transport

- 13. A series of public transport services exist around the site including the following:
 - 13.1. a tram route exists in Flinders Street extension, adjacent to the North Wharf and the Mission to Seamen's building, however access to the new bridge needs to be improved especially across Wurundjeri way;
 - 13.2. bus and tram routes exist along Normanby Road, to the rear of the site, however access to these routes is inadequate given the location of the existing stops and the current proposed layout of the Plenary Hall; and

- 13.3. there is a significant tram route in Clarendon Street and the walking distance to the Plenary Hall is in the order of some 350 metres. This walk requires negotiation of the Duke and Orr's Dry Dock (home to the Polly Woodside) which reduces the visual connection from the Plenary Hall to Clarendon Street.
14. Given that these services already exist but at some distance from the new Plenary Hall, the design and locations of those transport stops should be improved and consideration be given to linking public transport facilities directly to the site.

Car Parking and Traffic

15. Not including the 1100 spaces under the Exhibition Centre Building and the 673 spaces existing as an open lot car park under the Freeway, 2171 spaces are proposed as part of the new development.
16. The Capital City Zone car parking provisions (Outside the Retail Core) (which would apply to this site were it not to be exempted under the proposed site specific amendment), provide that open lot car parks are prohibited, and a permit would be required to allow car parking of more than 5 spaces per 1000m² of net floor area (dwellings and residential hotels not included).
17. Based on the above standards and assuming a non-residential floor area of around 80,000m² and 1 car space per dwelling/hotel suite, the proposed development would be entitled to a maximum of around 1150 car parking spaces for the new development. No information has been provided on the demand for the number of car spaces required for the Convention Centre itself.
18. Council's Traffic Engineer is reviewing the applicant's traffic report and plans. The intention to privatise the main east-west access road is not supported. The new accesses proposed are under VicRoads jurisdiction, however, Council would welcome the opportunity to be consulted on these matters as they will impact on the overall use and management of the precinct.
19. Title details, such as public reservations, easements, roads, etc have not been resolved although the Council has been advised that the existing roads and reservations are about to be extinguished. The new central road off Montague Street should be a public road for future management and maintenance and the detailed design of the changes to the Montague Street intersection should be approved by Council.

Urban Design

20. Detailed design drawings have not been submitted with the proposal. The conceptual plans, however, feature the central Plenary Hall, the Grimshaw Architects bridge, and riverside towers.
21. Careful consideration at the detailed design stage, particularly to achieve an active, engaging, inclusive and visually stimulating streetscape and riverside experience, is vital. Council will seek to be fully consulted on these matters.
22. The interface between the new commercial/retail/residential buildings and the existing South Wharf buildings is not considered to be resolved. Justification is required to demonstrate that the retail uses behind the cargo sheds are viable.
23. Where opportunities have not been fully investigated in respect to integrating or including the South Wharf cargo sheds as part of the site, this should be undertaken as a matter of priority, noting that the ground level South Wharf area is at a lower height to the subject site and the rear of the sheds operate as service yards to riverside premises.

24. The presentation of the proposal to the important Montague Street/Wurundjeri Way/Charles Grimes Bridge 'gateway' to the precinct is not considered to be satisfactory, with the 'homemaker' retail building addressing the street seemingly primarily as a host to major promotional signage. The opportunity exists to, at the very least; provide large scale glazed openings to the street in this location.
25. The open lot car park, although intended as a temporary measure, will be exposed and potentially read as an unsightly 'sea' of cars. Landscaping to include temporary hard and soft landscaping (including temporary trees) will be required to ensure that this area is visually integrated with its surrounds.
26. Despite the fact that there is a 6 storey height limit in the Planning Scheme, the proposed building heights are considered to be satisfactory given the need for transition between the lower rise south bank along the River edge and high rise buildings in the Docklands precinct.

Signage

27. The draft Incorporated Document submitted with the proposed Amendment allows for some very large advertising signage as detailed at Paragraph 8.6 of this report to be erected without further planning approval
28. The proposed major promotional signs adjacent to the West Gate Freeway, and on the roof of the 'homemaker' building, which will have a dominant visual effect on some parts of the precinct and neighbouring Docklands, are not justified.
29. Insufficient detail has been provided in respect to the exact nature of some of the other signs proposed. Specifically, it is unclear whether the intention is for signs above the car park entrances and those along the internal roadway, outside Duke's Dock, and in the Melbourne Exhibition Centre, are to be for third party promotional purposes. Third party promotional signage is not supported in these locations. Council has been attempting, over the last 5 years, to rationalise the extent of major promotional signage in Southbank generally.
30. Clear guidelines and strategies are required to ensure that all signage in the precinct is appropriate and consistent with the objective of improving the visual amenity of the area especially in the vicinity of the Westgate Freeway.
31. In addition, an area adjacent to the river should be identified as prohibiting promotional signage to reflect the signage provisions applicable under the existing Public Park and Recreation Zone which would typically apply to the river's edge.

Heritage

32. The subject site includes four heritage sites which are recognised under the Melbourne Planning Scheme as well as listed as registered sites under the *Heritage Act 1995*, administered by Heritage Victoria, namely:
 - 32.1. Duke and Orr's Dry Dock & Cargo Sheds 4, 5, 6, 7, 8, 9;
 - 32.2. Missions to Seamen;
 - 32.3. Berth No.5, North Wharf; and
 - 32.4. Buchanan & Brock Ship Repair Works (demolished).

33. Heritage Victoria is consulting with Council to ensure these maritime heritage sites are appropriately incorporated into the design.

Consultation

34. This development has the potential to have a major impact on the international status and public life of the City.
35. It is imperative that Council is engaged and consulted on an ongoing basis on this matter.

Incorporated Document

36. The draft Incorporated Document submitted with the proposed Amendment includes a set of plans of the proposal, elevations and details of signage. More details are required to be submitted in the form of detailed development plans. These plans would require approval of the Minister for Planning. It is considered that the following additional information is required:
 - 36.1. an urban context report;
 - 36.2. environmental performance of the project – which specifies 4.5 star offices and water conservation details, and a breakdown of ESD standards as they are proposed for the convention centre, office, hotel, retail, etc;
 - 36.3. public open space allocation (not to be exempted – Clause 52.01);
 - 36.4. signage exemptions need further consideration/justification;
 - 36.5. contaminated land – an audit is required;
 - 36.6. noise attenuation for dwellings should have internal noise max in habitable rooms of 45dB;
 - 36.7. reflectivity of glazing not more than 15%;
 - 36.8. approval of Authorities – Parks Vic; Vic Roads; EPA; DOI;
 - 36.9. status of roads, easements – existing and proposed;
 - 36.10. public/private space – the area/extent needs to be clearly defined and on-going management of the public areas should be by the Council;
 - 36.11. traffic management, pedestrian routes and car parking plan;
 - 36.12. landscaping plan;
 - 36.13. wind mitigation; and
 - 36.14. public art components.

Time Frame

37. Under the agreement between the preferred developer and the State Government, the planning approval process must be completed by 1 May 2006.

Consultation

38. No community consultation has taken place in the preparation of this report.
39. As a Ministerial amendment pursuant to Section 20(4) of the *Planning and Environment Act 1989*, public exhibition of the amendment is not required.

Finance

40. Funding of \$5M has been provided in the draft 2006/07 budget for the first cash contribution to the State Government in accordance with Plenary Hall Development Memorandum of Understanding.

Legal

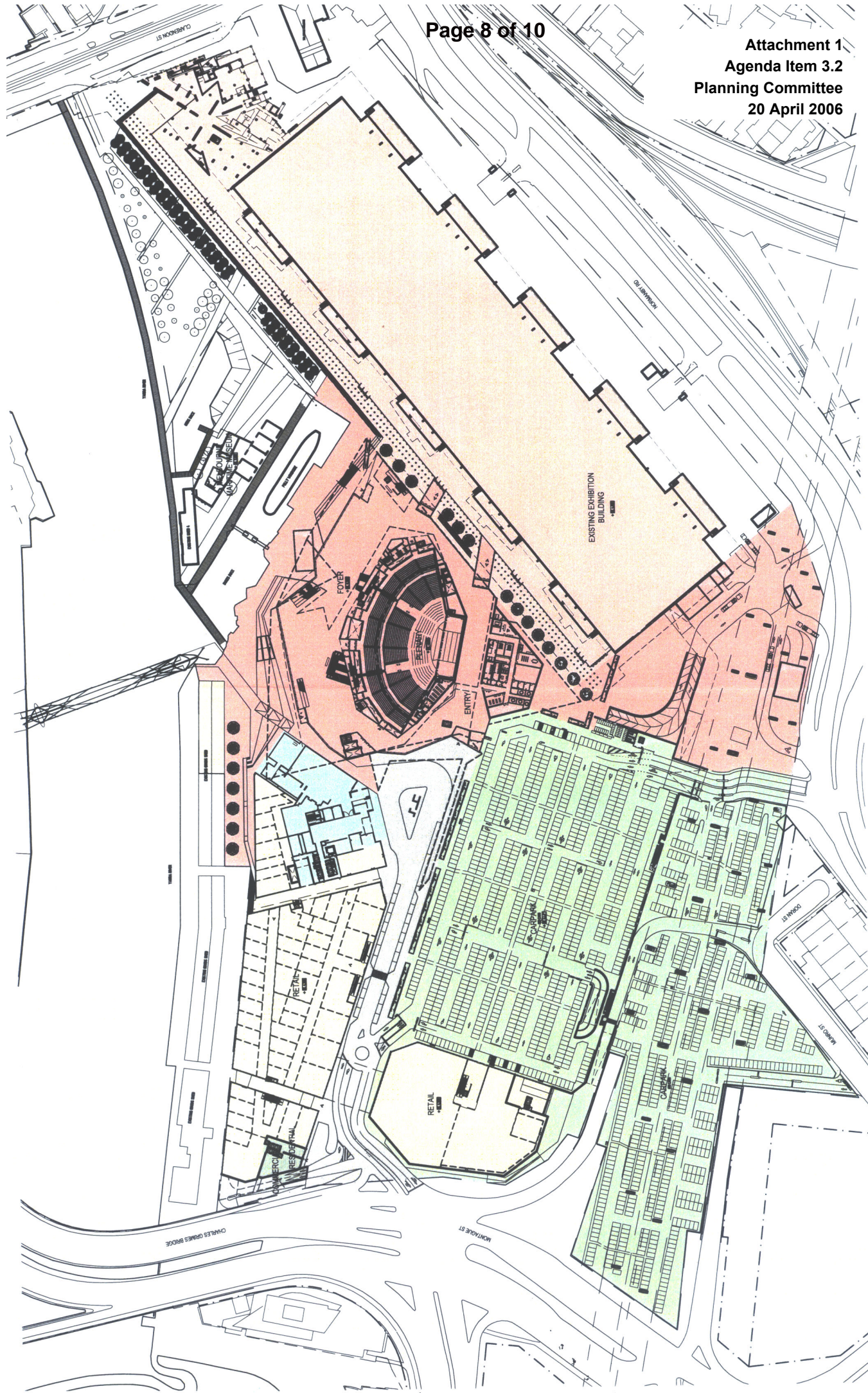
41. Part 3 of the *Planning and Environment Act 1987* sets out the procedure for amendment to the Melbourne Planning Scheme.

Background

42. In 2005 the State Government called for tenders for a 5000-seat plenary hall to be Melbourne's new convention centre. The project is to be developed as a "public private partnership" project and allows for private investment in association with the convention centre to help fund the project.
 43. On 22 February 2006, the State Government announced that Multiplex/Plenary Consortium would be the successful tenderer and the State Government contribution to the project would be \$370m. The total cost of the project is understood to be in the order of \$1 billion. The City of Melbourne has agreed to contribute \$43m to finance a new bridge linking the southern and northern banks of the Yarra River and to be contributed to other capital works in the public domain and to the marketing of the new centre.
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Attachment:

1. Stage One Ground Floor Plan



FINANCE ATTACHMENT

**PLANNING ISSUES RELATION TO THE MELBOURNE CONVENTION CENTRE
(PLENARY HALL) DEVELOPMENT**

Funding of \$5M has been provided in the draft 2006/07 budget for the first cash contribution to the State Government in accordance with Plenary Hall Development Memorandum of Understanding. The Council contribution towards the Plenary Hall spans a period of eight years commencing in 2006/07 and ending in 2013/014. During this period a total \$43M (\$47.74 adjusted nominal dollars) is expected to be expended in accordance with the MOU signed in August 2004.

In the 4 year Council plan, agreed by Council in 2005/06, a total of \$33.908M (adjusted nominal dollars) has been included for the Plenary Hall Development. This comprises:

- 2006/07 \$5.00M contribution towards capital;
- 2007/08 \$5.863M contribution towards capital;
- 2008/09 \$10.575M contribution towards capital;
- 2008/09 \$11.18M included in Council Works Program; and
- 2008/09 \$1.290M Marketing expenditure.

The balance of the expenditure is expected to occur in the years 2009/10 through to 2013/2014.

Joe Groher
Manager Financial Services

LEGAL ATTACHMENT

**PLANNING ISSUES RELATING TO THE MELBOURNE CONVENTION CENTRE
(PLENARY HALL) DEVELOPMENT**

The Minister is the planning authority for this amendment.

Section 20(4) of the *Planning and Environment Act 1987* ('Act') provides that the Minister may exempt himself or herself from any of the requirements of Sections 17, 18 and 19 (in relation to public exhibition) of the Act and the regulations in respect of an amendment he/she prepares if it is considered that compliance with those sections is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.

The planning scheme amendment proposed will incorporate a document exempting the Minister from compliance with normal planning scheme provisions. An Incorporated Document in the Planning Scheme gives the document the same weight as other parts of the Scheme.

Kim Wood
Manager Legal Services