

Report to the Future Melbourne (Planning) Committee

Agenda item 6.1

**Planning Permit Application: TP-2019-703
Southbank Promenade, 2 Southgate Avenue, Southbank**

18 February 2020

Presenter: Jane Birmingham, Practice Leader Land Use and Development

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a planning permit application seeking approval for partial demolition and carrying out works to facilitate expansion and refurbishment of a portion of the Southbank Promenade (refer Attachment 2 - Locality Plan).
2. The applicant is Melbourne City Council and the land is Crown Land managed by the Melbourne City Council and Parks Victoria on behalf of the Department of Environment, Land, Water and Planning (DELWP). The plans have been prepared by Council's City Design Studio.
3. The land is located within Capital City Zone Schedule 3 (CCZ3 - Southbank) and Public Park and Recreation Zone and is affected by the Design and Development Overlay Schedule 60-A2 (DDO60 – Special Character Areas- Built Form), Land Subject to Inundation Overlay Schedule 1 and Parking Overlay Schedule 1. A planning permit is required for the proposed demolition and construction of works.
4. Public notice of this application has been undertaken and a total of three objections have been received.

Key issues

5. The key issues for consideration are limited to whether the proposed extent of demolition and buildings and works appropriately respond to the site context and whether there would be unreasonable amenity impacts on adjoining developments.
6. The proposal will result in enhanced and increased public open space to meet the growing needs of residents, workers and visitors to the central city.
7. Permit conditions are recommended to ensure that the construction impacts of the proposal are appropriately managed.
8. The proposal is consistent with the relevant state and local policy provisions of the Melbourne Planning Scheme and successfully responds to the purpose and objectives of the CCZ3, PPRZ and LSIO1.

Recommendation from management

9. That the Future Melbourne Committee resolves that a Notice of Decision to Grant a Permit be issued subject to the conditions set out in the Delegate Report (refer Attachment 4).

Attachments:

1. Supporting Attachment (Page 2 of 43)
2. Locality Plan (Page 3 of 43)
3. Plans (Page 4 of 43)
4. Delegate Report (Page 31 of 43)

Supporting Attachment

Legal

1. Pursuant to section 96(1) of the *Planning and Environment Act 1987* (Act), 'a responsible authority must obtain a permit from the Minister before carrying out any use or development for which a permit is required under the planning scheme for which it is the responsible authority, unless the planning scheme gives an exemption'.
2. Clause 67.01 of the Melbourne Planning Scheme provides an exemption from the provisions of section 96 of the Act for the use and development of land for the purpose of leisure and recreation.
3. Pursuant to Clause 67.02 of the Melbourne Planning Scheme, notice was given in accordance with section 52(1)(c) of the Act to the owners and occupiers of the adjoining land.

Finance

4. There are no direct financial issues arising from the recommendations contained in this report.

Conflict of interest

5. 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.

Health and Safety

6. Relevant planning considerations such as potential amenity impacts that could impact on health and safety have been considered within the planning permit application and assessment process.

Stakeholder consultation

7. Public Notice of the application has been undertaken pursuant to Clause 67.01 of the Melbourne Planning Scheme and Section 52 of the Act.

Relation to Council policy

8. Relevant Council policies are discussed in the attached Delegate Report (refer Attachment 4).

Environmental sustainability

9. Clause 22.19 Energy, Water and Waste Efficiency of the Melbourne Planning Scheme does not apply to applications for buildings and works for the purpose of leisure and recreation.

Locality Plan

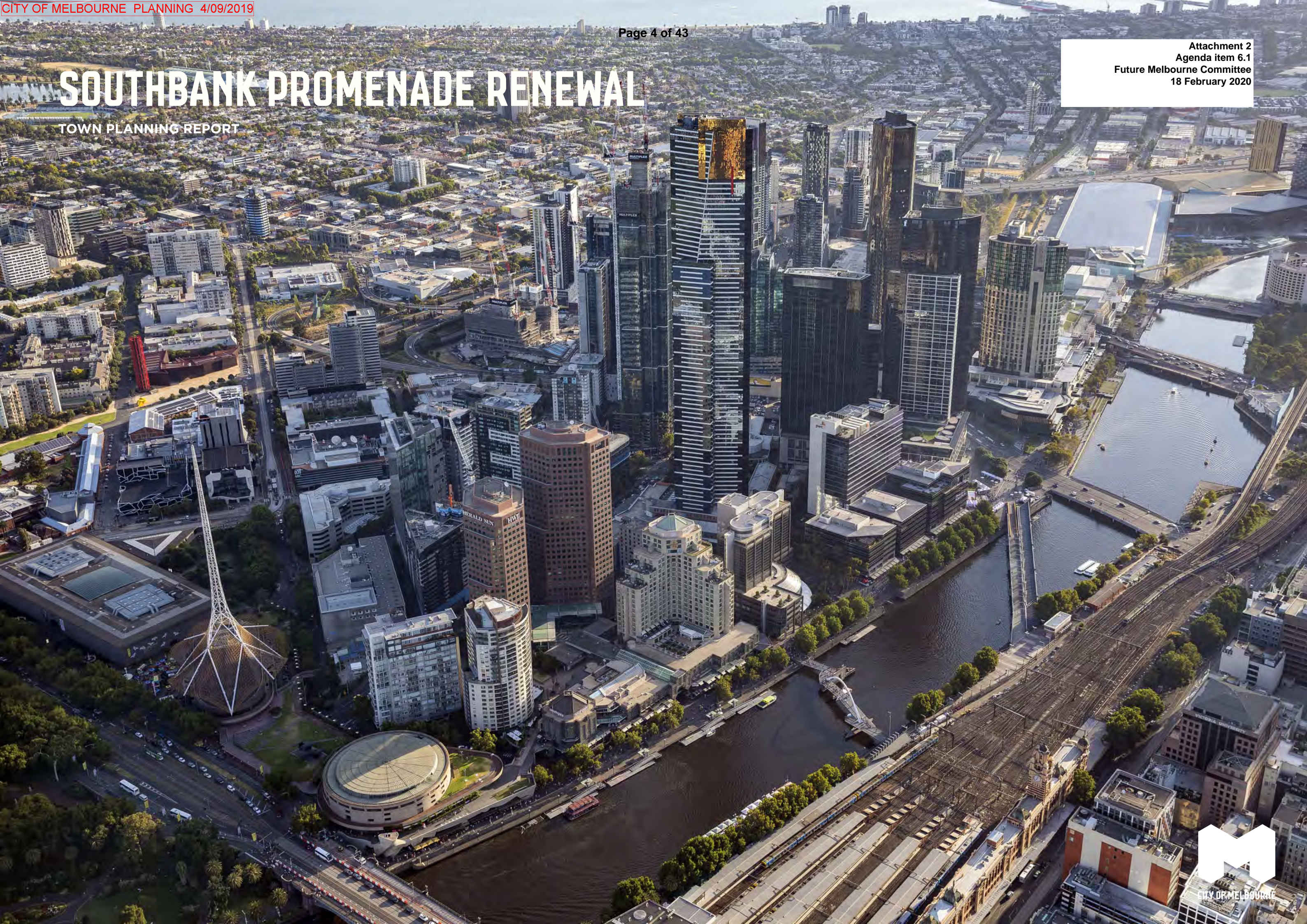
Attachment 2
Agenda item 6.1
Future Melbourne Committee
18 February 2020

Southbank Promenade, 2 Southgate Avenue, Southbank



SOUTHBANK PROMENADE RENEWAL

TOWN PLANNING REPORT



SOUTHBANK PROMENADE RENEWAL

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This report forms part of the overall planning application.

Date: 23 August 2019
Revision: P1

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These images are intended as a guide only and are not to be used for tendering or construction purposes.

Acknowledgment of Traditional Owners

The City of Melbourne respectfully acknowledges the Traditional Owners of the land, the Boon Wurrung and Woiwurrung (Wurundjeri) people of the Kulin Nation and pays respect to their Elders, past and present.

For the Kulin Nation, Melbourne has always been an important meeting place for events of social, educational, sporting and cultural significance.

Today we are proud to say that Melbourne is a significant gathering place for all Aboriginal and Torres Strait Islander peoples.

SOUTHBANK PROMENADE RENEWAL

INTRODUCTION

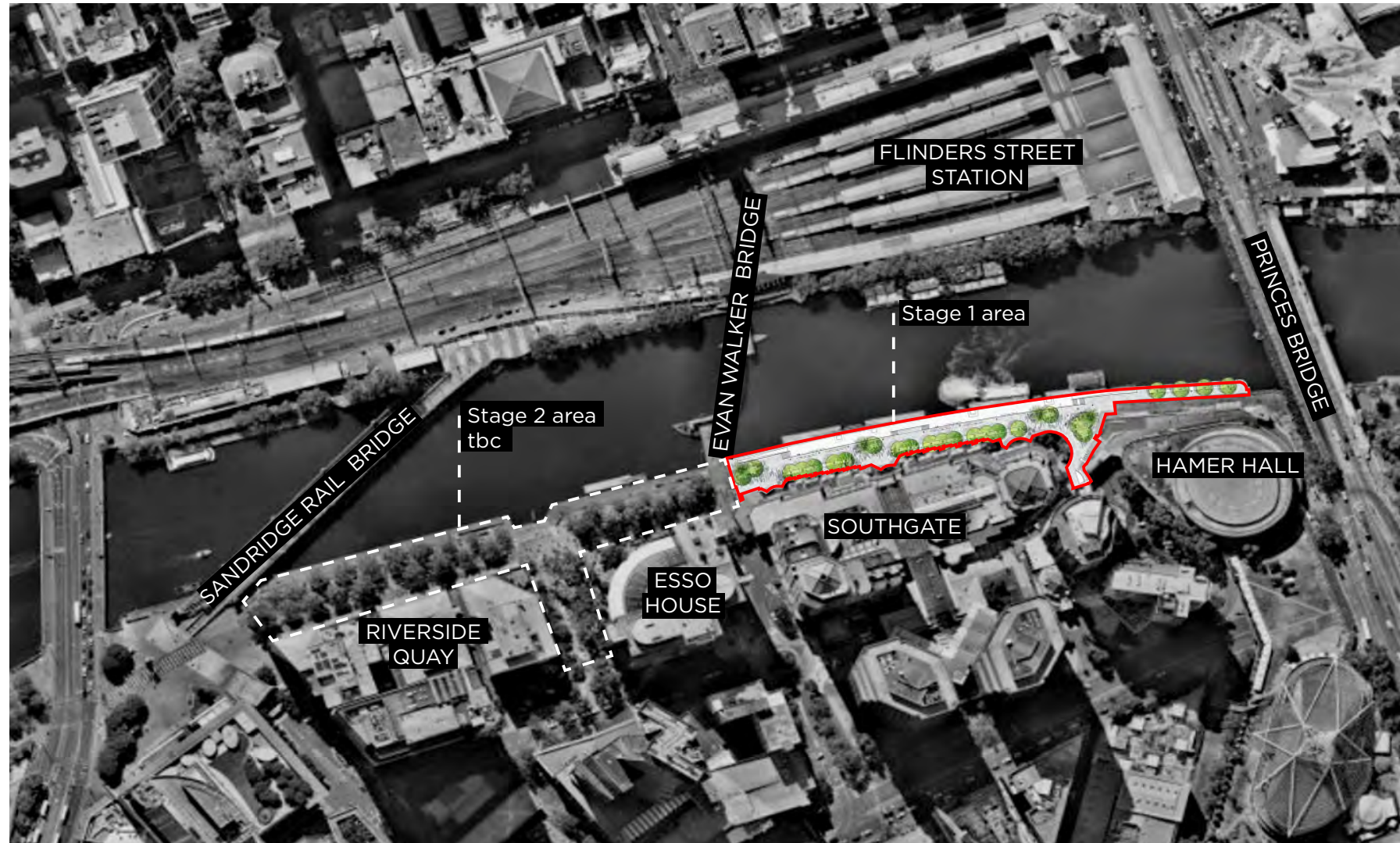


Image (above): Stage 1 works in broader context of CBD and surrounds

Southbank Promenade is located at the heart of Melbourne's arts precinct and is one of Melbourne's busiest pedestrian spaces. It connects the city to the Yarra River and to a series of major visitor destinations and cultural facilities. It is closely connected to Melbourne's retail core, which now effectively spans the river to include the promenade and the cafes and bars which line it. The promenade also forms part of a larger setting for major civic festivals such as New Year's Eve celebrations.

The current project to renew the promenade is driven by a combination of concerns, including:

Asset renewal:

City of Melbourne operational programs have identified the need to replace failing pavements, inefficient lights, and to replace dying trees.

Cycling conflict:

Due to the connection of the promenade into the Capital City Trail network the growth of cycling has led to increased conflicts between cyclists and pedestrians along the promenade. Current City of Melbourne strategies prioritise the city river corridor as a destination rather than a priority route for transport infrastructure.

These concerns apply to the entire length of the promenade between Princes Bridge and Queensbridge Street, but are most pressing in the area between Princes Bridge and Evan Walker Bridge, where the trees are in the worst condition and the promenade is narrowest. This has been identified as the area for Stage 1 renewal of the promenade, with subsequent stages to be delivered in the future.

This report details the proposed design for the Stage 1 renewal works for Town Planning.

SOUTHBANK PROMENADE RENEWAL

THE CREATION OF THE PROMENADE AND LATER CHANGES



Image (above): Late 1990s photographic aerial of Southbank compared to current aerial

Significant urban renewal occurred across the Yarra River and Southbank precinct between 1980 and the early 2000s as a means of promoting development, tourism, and to ‘turning the city to the water’. The openings of Southbank Promenade in 1990 and the Evan Walker Bridge in 1992 were catalysts for subsequent redevelopment of former industrial and warehousing areas in Southbank. A number of developments followed, including the Esso building (completed 1995), Melbourne Convention Centre (1996) and Crown Casino (1997).

The promenade’s design extended the bluestone-based ‘civic’ character used by Denton Corker Marshall in the City Square to the riverside precinct, while economising with precast pavers and incorporating a suite of Post-Modern details for lights, balustrades and other furniture that had been developed for the river corridor in the early 1980s. The design remains the same today overall, although with incremental changes. These include abandonment of the planned canal linked to the now-defunct cascade between Esso House and Riverside Quay, retrofit adaptations of the poorly performing lights, and new tour boat mooring facilities.

Southbank Promenade was designed for a Melbourne that had virtually no central-city residential population and a metropolitan population about half of that today. The adjoining suburb of Southbank has become one of Melbourne’s most densely populated neighbourhoods with least amount of open space per capita. The promenade has also become a link in the cycling network along the waterways, and increasing bicycle traffic has increased conflicts with pedestrian activities. As a result, pressures for use of the promenade have, and will continue to grow – well beyond what might have been imagined when it was built. There is a need to consider adjustments to the design as it is renewed in order to enhance its capacity to accommodate diverse activities without conflict.

Recent projects including the refurbishment to Hamer Hall, Arts Precinct Renewal Masterplan, Riverside Quay and Southbank Boulevard have set the tone for re-visioning public spaces in the Southbank area.

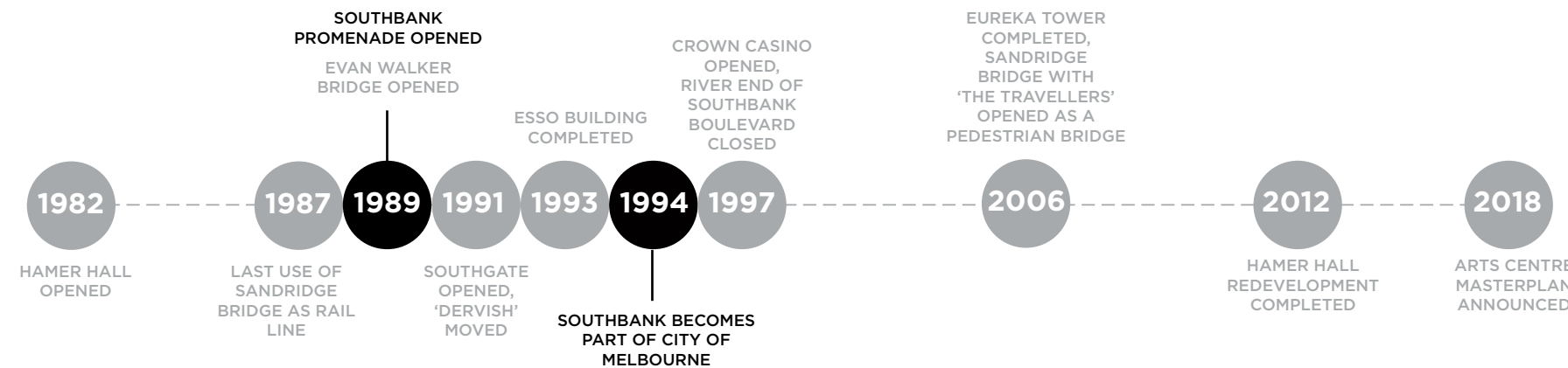


Image (above): Timeline of key dates

SOUTHBANK PROMENADE RENEWAL

EXISTING CONDITIONS - KEY ISSUES FOR ENTIRE LENGTH OF PROMENADE

DAMAGED CONCRETE PAVING



The promenade is paved with precast concrete tiles, which are regarded as substandard for major civic spaces in Melbourne, and are in poor condition.

POORLY-PERFORMING LIGHTS



Existing multiple rows of poorly performing lights on short poles could be replaced with a single row of higher quality pedestrian scale lights along much of the promenade's length.

DECLINING TREE HEALTH



The trees east of Evan Walker Bridge are in very poor health due to poor soil conditions.

DECLINING LAWN DUE TO TREE COMPETITION



Lawn areas below the trees are proving to be impossible to maintain in good condition due to competition from tree roots, shade and wear.

PEDESTRIAN/CYCLIST CONGESTION AND CONFLICT



The clear circulation zone along the upper promenade is as narrow as 4.5m in places east of Evan Walker Bridge. As a result conflicts between cyclists and pedestrians occur throughout the length of the promenade.

POORLY SITED ARTWORKS



A number of important sculptures in the precinct are poorly sited.

DYSFUNCTIONAL AND CLUTTERED LOWER PROMENADE WITH CONFLICTING USES



The promenade's quay-like water edge is unsuited for berthing river cruise boats. Ticket kiosks are visually intrusive and dated.

SHABBY FINISHES AND A CLUTTER OF UNCOORDINATED FURNITURE



The bluestone clad retaining walls are damaged in many places. Balustrades are cluttered with accretions of defunct speakers and other wiring. The promenade as a whole is cluttered with poorly coordinated furniture.

SOUTHBANK PROMENADE RENEWAL

STRATEGIC CONTEXT

The Concept plan for Stage 1 works is supported by a number of council strategies. The following pages discuss how ambitions of key council strategic documents are being delivered through these works.

Climate Adaptation Strategy 2017

The Climate Change Adaptation Strategy Refresh 2017 details how we will increase our existing efforts and implement new ways to work towards our vision of a city that is adapting well to climate change.

The upgrade of Southbank Promenade continues the City of Melbourne's legacy in urban renewal. Instead of creating more open space through the purchase of undeveloped land, pockets of greenery and associated seating areas will be inserted into the linear typology of the promenade. The reconfiguration of stairs and ramps also creates more useable public space within the given site boundaries.

The proposal addresses adaptation to climate change by adding more vegetation into the city centre to mitigate the urban heat island effect, and increases species diversity to improve the resilience of Melbourne's urban forest. From a social perspective, it will encourage activation through unstructured recreation and flexible open space opportunities. This is further supported by the Open Space Strategy (2012) where studies reveal 'that plants and nearby vegetation can have positive benefits on people such as healing, improved mental capacity and productivity, and improved job and life satisfaction, attract consumers and tourists to precincts and aid community cohesion and identity'.



image (above): Artist's impression of proposed flexible seating area

Urban Forest Strategy 2012 - 2032

The City of Melbourne Urban Forest consist of around 70,000 trees as well as around 20,000 trees in the private realm. The trees managed by the City of Melbourne in the public realm contribute significantly to the character and identity of Melbourne. An increasing body of evidence and research informs us that the urban forest and green spaces are vital in supporting a healthy community as well as providing a means of adapting to climate change.

The Urban Forest Strategy identifies the need to generate a new legacy for Melbourne and create a forest for future generations.

Most recent tree assessment revealed lack of species diversity and dying trees due to poor growing conditions and soil competitions. The below ULE (Useful Life Expectancy) assessment currently shows declining trees with a life expectancy of between 0-10 years.

Coupled with degrading pavement there is an immediate need to progress with the renewal of Stage 1 Works.

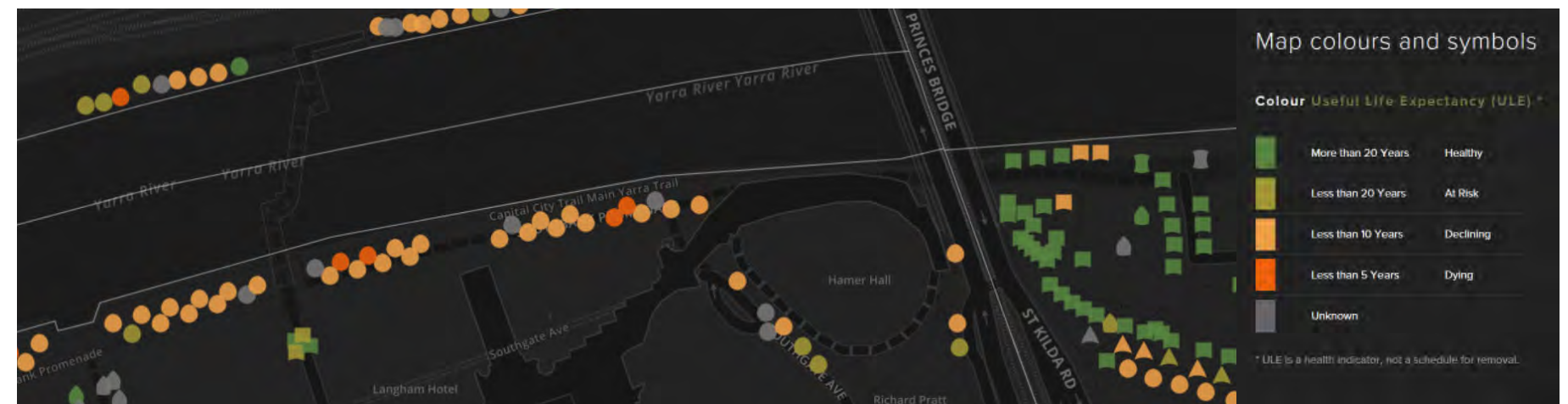


Image (above): Urban Forest Visual - Useful Life Expectancy for trees in Southbank Promenade

Public Lighting Strategy 2013

The strategy aims to enhance people's experience of the city after dark, while ensuring responsible energy use. It promotes improvements to safety and amenity, especially for pedestrians. In doing so, it also recognises that people's sense of wellbeing results from a complex mix of factors. At night, these include way-finding and visual comfort, as well as safety and personal security.

The proposed works will improve public lighting by:

- Reducing clutter and reinforcing a cohesive movement corridor across the promenade,
- Providing feature lighting to key landmarks within the area,
- Improving passive surveillance and reduce potential dark spots.

SOUTHBANK PROMENADE RENEWAL

STRATEGIC CONTEXT

Bicycle Plan 2016 – 2019

This plan lays out a practical action plan to further connect the city's bicycle network and encourage even more people to ride a bike. Key project aims that align with the Bicycle Plan include:

- Create a very high standard of pedestrian amenity and universal accessibility.
- Comfortably accommodate the movement of crowds of people.
- Reduce conflicts between cyclists and pedestrians by moving as many cyclists as possible to the Southbank Promenade around the back.
- Maintain access for recreational cycling along the promenade.



Image (above): Diagram of Incorporated bicycle plan - Transport Strategy 2020

City River Strategy (DRAFT)

The City of Melbourne has developed a draft City River Strategy that will guide future planning of the inner-city section of the river. It outlines strategic directions and opportunities for how to improve the way we use our river and its edges. The renewal of Southbank Promenade renewal supports all of the strategy's key directions:

Culture:

The renewal offers an improved setting for events, gathering and socialising among the large number of visitors to Southbank promenade.

Ecology:

Replacement of the unhealthy plane trees with a blend of native species will contribute as a biodiversity corridor. To ensure the health and longevity of these trees below-ground growing conditions will be significantly improved.

The addition of areas of low level planting will increase ecological diversity and extend the character of the Yarra River and ecology of the upper promenade.

Place:

The promenade will better support movement patterns and open space needs, by:

- Widening the promenade at Hamer Hall.
- Reconfiguring the stairs and ramps to the lower promenade to reduce dead space, blind spots and improve visibility between the two levels.
- Providing generous seating offering a mix of views to the river and onto the promenade.
- New garden bed areas offer visual relief and seating and respite along the rivers edge.

Movement:

Southbank Promenade continues to be one of Melbourne's busiest pedestrian spines. Community engagement raised concerns around pedestrian and cyclist conflicts. The design supports the City River Strategy for 'slow movement' along the river corridor while maintaining access for recreational cycling.

The shift from a rigid street-like character to a slightly more relaxed layout with variations in tree species and spatial character along the promenade will help to indicate its role as a destination rather than a through-route.

The layout will establish slow zones that encourage cyclists to keep away from building entries and the river edge.

The insertion of clusters of seating, low-level plantings and textured pavements at intervals along the promenade will help to discourage riding at high speeds and encourages users a more meandering journey through the area.

As described in the Bicycle Plan, the City of Melbourne is committed to delivering commuter cycling corridors along key strategic routes, providing alternative routes to the promenade.

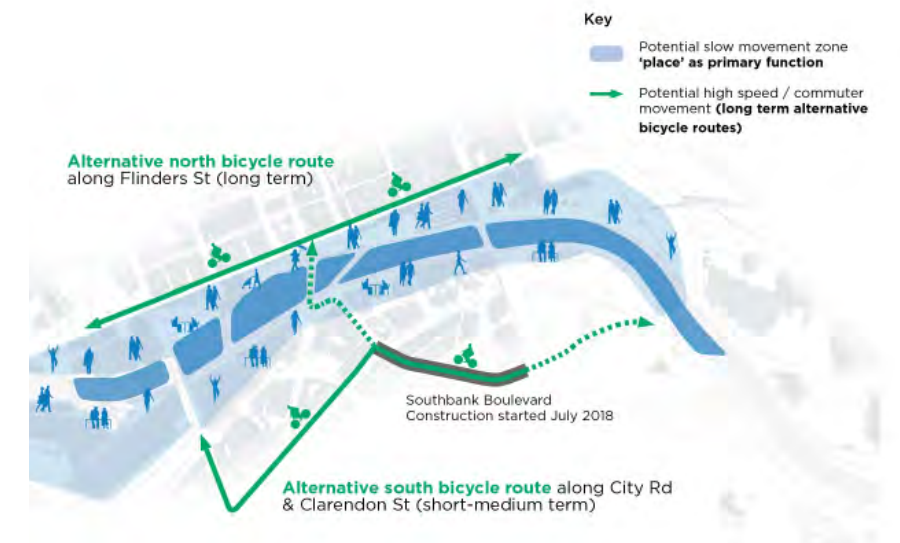


Image (above): Diagram of movement from City River Strategy (DRAFT)

SOUTHBANK PROMENADE RENEWAL

DESIGN PRINCIPLES



The design is anchored by the following key design directions:

- Reorganise and optimise the promenade to create generous and consistent space that accommodates pedestrians and cyclists.
- Create diverse spaces with an overall consistent character that supports a complementary mix of uses and balances everyday users and capital city events.
- Upgrade furniture, materials and finishes, and rationalise landscape features and public art to strengthen the character of the precinct.
- Plan for optimum tree, horticultural and arboriculture standards to enhance the quality and diversity of the public realm.

SOUTHBANK PROMENADE RENEWAL

SCOPE OF WORKS

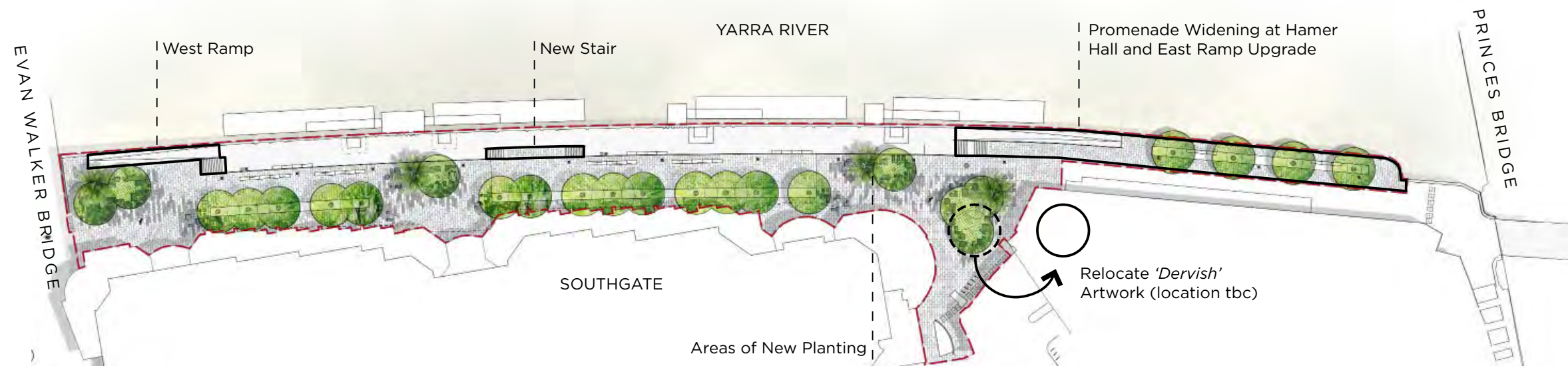


Image: Artist's impression

Stage 1 renewal of the Southbank Promenade extends from Princes Bridge to Evan Walker Bridge, along the river frontages of Hamer Hall and Southgate.

SOUTHBANK PROMENADE RENEWAL

PROJECT PURPOSE



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The proposed design will:

- Remove all trees, upgrade soil conditions plant new trees.
- Replace existing concrete pavers with bluestone, replace lights, and upgrade balustrades and furniture.
- Create rest points that divert the line of travel, with feature trees, some low-level planting and fixed seating elements.
- Reconfigure the stairs and ramps between the upper and lower promenades to provide more usable space and eliminate dead spots.
- Widen the upper promenade at Hamer Hall, and reinstate the artwork 'Dervish' to its original site on Hamer Hall's terrace level with St Kilda Road.

SOUTHBANK PROMENADE RENEWAL

PROPOSED STAIR AND RAMP REDESIGN



Image: Existing conditions

The existing stairs between the upper and lower promenades, which now cut into the upper promenade and restrict the usable area, are proposed to be rationalised and re-oriented so that they project into the lower promenade. This will free up space on the busy upper level and make the paths of travel to the lower level easier to see. Tour boat operations will be unaffected by this change.

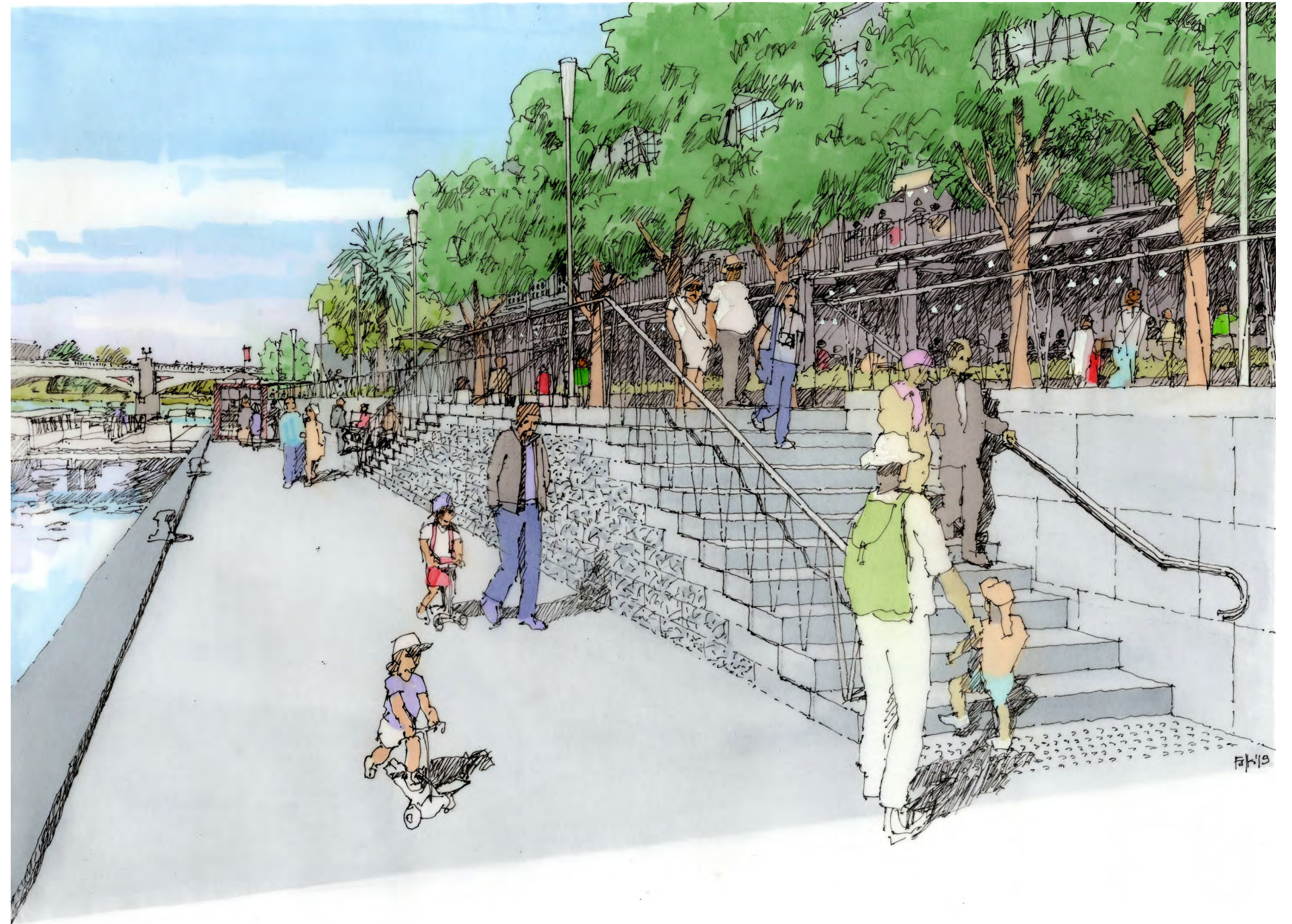


Image: Artist's impression of proposed promenade area

SOUTHBANK PROMENADE RENEWAL

PROPOSED WIDENING OF UPPER PROMENADE AT HAMER HALL



Image: Existing conditions

Despite some widening during the redevelopment of Hamer Hall, the adjoining section of the promenade is far narrower than the areas to the west. The lower promenade in this area is underutilised because of the steep stairway near Princes Bridge and limited water depths that prevent use of the area for boat mooring. The upper promenade will be widened across the lower promenade in this area, increasing usable space and allowing for additional tree planting.



Image: Artist's impression of proposed promenade area

SOUTHBANK PROMENADE RENEWAL

PROPOSED SEATING AND PLANTING CLUSTERS



Image: Existing conditions

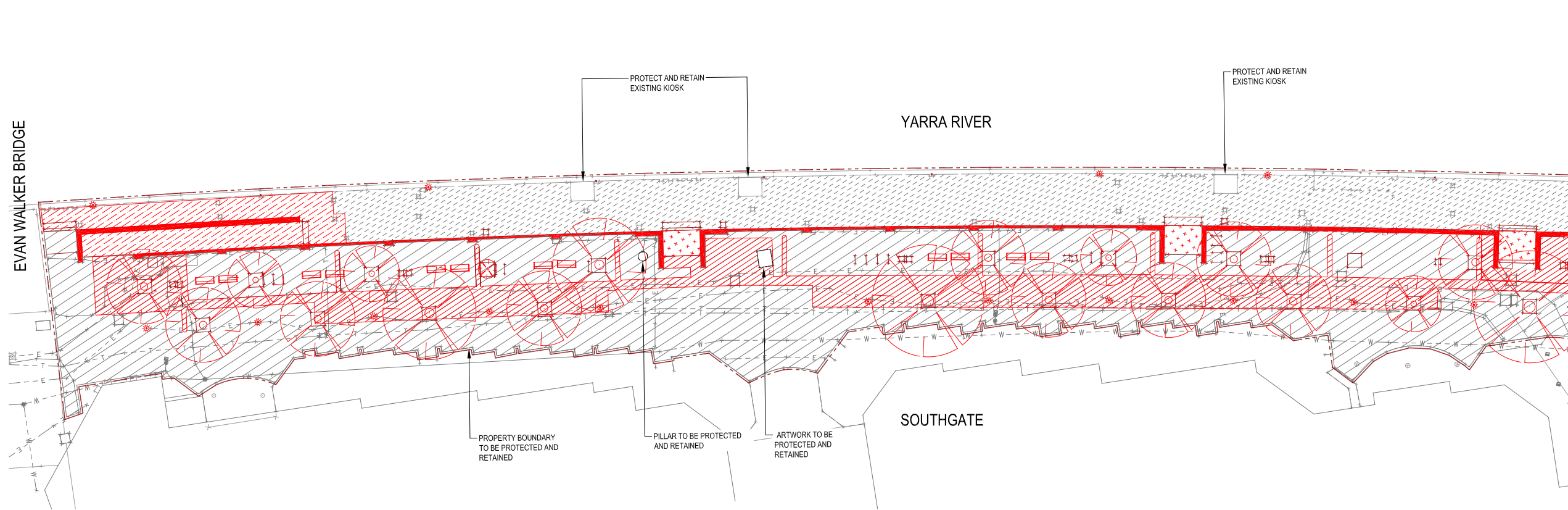
At intervals along the promenade, the linear pattern of trees and circulation paths along the promenade will be interrupted by clusters of trees, seating, and low level planting. These will encourage slower cycling speeds and create places of respite with views of the river. The locations are linked to key entries to the promenade and the main stair connection between upper and lower promenade levels. Deborah Halpern's sculpture 'Ophelia' will remain in its current position.



Image: Artist's impression of proposed promenade area

SOUTHBANK PROMENADE RENEWAL

EXISTING CONDITIONS AND DEMOLITION PLAN 01



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IMPORTANT NOTE:
 THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS AND ANY INSTRUCTIONS ISSUED DURING THE COURSE OF THE CONTRACT.
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LEGEND

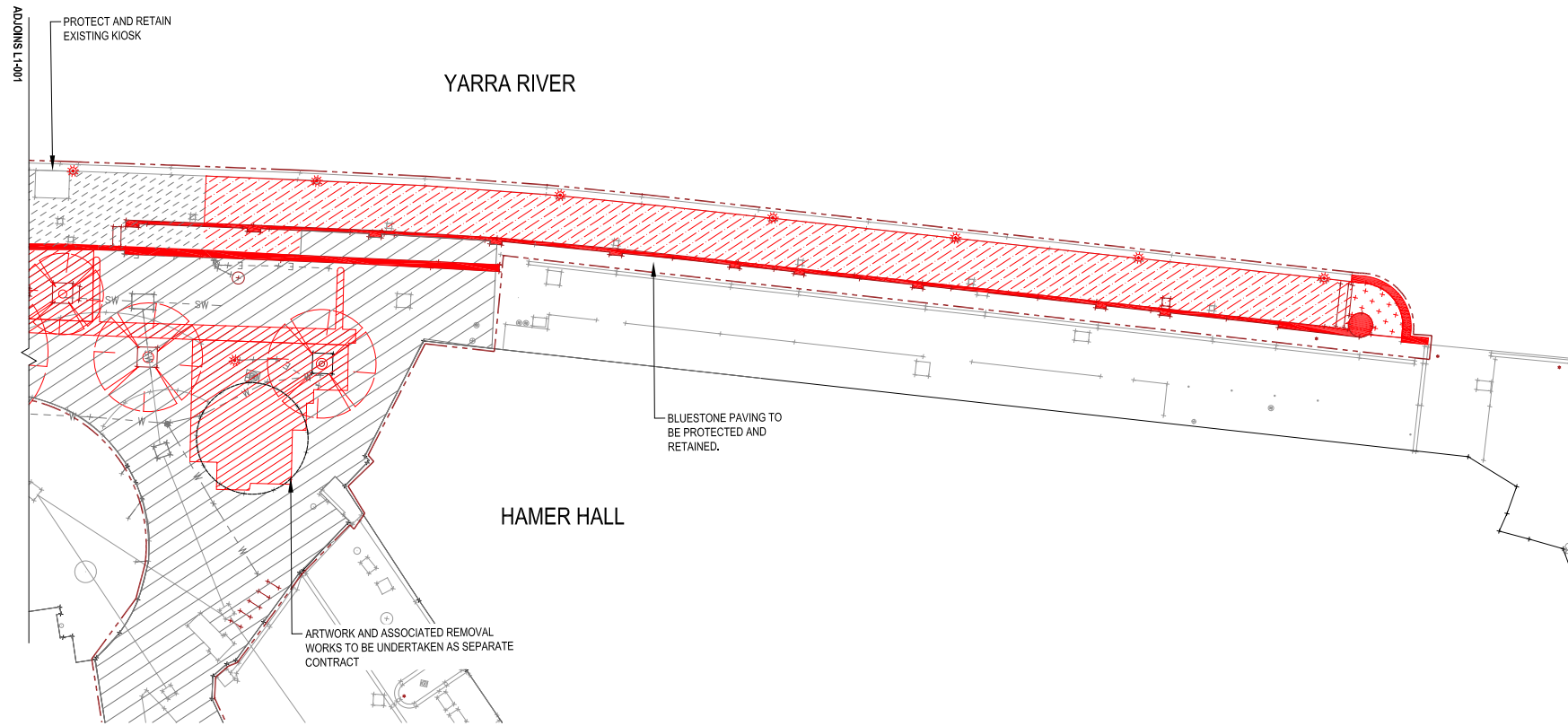
- EXTENT OF WORKS BOUNDARY
- EXISTING PAVEMENT TO BE CAREFULLY REMOVED AND DISPOSED OF. EXISTING CONCRETE SLAB TO BE PROTECTED, RETAINED AND REMAIN INTACT
- CONCRETE SLAB TO BE CAREFULLY REMOVED AND DISPOSED OF WITH CLEAN SAW CUT TO ENGINEER'S REQUIREMENT. EXCAVATE EXISTING FILL TO DEPTH AS DETAILED AND SPECIFIED.
- EXISTING RETAINING WALL TO BE REMOVED AND DISPOSED OF WITH CLEAN SAW CUT TO VISIBLE SURFACE. ALL EXISTING SUB-STRUCTURE TO BURIED REMAIN INTACT TO ENGINEER'S REQUIREMENT. ALL BLUESTONE CAPPING TO BE CAREFULLY REMOVED INTACT AND STOCKPILED FOR RE-USE.
- LOWER PROMENADE AREA TO BE RAISED. EXISTING STRUCTURE AND FOUNDATIONS TO BE REINFORCED AND LOCALLY STRENGTHENED TO ENGINEER'S REQUIREMENTS.
- EXISTING STAIR TO BE CAREFULLY REMOVED AND DISPOSED OF. SURROUNDING STRUCTURE AND CONCRETE SLAB TO REMAIN INTACT. LOCALLY REINFORCE TO CONCRETE SLAB AND SUB-STRUCTURE SURROUNDS TO ENGINEER'S REQUIREMENT.
- TOP COURSE OF ASPHALT PAVING TO BE MILLED OFF AND DISPOSED OF. ALL SUB-BASE STRUCTURE TO REMAIN INTACT AND RELEVELLED WITH ROLLER PRIOR TO ASPHALT WEARING COURSE POUR.
- EXISTING TREE TO BE REMOVED PRIOR TO COMMENCEMENT OF WORKS AS ADVISED BY CITY OF MELBOURNE ARBORIST.
- EXISTING TREE PIT AND ASSOCIATED INFRASTRUCTURE TO BE REMOVED AND DISPOSED OF
- EXISTING BICYCLE HOOP TO BE REMOVED. STOCKPILED AND REFURBISHED FOR REUSE AS ADVISED BY CITY OF MELBOURNE PROJECT MANAGER.
- EXISTING LITTER AND RECYCLE BIN TO BE REMOVED AND STOCKPILED AS ADVISED BY CITY OF MELBOURNE PROJECT MANAGER.
- EXISTING TACTILE INDICATORS TO BE REMOVED AND DISPOSED OF
- EXISTING PARK BENCH TO BE REMOVED AND STOCKPILED AS ADVISED BY CITY OF MELBOURNE PROJECT MANAGER
- EXISTING LIGHT POLE TO BE REMOVED AND STOCKPILED AS ADVISED BY CITY OF MELBOURNE PROJECT MANAGER
- EXISTING ELECTRICAL LINE TO BE DECOMMISSIONED. REFER TO ENGINEER'S DOCUMENTATION
- EXISTING STORM WATER PIPE AND PIT
- EXISTING WATER LINE
- EXISTING TELECOMMUNICATIONS
- EXISTING GAS

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 MELBOURNE VIC 3000
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PROJECT SOUTHBANK PROMENADE STAGE 1 WORKS		
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SOUTHBANK PROMENADE RENEWAL

EXISTING CONDITIONS AND DEMOLITION PLAN 02



LEGEND

- EXTENT OF WORKS BOUNDARY
- EXISTING PAVEMENT TO BE CAREFULLY REMOVED AND DISPOSED OF. EXISTING CONCRETE SLAB TO BE PROTECTED, RETAINED AND REMAIN INTACT
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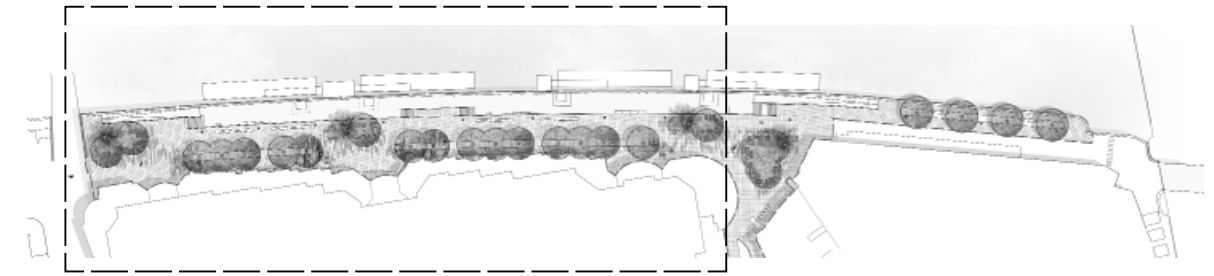
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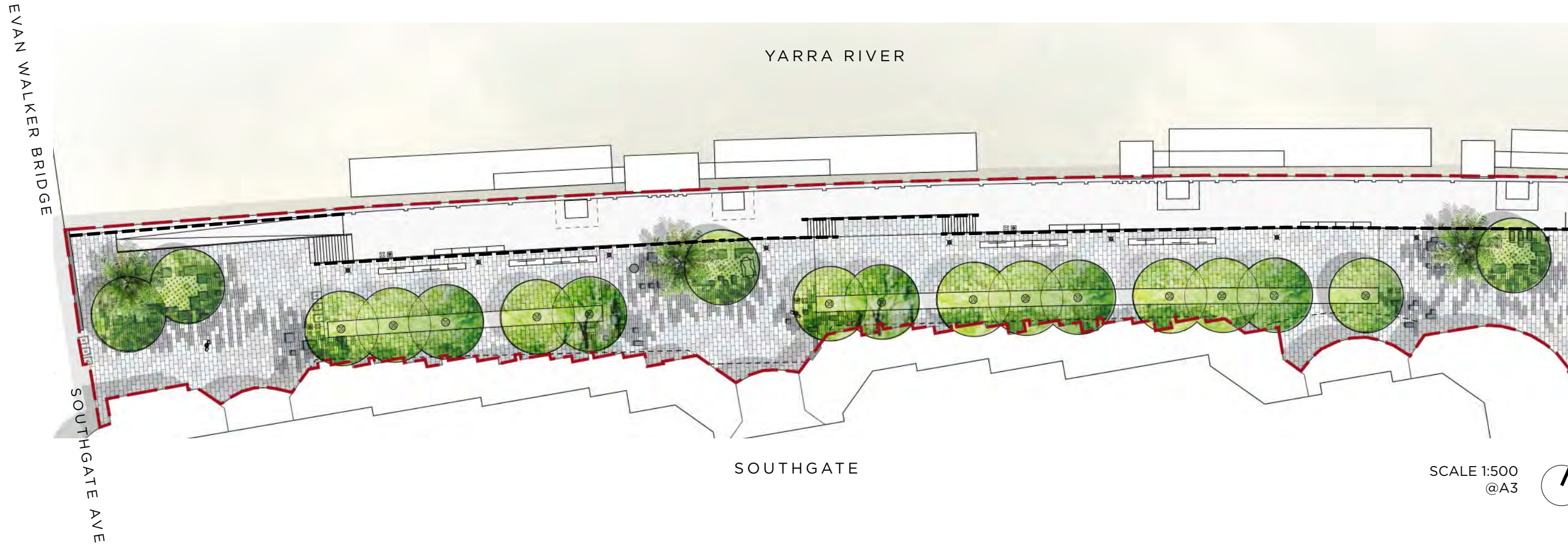
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SOUTHBANK PROMENADE RENEWAL

LANDSCAPE PLAN 01
















KEY PLAN - NTS



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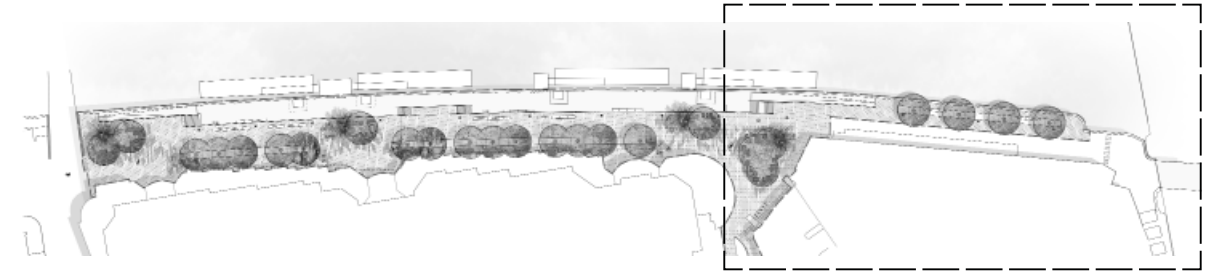


LEGEND

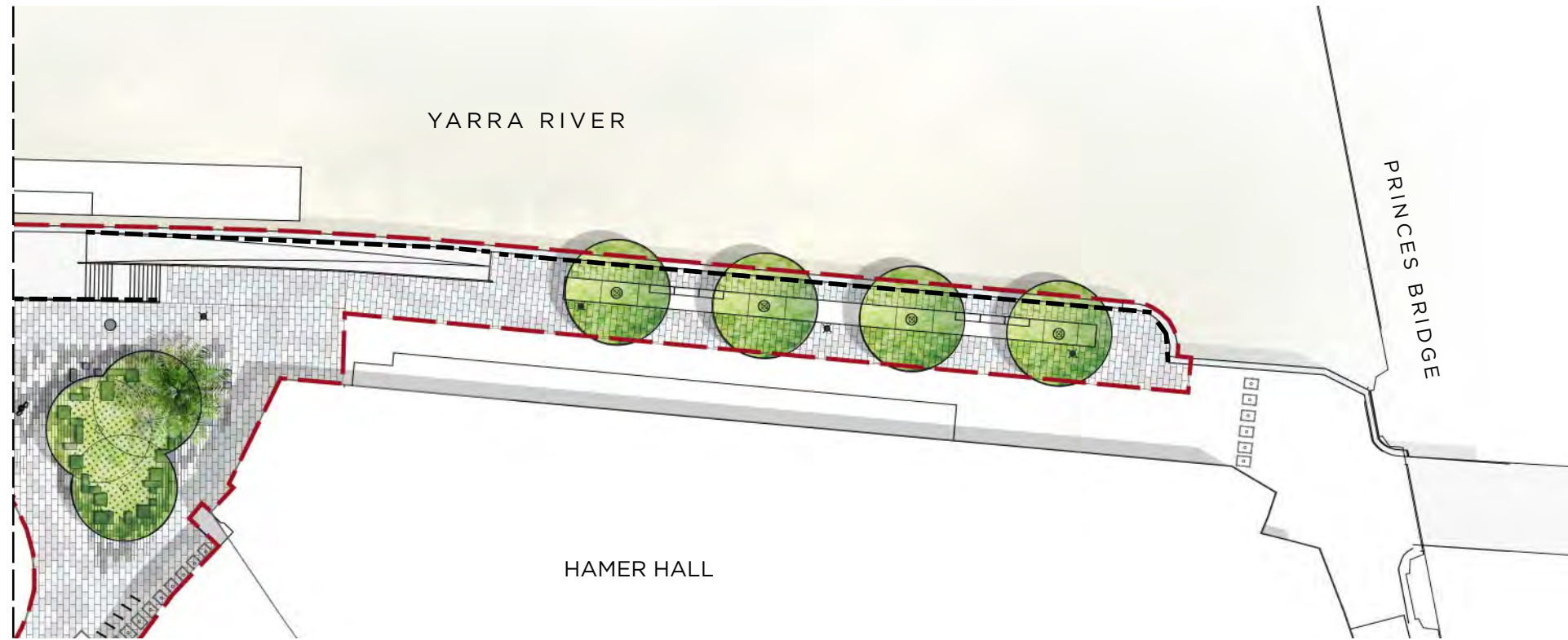
- | | | |
|--|---|---|
|  Extent of works boundary |  New CoM City Litter and Recycling set (CoM Design Standard 702.01 and 702.02) |  Proposed garden bed with modulated Bluestone seating edge |
|  Proposed bluestone paving (CoM Design Standard 201.01) |  New CoM stainless steel seat |  New tree on FRP panel and structural soil base |
|  Proposed asphalt paving (CoM Design Standard 201.03) |  New CoM Swanston Street light |  Proposed feature palm |
|  Proposed feature bluestone paving |  New CoM Flood light |  Proposed Tree |
|  Proposed balustrade and new bluestone cladding to wall interface | | |

SOUTHBANK PROMENADE RENEWAL

LANDSCAPE PLAN 02
















KEY PLAN - NTS



SCALE 1:500
@A3



LEGEND

- | | | |
|--|---|---|
|  Extent of works boundary |  New CoM City Litter and Recycling set (CoM Design Standard 702.01 and 702.02) |  Proposed garden bed with modulated Bluestone seating edge |
|  Proposed bluestone paving (CoM Design Standard 201.01) |  New CoM stainless steel seat |  New tree on FRP panel and structural soil base |
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|  Proposed feature bluestone paving |  New CoM Flood light |  Proposed Tree |
|  Proposed balustrade and new bluestone cladding to wall interface | | |

SOUTHBANK PROMENADE RENEWAL

OVERALL LANDSCAPE PLAN (NO TREES)



SCALE
1:1000@A3



SOUTHBANK PROMENADE RENEWAL




OVERALL TREE PLANTING PLAN





SCALE
1:1000@A3



LEGEND

-  *Species to be confirmed*
-  *Melaleuca quinquenervia*
Broad-leaved Paperbark
-  *Angophora costata*
Smooth-barked apple

-  *Livistona australis*
Cabbage-tree Palm
-  *Washingtonia robusta*
Mexican Fan Palm

Note: Understorey Planting palette to be confirmed



Melaleuca quinquenervia



Livistona australis



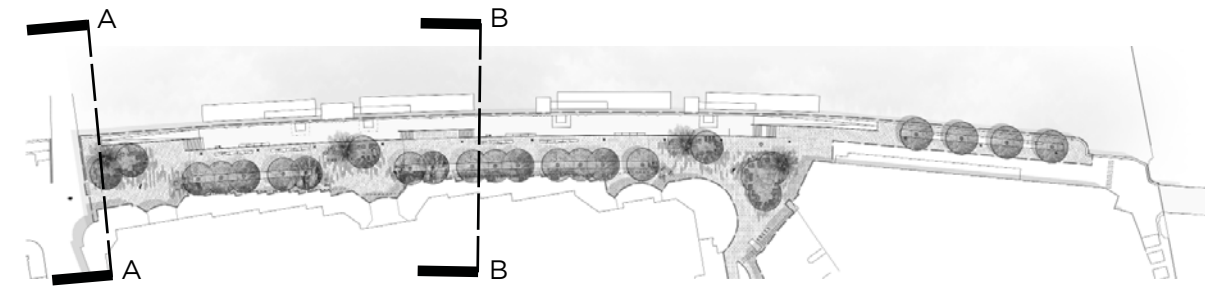
Washingtonia robusta



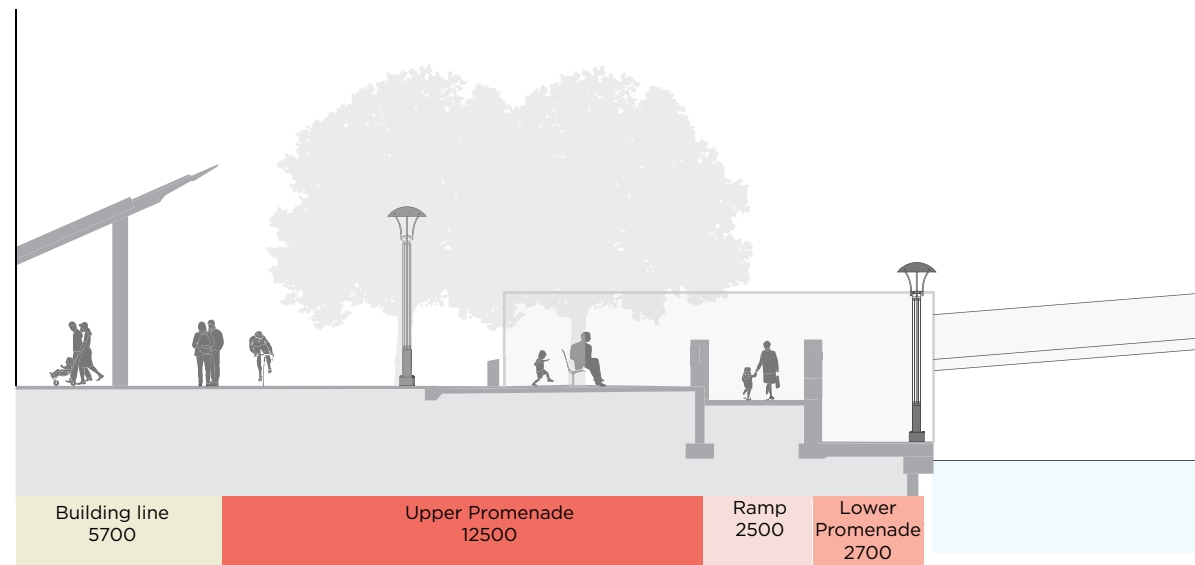
Angophora costata

SOUTHBANK PROMENADE RENEWAL

TYPICAL CROSS SECTIONS 01

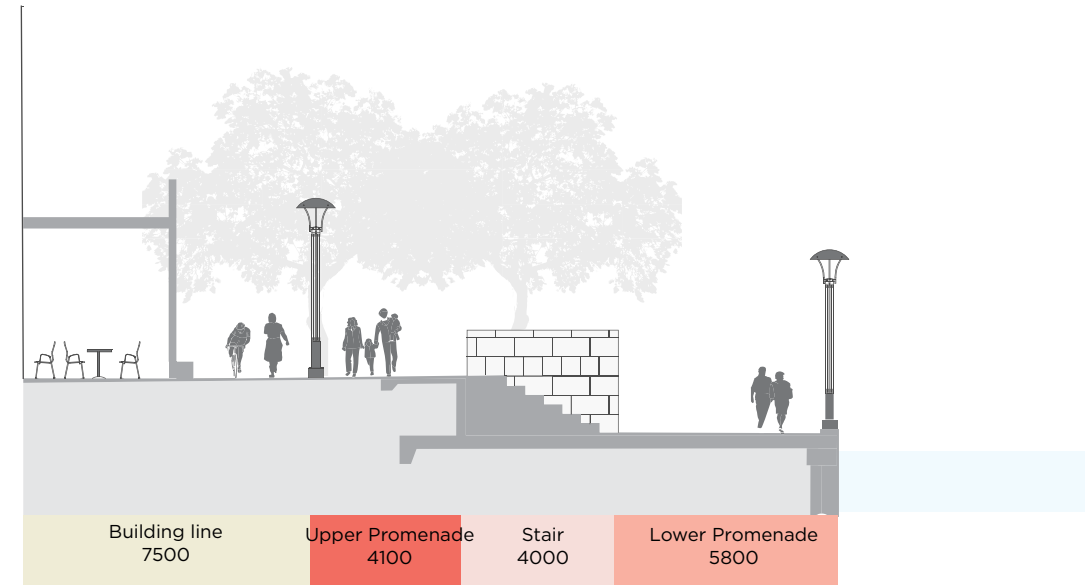


KEY PLAN - NTS



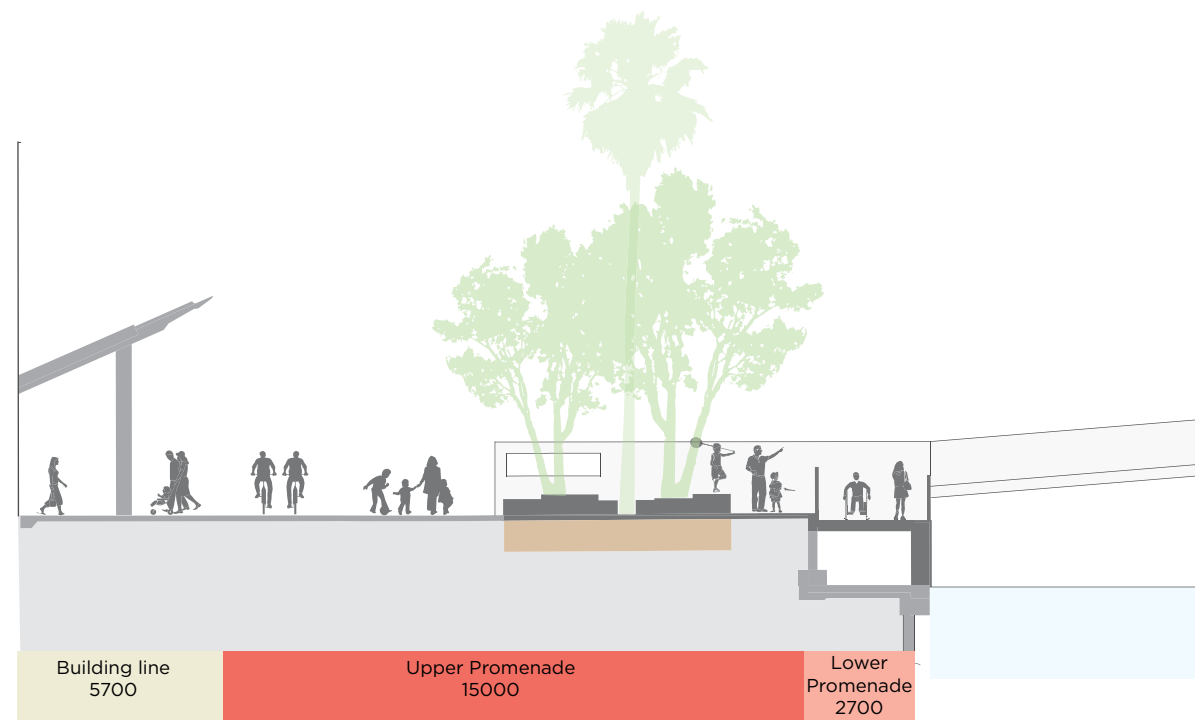
SECTION AA- EXISTING

SCALE 1:200



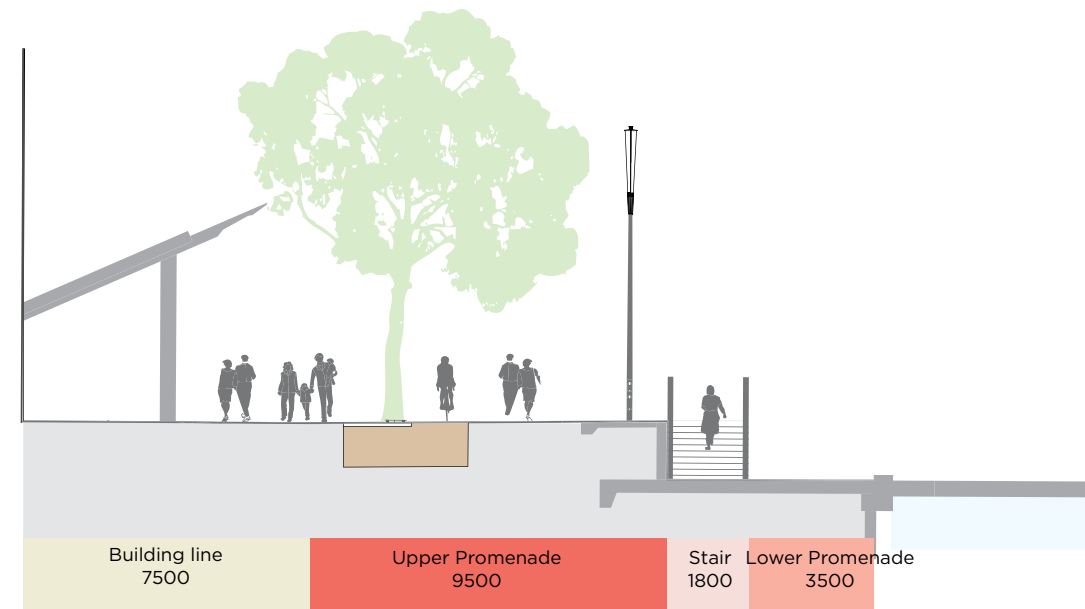
SECTION BB- EXISTING

SCALE 1:200



SECTION AA- PROPOSED

SCALE 1:200

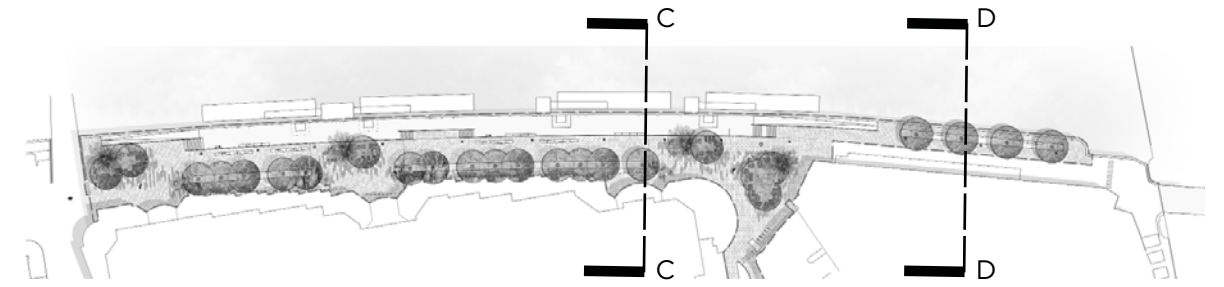


SECTION BB- PROPOSED

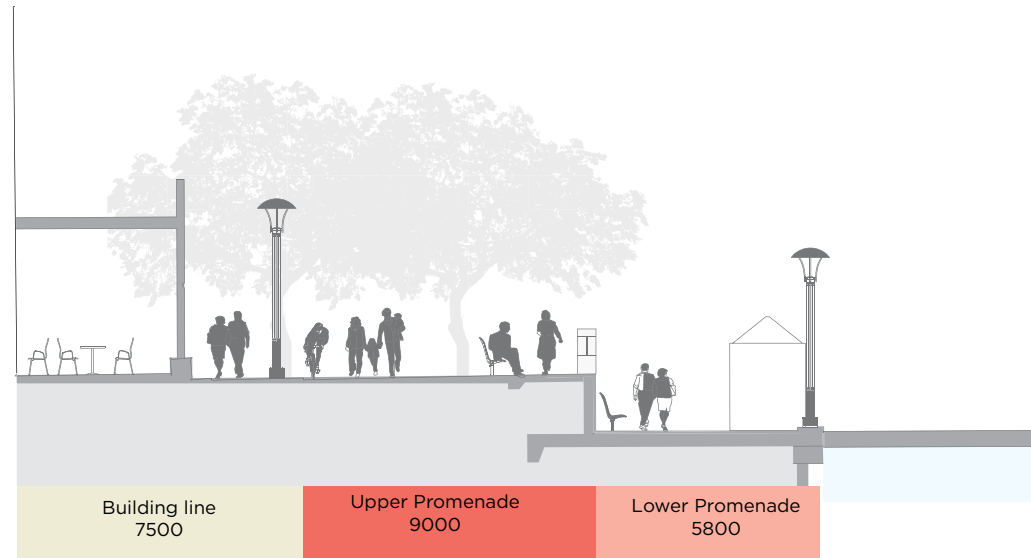
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SOUTHBANK PROMENADE RENEWAL

TYPICAL CROSS SECTIONS 02

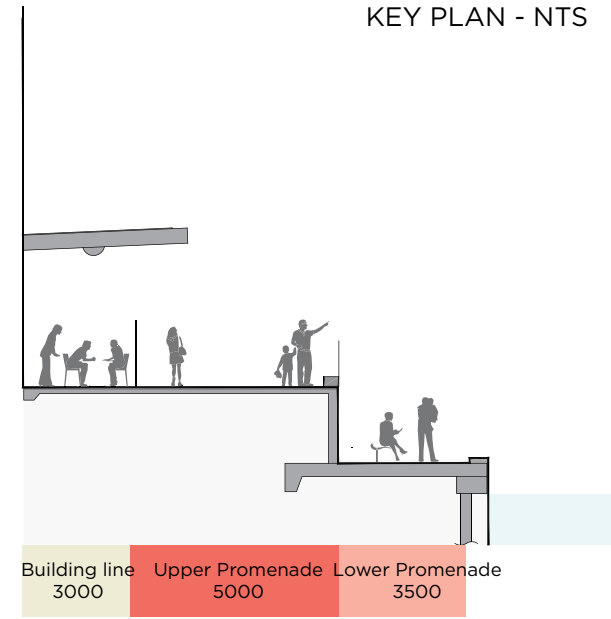


KEY PLAN - NTS



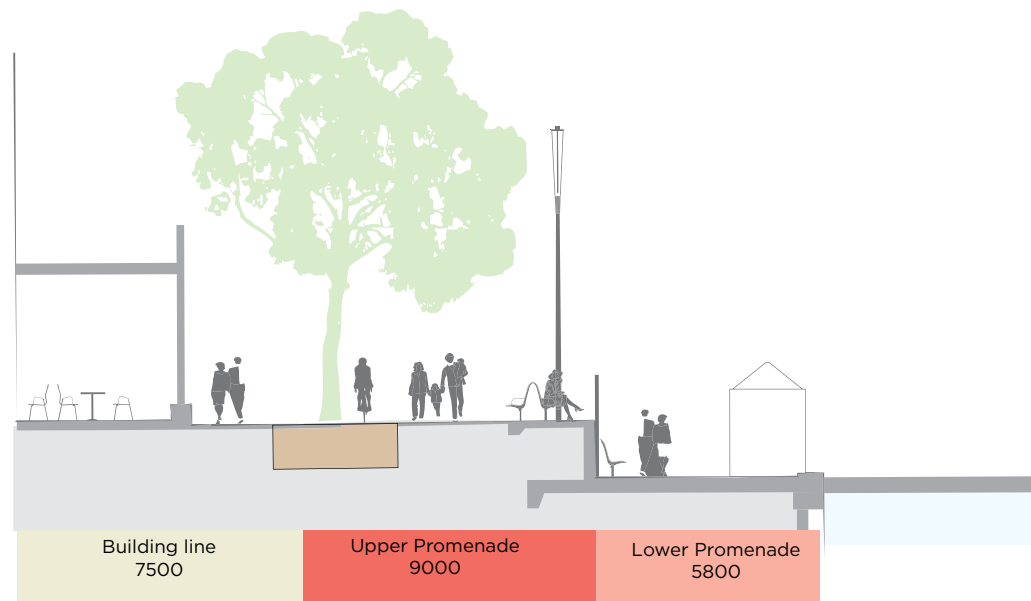
SECTION CC- EXISTING

SCALE 1:200



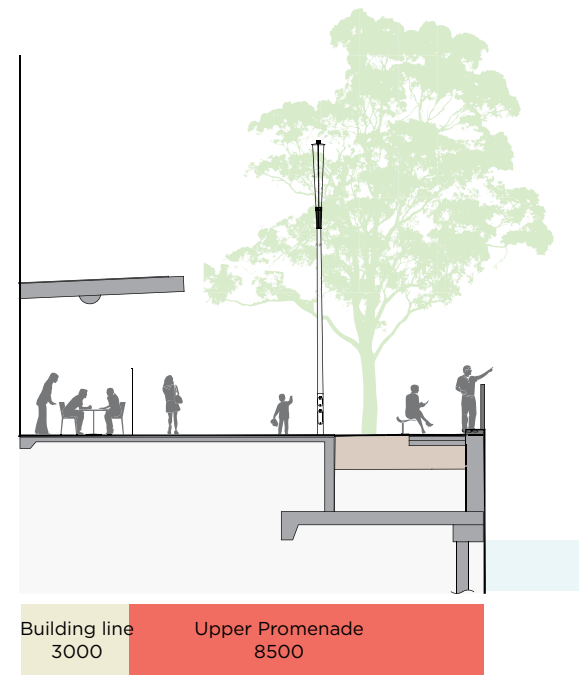
SECTION DD- EXISTING

SCALE 1:200



SECTION CC- PROPOSED

SCALE 1:200

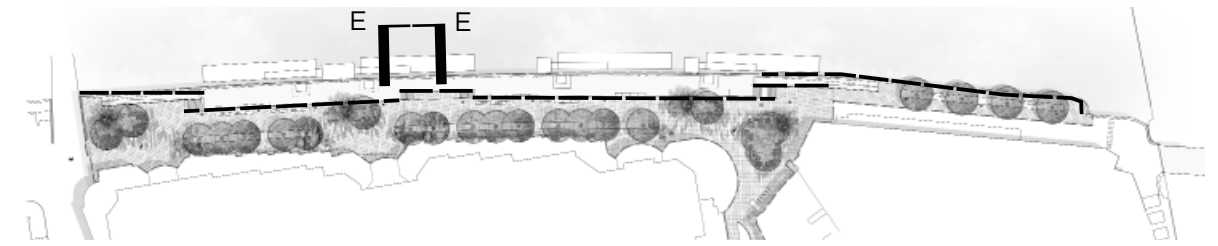


SECTION DD- PROPOSED

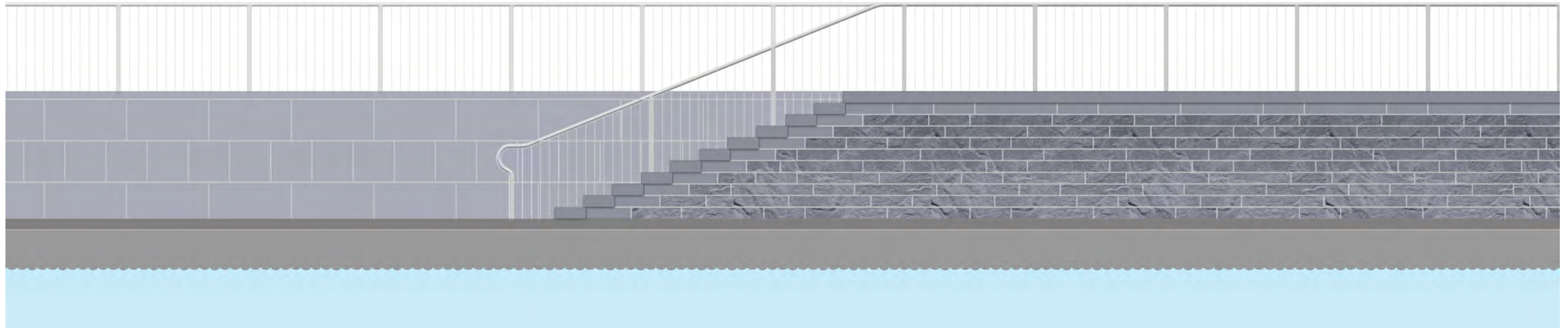
SCALE 1:200

SOUTHBANK PROMENADE RENEWAL

NEW STAIR BALUSTRADE AND RETAINING WALL



KEY PLAN - NTS



ELEVATION EE

SCALE 1:50

The new balustrade and handrails are designed to:

- Comply with current building standards (the existing balustrade and handrails do not).
- Increase transparency to allow views of the water from the promenade, and views of public activity along the promenade from the north bank.
- Create a cohesive design across variable situations including: balustrade only along the promenade; balustrade next to handrail on the inside of stairways and ramps; and combined balustrade/handrail on the outside of stairways and ramps.
- Provide added detail at the central stair for visual relief and to support wayfinding.
- Use robust, low maintenance forms, materials and finishes.
- Accommodate integral LED lighting at stairways for safety.

The retaining walls along the reconfigured ramps will duplicate the design detailing of bluestone cladding on the existing promenade.

The new central stairway will introduce a higher standard of material finishes suiting its prominence due to projection beyond the face of the existing retaining wall, with solid stone sections for the steps, and a textured cladding for the wall face.

SOUTHBANK PROMENADE RENEWAL

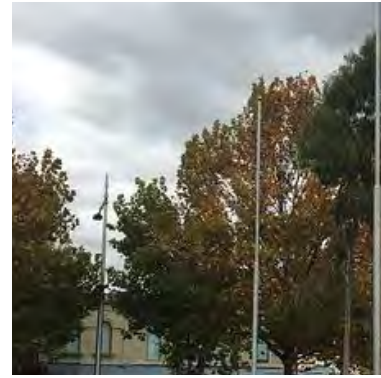
MATERIALS AND FINISHES



FRP Tree grate



CoM Swanston Street light



CoM Flood light



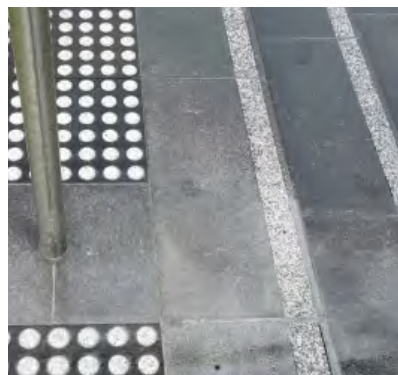
CoM Stainless Steel seating



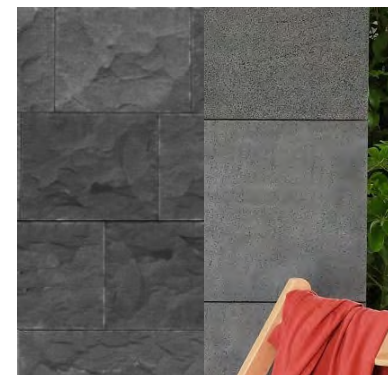
CoM Litter, Recycling set and Drinking Fountain



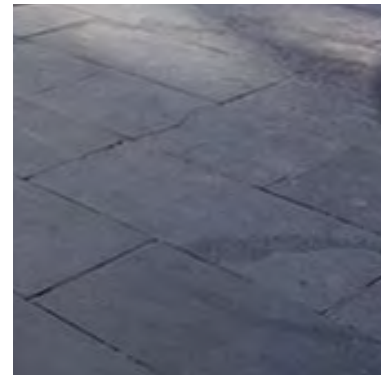
CoM Stainless Steel Balustrade



Bluestone Stair with granite nosing and Granite inset tactile indicators



Bluestone clad wall



CoM Bluestone paving (CoM Design Standard 201.01)

The materials used in the promenade will include a selection of paving and furniture items from the City of Melbourne's Design and Engineering Standards.

The existing precast concrete paving will be replaced with standard sawn bluestone paving (495 x 995 x 40mm thick). Small areas of more highly textured bluestone will be used in the seating clusters to promote the sense of a slow zone. Tactile paving (where necessary) will use granite insets in bluestone tiles.

Seats, litter bins, bike parking hoops, and other street furniture will be stainless steel designs typical of key pedestrian spaces in the central city.

The lights will be the Swanston Street lights (5.5m tapered pole, 7.5m overall height).

Relevant asset managers have been consulted to confirm that the design meets current maintenance regimes.

SOUTHBANK PROMENADE RENEWAL

TOWN PLANNING OVERVIEW

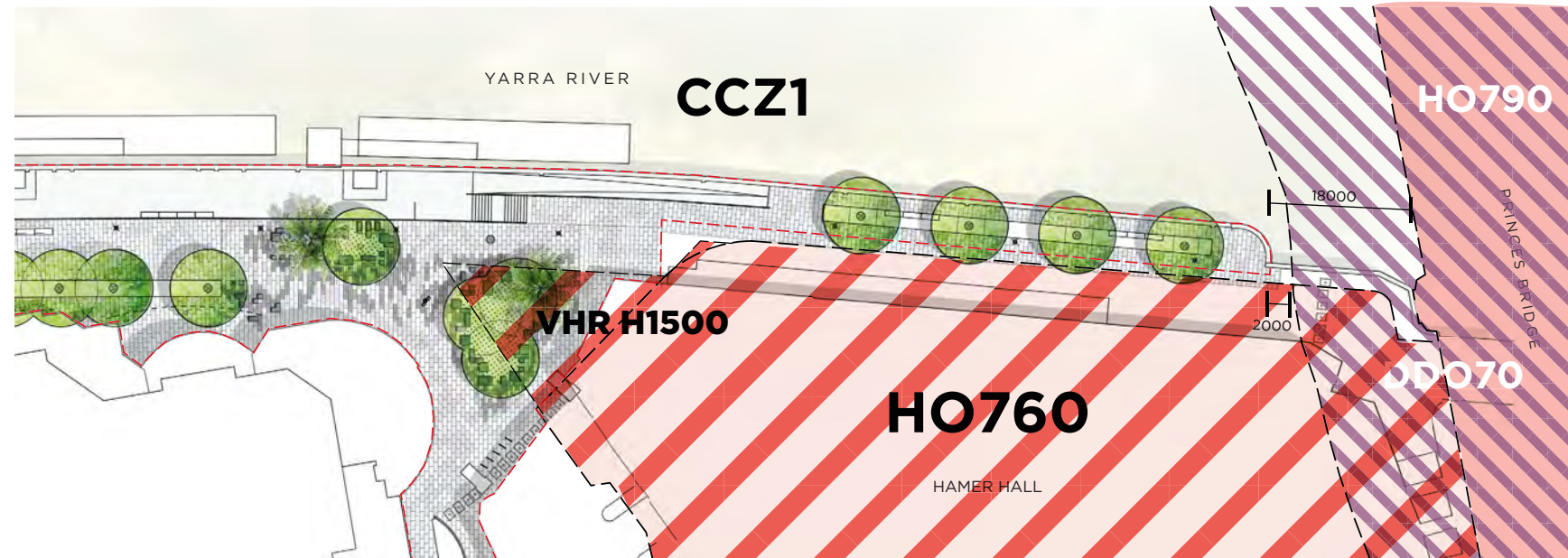


Image (above): Town planning zones and overlays not requiring permit

The subject site is located primarily within the Public Park and Recreation Zone (PPRZ), with some areas extending into the Capital City Zone (CCZ3). The proposed works trigger a requirement for a town planning permit under Clause 44.04 of the Land Subject to Inundation Overlay (LSI01).

Planning controls affecting adjoining sites - but not affecting the subject site - include Capital City Zone CCZ1, and DDO70 (pertaining to The Metro Tunnel Project); and Heritage Overlays HO760 (Hamer Hall) and HO790 (Princes Bridge).

All boundaries have been supplied via the City of Melbourne GIS team and have been accurately plotted according to data supplied by DELWP.

SOUTHBANK PROMENADE RENEWAL

TOWN PLANNING OVERVIEW

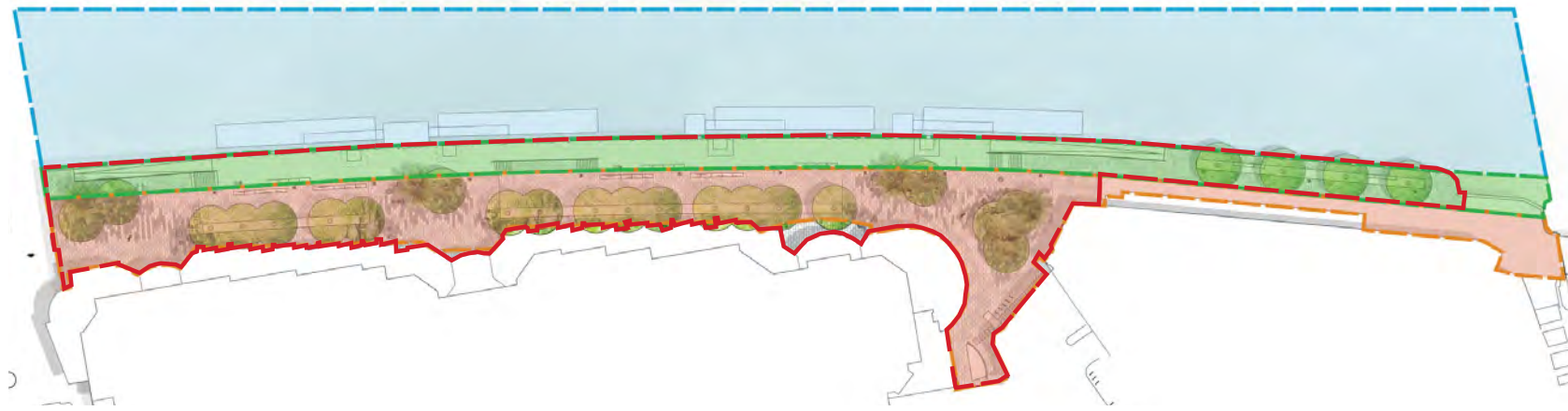


Image (above): Land Tenure

- Crown Land (Water) - Committee of Management (Melbourne Water)
- Crown Land - Committee of Management (Parks Victoria)
- Crown Land - Committee of Management (City of Melbourne)

Public Park and Recreation Zone

Under the PPRZ, the upgraded promenade will continue to function as a premier public open space. The promenade's rigid street-like character will be somewhat relieved by garden beds and seating areas. This will allow for opportunities for passive seating and social activities, balancing the through circulation functions and existing emphasis on seating in commercial café spaces.

A number of land management agreements affect the subject site. In particular, the lower promenade and attached boat mooring facilities are managed by Parks Victoria, whereas the City of Melbourne is the Committee of Management for the upper promenade. A MOU to transfer Committee of Management responsibility from Parks Victoria to City of Melbourne may be required for small areas relating to the proposed reconfiguration of stairs and ramps between the upper and lower promenades.

Land Subject to Inundation

Further to the above, works include raising existing levels of lower promenade beyond 0.8m, trigger a requirement for a town planning permit.

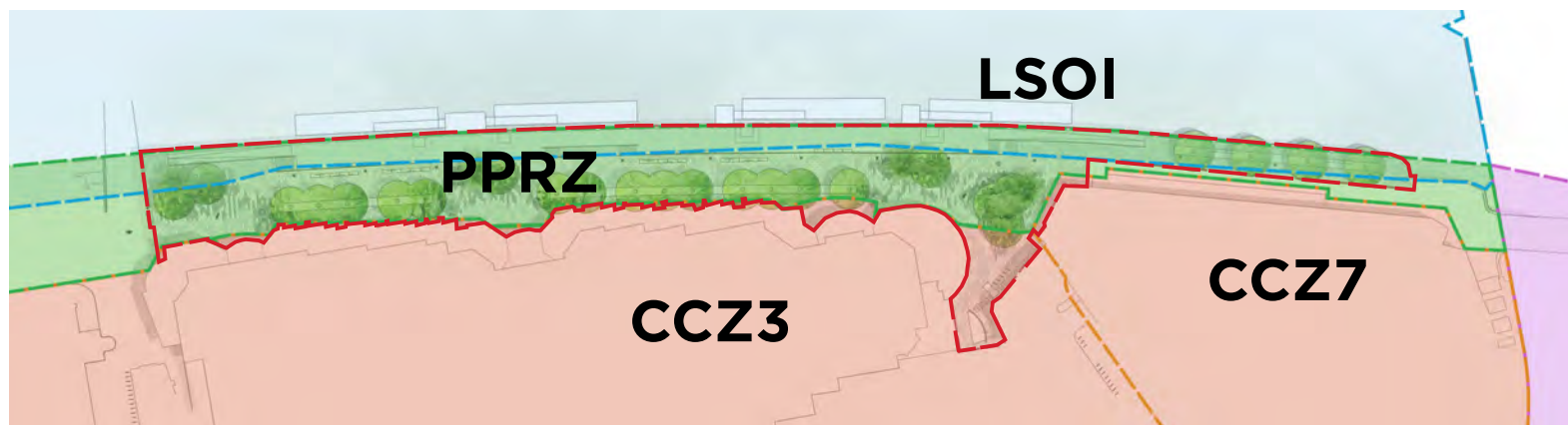


Image (above): Town planning zones and overlays

SOUTHBANK PROMENADE RENEWAL

TOWN PLANNING OVERVIEW



Image (above): Diagram of CCZ3 boundary

Capital City Zone 3

A small section of the subject site is affected by CCZ3. Works in this area are considered as renewal of City of Melbourne assets. Under Clause 37.04 Section 3 works do not require a town planning permit for the following items:

- Footpath vehicle crossovers provided they are constructed to the satisfaction of the responsible authority.
- Decorations, gardens and planting required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- Street furniture

Aboriginal Cultural Heritage Significance

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

The proposed scope of works is considered a renewal and does not require a Cultural Heritage Management Plan. Existing concrete foundations will generally remain intact, allowing for the repaving and re-leveling of the promenade to meet existing surface levels. Small sections of foundations will be locally removed to allow for additional garden bed, tree planting and footings for lights and furniture. Excavation will be sensitive to existing conditions. Given the depth of landfill above natural ground levels throughout the area of the promenade, the works are unlikely to uncover any Aboriginal or historic artefacts.

Environmental investigations indicate that the pre-european settlement ground level is below the depth of the proposed excavation.

As guided by the Aboriginal Heritage Cultural Action Plan the City of Melbourne will continue to 'ensure that the Aboriginal cultural heritage of Melbourne is appropriately recognised, conserved and celebrated by all.'

In collaboration with the Arts Melbourne team we are exploring opportunities to overlay cultural narrative through art within the Southbank Precinct. We understand that this needs to be done in a considered and sensitive way and is best resolved outside the current project scope for stage one works.

DELEGATE REPORT

PLANNING PERMIT APPLICATION

Application number:	TP-2019-703
Applicant / Owner / Architect:	Melbourne City Council / Melbourne City Council & Department of Environment, Land, Water and Planning (DELWP) / City of Melbourne City Design Studio
Address:	Southbank Promenade, 2 Southgate Avenue, SOUTHBANK VIC 3006
Proposal:	Renewal works to the Southbank Promenade public realm between Evan Walker Bridge and Princes Bridge, Southbank
Cost of works:	\$13,000,000
Date of application:	4 September 2019
Responsible officer:	Michelle Fernando, Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 Subject site

The subject site is identified as 2 Southgate Avenue, and Lower Ground, Southbank Promenade, Southbank. The site is formally identified as the following parcels:

- Crown Allotment 1H CD057402S
- Crown Allotment 1F CD057399C
- Crown Allotment 2014 CD056974Y

The site is located to the south of the Yarra River, between Evan Walker Bridge and Princes Bridge. The area is predominantly used as a pedestrian thoroughfare, with a number of adjacent cafes and restaurants with outdoor seating opposite.

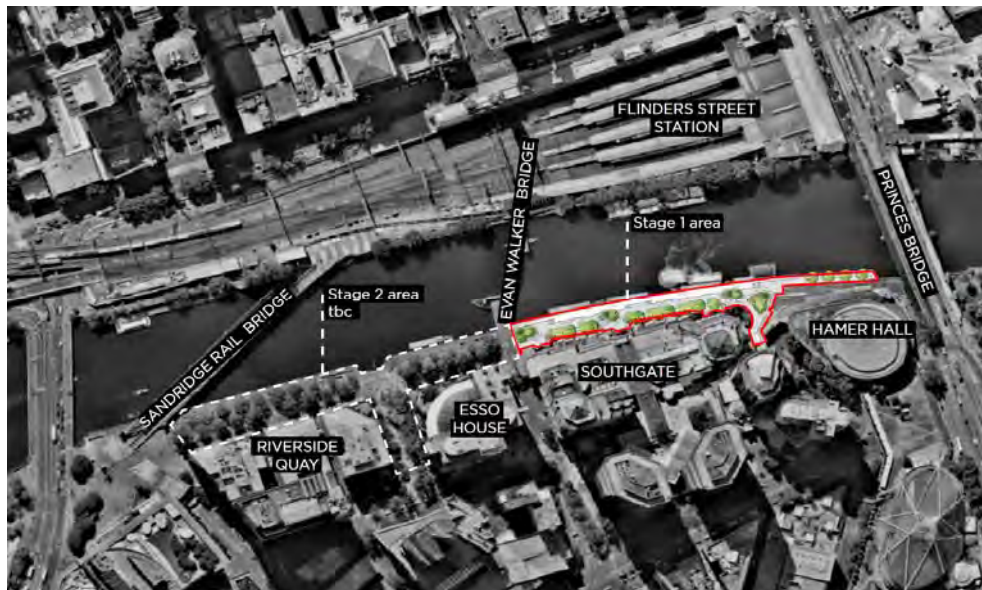


Figure 1 – Aerial of area of proposed works (Source: applicant)

2 BACKGROUND AND HISTORY

2.1 Pre-application discussions

Pre-application discussions were held with Council's Urban Planners prior to the lodgement of the application.

3 PROPOSAL

This application seeks planning approval for partial demolition of buildings and works for expansion and refurbishment of a portion of the Southbank Promenade.

The plans which have been considered in this planning assessment are those prepared by City of Melbourne 'Southbank Promenade Renewal' dated 23 August 2019.

The proposed works are as summarised below:

Demolition including:

- Demolition of existing footpath (concrete pavers) and tactile indicators, and
- Demolition of retaining walls and staircases to lower promenade.

Construction and carry out works including:

- Widening of upper promenade, at the Hamer Hall end, to the extent of the existing lower promenade by approximately 4 metres,
- Construction of new stair case to lower promenade,
- Construction of new ramp and staircase to lower promenade to the western end of the promenade,
- Installation of bluestone paving to the upper promenade and asphalt paving to lower promenade,
- Provision of street furniture consisting of stainless steel seating, waste receptacles and street lighting, and
- Landscaping to consist of low level planting contained in garden beds which also serve as additional seating, and tree planting.

The existing 'Dervish' art work will be relocated to improve pedestrian circulation, however the 'Ophelia' art work will remain in its current position. Planning approval is not required for art work that is carried out by or on behalf of a public land manager.



Figure 2 – Proposed extent of works

4 STATUTORY CONTROLS

The following clauses in the Melbourne Planning Scheme require a planning permit for this proposal:

Clause	Permit Trigger
Zone	
<p>Clause 37.04 Capital City Zone (Schedule 3)</p>	<p>Buildings and works – permit required</p> <p>Pursuant to Clause 37.04-4, a permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.</p> <p>Pursuant to Schedule 3, a permit is not required for:</p> <ul style="list-style-type: none"> Decorations, gardens and planting required for public purposes by or for the Crown, a public authority or the City of Melbourne, and Street furniture. <p>Demolition – permit required</p> <p>Pursuant to Schedule 3, a permit is required to demolish or remove a building or works.</p>
<p>Clause 36.02 Public Park and Recreation Zone</p>	<p>Buildings and works – permit required</p> <p>Pursuant to Clause 36.02-2, a permit is required to construct a building or construct or carry out works.</p> <p>Proposed works are to be carried out by or on behalf of City of Melbourne; as such a permit is required for buildings and works occurring with land identified as under the management of Parks Victoria. Parks Victoria has provided written consent for City of Melbourne to lodge this planning application.</p> <p>Pursuant to Clause 36.02-2, a permit is not required for:</p> <ul style="list-style-type: none"> Pathways, trails, seating, picnic tables, drinking taps, shelters, barbecues, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, and Planting or landscaping, and

	<ul style="list-style-type: none"> • A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978. <p>Use – permit not required</p> <p>Pursuant to Clause 36.02, a permit is not required to use the land for the purpose 'Informal outdoor recreation'.</p>
Overlay	
<p>Clause 43.02 Design and Development Overlay Schedule 60 (A1)</p>	<p>Buildings and works – permit not required</p> <p>Pursuant to Schedule 60, a permit is not required for:</p> <ul style="list-style-type: none"> • Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.
<p>Clause 44.04 Land Subject to Inundation Overlay Schedule 1</p>	<p>Buildings and works – permit required</p> <p>Pursuant to Clause 44.04, a permit is required to construct a building or to construct or carry out works.</p>
General Provisions	
<p>Clauses 62.02 Uses, Buildings, Works, Subdivisions and Demolition not requiring a permit.</p>	<p>Pursuant to Clause 62.02-1 (Buildings and works not requiring a permit)</p> <p>Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:</p> <ul style="list-style-type: none"> • Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality <p>The proposed works exceed \$ 1,000,000. A permit is therefore required.</p> <p>Pursuant to Clause 62.02, any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:</p> <ul style="list-style-type: none"> • Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets. • Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets. • Art work that is carried out by or on behalf of a public land manager. • Gardening, and • Vegetation removal.

<p>Clauses 62.05 Demolition</p>	<p>Pursuant to Clause 62.05, a permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.</p> <p>Clause 36.02 and 44.04 does not specifically state that a permit is required for the demolition or removal of a building or works. As such, no planning permit is required under the above noted Clauses.</p>
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The Parking Overlay (Schedule 1) does not trigger a requirement for a planning permit but applies to the subject site.

5 STRATEGIC FRAMEWORK

5.1 Planning Policy Framework (PPF)

The relevant provisions of the SPPF are summarised as follows:

- Clause 15 (Built Environment and Heritage)
- Clause 18 (Transport)
- Clause 19 (Infrastructure)

5.2 Local Planning Policy Framework (LPPF)

The relevant provisions of the LPPF are:

- Clause 21.06 (Built Environment and Heritage)
- Clause 21.09 (Transport)
- Clause 21.10 (Infrastructure)
- Clause 21.13 (Southbank)
- Clause 22.01 (Urban Design Within of the Capital City Zone)

6 ZONE

The subject site is located within the:

- Public Park and Recreation Zone (PPRZ), and
- Capital City Zone (CCZ3)

7 OVERLAYS

The subject site is affected by the following overlays:

- Design and Development Overlay (Schedule 60),
- Land Subject Inundation Overlay (Schedule 1), and
- Parking Overlay (Schedule 1).

8 PARTICULAR PROVISIONS

There are no relevant particular provisions for this proposal.

9 GENERAL PROVISIONS

The following general provisions apply to the application:

- Clause 65 (Decision Guidelines) which includes the matters set out in Section 60 of the Planning and Environment Act 1987.
- Clause 66 (Referral and Notice Provisions)
- Clause 67 (Applications under Section 96 of the Act).

10 PUBLIC NOTIFICATION

It was determined that the proposal may result in material detriment. Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding properties and by posting two notices on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

Pursuant to Schedule 3 to Clause 37.04-3 (Capital City Zone), and Clause 44.04-6 (Land Subject to Inundation Overlay), an application to construct buildings and works and demolition is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

However in accordance with Section 96(1) of the Act (land owned or permit required by responsible authorities), a responsible authority must obtain a permit from the Minister before carrying out any use or development for which a permit is required under the planning scheme for which it is the responsible authority unless the planning scheme exempts the land, use or development from this sub-section.

Pursuant to Clause 67.01 (Exemptions from Section 96(1) and 96(2) of the Act), in accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

- Use of the land for leisure and recreation,
- Development of the land for a Class 1 Use (as listed above), and demolition of a building or works.

Pursuant to Clause 67.02 and in accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land
- The National Trust of Australia (Victoria), if the application relates to land on which there a building is classified by the Trust.

Notice was therefore given to owners and occupiers of adjoining land. The land does not contain a building that is classified by the Trust.

11 OBJECTIONS

Three objections were received raising the following concerns with the proposal:

- Proposed tree species as per tree planting plan, and
- Impact of construction.

12 CONSULTATION

Following public notice a copy of all objections was provided to the applicant.

13 REFERRALS

13.1 Internal

The application was referred internally as follows:

Internal department	Comments
Urban Design	<p>Council's Urban Design officer provided overall support for the proposal however required further clarification in relation to the proposed planting schedule, and any Water Sensitive Urban Design features.</p> <p>The above recommendations will be included as permit conditions (refer Conditions 1 d) and 3).</p>
Engineering (Traffic)	<p>No objections were offered to the proposal, subject to modifications to show the location of bollards, line marking and paving details. This will be addressed by conditions of approval detailed in the recommendation [refer Conditions 1 a), b) and c)].</p>
Engineering (Civil Design)	<p>Advised works to be to the satisfaction of Parks Services, Parks Victoria and Melbourne Water, with no further changes or conditions required.</p>
Engineering (Waste Management)	<p>Advised scope of works did not require a Waste Management Plan, with no further changes or conditions required.</p>
Urban Forest & Ecology	<p>No objections were offered to the proposal subject to modifications, which are addressed by conditions of approval detailed in the recommendation (refer Conditions 3, 4, 5, 6, and 7).</p>
Aboriginal Melbourne Team	<p>The application was referred to the Aboriginal Melbourne Team and the following comments were provided in regard to the proposed art work:</p> <p><i>This work needs to be done in consultation with all three (3) Traditional Owner Groups, and support Aboriginal economic development by engaging with Aboriginal artists/design specialist to deliver the design element of this project based on the consultations with the Traditional Owner Groups.</i></p> <p>It is noted that, pursuant to Clause 62.02-2, 'art work that is carried out by or on behalf of a public land manager' does not require a planning permit. The consideration of art work is outside the scope of this planning application, however the applicant has agreed to confer with the Aboriginal Melbourne Team in regard to future art work.</p>

13.2 External

Pursuant to Clause 44.04-7, an application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously

agreed in writing between the responsible authority and the floodplain management authority.

The applicant has provided written consent from Melbourne Water, dated 21 August 2019, confirming no objection to the proposal in its current form and no requirement to include any conditions.

14 ASSESSMENT

The application seeks planning approval for partial demolition and buildings and works for the expansion and refurbishment of a portion of the Southbank Promenade.

The key issues for consideration in the assessment of this application are the appropriateness of the demolition and works.

14.1 Capital City Zone (Schedule 3)

Demolition

The proposal seeks approval for the expansion and refurbishment of a portion of the Southbank Promenade, between Evan Walker Bridge and Princes Bridge. The proposed demolition is not of temporary structures, or undertaken by the responsible authority in accordance with the relevant legislation and/or local law, and as such is not exempt under the Melbourne Planning Scheme.

The extent of demolition is to facilitate the development and widening of the promenade. The works are expected to improve amenity and will facilitate the orderly planning of the area. The proposed demolition will be in accordance with the works proposed under this application, and as such satisfies the decision guidelines at Schedule 3 to Clause 37.04, and Clause 65.

Pursuant to Schedule 3 to Clause 37.04:

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- *Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.*
- *Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.*

The proposed demolition is to facilitate the refurbishment of a portion of the Southbank Promenade, to provide improved public open space. Demolition required under the Capital City Zone is considered minor; as such the provision of a Section 173 agreement is not required in this instance.

Buildings and works

Schedule 3 to the Capital City Zone (Southbank) seeks to accommodate a residential and worker population in a pleasant neighbourhood where all public spaces are comfortable, bright and safe and support commercial, retail and community uses along pedestrian corridors.

The proposed works are consistent with the relevant purpose of the Zone, improving public open space and pedestrian corridors to facilitate commercial, retail and community uses. It is of note that only a small portion of the site is within the Capital City Zone, however the proposed works are considered to be an acceptable

response in regard to the decision guidelines of Schedule 3 to Clause 37.04 as summarised below:

- The application was referred to Melbourne Water, who has advised they are supportive of the application.
- The proposal will allow for improved pedestrian movement within and through the area providing wider area for movement.
- Provision of seating, planting and texture pavement will discourage riding at high speeds, with alternate bicycle routes along Flinders Street and St Kilda Road.
- No vehicle access is proposed.
- The proposal is expected to improve the amenity of existing and future development in the locality by providing more accessible public open space and infrastructure for passive enjoyment of the space.
- Landscaping will be provided throughout the proposed area of works. Greater detail of proposed species will be required as a condition of permit.
- The works will improve opportunities for pedestrian engagement through existing street frontages.
- The works are not considered likely to limit the development potential of adjacent sites, nor will the development of adjacent sites result in an unreasonable loss of amenity to the subject site.
- Waste management will be operated by Council.

14.2 Public Park and Recreation Zone

As noted in section 4 of this report, the works are proposed within Crown land under the management of the City of Melbourne and Parks Victoria. The relevant jurisdiction is illustrated in figure 3 below.



Image (above): Land Tenure

Figure 3 – Visualisation of existing land manager arrangements as per advertised plans

The proposed works are to be carried out on behalf of the City of Melbourne. As detailed in section 13.1 of this report, comments have been provided by relevant internal departments and can be addressed by conditions of the permit where relevant. Parks Victoria has provided written consent for the City of Melbourne to lodge this planning application, and advised of its support for the design.

The proposal satisfies the decision guidelines under Clause 36.02-5.

14.3 Land Subject to Inundation Overlay

The north portion of the site is affected by the Land Subject to Inundation Overlay. The works proposed in this area relate predominantly to the provision of a new ramp and staircase and widening of the western portion of the upper promenade.

The proposed works are supported by Melbourne Water, who has noted that the impact of the proposed works on the conveyance of floodwaters will be negligible. Melbourne Water has advised that raising additional sections of the promenade may

not be supported. It is noted that this is not being proposed as part of the current application.

14.4 Decision guidelines at Clause 65

As discussed above, the proposed works are consistent with the decision guidelines listed under Clause 65.01 of the Melbourne Planning Scheme. In particular it is noted that:

- The proposal is consistent with the purpose of the zone and overlays applicable to the site, providing improved public space for residents and the worker population.
- The proposed works are considered to positively affect the amenity of the area, improving accessibility between promenade levels and quality of existing public space.

The proposal satisfies the decision guidelines under Clause 65.

14.5 Aboriginal Heritage Regulations 2018

The subject site is located within an identified area of cultural heritage sensitivity. Pursuant to the Aboriginal Heritage Regulations 2018, a Cultural Heritage Management Plan is required if the site is within an area of cultural heritage sensitivity and all or part of the activity is a high impact activity.

Clause 46 'Buildings and works for specified uses' of Division 5 'High impact activities' of the Aboriginal Heritage Regulations 2018, states:

- 1) *The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—*
 - (a) *would result in significant ground disturbance; and*
 - (b) *is for, or associated with, the use of the land for any one or more of the following purposes—*
 - ...
 - (xv) *a minor sports and recreation facility;*
- 3) *Despite sub regulation (1), the construction of a building or the construction or carrying out of works on land is not a high impact activity if it is for, or associated with, a purpose listed under sub regulation (1)(b) for which the land was being lawfully used immediately before 28 May 2007.*

The area of works has been lawfully used as an 'Informal outdoor recreation (included in minor sports and recreation facility)' prior to 28 May 2007. Furthermore, it is considered that the works will not result in significant ground disturbance, with existing concrete foundations to largely remain intact, with limited excavation for landscaping. As such a Cultural Heritage Management Plan is not required for the proposed works.

14.6 Consent from Department of Environment, Land, Water and Planning

The Department of Environment, Land, Water and Planning (DELWP), as the owner of Crown Allotment 2014 CD056974Y has advised that it has no objection to the proposal, subject to conditions regarding the completion of works in accordance with the advertised plans and a memorandum of understanding being entered into with Parks Victoria regarding responsibility for the reconfigured stairs and access ramps.

The applicant has reviewed the conditions provided by DEL WP, and does not object to their inclusion should a permit issue (refer Conditions 9-13).

14.7 Objector concerns

Two key concerns were raised by objectors regarding the proposal which are discussed below:

Proposed tree species

An objector has raised concerns about the proposed tree species regarding their appropriateness for the location, urban heat island effects and pollen production. The applicant has provided a final tree species plan, omitting the *Washingtonia robusta* (Mexican Fan Palm) and including *Jacaranda mimosifolia* (Jacaranda).

The applicant liaised with Council's Urban Forest and Ecology department prior to lodgement, who advised that the proposal is broadly in line with previous discussions. A condition of permit requires further civil design plans to clarify soil volumes and specifications for new tree planters, as well as final tree species (refer Condition 3).

Construction Impacts

Objections have been raised regarding construction impacts of the proposal on adjoining businesses. Construction activities on-site, including hours and noise, are generally considered and addressed at the building permit stage. A standard permit condition requiring the provision of a Construction Management Plan will be included as a condition of permit (refer Condition 8).

14.8 Conclusion

It is considered that the proposal is consistent with the relevant sections of the Melbourne Planning Scheme, as discussed above, and that a Notice of Decision to Grant a Permit be issued for the proposal subject to the following conditions:

15 RECOMMENDATION

That a Notice of Decision to Grant a Permit be issued subject to the following conditions:

Revised Plans

1. Prior to the commencement of any demolition, construction or carrying out of works on the land, the applicant must submit to the Responsible Authority plans drawn to scale generally in accordance with the plans dated 23 August 2019 but amended to show:
 - a) Details of proposed paving to define pedestrian and cyclist areas
 - b) Location of proposed bollards
 - c) Location of all regulatory and other signage and line marking
 - d) Details of any Water Sensitive Urban Design features

Compliance with endorsed plans

2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

Civil Design Plans

3. Prior to the commencement of any works, plans for endorsement must be provided to the satisfaction of the City of Melbourne Urban Forest and Ecology team that show optimal soil volumes and soil specifications for new tree planters, as well as final tree species.

Tree Protection Plan

4. Prior to the commencement of any works, a Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority (Urban Forestry & Ecology) for any public trees that may be affected by the works. The TPP must be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
 - a. City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
 - b. Reference to the finalised Construction and Traffic Management Plan.
 - c. Site specific details of the temporary tree protection fencing to be used to isolate public trees from the construction activities or details of any other tree protection measures considered necessary and appropriate to the site.
 - d. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public tree. These must be provided for any utility connections or civil engineering works.
 - e. Full specifications of any pruning required to public trees.
 - f. Any special arrangements required to allow ongoing maintenance of public trees for the duration of the works.
 - g. Details of the frequency of the Project Arborist monitoring schedule

Public Tree Protection

5. All works within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist (Project Arborist) where identified in the report, except with the further written consent of the Responsible Authority.
6. The name of the Project Arborist must be provided to the Responsible Authority prior to the commencement of any works.

Public Tree Removal

7. Approval for any public tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.

Construction Management Plan

8. Prior to the commencement of the development, including demolition, a detailed construction and demolition management plan must be submitted to

and be approved by the Responsible Authority – Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to consider the following:

- a) public safety, amenity and site security.
- b) operating hours, noise and vibration controls.
- c) air and dust management.
- d) stormwater and sediment control.
- e) waste and materials reuse.
- f) traffic management.

Department of Environment, Land, Water and Planning Conditions

9. The works are to be carried out generally in accordance with the public notice and advertising documents received for Planning Permit application number TP-2019-703 for 'renewal works to Southbank Promenade public realm between Walker Bridge and Princes Bridge, Southbank
10. Any modification to the works proposed will require further approval by the Program Manager Planning Approvals, Land and Built Environment Programs, Port Phillip Region, DELWP.
11. A memorandum of understanding between Parks Victoria and the City of Melbourne agreeing to transfer Committee of Management responsibility for areas relation to the reconfiguration of the stairs and access ramps between the upper and lower promenade must be entered into and provided to DELWP prior to works commencing.
12. All works must be completed and maintained to the satisfaction of Melbourne City Council or Park Victoria, as the applicable land manager.
13. 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 Program Manager Planning Approvals, Land and Built Environment Programs, DELWP.

Permit Expiry

14. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.