

**Report to the Future Melbourne (Planning) Committee**

Agenda item 6.2

**Ministerial Planning Referral: ID-2021-4  
Melbourne Arts Precinct Transformation, Southbank**

1 February 2022

**Presenter:** Marjorie Kennedy, Head of Statutory Planning**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee (FMC) of Melbourne Planning Scheme Amendment C356MELB (the Amendment) which seeks to facilitate the redevelopment of land within the Melbourne Arts Precinct, Southbank (refer Attachment 2 – Locality Plan).
2. The applicant is Development Victoria c/- Urbis, land ownership is Development Victoria, and the architect is Hassell / SO-IL (Master Plan only).
3. The Amendment request was made to the Minister for Planning under section 20(4) of the *Planning and Environment Act 1987* (Act) and is referred to Council for comment under section 20(5) of the Act.
4. The Amendment seeks to introduce a new site specific planning control via a new schedule to the Specific Controls Overlay (SCO) and Incorporated Document (ID) 'Melbourne Arts Precinct Transformation Project, Phase One, November 2021'. The ID is a Master Plan for the site and defines the land uses, building envelope and public open space to be delivered; with detailed development plans subject to conditions.
5. The Master Plan (Phase One) includes construction of the NGV Contemporary (NGVC), a new gallery dedicated to contemporary art and design at 77 Southbank Boulevard; the closure of Sturt Street (via a separate Road Closure Overlay) to vehicle traffic between City Road and Southbank Boulevard; an elevated deck above Sturt Street for a new public realm, comprising 18,000 m<sup>2</sup> of public open space, including green space, outdoor art and performance space; and upgrades to the Arts Centre Melbourne Theatres building, mostly back-of-house.
6. The proposed Amendment is a culmination of a collaborative process between the Council, the Department of Environment, Land, Water and Planning (DELWP) and Development Victoria that was initiated given the strategic significance and opportunities of the project.

**Key issues**

7. Key issues arising from the proposed Amendment relate to gateways and connections within and through the precinct; design and activation of the public realm; the building envelope including the height and building projections of the new NGVC building at 77 Southbank Boulevard and associated visual, amenity, urban design and infrastructure impacts; and traffic management impacts associated with the closure of Sturt Street.
8. The proposed land uses align with the Capital City Zone Schedule 7, noting that the ID exempts the proposal from the Planning Scheme land use and built form controls.
9. It is considered that these important matters are resolvable and is therefore recommended that these key issues are addressed in an amended Master Plan to guide future planning applications and ultimately deliver high quality outcomes.
10. Recommendations include additional contextual analysis; landscaping and tree replacement details; dedicated cycling connections; absolute maximum massing envelopes to understand cumulative effects on precinct character, visual perspectives, overshadowing of Southbank Boulevard linear park, wind conditions, and pedestrian amenity; building envelopes contained entirely within the site's title boundaries; and consultation with City of Melbourne Traffic Engineering department to ensure concerns and queries around the Sturt Street closure and traffic management in and around the precinct is resolved.
11. The Melbourne Arts Precinct Transformation vision, ambitions to enhance precinct connectivity, extension of the raised public realm and overall reinvigoration of the precinct will have a significant benefit to the character and activation of Melbourne and the state of Victoria. The project in general is strongly supported.

### **Recommendation from management**

12. That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that further detail is required to be provided in the Master Plan before the Melbourne City Council is able to support Melbourne Planning Scheme Amendment C356MELB, as outlined in the delegate report (refer to Attachment 4 of the report from management).

### **Attachments:**

1. Supporting attachment (Page 3 of 147)
2. Locality Plan (Page 4. of 147)
3. Plans (Page 5 of 147)
4. Delegate Report (Page 97 of 147)

## Supporting Attachment

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### Legal

1. The Minister for Planning is the Planning Authority for determining this amendment request.
2. It is the responsibility of DELWP on behalf of the Minister for Planning to consult with the responsible authority or any other person before exercising the powers under subsection (2) or (4) of section 20 of the Act.
3. The Minister for Planning is consulting with the Council under section 20(5) of the Act.

### Finance

4. There are no direct financial issues arising from the recommendations contained within this report. The publically accessible open space remains in private ownership and avoids Council responsibilities with regard to maintenance and damage.

### 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 material or general conflict of interest in relation to the matter of the report.

### Health and safety

6. Relevant planning considerations such as traffic and waste management, potential amenity impacts and potentially contaminated land that could impact on health and safety have been considered within the incorporated document application and assessment process.

### Stakeholder consultation

7. The amendment request was made under section 20(4) of the Act and referred to the Council under section 20(5) of the Act.

### Relation to Council policy

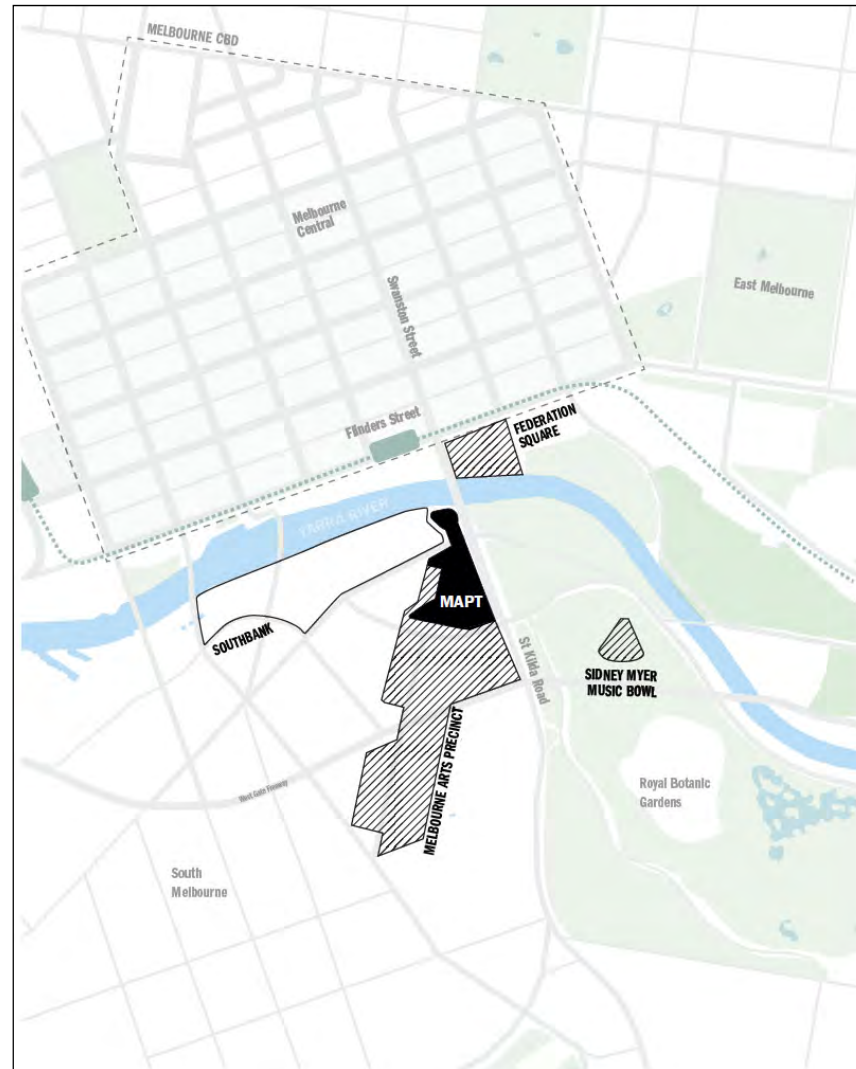
8. Relevant Council policies are discussed in the attached delegate report (refer to Attachment 4).

### Environmental sustainability

9. The ID requires the following Environmentally Sustainable Design (ESD) performance standards that achieve the current measures and generally align with Council's proposed Melbourne Planning Scheme Amendment C376 – Sustainable Building Design:
  - 9.1. A minimum 5.5 Star NABERS Energy rating including a signed NABERS Commitment Agreement and associated energy modelling.
  - 9.2. A minimum 3 points for Water Use credit 25 under the Green Star Buildings.
  - 9.3. A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's Guidelines for Waste Management Plans.
  - 9.4. A minimum 5 Star Green Star Buildings certified rating or equivalent.
  - 9.5. A minimum 6 Star Green Star Communities certified rating or equivalent.
  - 9.6. Achieve Climate Active Carbon Neutral Standard or equivalent.
  - 9.7. A minimum 0.55 using City of Melbourne's Green Factor Tool.
10. Within 12 months of occupation of the final stage of the development, a report must be submitted to and approved by the Minister for Planning, which details the initiatives implemented within the completed development that achieve the performance outcomes specified in the endorsed ESD Statement.

# Locality Plan

## Melbourne Arts Precinct (Melbourne Arts Precinct Transformation)





# **MELBOURNE ARTS PRECINCT TRANSFORMATION**

## **ACKNOWLEDGEMENT OF COUNTRY**

**We acknowledge the Wurundjeri Woi-wurrung peoples as the Traditional Owners of the land on which the Melbourne Arts Precinct is located. We celebrate the history and contemporary creativity of the world's oldest living culture, and pay respect to Elders past and present.**

**The MAPT project partners recognise the Wurundjeri Woi-wurrung's continuing connection to this land now and into the future, and this Master Plan provides for the inclusion of Traditional Owners and First Peoples in the project's delivery and ongoing operation.**









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### Document Control

Rev	Date	Approved By	Description
1	30/08/2021	BD	For Submission

# 1. MELBOURNE ARTS PRECINCT TRANSFORMATION

## 1.1 INTRODUCTION

The Melbourne Arts Precinct is the premier creative and cultural destination in Melbourne, boasting one of the highest concentrations of arts, cultural and creative organisations in the world.

It includes some of Victoria's most important arts and cultural facilities, including NGV International (NGVI) and Arts Centre Melbourne, alongside the best arts education and training institutions, art galleries, theatres, music venues, public art, studios, creative co-working spaces and more. The Melbourne Arts Precinct drives Melbourne's reputation as one of the world's most accessible and liveable cities.

The Melbourne Arts Precinct Transformation (MAPT), announced by the Victorian Government in 2018, is the largest single cultural infrastructure project that Australia has seen. It is a once-in-a-generation city shaping project that will redefine Melbourne's cultural offering through innovative, bold and well-integrated design.

### Background

The location of the Melbourne Arts Precinct has long been a place for gathering, storytelling, ceremony and celebration beginning with the area's Traditional Owners

over millennia. The People of the Kulin Nations have gathered on the site for thousands of years and continue to do so today.

In the nineteenth and early twentieth centuries, circus, theatre, cinema and dance halls proliferated, and the area was reserved for cultural purposes by the Victorian Government in 1946. The National Gallery of Victoria (NGV) opened in its new location on St Kilda Road in 1968 and Arts Centre Melbourne opened its concert venue, now called Hamer Hall, in 1982, followed by the Theatres Building, and the iconic Spire in 1984. Today there are more than 30 leading arts, media and arts education institutions based in the precinct.

Following extensive investigation and consultation with precinct and other cultural stakeholders over many years, the 2014 Melbourne Arts Precinct Blueprint highlighted the importance of the Sturt Street spine and advocated for it to be elevated and pedestrianised to connect the broader precinct with St Kilda Road and Flinders Street Station.

The Melbourne Arts Precinct Blueprint led to the announcement of the Melbourne Arts Precinct Transformation in June 2018, with the State government announcing this once-in-a-generation project by investing an initial \$208 million to commence the design and planning activities. In 2020-21 the State government committed a further \$1.46 billion to deliver Phase One of the MAPT and lay the groundwork for Phase Two.



Artist's Impression: MAPT Public Realm looking south towards Southbank Boulevard (indicative representation)

# 1.2

## MAPT VISION

**The Melbourne Arts Precinct Transformation (MAPT) will change the face of Melbourne’s cultural offering; cement Melbourne’s positioning as the cultural capital of the Asia-Pacific region; bolster the state’s creative industries; and create a must-visit global destination for generations.**

**Victoria’s signature arts and cultural attractions, Arts Centre Melbourne (ACM) and NGV International, will be joined by the new National Gallery of Victoria Contemporary (NGV Contemporary), a Reimagined Arts Centre Melbourne and ACM’s new Centre for Creativity at 1 City Road. Enhancing and connecting these architectural and cultural icons will be a new 18,000 square metre public space featuring gardens, art, sculpture, hospitality and performance areas.**

**MAPT will enable visitors to move seamlessly from Southbank, the Birrarung and the city through the Melbourne Arts Precinct extending from Federation Square in the north and the length of Sturt Street in the south. Beyond the bounds of the main precinct, visitors will be in easy reach of the Sidney Myer Music Bowl, the iconic Royal Botanical Gardens and the wide array of galleries, theatres, music venues, public art, studios, and creative co-working spaces in the area.**

**Featuring creative installations, activations, and performances in the public space, the MAPT will bring the excitement, colour, and inspiration that we find inside Melbourne’s theatres and galleries into the outdoors.**

1.2 MAPT Vision

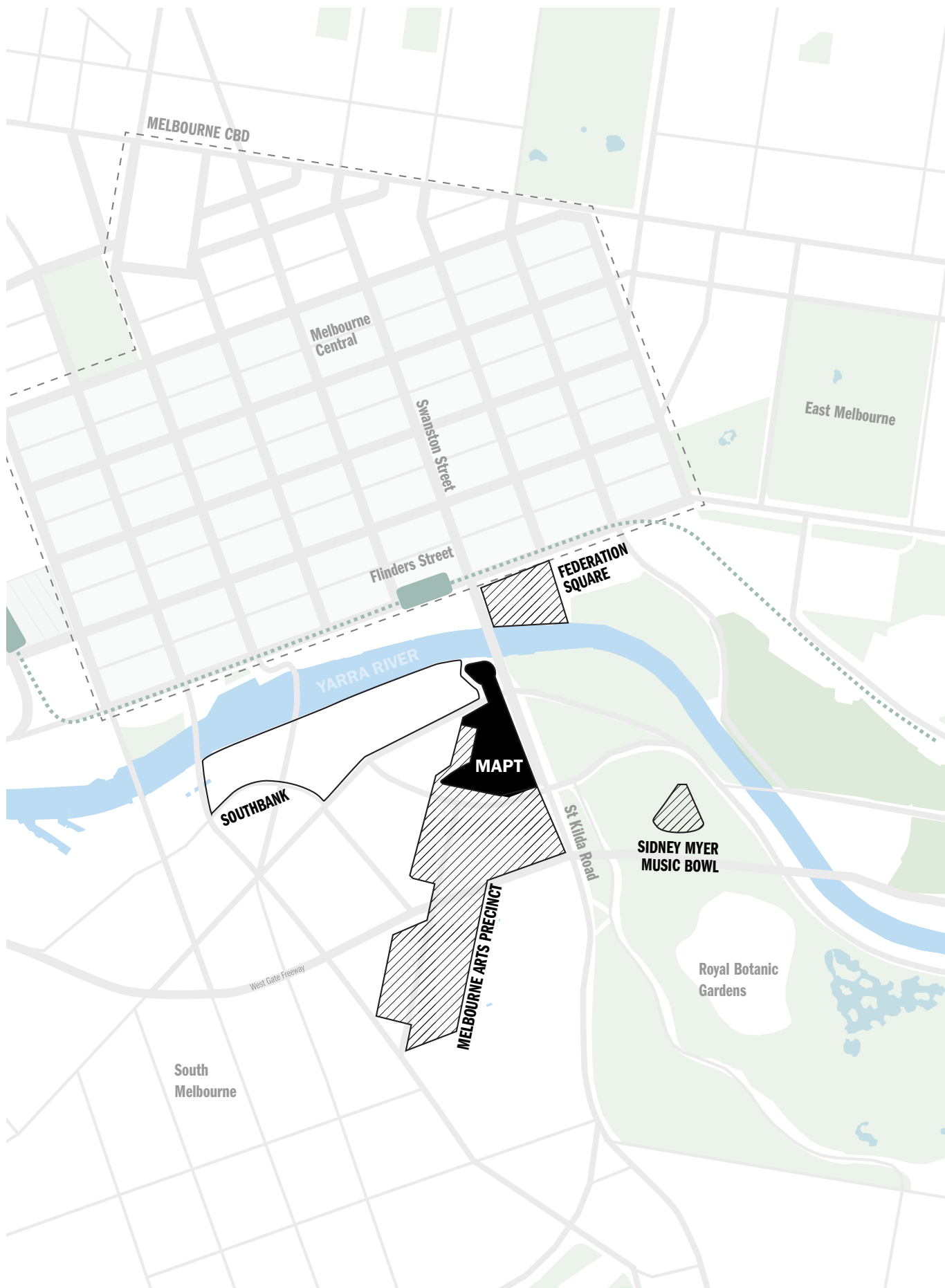


Diagram - Site Context Diagram showing Melbourne Arts Precinct as defined by Department of Jobs, Precincts and Regions

# 1.3 PROJECT PHASING

## 1.3.1 Project Phasing

The MAPT will be delivered in two Phases.

### Phase One (to be delivered by Amendment C356melb)

In the November 2020 Budget announcement the Victorian government committed funding for Phase One of the MAPT project, comprising the following component projects:

- National Gallery of Victoria Contemporary (NGVC): a new gallery dedicated to contemporary art and design
- Public Realm: A unique new 18,000sqm immersive public realm in the heart of the precinct, including space for outdoor art and performances
- Reimagining Arts Centre Melbourne (RACM) Stage 2A: Upgrade works to the Arts Centre Melbourne Theatres Building including a new loading dock, Studio and Green Room. The RACM Stage 2A deck structure will connect the Theatres Building with the future Centre for Creativity at 1 City Road and support the public realm over
- An integrated network of shared services that will ensure the seamless and sustainable operations of the precinct and its venues into the future
- The closure of Sturt Street to public vehicles from City Road to Southbank Boulevard.

### Phase Two (not delivered by Amendment C356melb)

In combination with the projects of Phase One, the below additional projects will be delivered in MAPT Phase Two, following a future investment decision by Government. Phase Two works will be delivered through future statutory planning processes. The below component projects will be delivered in MAPT Phase Two, subject to future funding:

- RACM Stage 2B - 4: A wholly reimagined Arts Centre Melbourne Theatres Building, beneath the iconic spire. The RACM project will be delivered in numerous future stages to ensure the ongoing operation of the Theatres Building
- Centre for Creativity: A new building at 1 City Road, run by Arts Centre Melbourne, with spaces and facilities for Victoria's small to medium and independent arts sector, a new performing arts gallery and an expanded Australian Music Vault.

The Australian Ballet is an integral member of the Victorian arts community with their headquarters, the Primrose Potter Australian Ballet Centre, located centrally within the Melbourne Arts Precinct. The building is a prominent landmark with a direct interface to the MAPT precinct and is a logical inclusion in the MAPT precinct masterplan. MAPT Project Phase One masterplan considers the benefits afforded by greater integration

between the public realm, the Ballet Centre building and façade. To maximise the potential of creative industry uses overall, incorporating The Australian Ballet site into the MAPT precinct will enable a well-considered, holistic approach to the long term vision and master planning of the new Melbourne Arts precinct and will contribute to the viability and vitality of MAPT. Opportunities for further development of the Primrose Potter Australian Ballet Centre site through consideration of existing and future uses, enhanced built form outcomes to key building interfaces, improved integration of performance spaces, with neighbouring sites and the wider public realm will be considerations for the MAPT Phase Two planning processes.

The Project Partners, Melbourne Arts Precinct Transformation Corporation (MAPT Co), Development Victoria (DV), National Gallery of Victoria (NGV), Arts Centre Melbourne (ACM) and Creative Victoria (CV) are responsible for the delivery of the MAPT and the realisation of the MAPT vision.

## 1.3.2 Phase One

The four component projects of MAPT Phase One and their current status are summarised below:

### → NGV Contemporary

A national Design Competition for the NGV Contemporary (NGVC) is currently underway. The Competition process is expected to conclude in early 2022 with the selection of a visionary building design by a multi-disciplinary Australian design team.

### → Public Realm

The design of the Public Realm will be progressed in 2022 following the outcome of the NGV Contemporary competition process and in accordance with the Master Plan objectives and principles.

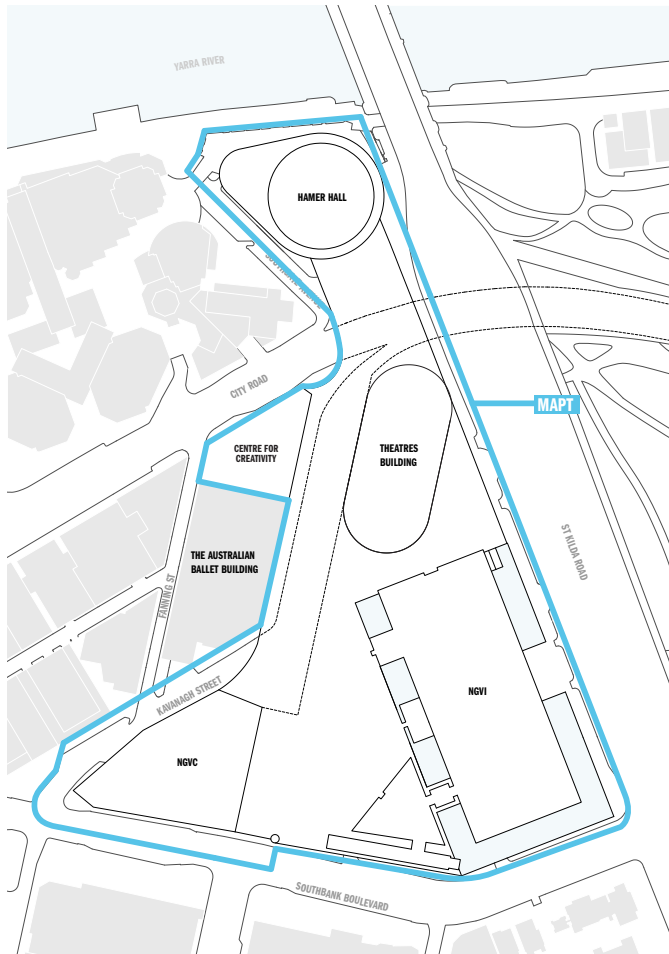
### → RACM

Detailed design of the Reimagining Arts Centre Melbourne project is in development. To date preliminary critical asset maintenance works have been undertaken and installation of a new fly system for the State Theatre is complete. Arts Centre Melbourne has also been funded to undertake immediate, necessary upgrades to the building while continuing to plan and prepare for its major redevelopment in Phase Two.

### → Shared Services

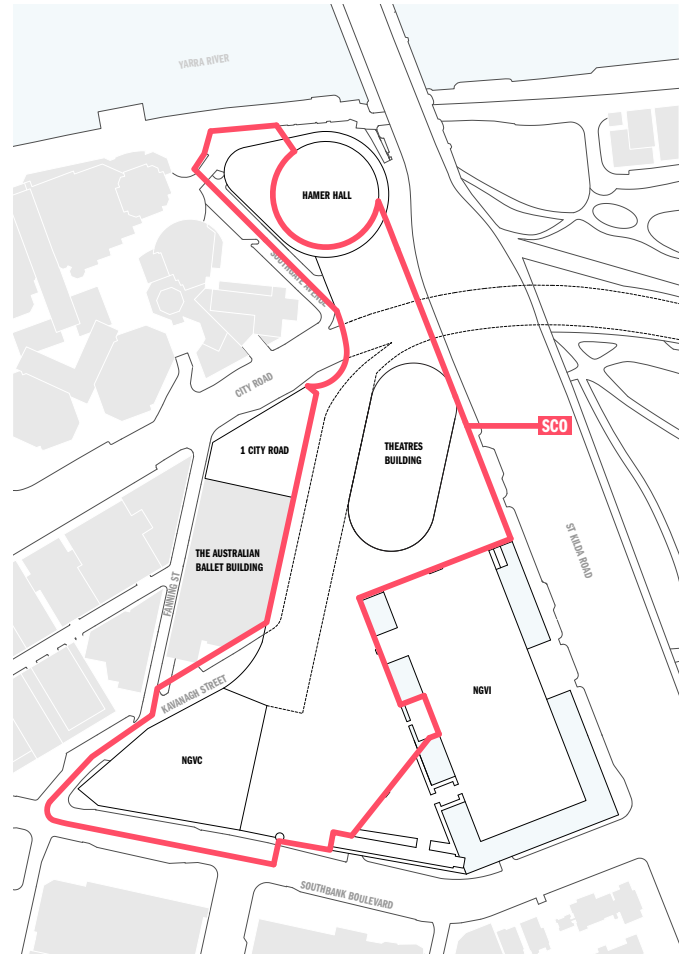
A precinct wide Services Strategy has been proposed for the operations and future flexibility of the MAPT. The strategy will be integral to the effective delivery and operation of all MAPT facilities, including the Public Realm and is underpinned by the sustainability principles and practice that have shaped the MAPT.

### 1.3 Project Phasing



#### The MAPT

The Melbourne Arts Precinct Transformation project area includes works which will be delivered in two phases.



#### MAPT Phase One - Area

Works to be delivered as part of MAPT Phase One are included within the boundary of the Specific Controls Overlay, as shown above.

The MAPT Phase One area incorporates:

- Sturt Street from City Road through to Southbank Boulevard
- The existing site at 77 Southbank Boulevard
- The existing public open space surrounding the Arts Centre Theatres Building and the National Gallery of Victoria International
- Kavanagh Street (in part to support NGVC indicative design envelope)
- Southbank Boulevard (part)
- Southgate Avenue (part)

# MAPT PHASE ONE



Artist's Impression, Aerial from the south Boulevard (Indicative representation)





# 2.

# URBAN CONTEXT

## 2.1

## URBAN CONTEXT

The MAPT project area sits within a greater urban renewal project, called the Richmond to Flinders Street Precinct, which is being led by Department of Transport. Richmond to Flinders Street will be filled with thriving public spaces. It houses world-class sport, arts, cultural and entertainment facilities.

### North

The Southbank Promenade and the Yarra River is located directly to the north of the MAPT and interfaces with Hamer Hall at both river promenade and St. Kilda Road level.

To the north east is Federation Square, Melbourne's globally iconic destination of galleries, hospitality venues and gathering places. Directly north, across the river, is the Flinders Street Station and the greater Melbourne central business district, with access to the precinct via the Princes Bridge.

### East

St Kilda Road forms the eastern boundary of the MAPT. Across this major road are the Domain Parklands and the Botanical Gardens. The public parks of Alexandra Gardens and the Queen Victoria Gardens. Across Linlithgow Avenue to the south-east are Tom's Block, Kings Domain and the Sidney Myer Music Bowl. The Alexandra and Queen Victoria gardens feature ornamental gardens while Tom's Block and Kings Domain are of parkland character.

### South

The Melbourne Arts Precinct continues to the south of the MAPT project area. Directly south along Southbank Boulevard sit the ABC Southbank Centre, The Melbourne Recital Centre, Melbourne Theatre Company's Southbank Theatre, the Buxton Contemporary Gallery and the Southbank Campus of the University of Melbourne. Further along Sturt Street sits Australian Centre for Contemporary Art (ACCA), The Malthouse Theatre and Victorian College of Arts Secondary School. The area to the south of the MAPT is comprised of a mix of land uses, building types and scales.

### West

The area west of the MAPT is a mix of commercial, residential and retail buildings of varying scales. The built form grows rapidly from the 26m of the Primrose Potter Australian Ballet Centre (The Australian Ballet Centre) on Sturt Street to the 317m residential tower of Australia 108 which is 170m west along Southbank Boulevard. To the northwest directly across Southgate Avenue is the Southgate development of retail, hospitality and commercial use, the Quay West Suites hotel and the residential Southbank Apartments. The major buildings to the west of Fanning and Kavanagh Streets are the Mantra Southbank Melbourne and the Quest Southbank hotels, and the residential towers at 8 and 18 Kavanagh Street. The major arterial of City Road runs beneath the deck structure of the northern part of the MAPT project area and continues as Alexandra Avenue to the east.

2.1 Urban Context



Diagram: Urban Context

Legend:

- 1. Flinders Street Station - Transport
- 2. Federation Square - Commercial / public space / arts
- 3. (ACM) Hamer Hall - Arts
- 4. Australian Ballet Centre - Arts
- 5. 1 City Road - Arts
- 6. (ACM) The Theatres Building - Arts

- 7. NGV International - Arts
- 8. 77 Southbank Boulevard - Arts / commercial
- 9. Grollo Equiset Garden - Arts
- 10. Alexandra Gardens - Public gardens
- 11. Queen Victoria Gardens - Public gardens
- 12. Southgate Plaza - Commercial
- 13. ABC - non commercial

- 14. Melbourne Recital Centre - Arts
- 15. Ian Potter Southbank Centre - Education
- 16. University of Melbourne - Education
- 17. Kings Domain - Public garden
- 18. ACCA - Arts
- 19. (ACM) Sidney Myer Music Bowl - Arts
- 20. Melbourne Theatre Company Southbank Theatre - Arts

# 2.1 URBAN CONTEXT

## Surrounding Built Form

→ The surrounding built form is a mixture of residential, commercial, institutional, and educational buildings. The immediate area to the west of Sturt Street, and south of Birrarung Marr, has several residential and commercial towers that are between 80m and 130m in height. The buildings to the South of Southbank Boulevard are predominately between 10m to 60m in height.

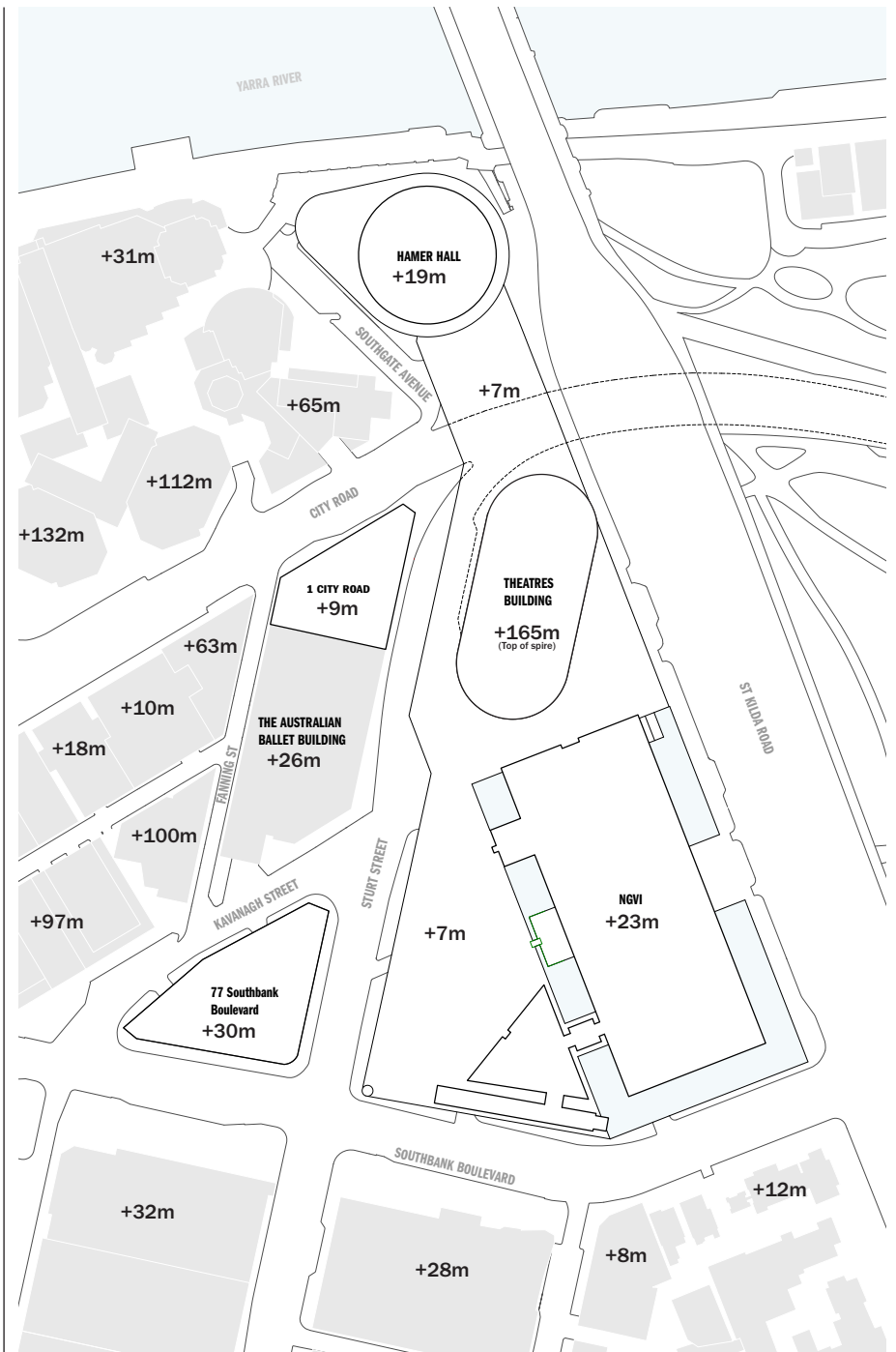







Diagram - surrounding building (approximate) heights

2.1 Urban Context

**Existing Road Network**

- **City Road**  
City Road is a Primary Arterial Road and is a VicRoads declared road and is aligned generally in a northeast –southwest direction.
- **St Kilda Road**  
St Kilda Road is a Primary Arterial Road generally aligned in the north-south direction. The road contains a central carriageway in addition to adjoining service roads. The central carriageway is configured as a two-way two-lane road, with separate centrally located tram facilities. Bicycle lanes are provided between the parking and traffic lanes in the service roads.
- **Southbank Boulevard**  
Southbank Boulevard functions as a Council controlled ‘Major Road’ and is aligned generally in an east-west direction. Trams operate along Southbank Boulevard between St Kilda Road and Sturt Street.
- **Sturt Street**  
Sturt Street functions as a ‘Major Road’ and is a VicRoads declared road. Sturt Street provides access to The Theatres Building and NGVI.
- **Kavanagh Street**  
Kavanagh Street between Sturt Street and Southbank Boulevard functions as a local street and is aligned in a northeast – southwest direction.

- Legend:
-  Vehicles (heavy traffic flow)
  -  Vehicles (City Rd under St Kilda road)
  -  Vehicle (light traffic flow)
  -  Trams
  -  Primary cycling route

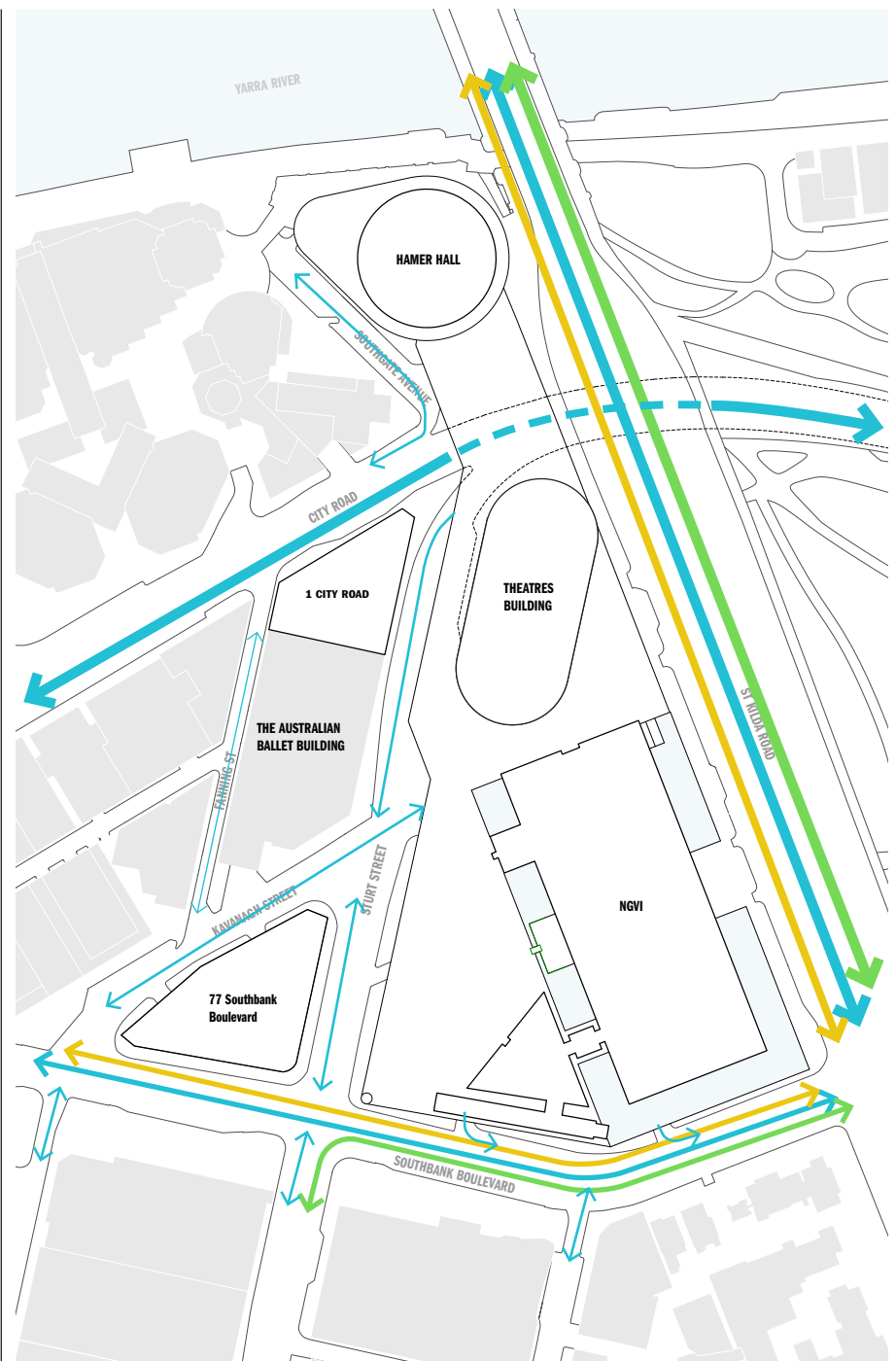


Diagram - surrounding road network

# 2.2

## EXISTING ARRANGEMENT

The MAPT project area features existing cultural buildings, an experimental and temporary arts space (Testing Grounds at 1 City Road), a commercial office building (77 Southbank Boulevard), public open space and a public road. The cultural buildings are iconic featuring strong geometric forms suitable to their public context.

### Hamer Hall (ACM)

Clearly visible from afar, Hamer Hall is a recognisable presence on the Birrarung / Yarra River. Its distinct circular geometry is bounded by the intersection of St Kilda Road to the east, Southbank Promenade to the north, and City Road to the south. The recently refurbished concert hall building contains a 2100 seat concert hall, storage facilities, and restaurants. Hamer Hall has its main public frontages along St Kilda Road and Southbank Promenade, with loading from Southgate Avenue.

### The Theatres Building (ACM)

The Theatres Building is iconic in the Melbourne landscape. Its distinctive and highly visible spire is a beloved symbol of both the Melbourne Arts Precinct and the city of Melbourne. The building, that exists predominantly underground, contains the State Theatre, Playhouse Theatre, and the Fairfax Studio.

The main public entrance of the Theatres Building is from St Kilda Road, with loading from Sturt Street. Patrons of the Theatres Building can enter the building directly from the Arts Centre Melbourne Car Park accessible from Sturt Street. The Arts Centre Melbourne complex, including Hamer Hall, the Theatres Building and its grounds, are on the Victorian Heritage Register.

### NGV International

Opened in 1968, the NGV International is Australia's oldest, largest, and most visited gallery. Its rectilinear geometry forms an abrupt edge to the corner of St Kilda Road and Southbank Boulevard.

The main entrance of the NGV International is from St. Kilda Road with a smaller secondary entrance along its northern façade available for larger groups and loading. The water wall entrance and moat along its eastern façade is a key feature of the building's architecture. The NGV International and its grounds is on the Victorian Heritage Register.

### 1 City Road

1 City Road was acquired in 1983 by the State of Victoria as Crown Land and is reserved for arts purposes.

Since October 2013 it has been occupied by 'Testing Grounds'. This experimental outdoor arts space activates the vacant site at 1 City Road. Its infrastructure includes four indoor spaces and a large multipurpose outdoor area. The site will be cleared in late 2022, as part of the MAPT Phase One works and occupied temporarily in support of construction activities.

### 77 Southbank Boulevard

77 Southbank Boulevard is a six storey 9000m<sup>2</sup> commercial office building. In 2018 this site was acquired by the State of Victoria for the development of NGV Contemporary. The existing building on this site will be demolished as part of the MAPT Phase One works.

## 2.2 Existing Arrangement

### Public Spaces

Public, open space consist of a primarily grassed area that runs from the south of Hamer Hall, past the western side of Theatres Building to meet the Grollo Equiset Gardens to the west of NGV International. A contiguous paved area links the forecourt of the Theatres Building and the NGV International, providing access between the two iconic buildings to the Grollo Equiset garden. Significant raised garden beds frame the grassed open space south of Hamer Hall and the paved area between the Theatres Building and the NGV International along the northern façade of the latter. All the public spaces south of Hamer Hall have green roofs, built either on the deck structure over City Road or over the Arts Centre Carpark and Theatres Building below.

There are three important features of the public spaces:

- **Forward Surge**  
The sculpture *Forward Surge*, by Inge King, was installed on the lawn south of Hamer Hall in 1981. It consists of four reinforced, hollow steel 'waves' which are painted black. In 2018 the sculpture was determined to be a place of State-level cultural heritage significance and was included in the Victorian Heritage Register.
- **Grollo Equiset Gardens**  
The Grollo Equiset Garden is an enclosed garden at the rear of the NGV International that dates back to 1967. It is one of Melbourne's most successful twentieth-century green roof gardens. The garden serves as an extension to the gallery experience and provides a venue for art, architecture, design and music.
- **Nautilus**  
Located along St Kilda Road, 'Nautilus' is a memorial to Roy Grounds, the architect of the Arts Centre

and National Gallery of Victoria. The steel fountain sculpture represents the source of water for the adjacent NGV moat whilst providing the necessary exhaust to the Theatres Building.

### Sturt Street

Sturt Street is a public street which bisects the MAPT project area in a north-south direction and provides access from City Road southward. Sturt Street provides vehicle access to the Arts Centre Melbourne Car Park and 1 City Road as well as to the loading areas of the Theatres Building and NGV International.

### Kavanagh Street

Kavanagh is a public street which bounds 77 Southbank Boulevard to the north and provides access to the Arts Centre Melbourne carpark from the west. Kavanagh Street intersects Sturt Street at its midpoint through the project area. Kavanagh Street is framed by The Australian Ballet Centre along its northern edge. The Australian Ballet Centre has its primary building entrance and carpark entrance on Kavanagh Street.

### Southbank Boulevard

Southbank Boulevard is public roadway framing the MAPT area along its southern boundary. It incorporates a cyclist path along its northern edge and public open space along its southern edge.

# 2.2 EXISTING ARRANGEMENT

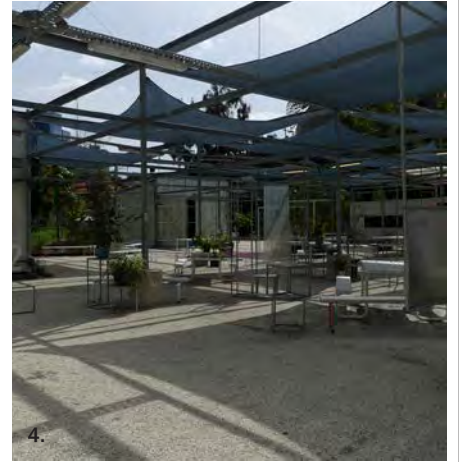
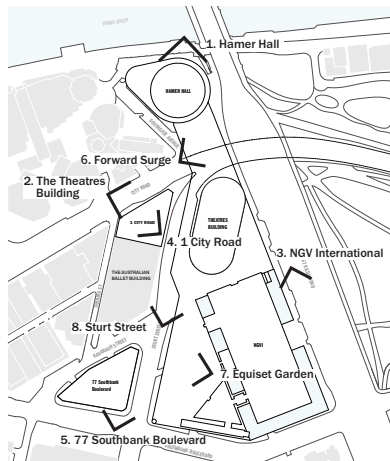


Diagram:

Key map showing location and view point of images



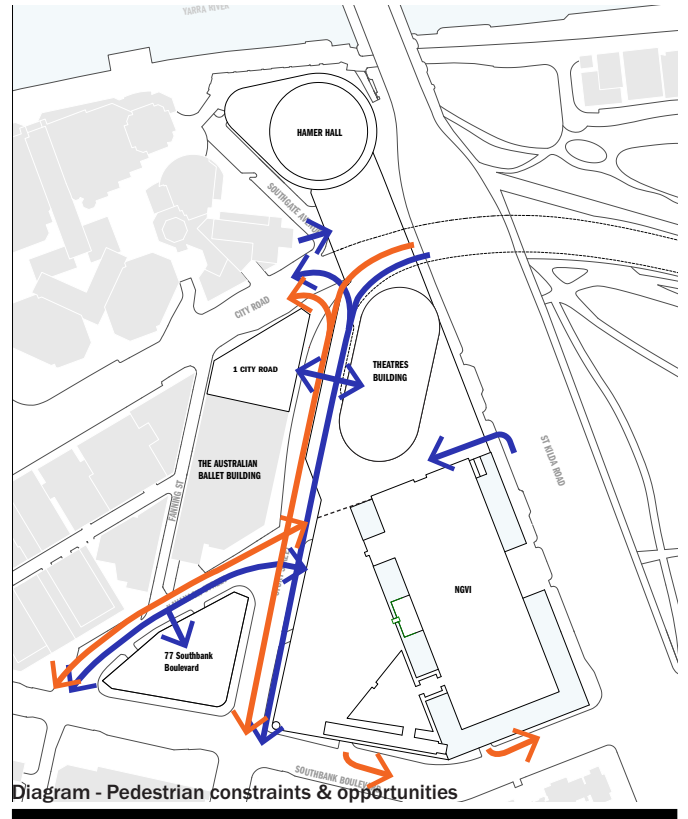
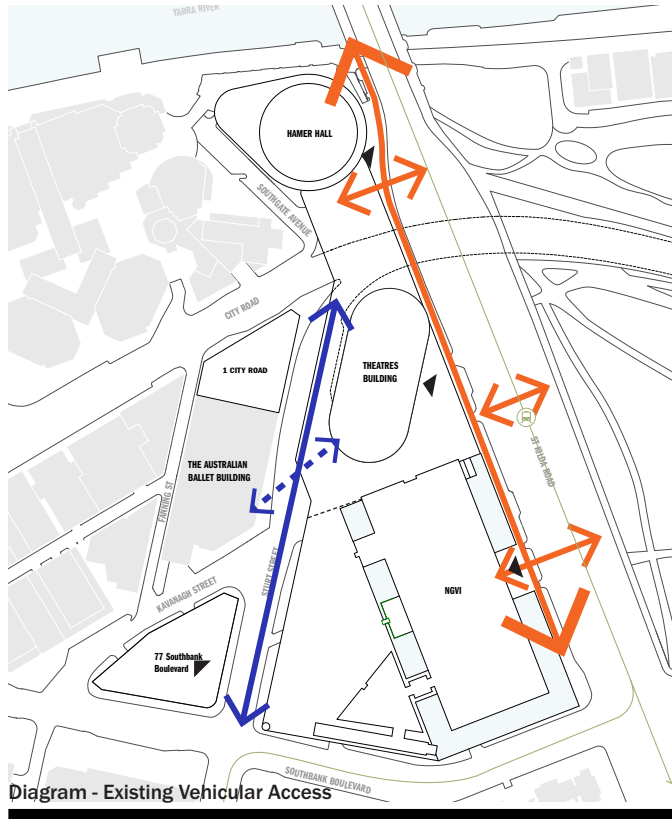


## 2.2 Existing Arrangement



2. Urban Context

# 2.3 CONSTRAINTS & OPPORTUNITIES



### Pedestrian Movement & Activation

- NGV International, ACM Theatres Building and Hamer Hall have their public frontages to the east, concentrating pedestrian movement and activation of the site along St Kilda Road. There is no direct north-south pedestrian connection through the site.
- The existing east-west pedestrian connections across the site are challenged by changes in level and physical barriers preventing clear lines of site.
- There is good public transport access from Finders Street Station and tram stops along St Kilda Road and Southbank Boulevard.
- There are significant changes in topography across the site with multiple level changes for pedestrians to navigate.
- There is significant opportunity to increase pedestrian movement and activation to the north, east and south and to enhance pedestrian access from Southbank Boulevard, Kavanagh Street, City Road and the south bank of the Yarra River.
- There is opportunity for a new public realm to provide universally accessible pathways to improve pedestrian movement for all.

Legend:

- Grollo Equiset Garden (gate)
- Pedestrian movement St Kilda Road
- Pedestrian movement Sturt St
- Tram stop and route
- ▲ Main Entrances

### Vehicular Access & Loading

- Existing vehicular access to the loading areas of the Theatres Building, NGV International and the Arts Centre Melbourne public car park is from Kavanagh Street and Sturt Street.
- Vehicular traffic for the Theatres Building loading mixes with public vehicles accessing the Arts Centre Melbourne Carpark, from City Road.
- The opportunity exists to make Sturt Street a dedicated loading area for the precinct, optimising operations for the existing and new buildings of the MAPT, whilst maintaining ACM car park access via Kavanagh Street.
- The new deck structure over Sturt Street provides an opportunity to separate vehicular traffic from pedestrian movement along this section of Sturt Street.
- The building frontages of the proposed new NGV Contemporary and Centre for Creativity along Southbank Boulevard and City Road respectively, present opportunities for additional bus/taxi drop off areas to support those currently on St Kilda Road.
- Kavanagh Street provides vehicular access, carpark entry and drop off for the Australian Ballet Centre which will need to be considered and maintained in any revised traffic arrangement.

Legend:

- Grollo Equiset Garden (gate)
- Public vehicles
- Loading & service vehicles

### 2.3 Constraints & Opportunities

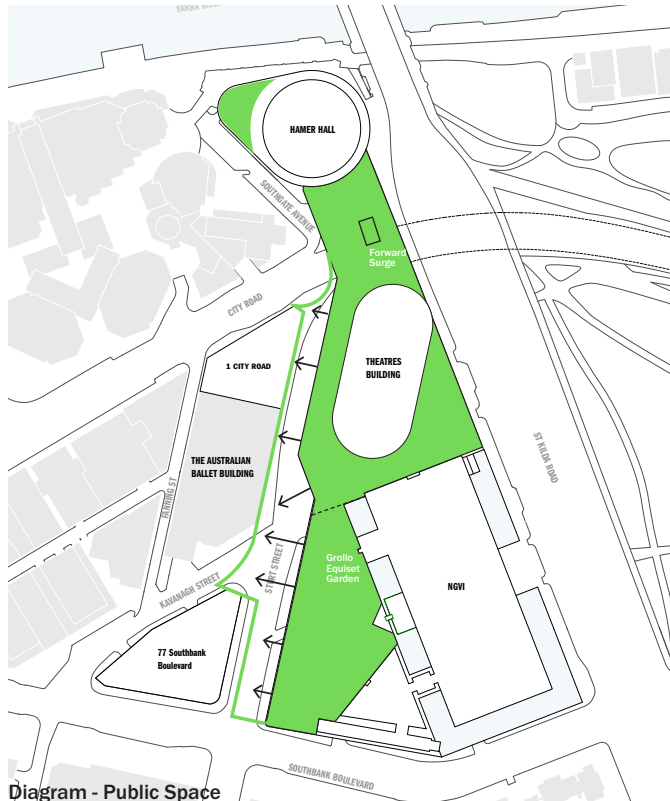


Diagram - Public Space

#### Public Space

- The new deck structure over Sturt Street provides an opportunity for a significantly expanded public space for pedestrian use that is free from vehicular movement.
- The existing public spaces vary from grass areas, paved areas, gardens and garden beds. There are few existing significant trees within the site boundary with long remaining lifespans.
- Limited opportunity exists for visitors to dwell on the site as there is limited public seating available.
- The quality and utilisation of the existing public spaces varies and has the potential to be more active and inclusive.
- Food and Beverage activation of the public open space exists through the Protagonist and Barre restaurants within the Theatres Building and the NGV International Garden restaurant.
- A collection of permanent sculptures are located within the public open space areas, the largest of which is Forward Surge to the north. Temporary sculpture and artworks are often sited within the Equiset garden as part of the NGV International exhibition programme.
- Opportunity exists to further enhance the user and visitor experience of the public open space through the placement of additional artworks, food and beverage opportunities and a variety of landscape treatments.

Legend:

- Existing Public Space
- Grollo Equiset Garden (gate)
- Potential for expanded Public Realm



Diagram - Heritage Constraints

#### Heritage

The subject area is covered by the City of Melbourne Heritage Overlays and the Victorian Heritage Register

- The NGV International, its buildings and grounds, including perimeter wall and Equiset Garden are of State heritage significance and are listed on the Victorian Heritage Register, refer to H0792 and H1499 (VHR).
- The Arts Centre Melbourne, Hamer Hall, the Theatres Building and Spire including grounds and footbridges are of State Heritage significance and are listed on the Victorian Heritage Register, refer to H0760 and H1500 (VHR).
- 'Forward Surge' sculpture and landscaped areas are also of State heritage significance, and are listed on the Victorian Heritage Register, refer H01298 and H2378 (VHR).

Any proposed alterations to the above Heritage assets including all new works within the project area will need to consider the objectives and terms of the above Heritage listing and any associated Conservation Management Plans which exist for each.

Opportunity exists to enhance the appreciation of these Heritage buildings, from all sides/aspects as currently they are predominantly viewed and appreciated from St. Kilda Road.

Legend:

- Grollo Equiset Garden (gate)
- Extent of Registration/ Heritage Overlay
- Primary Significance - External Elements



Artist's Impression: Public Realm looking north (indicative representation)



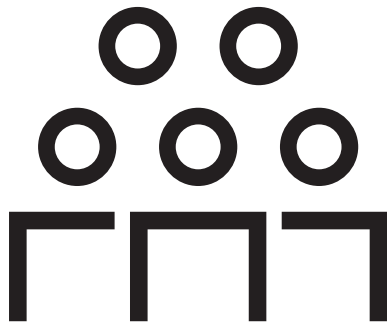
# 3. MAPT PRINCIPLES & STRATEGIES



Artist's Impression: MAPT public realm looking north (indicative representation)

# 3.1

## MAPT PRINCIPLES

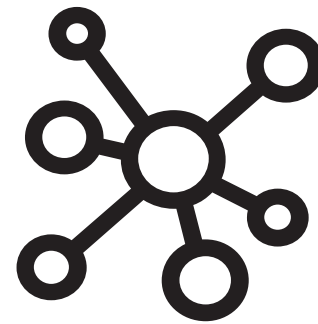


### Civic Generosity

The public realm precinct is a space that facilitates connection between people and place – a destination in its own right, an area to explore, relax and engage through experiences that are active (programming) and passive (enjoying the precinct and spending time).

To realise the above, the design of the MAPT will ensure the precinct offers a seamless experience and is easy to navigate by:

- Considering the relationship between built form and the Public Realm to ensure the precinct is accessible to people of all ages, backgrounds, and abilities, with suitable spaces for people to enjoy at any time of day, all year round, in any type of weather.
- Encourage ease of movement, occupation and use through intuitive, legible planning and appropriate allocation of space for public facing functions and the interface with the Public Realm at all levels.



### Connectivity

Orientating visitors to the precinct with a unified wayfinding style that is easy to navigate, integrated with the overall design. This includes:

- Clear signage and unified precinct branding
- Ensuring 'walkability' – seamless orientation for visitors throughout their journey along the precinct
- Food, beverage and retail offerings that connect the visitor journey from ACM to NGV and the broader precinct
- Adaptable signage solutions for temporary events, such as digital.

To realise the above, the design of the MAPT will ensure the precinct offers a seamless experience and is easy to navigate by:

- Enhancing connections between and through buildings, reinforcing existing and enabling new corridors of movement in a seamless and intuitive manner at all levels
- Reinforcing a clear demarcation between pedestrian and vehicular movement, into, through and around the building
- Integrating with current and future public transport nodes (including Melbourne Metro and the tram)
- Enhancing connectivity between Federation Square and the precinct south of the river.



# The Melbourne Arts Precinct Transformation (MAPT) has eight foundational principles that provide the framework for the development of this significant site.

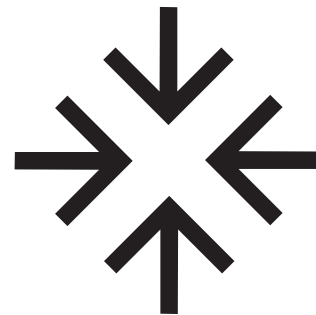


## Identity

An active audience engagement strategy ensures that the precinct is a place that engages diverse audiences of all ages, including local and visiting children and families, international visitors, and people of all cultures. The precinct reflects Melbourne as a unique arts and culture destination.

To realise the above, the design of the MAPT will:

- Ensure the precinct is recognised as the gateway to Melbourne's leading arts and cultural venues by providing an architectural equal to the bold architectural language established by the existing NGV International, ACM's Theatres Building and Hamer Hall
- Ensure First Peoples from throughout Australia feel welcome when visiting the precinct, and any activations that engage with First Peoples heritage and cultures are developed in collaboration with First Peoples
- Be an outstanding counterpoint to these unique and iconic Melbourne landmarks, creating a contemporary architectural narrative for the Precinct that is reflective of the community, its history and its links to aboriginal culture (e.g. through Birrarung Marr).



## Activation

The entire public realm is a place for participation, including:

- Day and night time access, complementing opening hours and special events presented by NGV and ACM
- Offering flexible spaces that encourage active and passive participation through integrated design
- Connection with the broader precinct.

To realise the above, the design of the MAPT will provide a curated visitor experience across the precinct which includes:

- Curated programming facilitated by coordinated planning and governance at a precinct level
- Activation of all interfaces between the building and open space that respond to the changing requirements for activation throughout the day/night cycle
- Prioritising, but not limiting, activation to the pedestrian level
- Prioritising activation that responds to the impacts of local environmental conditions.

# 3.1

## MAPT PRINCIPLES



### World class best practice

Commits to representing world's best practice and incorporate innovation with regard architectural design, engineering, sustainability, and user experience.

The precinct contributes to a global imagining of public spaces within cities and cultural precincts, and aspires to sit within an international context.

Consider best practice examples and incorporate universal design principles, including intuitive design, to accommodate a wide range of abilities and visitors.

To realise the above, the design of the MAPT will:

- Create an arts and cultural experience that all users consider is of a standard that is among the best in the world
- Provide a world class visitor experience supported by the ongoing provision of best practice facilities and programming.



### Sustainability

A commitment to environmental sustainability in design, landscaping and infrastructure, as well as a sustainable operating and governance model includes consideration of:

- Flexible operating hours
- Safe and secure spaces
- Ensuring green spaces are maximised for public engagement.

To realise the above, the design of the MAPT will:

- Meaningfully contribute to an Aim for Zero outcome with regard operational energy, operational water, waste to landfill, embodied carbon for materials and transport emissions
- Deliver precinct outcomes that facilitate sustainability in an operating, economic, social and environmental sense.

### 3.1 MAPT Principles



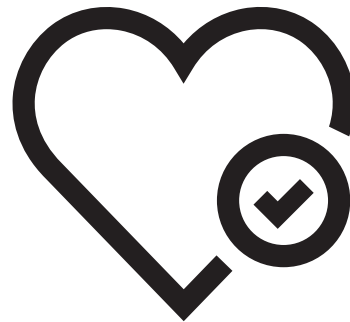
#### Collaboration

A cohesive identity for the precinct is delivered through strategic collaboration on events and audience development initiatives, including:

- A calendar of new programming led by NGV and ACM that presents new events and brings existing major events to new audiences
- Leveraging external partnerships
- Building upon government, corporate and institutional partnerships to engage practitioners and small to medium sector organisations.

To realise the above, the design of the MAPT will:

- Create an integrated environment that encourages collaboration between the parties; delivered through common programmable spaces and coordinated programming
- Create opportunity for collaboration with broader Arts groups and First Peoples to enhance diversity and inclusion through programming and use.



#### Design Excellence

The precinct delivers facilities and outcomes that reinforce unified and committed design quality across the entire visitor experience.

To realise the above, the design of the MAPT will:

- Recognise that new built form is expected to deliver innovative, dynamic and bold building design to further enhance the Melbourne Arts Precinct. This built form will require balancing the functional requirements and architectural expression with ensuring new and existing public spaces are comfortable and enjoyable and have reasonable access to direct sunlight.

# 3.2

## MAPT STRATEGIES

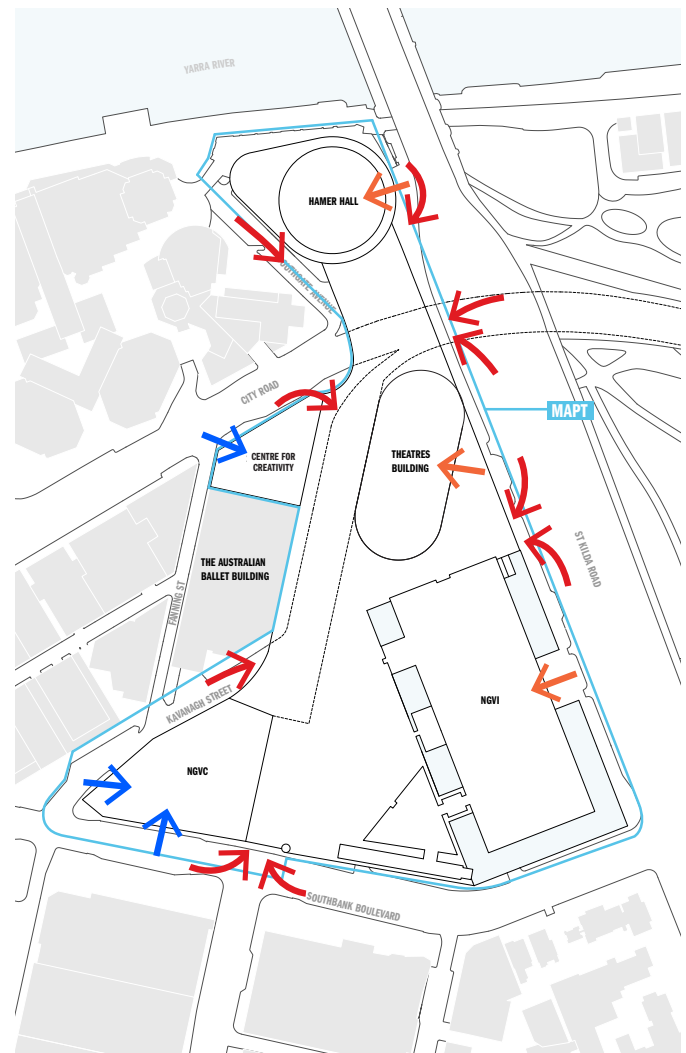
### Gateways

The key gateways into the Precinct represent an opportunity to connect the MAPT with its surrounding urban context and to enable the public to seamlessly enter the precinct and engage with the public realm through both active and passive activations.

Each of the precinct gateways is defined by unique urban context parameters specific to its location. These must be considered and addressed to achieve an unambiguous and seamless transition into the precinct by all users.

Transitions are to be achieved through:

- Maintaining visibility of the precincts existing and new landmarks buildings as viewed from key approaches including Princes Bridge, St Kilda Road, Kavanagh Street and Southbank Boulevard
- The creation of legible and intuitive pathways into the site, sized to accommodate the expected pedestrian flow and located along desire lines
- The creation of safe and visible vertical transport nodes which are located at points of entry that necessitate level transition
- The design of a unique setting which invites the public into the precinct.
- Employing urban design principles at each point of entry into the precinct and generally throughout the public realm to create a safe environment that simultaneously encourages activity and is secure.



#### Legend:




-  Gateways via public realm
-  Gateways via existing buildings
-  Gateways via new buildings (indicative locations)

Diagram - Boundaries

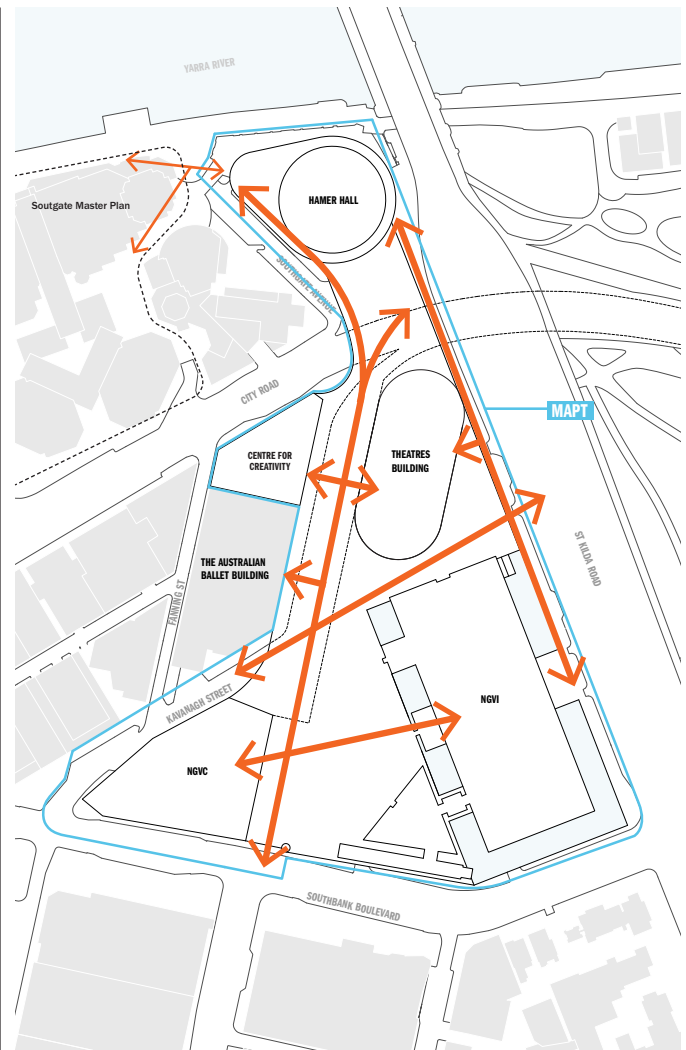
## 3.2 MAPT Strategies

### Connections

Pedestrian movement both into and through the MAPT will be significantly enhanced to optimise the pedestrian experience and to encourage and reinforce connection within and between the precinct's north and south.

This enhanced connection is to be achieved through:

- A primary north-south pedestrian connection from Hamer Hall to Southbank Boulevard. This north-south connection will encourage pedestrian movement from Southgate and the Southbank Promenade as well as from Princes Bridge into the heart of the site
- Numerous transverse connections through the public realm will be provided, including:
  - From St Kilda Road to City Road via the public realm or through the Theatres Building and the Centre for Creativity
  - From the Theatres Building through to the Australian Ballet Centre
  - From St Kilda Road through to Southbank Boulevard
  - Between the NGV International and the NGV Contemporary buildings.
  - From Kavanagh Street through to St Kilda Road
  - Between the Theatres Building and the Centre for Creativity.
- Equitable access is to be provided by universally accessible entry points into, and pathways through, the site
- Public seating in the public realm will be integrated at regular intervals along pathways.



Legend:

→ Connections through the public realm

Diagram - Connections

# 3.2

## MAPT STRATEGIES

### Enhanced Engagement

To fulfil its key principle of enhanced connectivity, the MAPT will optimise the user experience through an enhanced engagement with the existing buildings within the precinct, the proposed new buildings and the site's immediate neighbours.

#### Existing buildings:

- Hamer Hall: Enhanced engagement with the provision of universally accessible pathway to the Hamer Hall upper terrace and an improved pathway from St. Kilda Road to Southgate Avenue
- Theatres Building: Enhanced activation through its interface with the new public realm
- NGV International: Enhanced activation through its interface with the new public realm and a new western entry to optimise connection with the NGV Contemporary.



#### Proposed new Buildings:

- NGV Contemporary (Phase One): A predominantly activated frontage along Southbank Boulevard and the new Public Realm
- Centre for Creativity (Phase Two): A predominantly activated frontage along City Road and the new Public Realm.

#### Neighbouring buildings and sites:

- The Australian Ballet Centre: As a significant neighbour to the MAPT along its western perimeter, the interface of the Public Realm with the eastern façade of the Australian Ballet Centre building provides a significant opportunity for optimised activation at the heart of the Public Realm and improved transition between the north and south parts of the Public Realm
- Southgate/Yarra River: Provide a new, enhanced, pedestrian connection which links the MAPT with Southgate and the Southbank promenade to the north. This connection is to provide 24/7, universally accessible pedestrian passage between these two key sites.

#### Legend:

-  Frontage activation opportunities
-  Opportunities for varied engagement within the public realm

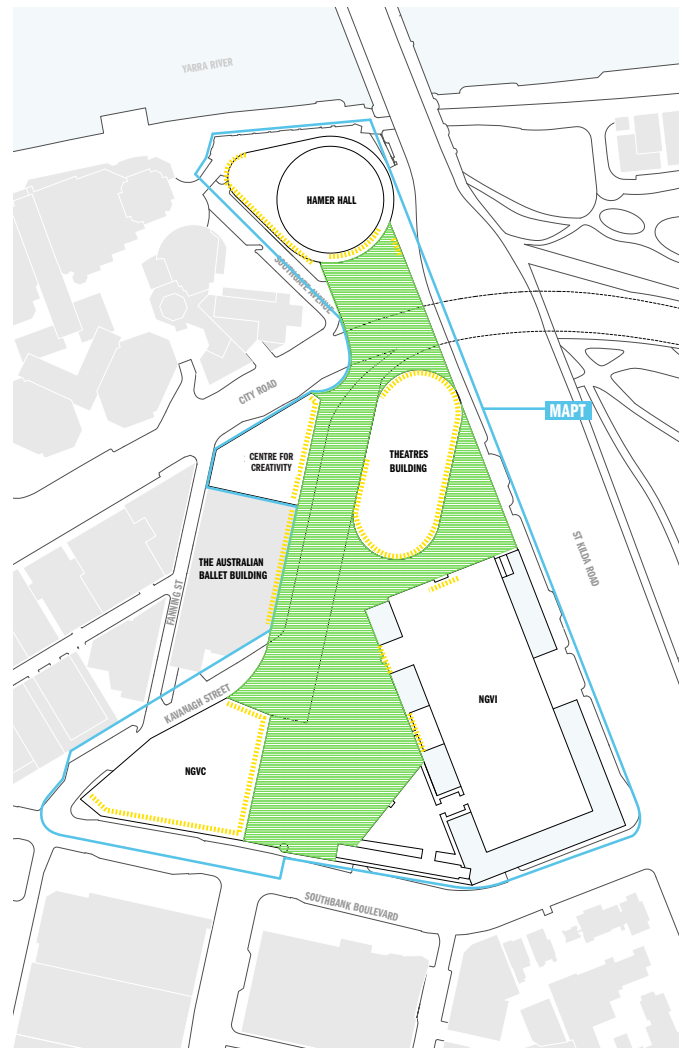


Diagram - Engagement opportunities

## 3.2 MAPT Strategies

### Programming and Activation

Within the generous public green space, performances, sculpture, festivals and installations will form the foundation of programming and activation that will enrich the experience for visitors and position the precinct as one of the great creative and cultural destinations in the world.

Spaces within the transformed precinct will be activated through:

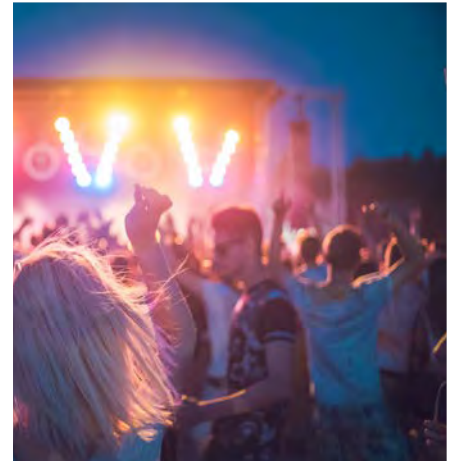
- Public art installations
- Major events and festivals
- Seasonal and temporary programming
- Events with partners and organisations from across the Southbank creative community
- Cafes, restaurants, bars and coffee
- Garden planting schemes that change with the seasons

These spaces and activations will maximise visitor engagement and activate the space at all times of the day and into the evening. ACM, NGVI and NGVC audiences will come early and stay behind to enjoy a meal, share a drink, and continue the conversation either side of attending their performance or exhibition. Connected across the river to Federation Square - a shared program of events and city-wide activations will draw visitors and locals alike.

Partnerships between organisations both within and outside the precinct will enliven the public realm with a variety of activations throughout the year, building a precinct ecology across Southbank and across the river that will make MAPT a must-do destination for visitors, and a location of choice for event partners and presenters.

The design, programming and activation of spaces and the design of new built form will be jointly considered to balance public space amenity and the quality of the building design and function requirements.

Images:  
Exemplar images of programming and activation



# 3.2

## MAPT STRATEGIES

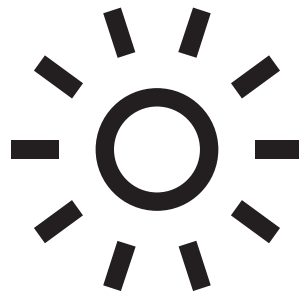
### Sustainability

While fulfilling the broader vision of creating a vibrant, comfortable, usable and inspirational environment for all users throughout the year, the MAPT aims to minimise its impact on the environment by the implementation of its 'Aim for Zero' Sustainability strategy through building guidelines and minimum performance criteria.

The 'Aim for Zero' approach deploys the adjacent strategies with respect to energy, water, waste to landfill, embodied carbon and transport emissions.

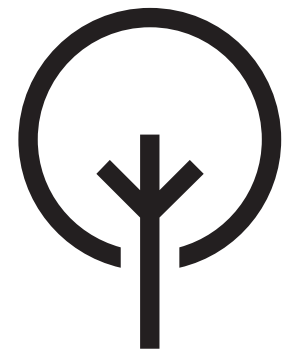
The fulfilment of this strategy will affect not only the design of the new buildings and the public realm but also the future operation and management of the precinct and its component parts.

### Aim for Zero Strategies



#### Energy

- Energy sharing between buildings to optimise the overall energy demands on the site
- District heating and cooling network connecting all buildings on site via a services spine
- Distributed Central Energy Centre
- Upgrading controls and pumps in existing plant areas
- High-efficiency lighting, pumps, power supply and other energy demands throughout the public realm
- Incorporation of photo voltaic systems.



#### Water

- Low flow fixtures and fittings to be selected throughout all new and refurbished buildings
- Blackwater treatment plant collecting waste water from new buildings
- Treated sewage effluent network (from rainwater and blackwater treatment plant) connected to irrigation system and all buildings for toilet flushing
- Sustainable urban drainage features included to capture, passively treat, store and re-use 95% of rainwater falling on the site
- Efficient irrigation systems and demand control through active soil moisture content monitoring
- Planting selection to minimise irrigation water demand
- Climate adaptation measures, such as drought resistant planting and xeriscaping throughout landscape.



## 3.2 MAPT Strategies



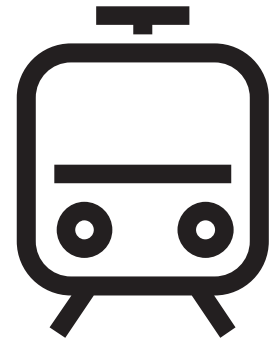
## Waste

- Segregation of all waste streams and centralised waste storage to the north and south of the services spine with handling areas in each building to optimise recycling
- The recycling of 96% of public realm waste
- Operational measures to include:
  - Increased avoidance
  - Increase reuse
  - Increase recycling
  - Decrease contamination
  - Decrease recyclables in landfill
  - Maintain source separation
  - Increase use of recycled content in construction.



## Materials

- Salvage and reuse of demolished materials on site, such as crushed concrete in paving bases and new pavements
- Target reductions upwards of 65% in Portland cement use
- Utilise recycled aggregates and recycled water in concrete mixes, reducing embodied energy as much as possible
- Sourcing of local materials to limit unnecessary transport
- Use of precast and prefabricated structural elements, where possible, to reduce material quantities
- Use of recycled, natural or easily renewable materials, where possible
- Selection of durable materials to maximise the life span of the building. Third party certified materials will be targeted throughout
- Planting selection throughout the public realm to maximise sequestration of carbon dioxide.



## Transport

- Landscape and pathway design which encourages walking and minimises reliance on on mechanical lifting to negotiate level changes
- Public Realm design which aligns gateways into the site with nearby existing and proposed public transport infrastructure
- No increase to number of parking spaces (even though the site will accommodate a large increase in staff and visitors)
- Cycle parking racks provided for visitors and precinct staff
- End of trip facilities (lockers / showers / changing / bike maintenance) for precinct staff.

# 3.2 MAPT STRATEGIES

## Services Strategy

The services strategy focuses on connecting the various services within the precinct to maximise efficiencies, allow for change and deliver the required operational redundancy and future proofing. The services strategy creates an integrated system of services which performs better than a collection of independent buildings. This integrated strategy requires the precinct to be connected by a services spine to a distributed central plant which uses heat recovery chillers and a waste processing system to enable significant savings in emissions throughout the precinct.

The services spine is to run along Sturt Street with the key components of the distributed central plant located within the existing plant facility in the Arts Centre Melbourne carpark and the new NGV Contemporary. It includes:

- Upgraded existing central plant room – upgrades to existing power, heating, cooling plant
- New rainwater tanks and sewer pump under Sturt Street
- New Energy centre, blackwater treatment, cooling towers, chillers, boilers, water meter room and electrical plant within the NGV Contemporary
- Waste facilities in each building.

### Legend:

- Existing central plant
- Northern and Southern Waste Zones
- Indicative central services spine
- Existing services connection between Hamer Hall and the Theatre Building
- Indicative new central plant

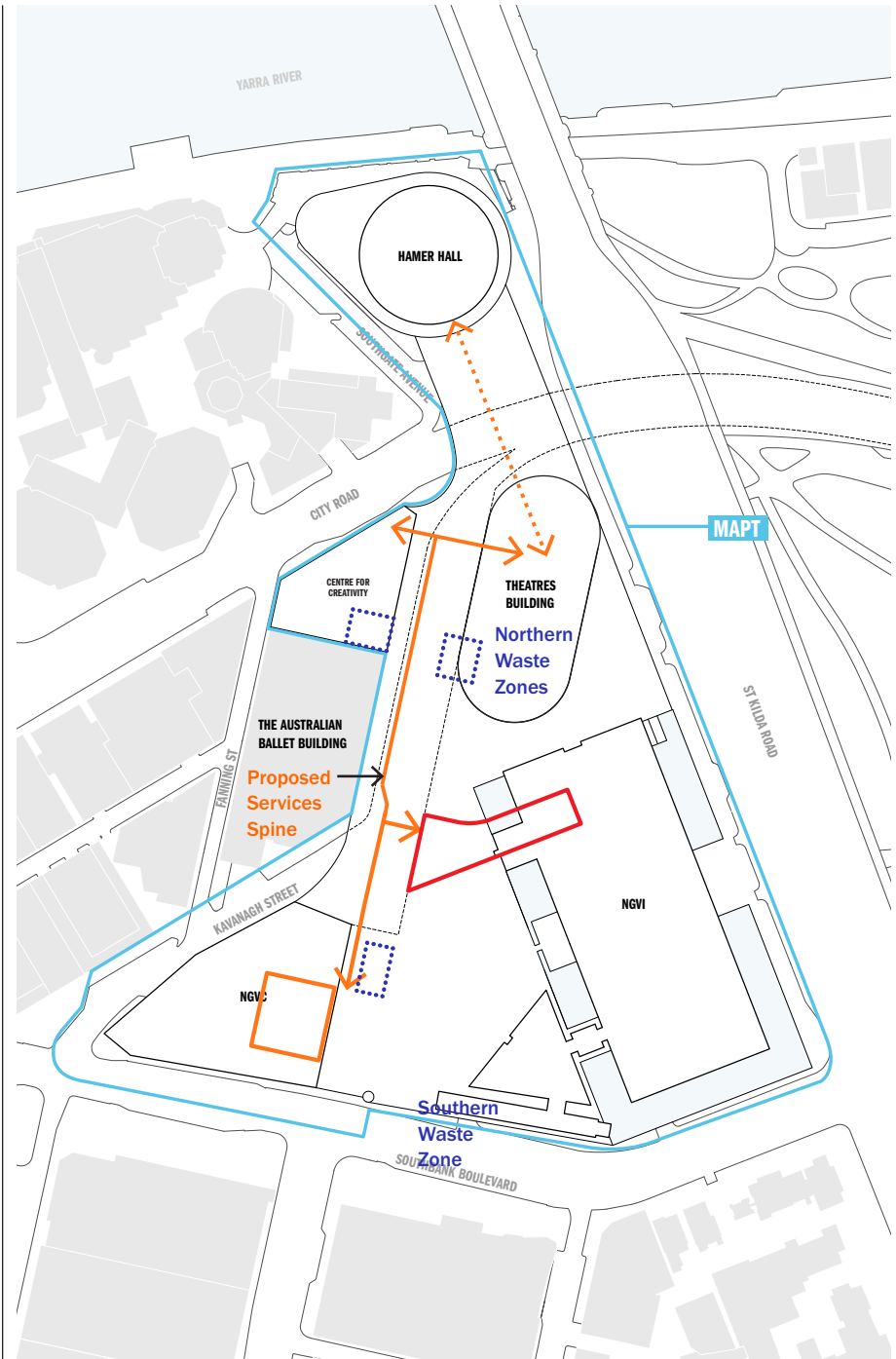


Diagram: Services Strategy (all locations of new plant are indicative)





### 3.2 MAPT Strategies

## Vehicle Movement

To allow for the effective operation of the precinct, Sturt Street needs to become a dedicated back-of-house space focused on providing efficient and secure operational access. The loading of all buildings and the public realm is proposed to occur off Sturt Street segregating operational vehicular movements from public access. The following strategies are proposed for vehicular movement:

- Closure of Sturt Street to public traffic between City Road and Kavanagh Street
- A one-way traffic route into Sturt Street for authorised vehicles from City Road which services the Theatres Building, the Centre for Creativity and the NGV buildings, prior to exiting via Kavanagh Street
- Loading for NGV buildings to also occur via Kavanagh Street
- No changes to vehicular access to Hamer Hall are proposed
- Public vehicular access/egress to and from the Arts Centre Melbourne car park to be via Kavanagh Street and Southbank Boulevard
- New public drop off areas are proposed along Southbank Boulevard and City Road to support visitor amenity and accessibility for the NGV Contemporary and The Centre for Creativity, respectively
- No change is proposed to the existing carpark entry/exit of The Australian Ballet Centre, nor its designated drop off along Kavanagh Street.

**Legend:**

-  Public Vehicular access/egress from ACM Carpark
-  Public drop off (location indicative)
-  Loading & service vehicles (no public access) Sturt Street level
-  Loading & service vehicles (no public access) public realm level

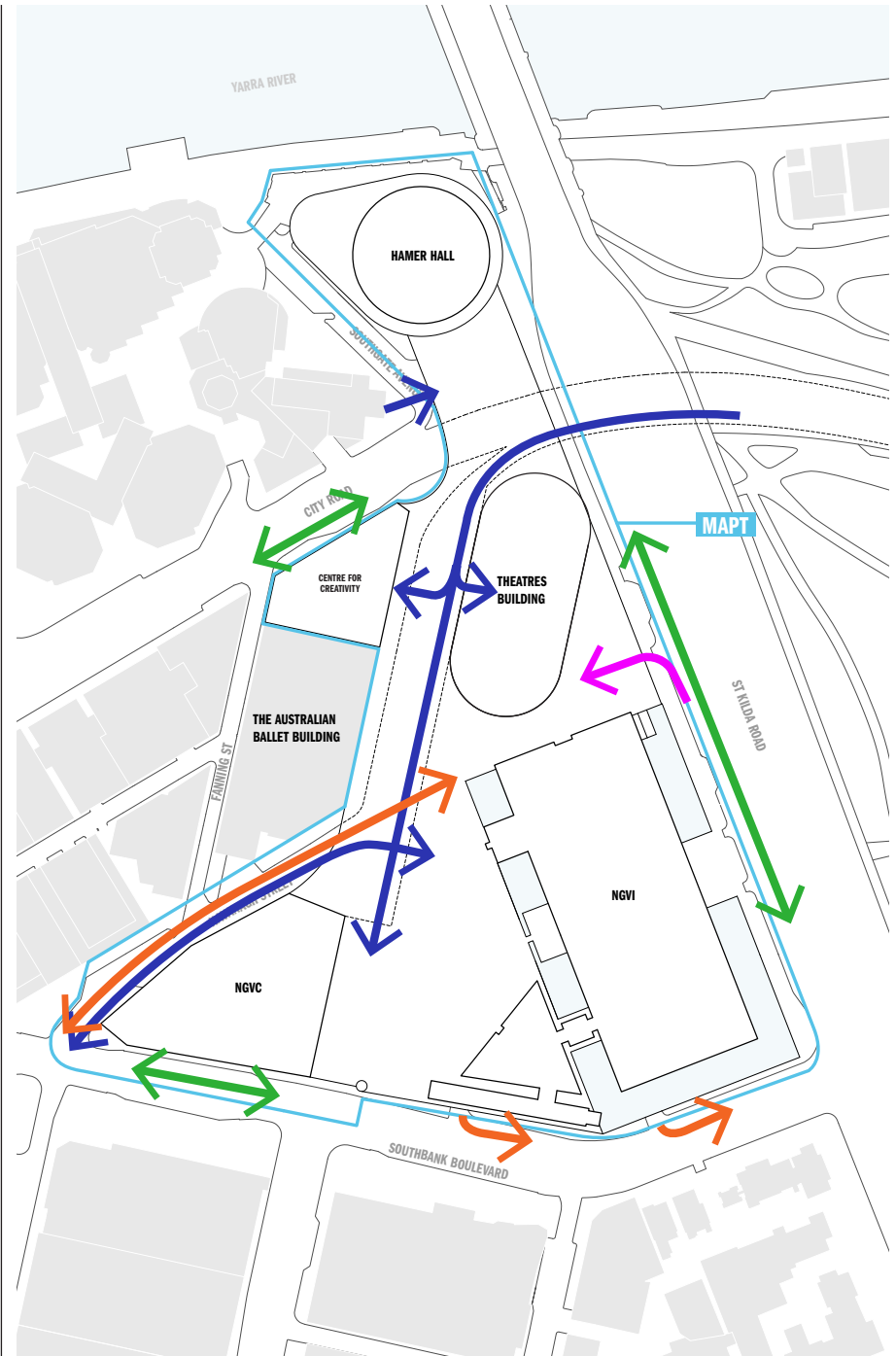


Diagram: Proposed vehicle movements



Artist's Impression: MAPT public realm looking north (indicative representation)



# 4. MAPT PLANNING CONTROLS

**This Master Plan and accompanying Specific Controls Overlay have been prepared for the delivery of Phase One of the MAPT project, providing an approval framework for the delivery of this catalyst phase of the transformative project.**

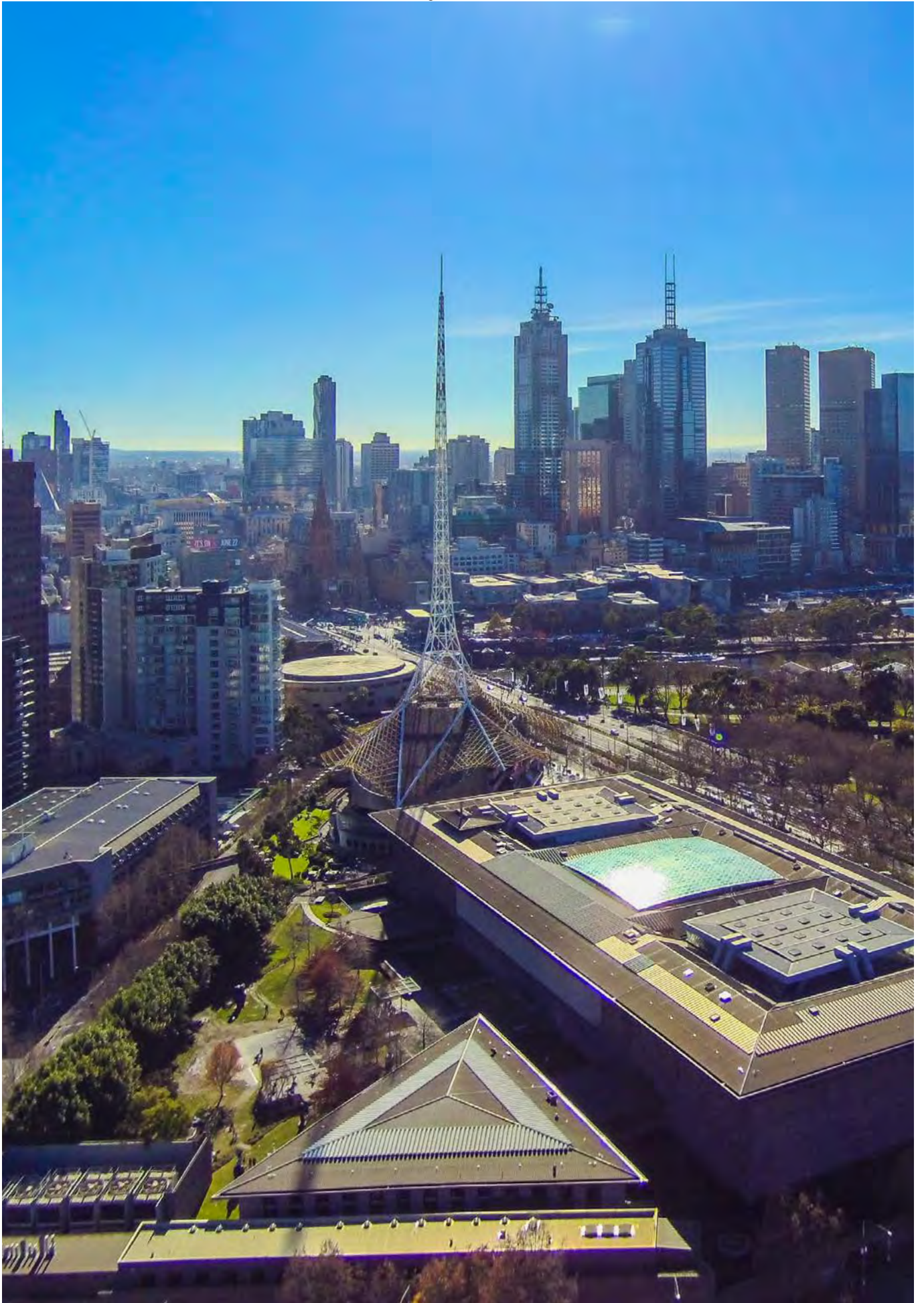


Image - The Melbourne Arts Precinct from the North

## 4. MAPT Planning Controls

# 4.1 EXISTING CONTROLS

## 4.1.1 Zones

### Capital City Zone – Schedule 7 – Melbourne Arts Precinct (CCZ7)

#### Purpose

- To maintain and enhance the Melbourne Arts Precinct as a significant arts and cultural precinct of State significance
- To develop Sturt Street and surrounds as an arts and performance spine with complementary services and activities for local residents and visitors
- To support the growth of creative industry sectors and disciplines such as music and performing arts, fashion, film, television and radio, digital and print media, architecture, design and visual arts
- To provide for a diversity of art and cultural uses within the first four storeys of buildings, including studios, workshops, galleries and rehearsal, performance and events spaces
- To provide for commercial and residential uses above the first four storeys of buildings and development which maximises pedestrian access, provides for active street frontages and integration with the public realm.

#### Planning Triggers

- A permit is required to demolish or remove a building, construct a building or construct or carry out works and to subdivide land.

### Road Zone - Category 1 (RDZ1)

#### Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework
- To identify significant existing roads
- To identify land which has been acquired for a significant proposed road.

#### Planning Triggers

- A permit required to use land and for buildings and works associated with a purpose other than those associated with the primary use of land for a road
- A permit is required to subdivide land.

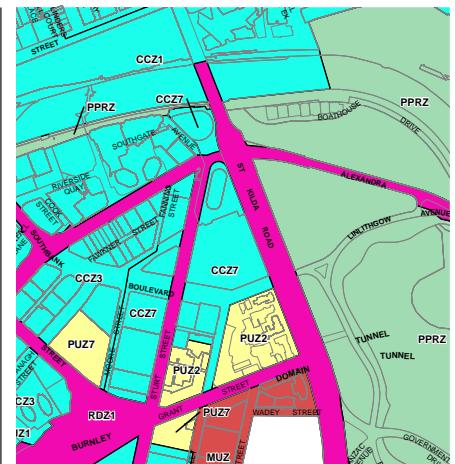


Diagram  
Schedule 7 – Melbourne Arts Precinct (CCZ7)



## 4.1 Existing Controls

The following provides an overview of the existing planning controls, their purpose and relevant planning triggers.

### 4.1.2 Overlays

#### Design and Development Overlay – Schedule 1 (Area 3) – Active Street Frontages (DD01-A3)

##### Purpose

- To ensure ground floor frontages are pedestrian oriented and add interest and vitality to city streets
- To provide continuity of ground floor shops along streets and lanes within the retail core
- To ensure ground floor frontages contribute to city safety by providing lighting and activity.

##### Planning Triggers

- Not applicable.

#### Design and Development Overlay – Schedule 3 – Traffic Conflict Zone Capital City Zone (DD03)

##### Purpose

- To promote pedestrian flow, safety and amenity
- To improve opportunities for the enhancement of roads for pedestrian use by discouraging further access to off-street car parking across traffic conflict frontages
- To minimise conflict between pedestrians and vehicles on footpaths.

##### Planning Triggers

- A permit is required to construct a building or carry out works associated with the creation or alteration of a crossover or vehicle access way.



Diagram - Schedule 1 (Area 3) – Active Street Frontages (DD01-A3)



Diagram - Schedule 3 – Traffic Conflict Zone Capital City Zone (DD03)

# 4.1

## EXISTING CONTROLS

### Design and Development Overlay – Schedule 27 – City Link Exhaust Stack Environs (DDO27)

#### Purpose

- To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack
- To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack
- To ensure that the relevant authorities are informed of development within close proximity of the City Link exhaust stack and to facilitate comment by those authorities on any specific requirements relating to the design and built form of new development in the area which might be desirable having regard to the proximity of the stack.

#### Planning Triggers

- Not applicable.

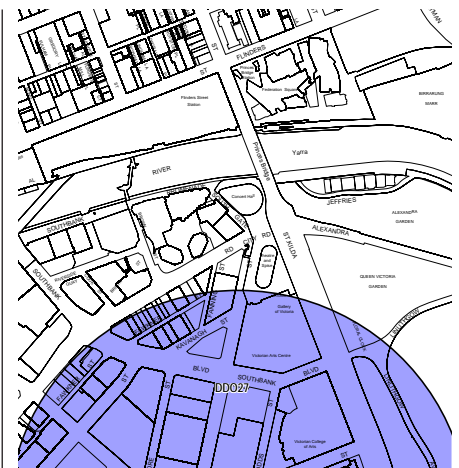


Diagram - Schedule 27 – City Link Exhaust Stack Environs (DDO27)

### Design and Development Overlay – Schedule 60 Area 7– Special Character Areas Built Form (Southbank) (DDO60-A7)

#### Purpose

- To ensure that the suitability of each development to its context takes precedence over the individual merit of the building
- To ensure that new buildings respect the future development potential of adjacent sites and allow for an equitable spread of development potential on these sites
- To ensure that new buildings respect the potential of future development on adjacent sites to access privacy, sunlight, daylight and an outlook from habitable interiors
- To ensure the height of new buildings does not overwhelm the public domain
- To allow daylight and sunlight to penetrate to the street and lower building levels
- To ensure development supports high levels of pedestrian amenity in relation to human scale and microclimate conditions within the public realm including acceptable levels of sunlight access and wind
- To maintain the visual dominance and views to the Arts Centre Spire as a civic skyline landmark
- To ensure that development provides a high level of amenity for building occupants.

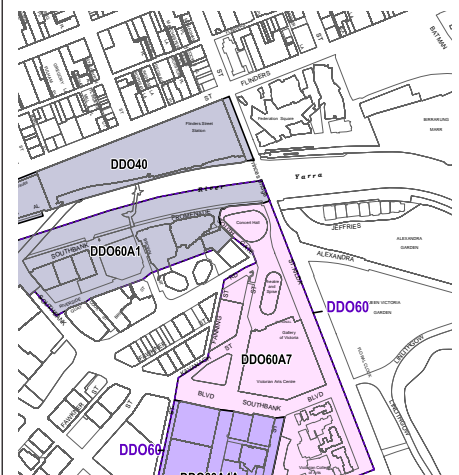


Diagram - Schedule 60 Area 7– Special Character Areas Built Form (Southbank) (DDO60-A7)Capital City Zone (DDO3)

#### 4.1 Existing Controls

- To ensure that advertising signs interfacing with or visible from the Shrine of Remembrance do not adversely affect the significance of the Shrine of Remembrance
- To ensure that the scale and design of new buildings preserve the significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence.

#### Additional Objectives Relevant to Area 7

- To reinforce the breadth and grandeur of the Yarra River. To maintain the existing low-scale urban form along the river corridor.
- To protect and enhance St Kilda Road from Princes Bridge to the Victoria Barracks as a civic boulevard lined with predominantly low/mid rise civic and heritage buildings
- To maintain the landscape character of St. Kilda Road as a dominant visual element.

#### Planning Triggers

- A permit is required for buildings and works other than at ground level.

### 4.1.3 Heritage Overlays

- Heritage Overlay Schedule 760 (H0760)**
- Heritage Overlay - Schedule 792 - National Gallery Victoria, 180 St. Kilda Road, Southbank (H0792)**
- Heritage Overlay Schedule 1298 (H01298)**

#### Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework
- To conserve and enhance heritage places of natural or cultural significance
- To conserve and enhance those elements which contribute to the significance of heritage places
- To ensure that development does not adversely affect the significance of heritage places
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

#### Planning Triggers

- A permit is required to subdivide land.

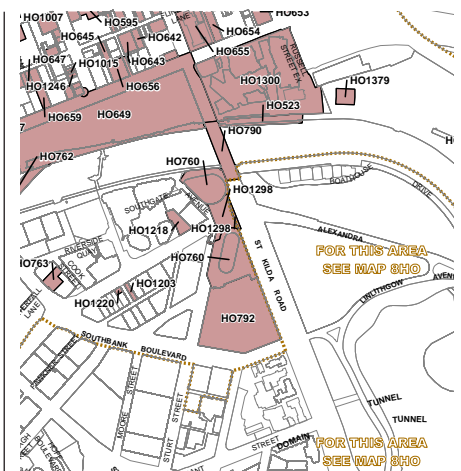


Diagram - Heritage Overlays

## 4. MAPT Planning Controls

# 4.1 EXISTING CONTROLS

## 4.1.4 Parking overlays

### Parking Overlay – Schedule 1 - Capital City Zone Outside the Retail Core (P01)

#### Purpose

- To identify appropriate car parking rates for various uses within the Capital City Zone.

#### Planning Triggers

- A permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of Schedule 1 being, 5 x net floor area of buildings on the site in sq m /1000 sq m or 12 x site area in sq m/ 1000 sq m.



Diagram - Schedule 1 - Capital City Zone Outside the Retail Core (P01) Capital City Zone (DD03)

## 4.1.5 Additional Planning Notes

- A permit is not required to use land for a place of assembly or food and drink premises under the CCZ7 as these are Section 1 land uses
- Design and Development Overlay – Schedule 27 does not contain any permit triggers
- All areas subject to Heritage Overlays are listed on the Victorian Heritage Register, being:
  - Hamer Hall, 100 St. Kilda Road and Arts Centre, 2 St. Kilda Road, Southbank – VHR Reference 1500 (H0760)
  - National Gallery Victoria, 180 St. Kilda Road, Southbank – VHR Reference H1499 (H0792)
  - Forward Surge, 100 St. Kilda Road, Southbank – VHR References H1500 and H2378 (H01298)

As such, planning approval is not required under the Heritage Overlay for demolition or new buildings and works as this will require separate considerations and approval from Heritage Victoria instead.

Planning approval is not required under DD01-A3 for demolition or works that have received a heritage permit.

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# 4.2 SPECIFIC CONTROLS OVERLAY

**The MAPT is a once in a generation city shaping project that will reinforce and redefine Melbourne's world class cultural offering.**

It is proposed to introduce the Specific Control Overlay **Schedule X (SCO#) to land** within Phase One to facilitate the staged development and transformation of the Melbourne Arts Precinct.

The SCO will also provide for the envisaged development of NGV Contemporary as the current DDO60 built form provisions do not allow for the building envelope proposed for the new NGV Contemporary under the Master Plan.

An Incorporated Document has been prepared for Phase One of the MAPT in accordance with the requirements of the SCO and will ensure that land associated with Phase One (and as shown in the SCO Plan adjacent) may be used and developed in accordance with the specific controls proposed for this area.

The Road Closure Overlay is also to be applied to Sturt Street between City Road and Southbank Boulevard to recognise that the road will be closed to facilitate the MAPT project

4.2 Specific Controls Overlay

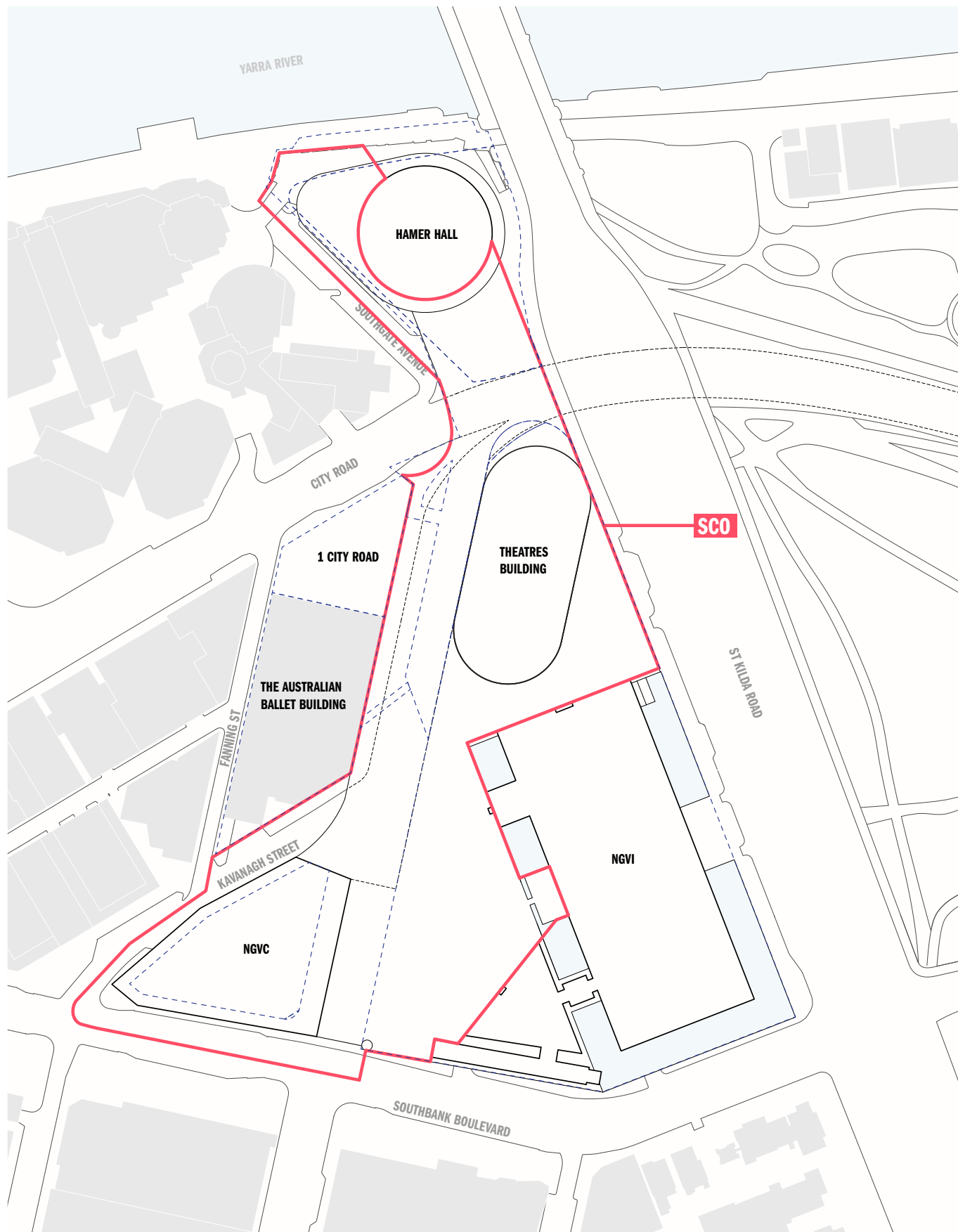


Diagram: Area of Specific Control Overlay for MAPT Phase One

Legend:

- Proposed SCO outline
- - - Existing title boundaries

# 5.

# MAPT PHASE ONE

# MASTER PLAN

**The component projects of MAPT Phase One will be delivered in a manner which efficiently optimises design and construction logic while minimising disruption to the Arts Centre Melbourne, The National Gallery of Victoria, The Australian Ballet Centre and the surrounding areas.**

**MAPT Phase One will be delivered as follows:**

#### **Public Realm Elevated Deck Structure - Sturt Street North**

- New Built form spanning the full width of the Sturt Street road reserve from City Road through to Kavanagh Street
- A significant component of the new elevated deck (spanning full width of Sturt St road reserve from City Road to Kavanagh St) requires the delivery of Stage 2A of RACM
- Stage 2A includes significant work beneath and above Sturt Street (loading dock, Back of House and underground shared services) that will impact upon the built form in the public realm
- Works include underground shared services that will ensure the seamless and sustainable operations of the precinct and its venues
- The deck structure will interface with the Australian Ballet Centre along its western edge to provide an optimised activation with the eastern façade of this building.

#### **NGV Contemporary and Public Realm Elevated Deck Structure – Sturt Street South**

- A new NGV gallery dedicated to contemporary art and design. The built form envelope of this project includes the site of the existing 77 Southbank Boulevard and the full width of the adjacent Sturt Street reserve, south of Kavanagh Street and through to Southbank Boulevard.
- This project delivers the southern portion of the new elevated deck structure over Sturt Street, integrated with the adjacent NGV Contemporary.

#### **Public Realm**

- A new 18,000sqm activated public realm in the heart of the precinct, incorporating space for outdoor dining, art and performances. The Public Realm extends from the southern face of Hamer Hall through to Southbank Boulevard and is predominantly located above existing built form (The Arts Centre Melbourne Theatres Building and Car Park) and the new elevated deck structure over Sturt Street, between City Road and Southbank Boulevard.
- This project will deliver public amenities, pedestrian connections and activations including all hard/soft landscaping of the MAPT precinct. Additional public amenities will be provided within the NGV Contemporary.



5. MAPT Phase One Master Plan

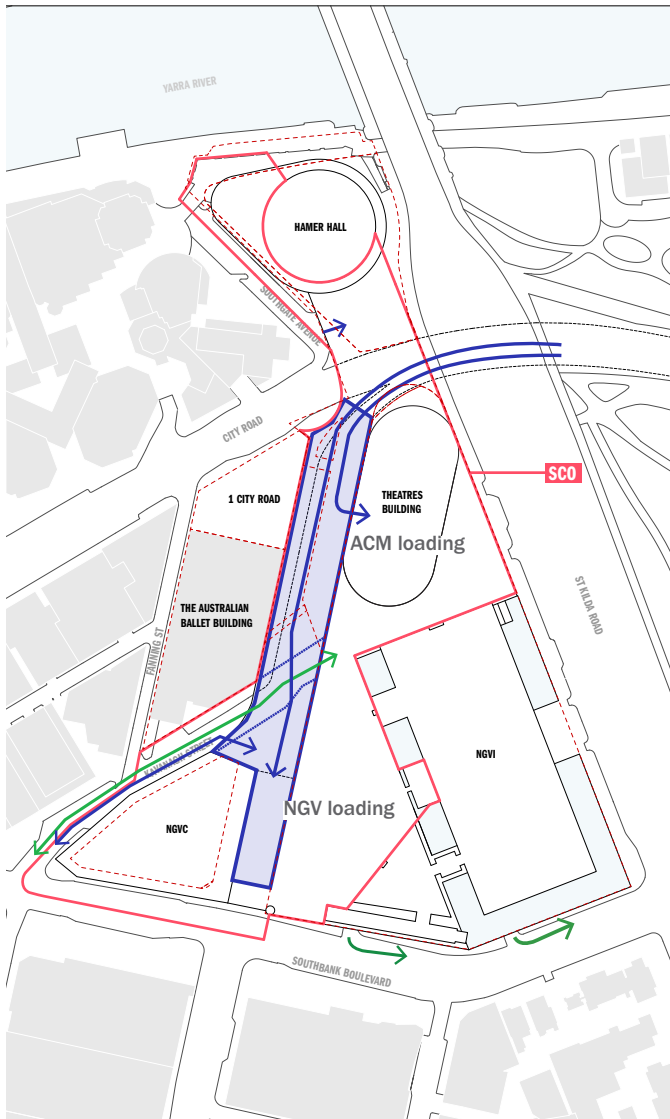


Diagram: Proposed SCO and MAPT Phase One

# 5.1 MAPT PHASE ONE COMPONENT PARTS

## Sturt Street loading and services precinct

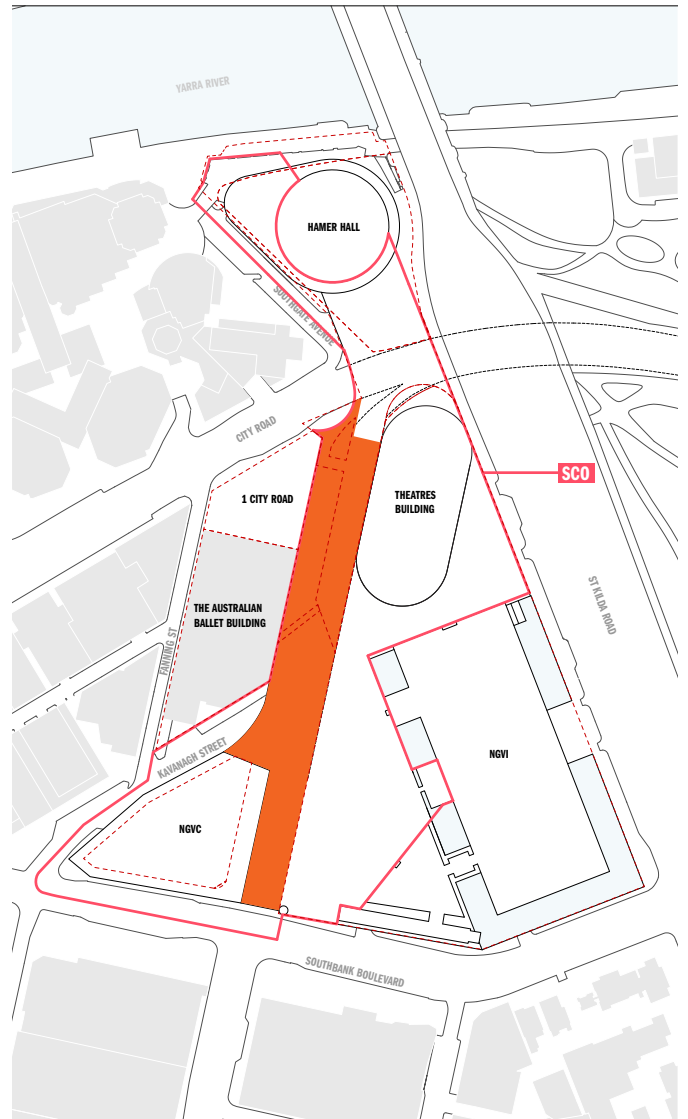
Sturt Street loading zones for each of ACM and NGV buildings. Loading zone for ACM is delivered by the RACM Stage 2A.



- Legend:
- Service vehicle access
  - Public vehicle access
  - Arts Precinct Loading Zone
  - Existing title boundaries

## Sturt Street elevated deck structure

Full length of Sturt Street Deck structure, incorporating north and south portions. North portion of deck structure incorporates RACM Stage 2A.

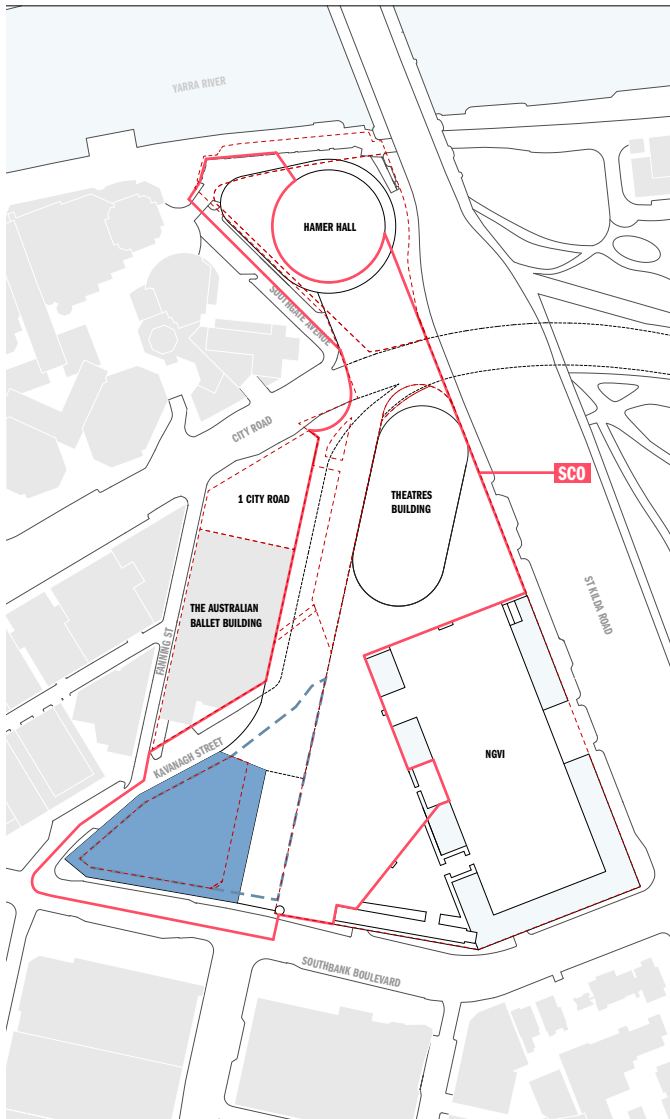


- Legend:
- Existing title boundaries
  - Sturt Street elevated deck structure

5.1 MAPT Phase One Component Parts

### NGV Contemporary

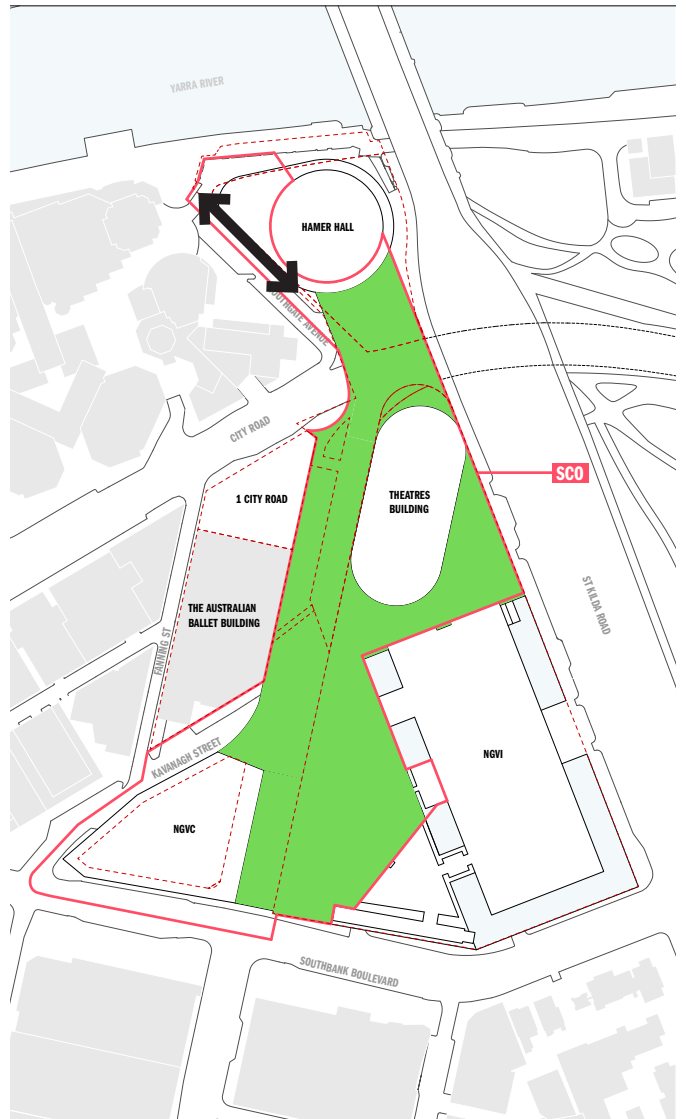
NGV Contemporary with adjacent deck structure over Sturt Street south



- Legend:
- - - Existing title boundaries
  - NGV Contemporary Indicative Design Envelope at Sturt Street
  - NGV Contemporary Indicative Design Envelope at public realm

### Public Realm

New public realm



- Legend:
- - - Existing title boundaries
  - ➔ Proposed pedestrian link with Southgate development
  - Public Realm

# 5.2 SITE LAYOUT

## Sturt Street Level

The key features of the MAPT precinct at Sturt Street level include:

- NGV Contemporary built form envelope showing predominantly public activation along Southbank Boulevard and Back of House/ Loading along Kavanagh Street
- Southern Sturt Street loading zone serving both the NGV International and NGV Contemporary
- Northern Sturt street loading zone serving the Theatres Building
- Public access/egress to Arts Centre Melbourne Carpark via Kavanagh Street
- A universally accessible pedestrian transition connecting Kavanagh Street and the Public Realm
- A universally accessible pedestrian transition connecting City Road and the Public Realm
- A universally accessible pedestrian transition connecting Southgate Avenue and the Public Realm
- A universally accessible pedestrian transition connecting Southbank Boulevard to the Public Realm
- Universally accessible transitions will prioritize accessible pathways over vertical lifting, given the significant relative levels throughout the project area.

**Legend:**

- Indicative location of pedestrian level transition area
- - - Existing title boundaries
- ▤ Activated edge
- ▥ NGVC/NGVI loading interface
- ▧ ACM loading interface
- ▨ Arts Precinct loading and service zone

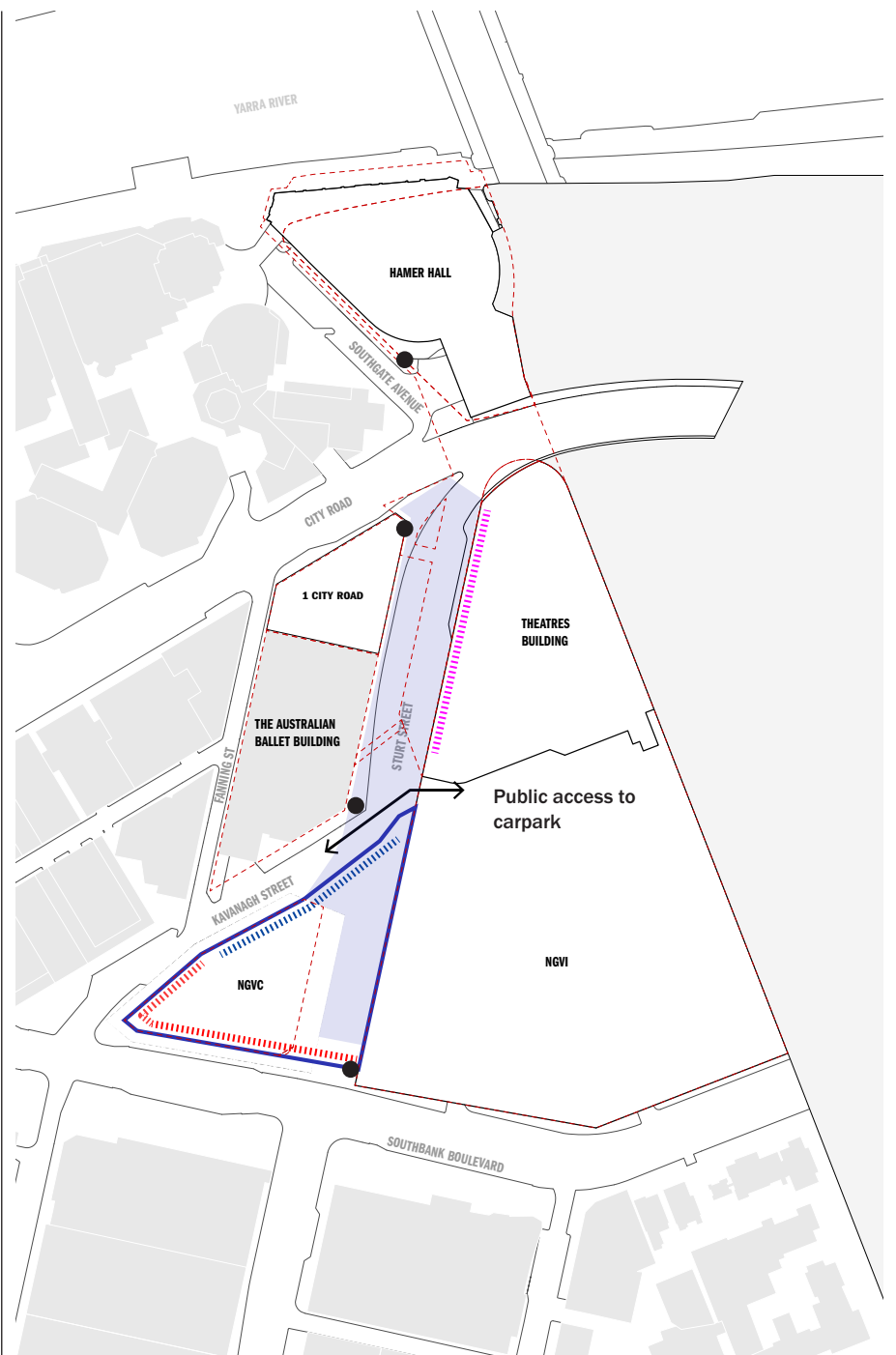


Diagram - Sturt Street key zones

5.2 Site Layout

### Public Realm Level

Key features of the MAPT Precinct at the Public Realm level include:

- A contiguous public realm which extends from Hamer Hall through to Southbank Boulevard and delivers an overall accessible pedestrian transition of approximately 8 metres from north to south of the site (R.L 10 to R.L 2)
- Pedestrian connections/level transitions at key public gateways at Southbank Boulevard, Kavanagh Street, City Road and to Southgate/Yarra Promenade
- Activated edge along the new built form envelope of NGV Contemporary and the existing Theatres Building, Australian Ballet Centre and the NGV International
- A new entry arrangement at public realm interface with the west façade of the NGV International.
- The transition between levels in the public realm must provide for an appropriate urban design solution that prioritises universal access, delivers usable spaces and allows for integrated progression between higher and lower areas.

Legend:

- Indicative location of pedestrian level transition area
- - - Existing title boundaries
- ▨ Temporary Activated edge
- ▨ Activated Edge
- ▬ Public Realm
- ▬ NGV Contemporary Indicative Design Envelope at Public Realm

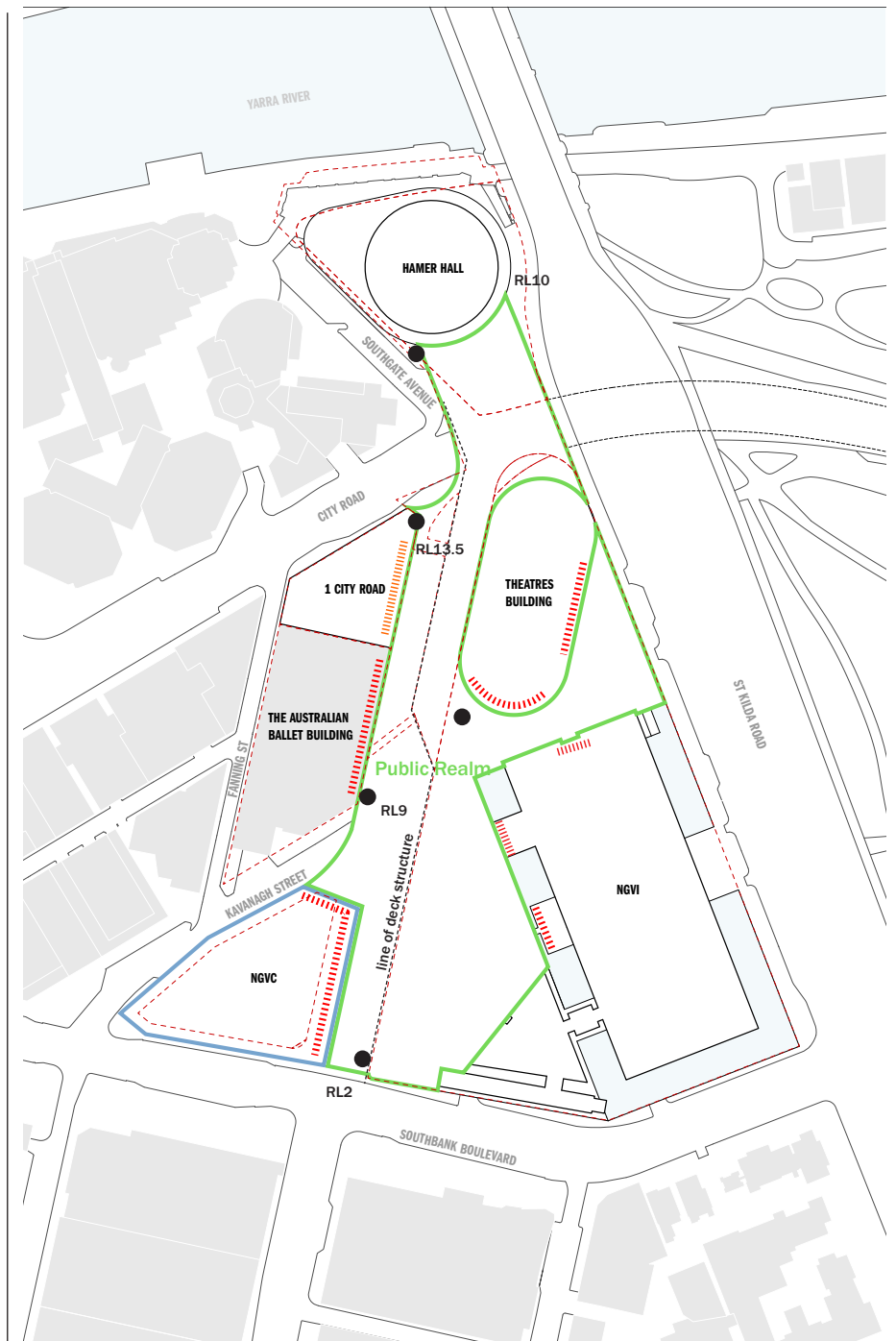
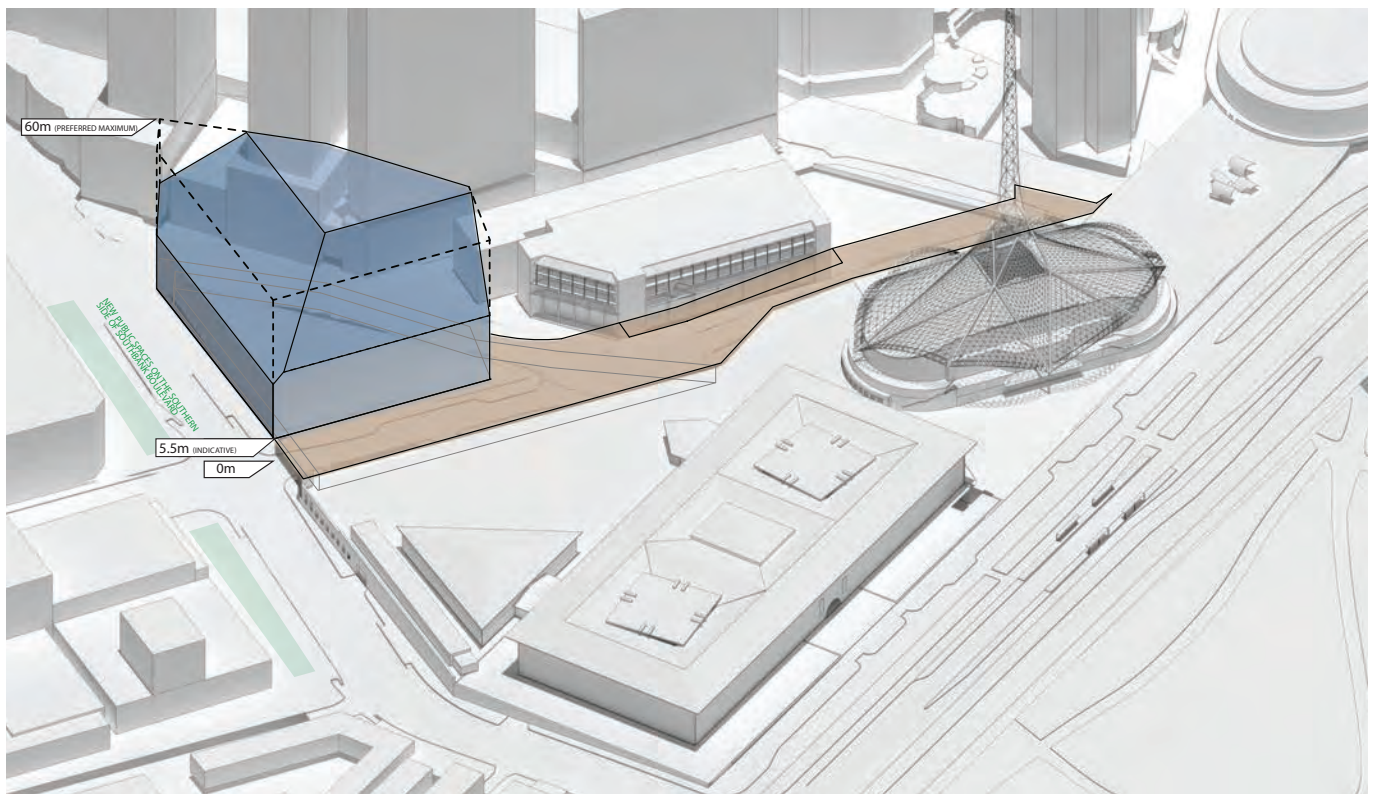


Diagram - Public Realm with approximate reference levels (RL)

# 5.3 BUILT FORM

## 5.3.1 Isometric Drawings



### NGV Contemporary

----- Preferred Building Envelope for the NGVC

■ Area of the preferred building envelope that would cause no overshadowing to the public open space on the southern side of Southbank Boulevard, or the NGV Equiset gardens on 22 September between 11am and 2pm

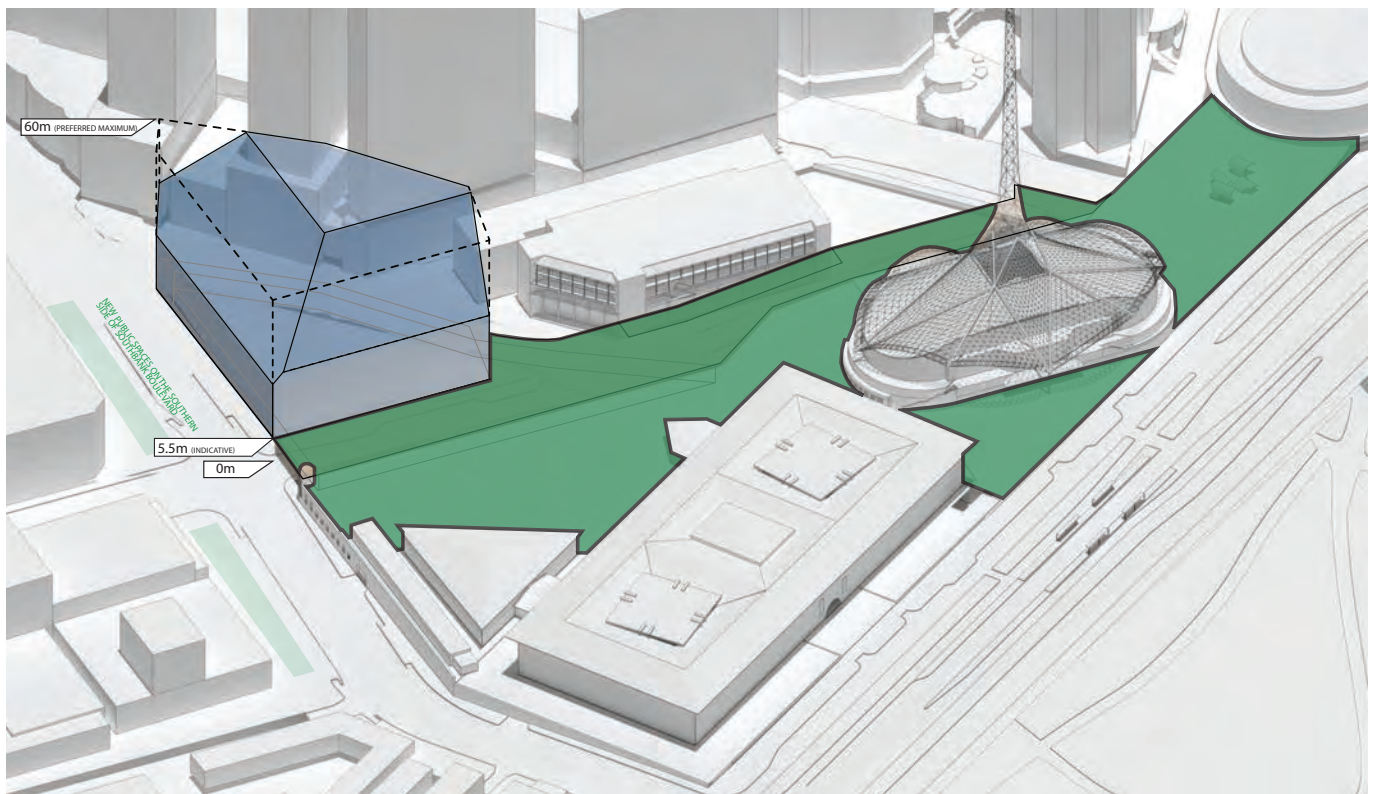
### Sturt Street Elevated Deck Structure

■ Elevated deck structure from City Road to Southbank Boulevard, incorporating a new precinct loading arrangement and shared services infrastructure for the Arts Centre Melbourne Theatres Building, the NGV International and NGV Contemporary.

### 5.3 Built Form

This section outlines the preferred building envelope for the NGV Contemporary, denoted by the dotted lines. The solid lines enclose a shaded area of this preferred building envelope that would cause no overshadowing to the public open space on the southern side of Southbank Boulevard, or the existing NGV Equiset gardens on 22 September between 11am and 2pm. To allow for creativity and flexibility in the design response there is discretion in regard to the building envelope, however any proposed built form that would extend outside of the shaded area of the building envelope needs to consider the extent and nature of any additional overshadowing that may be cast on adjoining public areas. This built form would need to be have regard to the Principles, Strategies, and Design Guidelines set out in this Master Plan, and should not unreasonably prejudice the amenity of such public areas.

The built form should also support effective integration at the interface between NGV Contemporary and the Public Realm, in alignment with this Master Plan. Hence, forms that support integration with the Public Realm, for the purposes of access and arrival, may extend outside of the preferred building envelope.

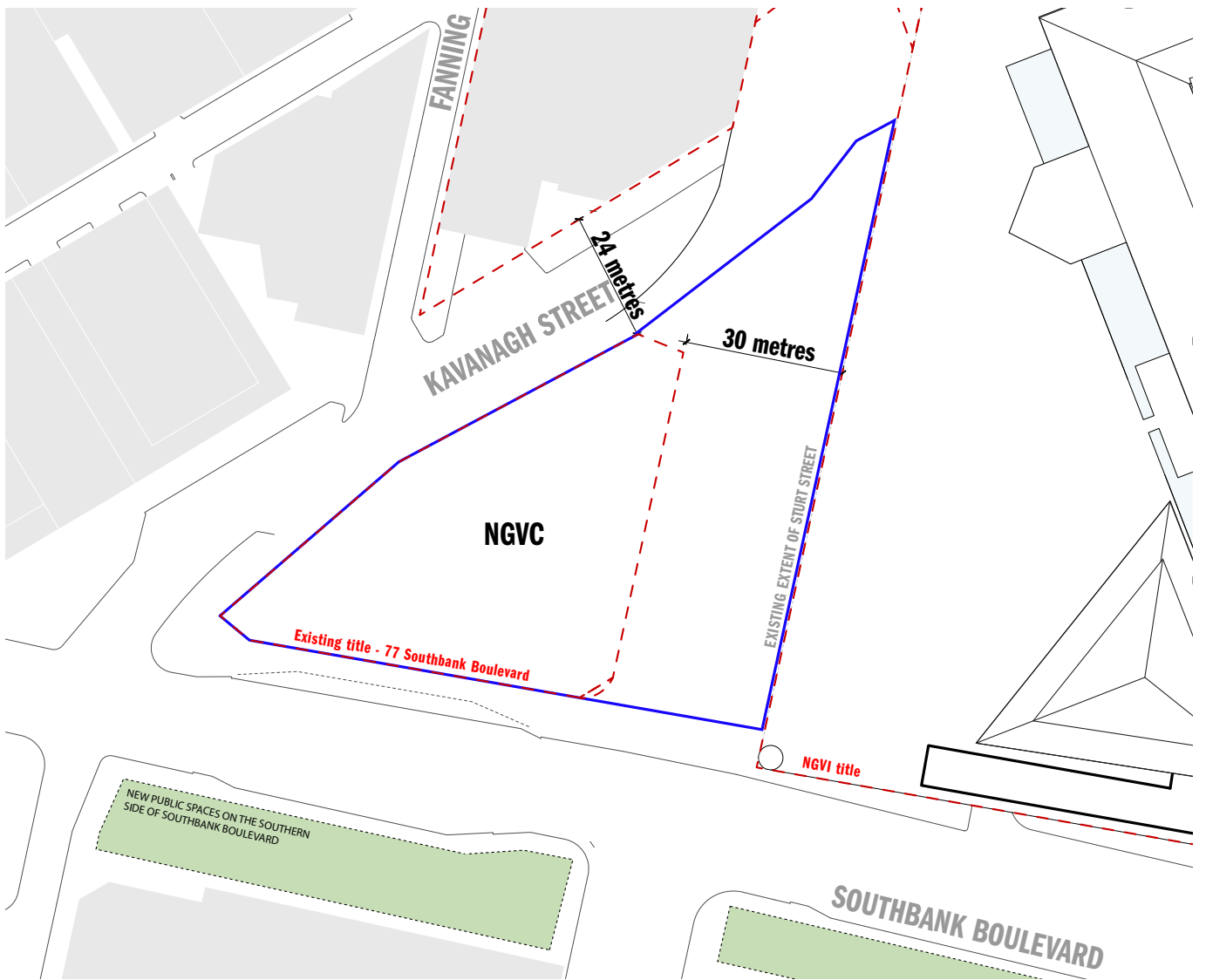


#### Public Realm

- Extent of Public Realm. Extends from Hamer Hall to Southbank Boulevard and creates a continuous network of accessible, open spaces throughout the site that connect to the surrounding public realm and invites the public into the site.

# 5.3 BUILT FORM

## 5.3.2 NGV Contemporary Indicative Building Site Area

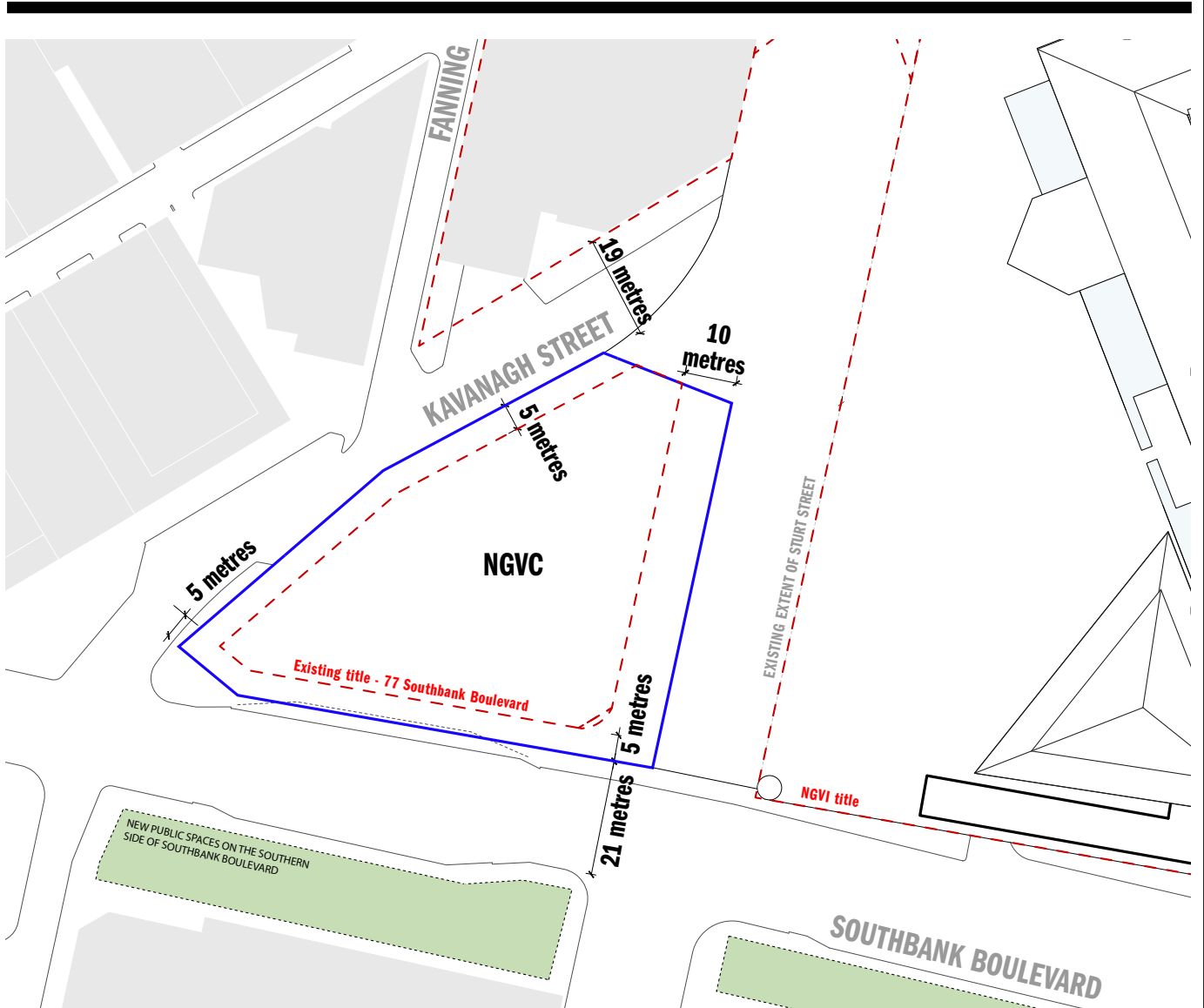


### NGV Contemporary Site Area - Sturt Street Level Plan

Dimensions from NGV Contemporary indicative building envelope to surrounding context are approximate and shown for information

- Legend
- - - Existing title boundaries
  - NGV Contemporary Indicative Design Envelope at Sturt Street





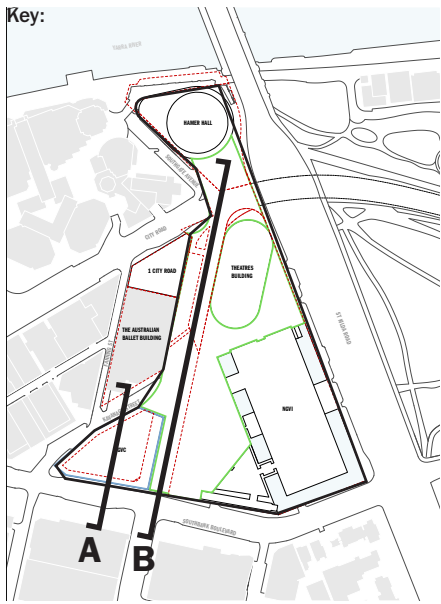
### NGV Contemporary Preferred Building Envelope at Public Realm Level

Dimensions from NGV Contemporary indicative building envelope to surrounding context are approximate and shown for information

- Legend
- - - Existing title boundaries
  - NGV Contemporary Indicative Design Envelope at Public Realm level ( 5.5metres indicative above Sturt Street level)

# 5.3 BUILT FORM

## 5.3.3 SECTIONS

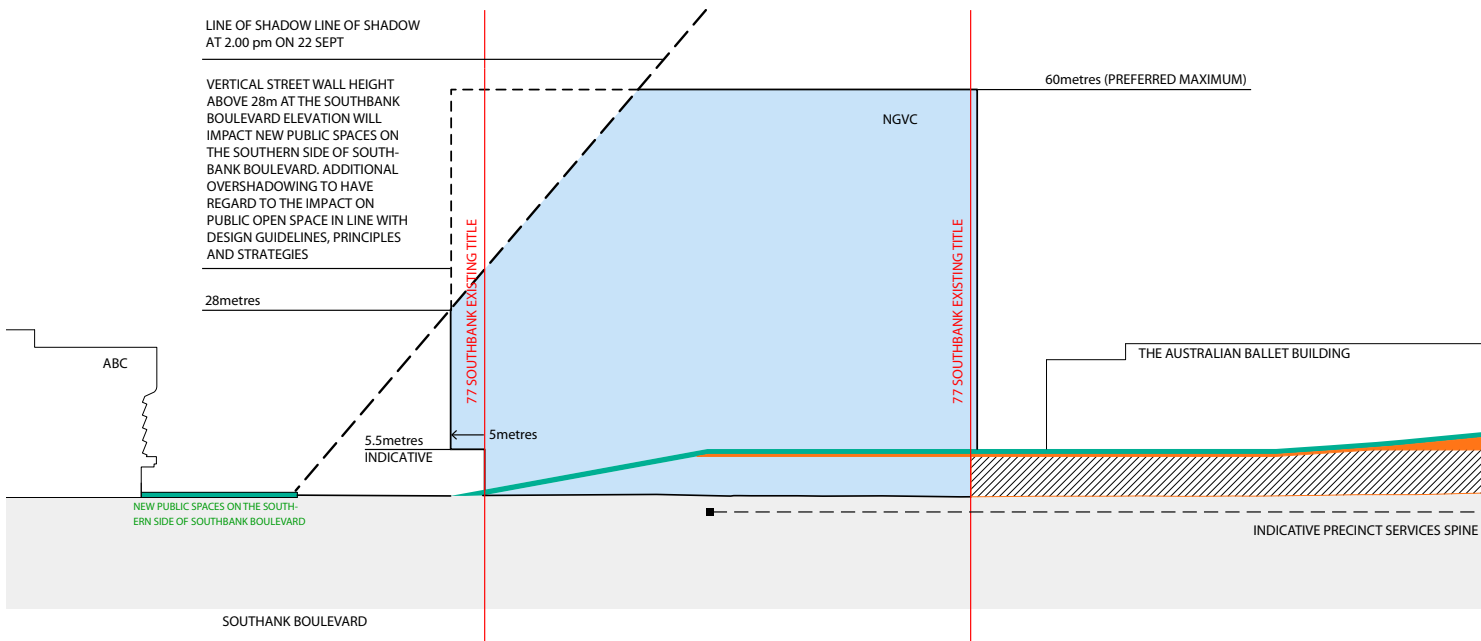


- Legend:**
- Existing title boundary
  - Public Realm
  - NGV Contemporary Indicative Design Envelope (shaded and dashed outline)
  - Sturt Street Elevated Deck Structure (including RACM Stage 2A)
  - RACM Stage 2A (below Sturt Street level)
  - Arts Precinct loading zone
  - Existing City Road deck structure

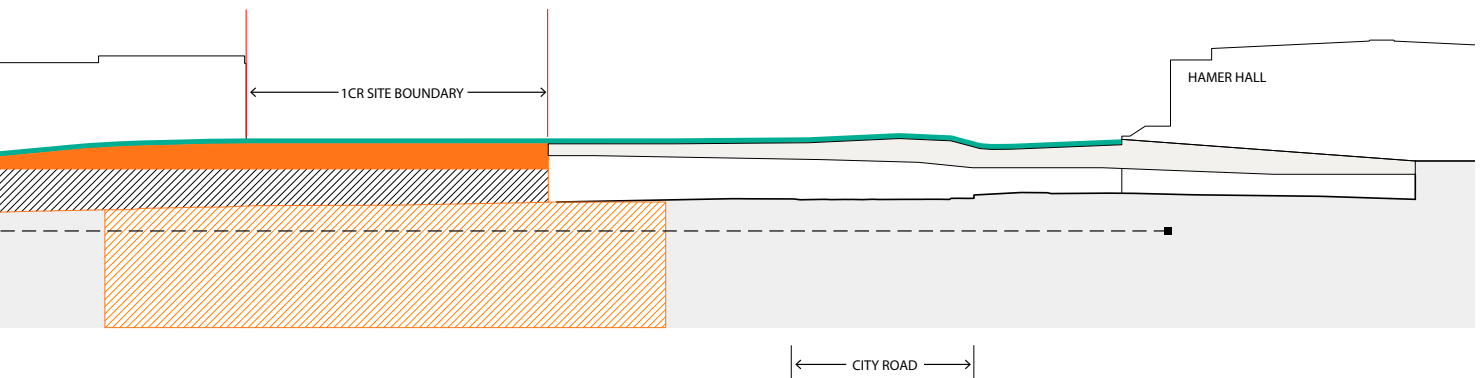
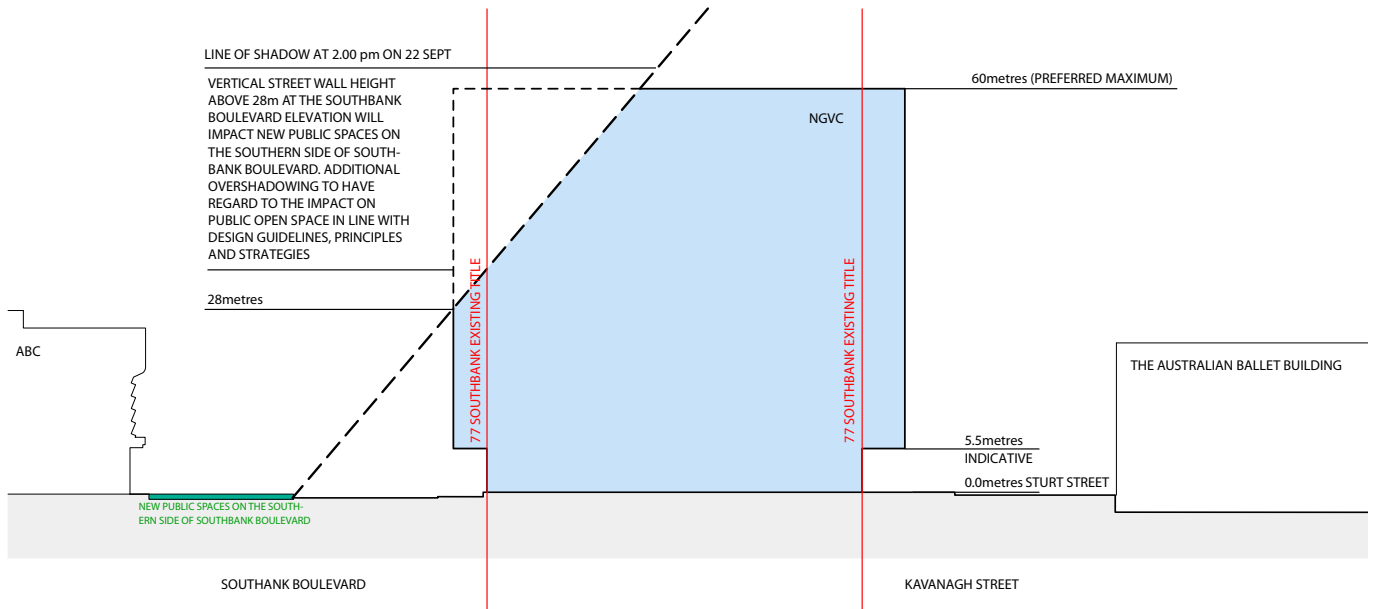
**Note:**

Please refer to plans on page 60-62 for extent and dimensions of NGV Contemporary envelope beyond the existing site boundary along Southbank Boulevard, Kavanagh Street and Sturt Street. Projection beyond the title boundary along each of Kavanagh Streets and Southbank Boulevard is max. 5m when measured perpendicular at any point. Projection beyond the title boundary along Sturt Street is max. 10m when measured perpendicular at any point. The datum of 5.5m for the built form cantilever over Kavanagh Street and Southbank Boulevard is approximate.

### Section B - Through precinct from Southbank Boulevard to Hamer Hall looking west

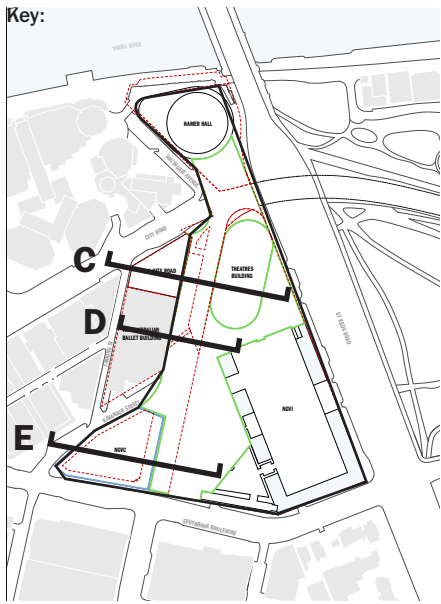


### Section A - Through NGV Contemporary looking west



# 5.3 BUILT FORM

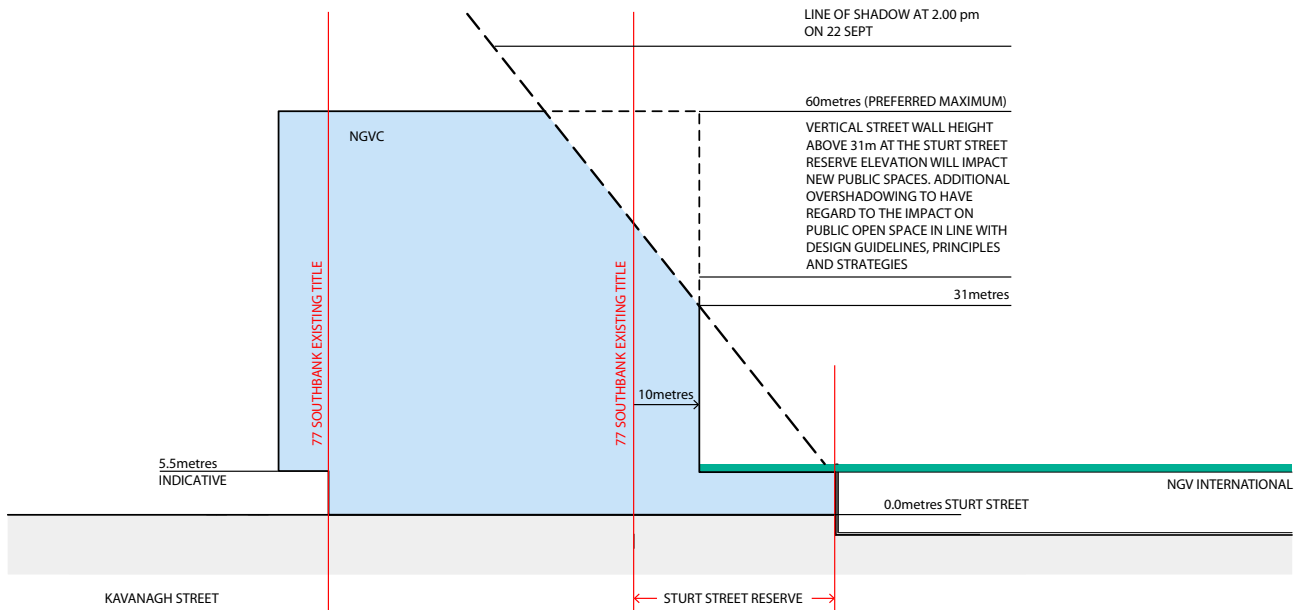
## 5.3.3 SECTIONS



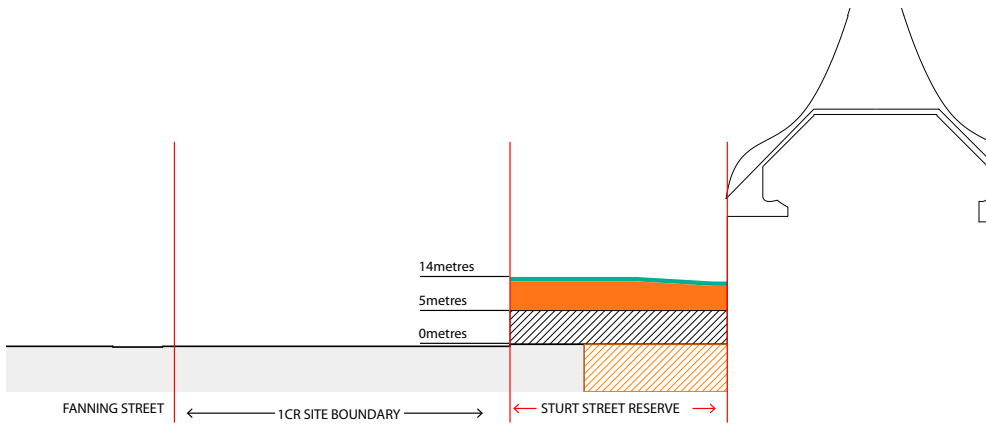
- Legend:**
- Existing title boundary
  - Public Realm
  - NGV Contemporary Indicative Design Envelope (shaded and dashed outline)
  - Sturt Street Elevated Deck Structure (including RACM Stage 2A)
  - RACM Stage 2A (below Sturt Street level)
  - Arts Precinct loading zone
  - Existing City Road deck structure

**Note:**  
Please refer to plans on page 60-62 for extent and dimensions of NGV Contemporary envelope beyond the existing site boundary along Southbank Boulevard, Kavanagh Street and Sturt Street. Projection beyond the title boundary along each of Kavanagh Streets and Southbank Boulevard is max. 5m when measured perpendicular at any point. Projection beyond the title boundary along Sturt Street is max. 10m when measured perpendicular at any point. The datum of 5.5m for the built form cantilever over Kavanagh Street and Southbank Boulevard is approximate.

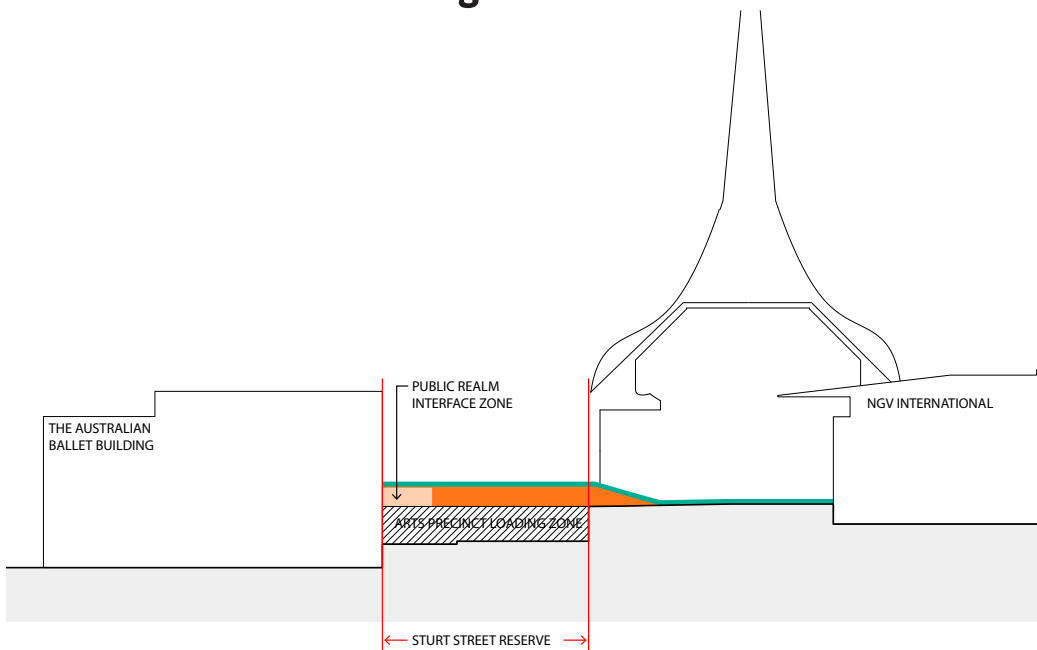
### Section E - Through NGV Contemporary looking north



### Section C - Through 1 City Road site through to Theatres building looking north



### Section D - Through precinct between The Australian Ballet Centre and NGV International looking north



# 5.4 SHADOW DIAGRAMS

## September

Shadow diagrams have been prepared that show the impact of existing built form and the shaded area within the NGV Contemporary building envelope. Overshadowing shown in red is the area affected by the shaded area within the NGVC building envelope, shown in section 5.3.

Additional built form that may cast shadows beyond the red area may be considered to facilitate a creative and optimal response to the functional design brief for the NGV Contemporary.. In considering built form that would result in additional overshadowing, consideration should be given to relevant Strategies, Principles and Design Guidelines in this Master Plan.

Legend:

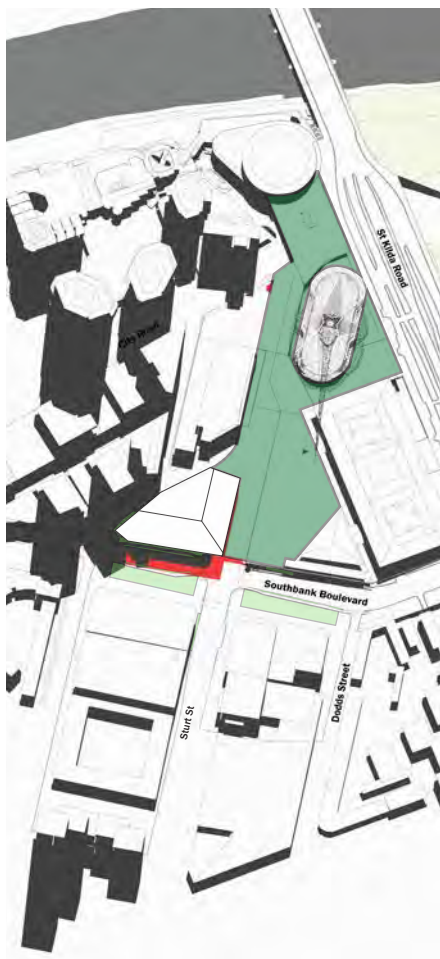
- Existing shadow
- Proposed new built form shadow
- MAPT Public Realm
- Southbank Linear Park

11:00am 22 September



5.4 Shadow Diagrams

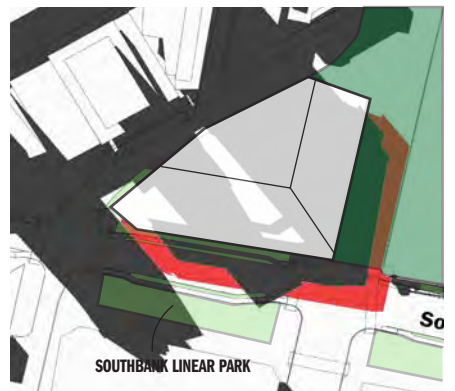
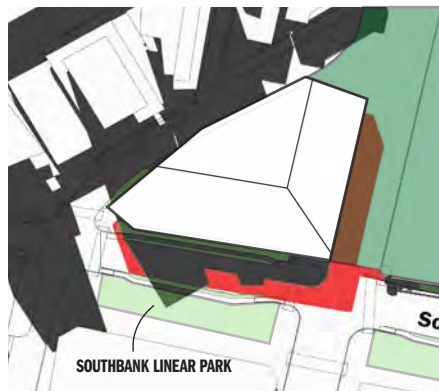
12:00pm 22 September



1:00pm 22 September



2:00pm 22 September



# 5.4 SHADOW DIAGRAMS

## June

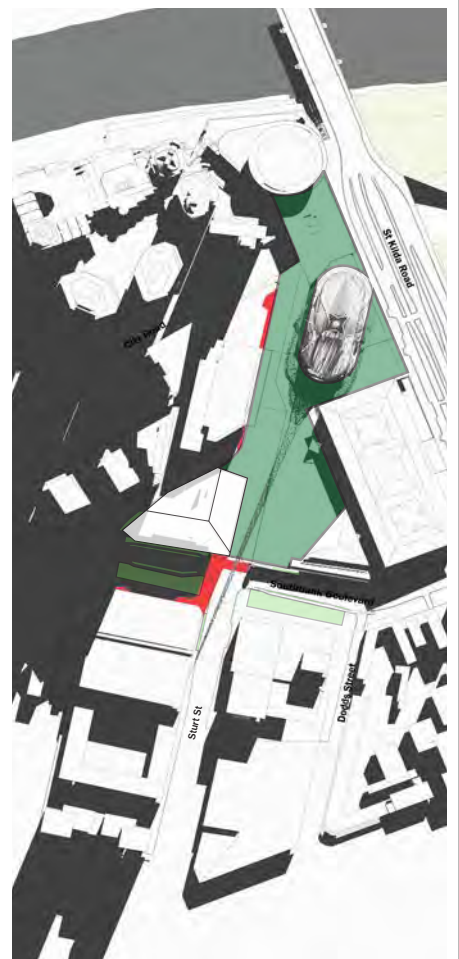
Shadow diagrams have been prepared that show the impact of existing built form and the shaded area within the NGV Contemporary building envelope. Overshadowing shown in red is the area affected by the shaded area within the NGVC building envelope, shown in section 5.3.

Additional built form that may cast shadows beyond the red area may be considered to facilitate a creative and optimal response to the functional design brief for the NGV Contemporary.. In considering built form that would result in additional overshadowing, consideration should be given to relevant Strategies, Principles and Design Guidelines in this Master Plan.

Legend:

- Existing shadow
- Proposed new built form shadow
- MAPT Public Realm
- Southbank Linear Park

11:00am 22 June



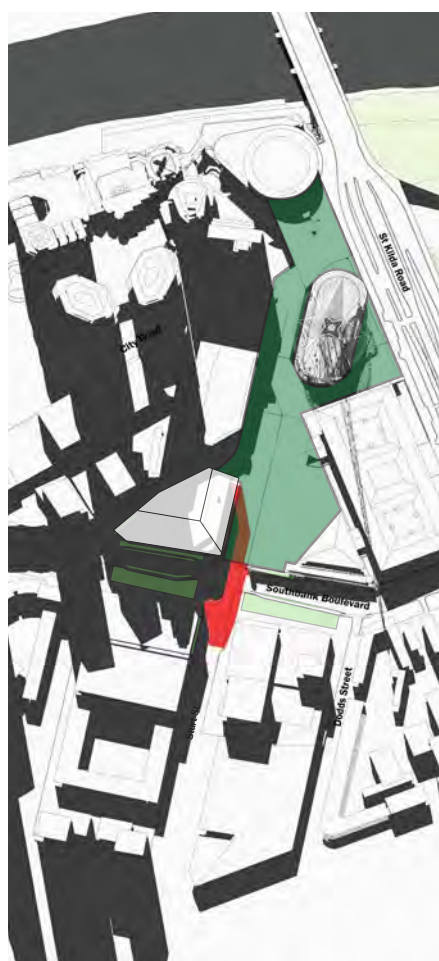


### 5.4 Shadow Diagrams

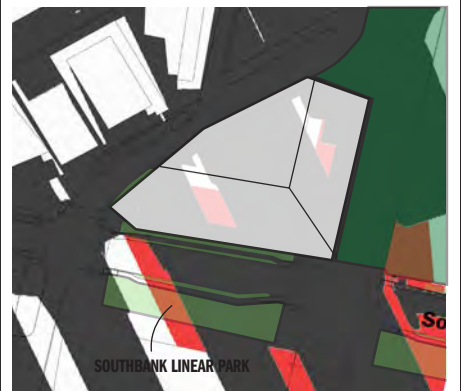
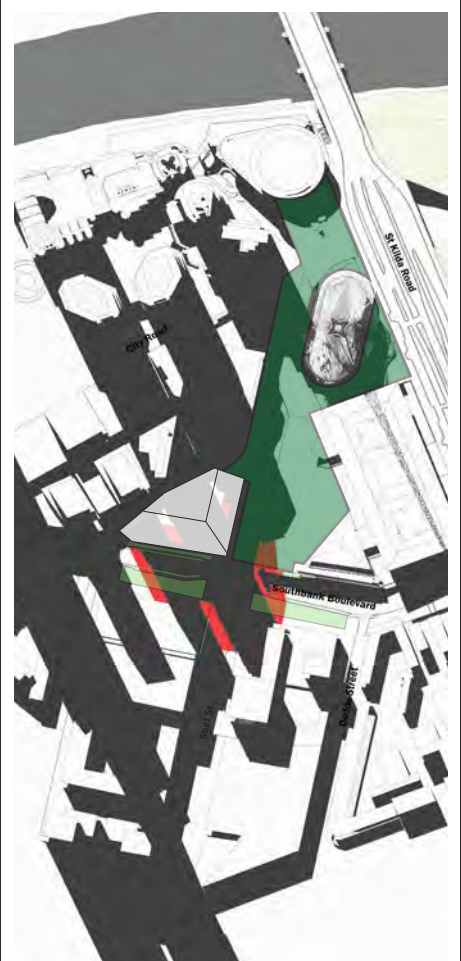
12:00pm 22 June



1:00pm 22 June



2:00pm 22 June



# 5.5

## DESIGN GUIDELINES

### Design Guidelines

The following design guidelines have been prepared to assist with the assessment of detailed development plans submitted for approval. The design guidelines are intended to be applied with discretion as there will be a range of solutions or responses that result in an acceptable outcome and that achieve the overall vision for the precinct.

- To create an Arts and Cultural precinct of State significance with an integrated suite of exemplary public buildings connected by a new pedestrian-focused public realm elevated above a discontinued Sturt Street north
- To recognise the heritage significance of the National Gallery of Victoria International, the Arts Centre Melbourne, Hamer Hall and Forward Surge, and protect their visual integrity within the precinct, including the Arts Centre Spire silhouetted against the sky
- To provide complementary buildings for new arts-related uses with their own identity but of a scale and form that respects the heritage buildings and assures user comfort within the public realm
- To provide a universally accessible, landscaped and activated public realm between key buildings at St Kilda road level, seamlessly connected to surrounding streets and acting as the common space linking all surrounding buildings and serving as their main entry
- To remove through traffic on Sturt Street and provide separated vehicle access to a lower level dedicated to precinct-wide servicing and limited parking

## 5.5 Design Guidelines

### 5.5.1 Precinct Wide Amenity

<b>5.5.1.1 Character</b>	<ul style="list-style-type: none"> <li>→ Create an environment with a diverse range of built form, landscaping, open space and uses that is welcoming, comfortable and is highly engaging for users.</li> <li>→ Enhance civic amenity by providing additional public open space and public benefit and improved urban design outcomes for existing spaces.</li> </ul>
	<ul style="list-style-type: none"> <li>→ Support opportunities for commercial activity and business growth in creative sectors</li> </ul>
<b>5.5.1.2 Identity</b>	<ul style="list-style-type: none"> <li>→ Enable architectural forms, articulation, materials and detailing that provide identity and interest without detracting from the integrity of the heritage arts buildings as free-standing landmarks</li> <li>→ Provide infrastructure, opportunity, and support for creative endeavours.</li> </ul>
<b>5.5.1.3 Diversity</b>	<ul style="list-style-type: none"> <li>→ Encourage a diverse mix of uses, programs and experiences to encourage a variety of users</li> </ul>
<b>5.5.1.4 Access</b>	<ul style="list-style-type: none"> <li>→ Provide a diversity of high-quality, pedestrian routes through the precinct from all surrounding streets that respect key pedestrian desire lines, enable and promote neighbourhood linkages and enhance connections between new and existing buildings.</li> <li>→ Enable a seamless transition between floor levels across the precinct by promoting and enhancing universal access, including the use of lifts, where necessary.</li> <li>→ Provide 24/7 accessible, functional and useable linkages into the precinct from City Road, Kavanagh Street, St Kilda Road, Southbank Boulevard and Southgate Avenue.</li> <li>→ Provide clear line of sight to the existing and new landmark buildings, heritage assets, and public realm activations.</li> <li>→ Provide clear line of sight to the existing and new landmark buildings, heritage assets, and public realm activations.</li> <li>→ Provide clear identification of the key precinct entry points, both for the public realm and the institutional buildings.</li> </ul>
<b>5.5.1.5 Facilities &amp; Amenities</b>	<ul style="list-style-type: none"> <li>→ Provide points of rest, seating, and amenity throughout the Public Realm.</li> <li>→ Provide complementary amenities such as cafés and other retail as well as non-retail uses that support the activation of the Precinct and user experience.</li> <li>→ Provide toilet facilities that are accessible from within the public spaces for use by all visitors to the Precinct.</li> </ul>
<b>5.5.1.6 Carparking</b>	<ul style="list-style-type: none"> <li>→ Maintain public vehicular access/egress to the Arts Centre Carpark via Kavanagh Street and Southbank Boulevard</li> </ul>
<b>5.5.1.7 Sustainable Transport</b>	<ul style="list-style-type: none"> <li>→ Encourage sustainable transport options by providing bicycle parking at the precinct perimeter.</li> <li>→ Investigate the potential for public transport/drop off zone along Southbank Boulevard to support access to the Precinct from the south.</li> </ul>
<b>5.5.1.8 Proximity</b>	<ul style="list-style-type: none"> <li>→ Provide leasable and non-leasable activation spaces within the Public Realm that are available for use and performance by the Arts community.</li> </ul>

### 5.5.2 Precinct Wide Services

<b>5.5.2.1 Services</b>	<ul style="list-style-type: none"> <li>→ Establish flexible site infrastructure that supports the staged expansion of the MAPT Precinct.</li> <li>→ Establish flexible site infrastructure which supports sustainability outcomes for the precinct.</li> </ul>
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# 5.5

## DESIGN GUIDELINES

<b>5.5.2.2 Waste</b>	<ul style="list-style-type: none"> <li>→ Establish a centralised waste management and storage facility for each of the National Gallery of Victoria (NGVI and NGVC) and Arts Centre Melbourne (Theatres Building) and provide for future development (1 City Road) to maximise waste management efficiency and support new and existing uses and development.</li> <li>→ Implement a Precinct Waste Management Strategy and or strategies for individual developments that seek to achieve an 'Aim for Zero' approach targeting zero waste to landfill including by designing waste systems to maximise avoidance and reuse before recycling. Disposal of waste to landfill is a last choice.</li> </ul>
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<b>5.5.2.3 Loading</b>	<p>Facilitate safe and efficient loading within the precinct including by:</p> <ul style="list-style-type: none"> <li>→ Closing Sturt Street (City Road to Southbank Boulevard) to public vehicles to optimise the loading arrangement, capacity and back of house operations for each of the Arts Centre and the NGV.</li> <li>→ Separating the functions of vehicular loading/movement and back of house operations from public pedestrian movement.</li> </ul>
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### 5.5.3 Heritage

<b>5.5.3.1 Heritage</b>	<ul style="list-style-type: none"> <li>→ Respond sympathetically to heritage elements and structures, with high-quality, contemporary design interpretive of the heritage and cultural context.</li> <li>→ Reflect First Peoples cultural heritage in the physical environment of the Precinct, both within the Public Realm and the individual buildings through art, design and programming.</li> <li>→ Design in accordance with the existing Conservation Management Plans for the NGV International and the Arts Centre Melbourne buildings.</li> </ul>
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<b>5.5.3.2 Cultural Heritage</b>	<ul style="list-style-type: none"> <li>→ Ensure development accords with the approved Cultural Heritage Management Plan.</li> <li>→ Acknowledge and respect Aboriginal cultural heritage including through the use of the precinct to provide education opportunities.</li> </ul>
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### 5.5.4 Public Realm

<b>5.5.4.1 Open Space</b>	<ul style="list-style-type: none"> <li>→ Provide accessible, affordable, sustainable, safe and well utilised public space.</li> <li>→ Facilitate social connections in an open and welcoming environment.</li> <li>→ Create spaces that engage the senses and delight the mind.</li> <li>→ Provide robust and flexible spaces for future adaptability and change.</li> <li>→ Provide a variety of open space located throughout the precinct, including intimate spaces and larger event spaces.</li> <li>→ Create a continuous network of accessible, open spaces throughout the site that connect to the surrounding public realm and invites the public into the Precinct</li> </ul>
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## 5.5 Design Guidelines

		<ul style="list-style-type: none"> <li>→ Provide a variety of open spaces that promote creative freedom and provide performance spaces to support a lively and amenity rich experience.</li> <li>→ Open space identified as publicly accessible is to provide 24/7 access to the public.</li> <li>→ Primary pedestrian connections are to be a minimum width of 4 metres where possible.</li> <li>→ Secondary pedestrian connections are to be a minimum width of 2 metres, where possible.</li> <li>→ Tertiary pedestrian connections are to provide a minimum width to allow for wheelchairs and prams to pass by each other, where possible.</li> <li>→ Provide for sunlight access appropriate to the function of the public open space.</li> <li>→ Design open spaces to respond to changing sunlight levels and conditions.</li> <li>→ Manage overshadowing impacts on existing public open spaces in line with relevant Principles, Strategies and Guidelines within the Master Plan.</li> </ul>
<b>5.5.4.2</b>	<b>Landscaping</b>	<ul style="list-style-type: none"> <li>→ Design landscaping to respect the heritage character and cultural history of the site.</li> <li>→ Provide shelter, respite and support a human-centred, public environment.</li> <li>→ Select planting that is resilient, appropriate to the location, easy to maintain and minimises irrigated water demand.</li> </ul>
<b>5.5.4.3</b>	<b>Materials</b>	<ul style="list-style-type: none"> <li>→ Utilise high quality, resilient and low maintenance finishes, materials and street furniture throughout the public realm.</li> </ul>
<b>5.5.4.4</b>	<b>Safety</b>	<ul style="list-style-type: none"> <li>→ Ensure that all public realm spaces are safe and usable by implementing good passive surveillance and wayfinding principles.</li> <li>→ Avoid inactivated or isolated pockets of landscape.</li> <li>→ Provide adequate lighting for night time use to ensure safety of users</li> </ul>
<b>5.5.4.5</b>	<b>Performance</b>	<p>Create a hierarchy and diversity of open space throughout the public realm for performance purposes, including:</p> <ul style="list-style-type: none"> <li>→ Large Performance Space, with an approximate area of 500m<sup>2</sup></li> <li>→ Medium Performance Space, with an approximate area of 50m<sup>2</sup></li> <li>→ Small Performance Space, with an approximate area of 5m<sup>2</sup></li> </ul>
<b>5.5.4.6</b>	<b>Activation Zones</b>	<ul style="list-style-type: none"> <li>→ Provide a new raised Sturt Street public realm that is well activated with pedestrian traffic.</li> <li>→ Provide active interfaces to the new public realm and secondary activation of surrounding streets, noting that the nature of arts and cultural uses may preclude continuous activation.</li> <li>→ Provide comfortable, integrated pedestrian links between the Arts Precinct and City Road, Kavanagh Street, Southbank Boulevard, St Kilda Road and Southgate.</li> </ul>
<b>5.5.4.7</b>	<b>Micro-Climate</b>	<ul style="list-style-type: none"> <li>→ Prioritise outdoor thermal comfort and create a comfortable micro-climate through managing exposure to prevailing winds and direct exposure to solar radiation.</li> <li>→ Minimise pollutant impact on the public realm by utilising screening at the edge of City Road deck structure and at the interface with Kavanagh Street.</li> <li>→ Optimise design to enhance microclimate, comfort and useability at all times of year.</li> <li>→ Publicly accessible spaces within and adjoining the area to be on or within comfortable walking, standing or sitting criteria for wind as appropriate and having regard to the function of the space.</li> <li>→ Design wind mitigation features as integrated building elements with more limited reliance on vegetation and standalone screening.</li> </ul>

# 5.5

## DESIGN GUIDELINES

5.5.4.8 Services	<ul style="list-style-type: none"> <li>→ Implement mitigation measures in the detailed design of the development to minimise the impact of noise, pollutants and light on surrounding development and the broader precinct</li> <li>→ Minimise light pollution within the Public Realm and landscaped areas.</li> </ul>
5.5.4.9 Public Stair/Lift Connections	<ul style="list-style-type: none"> <li>→ Public lift and stair connections to be provided along primary pedestrian connections must be clearly legible.</li> <li>→ Public stairs and lifts must be universally accessible and safe to use 24/7.</li> </ul>
5.5.4.10 Edge Conditions	<p>The design of the precinct edges should consider the following, as appropriate:</p> <ul style="list-style-type: none"> <li>→ St Kilda Road: Inviting, permeable, universally accessible with choice of multiple access points.</li> <li>→ City Road: Provide protection from environmental impacts such as noise, dust, pollution and wind.</li> <li>→ Southbank Boulevard: Inviting, universally accessible and clearly distinguishable relative to the adjacent NGV Contemporary.</li> <li>→ Interface with 1 City Road site: Protection from external elements including noise and pollution, whilst providing temporary screening along the built form edge through the use of design strategies not limited to art or landscaping.</li> </ul>
5.5.4.11 Interfaces	<ul style="list-style-type: none"> <li>→ Design Public Realm edge conditions to facilitate and not exclude future connection and active interfaces with adjoining sites.</li> <li>→ The subject site to respond and connect to the Australian Ballet Centre enhancing connectivity to publicly accessible areas, support high levels of pedestrian amenity, activation and provide for a human scale.</li> <li>→ Façade refinements, including new structure, to the western façade of NGVI should seek to enhance the connectivity of publicly accessible areas, support high levels of pedestrian amenity, activation and provide for a human scale.</li> <li>→ New entrance locations within adjoining forms to be located in accordance with the Master Plan principles and integrated seamlessly at point of interface with the Public Realm.</li> <li>→ Recognise that impacts on adjoining public spaces may be balanced against the benefits and amenity provided by development of new open space within MAPT area that receives direct sunlight.</li> <li>→ Manage overshadowing on surrounding public realm areas in line with relevant MAPT Strategies, Principles and Design Guidelines.</li> <li>→ Where the Public Realm interfaces with built form of Heritage significance, ensure the design delivers sensitive integration and is consistent with any relevant Conservation Management Plan.</li> </ul>

### 5.5.5 Built Form

#### NGV Contemporary

5.5.5.1 Building Height	→ Maximum preferred height of 60 metres
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## 5.5 Design Guidelines

<b>5.5.5.2 Building Envelope</b>	<ul style="list-style-type: none"> <li>→ Building envelope should be as depicted in Section 5.3. This does not apply to architectural features including minor projections, and building services.</li> <li>→ Built form should maintain the visual dominance and views to the Arts Centre Spire as a civic skyline landmark throughout the precinct and the visual integrity of the Arts Centres Spire as an independent landmark that is silhouetted against the open sky, as viewed from the Sturt Street axis spine.</li> <li>→ Built form should achieve the following recommended standing/sitting wind comfort criterion:             <ul style="list-style-type: none"> <li>→ Wind conditions in the building entrance areas are to be within 'standing' comfort criterion.</li> <li>→ Wind conditions at the primary pathways within the public realm and the pedestrian footpaths are to be within 'walking' comfort criterion</li> <li>→ Wind conditions at points of major activation and dwell spaces are to be within 'standing/sitting' comfort criterion.</li> </ul> </li> </ul>
<b>5.5.5.3 Overshadowing</b>	<p>Manage overshadowing beyond that cast by the shaded area within the NGVC preferred building envelope, as shown in section 5.3 having regard to:</p> <ul style="list-style-type: none"> <li>→ The public amenity and benefit provided by the new Public Realm on the site and its ability to off-set a reduction in direct sunlight to existing public spaces at the Equinox, between 11am and 2pm.</li> <li>→ The area of additional overshadowing relative to the area of remaining sunlit space compared to the total area of the public space.</li> <li>→ Whether the additional overshadowing unreasonably compromises the existing and future use, quality and amenity of the public space available within the precinct.</li> <li>→ Achieving an innovative, dynamic and bold architectural response that meets the functional requirements of the NGVC.</li> <li>→ The intended use of areas overshadowed and whether that use is unreasonably impacted.</li> <li>→ The amount of direct sunlight received throughout the Public Realm and whether the Public Realm as a whole receives adequate direct sunlight to serve its overall function and purpose.</li> </ul>
<b>5.5.5.4 Pedestrian Access</b>	<ul style="list-style-type: none"> <li>→ Built form should enhance the connectivity of publicly accessible areas, support high levels of pedestrian amenity, activation and provide for a human scale.</li> <li>→ Built form should support effective integration at the interface between NGV Contemporary with the Public Realm, in alignment with the objectives of the Master Plan. Such forms that support integration with the Public Realm, for the purposes of access and arrival, may extend outside of the design envelope as shown in Section 5.3.</li> </ul>
<b>5.5.5.5 Building Identity</b>	<ul style="list-style-type: none"> <li>→ Built form should contribute to the iconic collection of existing buildings within the Arts Precinct through architectural design excellence and integration of sustainable building initiatives.</li> </ul>
<b>5.5.5.6 Building Entrances</b>	<ul style="list-style-type: none"> <li>→ Major building entrances to be visible from the Public Realm and from Southbank Boulevard and support natural wayfinding.</li> </ul>
<b>5.5.5.7 Materiality</b>	<ul style="list-style-type: none"> <li>→ Incorporate innovative design including through the selection of materials.</li> <li>→ Use high quality, durable and low maintenance materials.</li> <li>→ Use low emission, non-reflective glazing.</li> </ul>
<b>5.5.5.8 Activation</b>	<ul style="list-style-type: none"> <li>→ The main facades along Southbank Boulevard and the Public Realm should provide visual interest for users of these public places.</li> <li>→ The main facades should contribute to surveillance for the safety of public places.</li> <li>→ Maximise active frontages where possible to enhance the public realm and pedestrian environment.</li> </ul>

# 5.5

## DESIGN GUIDELINES

	<ul style="list-style-type: none"> <li>→ Support the integration of internal and external space to encourage interaction.</li> </ul>
<b>5.5.5.9 High Quality Design</b>	<ul style="list-style-type: none"> <li>→ Encourage innovative, high quality and well-designed buildings which complement the existing urban fabric.</li> <li>→ Ensure all building features and materials, including soffit treatment and detailing of any building cantilevers are of high quality.</li> <li>→ Create a vibrant, active place with passive surveillance of streets and other pedestrian and public spaces.</li> <li>→ Ensure that the design of public spaces, buildings and circulation spaces meets high quality design standards.</li> <li>→ Provide an appropriate built form response that has regard to and does not unreasonably impact the significance of adjoining heritage places.</li> <li>→ Incorporate regular design quality reviews throughout the design and design documentation process.</li> </ul>
<b>5.5.5.10 Sustainability</b>	<ul style="list-style-type: none"> <li>→ Embed sustainability principles within the building fabric, structure, and systems delivering a high-performance and responsive asset that seeks to achieve an environmental rating consistent with the MAPT Sustainability Strategy, using a ratings tool that is most appropriate for the nature of the development.</li> <li>→ Minimise heating and cooling demands through building design.</li> <li>→ Optimise daylight in alignment with functional requirements, while internal space planning is to leverage thermal adjacencies to reduce exposure to heat loads and heat loss.</li> <li>→ Incorporate mixed mode and natural ventilation to reduce demand on active systems and align to the passive elements of the building design.</li> <li>→ Achieve an overall energy performance of 20% reduction against an NCC 2019 Section J compliant building.</li> <li>→ Connect and send water to the proposed precinct blackwater treatment plant.</li> <li>→ Incorporate water fixtures and fittings that achieve a minimum efficiency levels.</li> <li>→ Direct rainwater which falls on the built form but is not used by the NGV Contemporary into the precinct water tanks.</li> <li>→ Reduce cement content in concrete by at least 30%.</li> <li>→ Ensure 95% of all structural or reinforcing steel is sourced from a Responsible Steel Maker.</li> <li>→ All structural timber should be Forest Stewardship Council (FSC) or Programme for the Endorsement of Forest Certification (PEFC) certified.</li> <li>→ Outdoor air supply should achieve levels at least 50% greater than the minimum required by AS1668.2:2012 9.2A. Specific areas such as galleries, museum &amp; archival spaces to have HVAC designed accordingly.</li> </ul>



## Sturt Street -Public Realm Deck Structure

<b>5.5.5.11 Building Envelope</b>	<ul style="list-style-type: none"> <li>→ Create an elevated deck structure from City Road to Southbank Boulevard which allows for vehicular traffic at Sturt Street level and pedestrian circulation above at public realm level.</li> <li>→ At its western perimeter over City Road and along its interface with the 1 City Road site, provide an edge treatment to the existing deck structure which maximises screening of the public realm from traffic noise, pollution and wind.</li> <li>→ At its southern perimeter along Southbank Boulevard provide seamless pedestrian transition between the new public realm level and Southbank Boulevard, including the incorporation of 24/7, universally accessible public access.</li> </ul>
<b>5.5.5.12 Activation</b>	<ul style="list-style-type: none"> <li>→ At its interface with the 1 City Road site, provide temporary treatment along the built form edge through the use of design strategies not limited to art or landscaping, until a more permanent outcome for 1 City Road is delivered.</li> <li>→ Design Public Realm edge conditions to facilitate and not exclude future connection and active interfaces with adjoining sites, including the future development of 1 City Road.</li> <li>→ Maintain any required egress pathways to the Australian Ballet Centre along Sturt Street.</li> </ul>
<b>5.5.5.13 Materials</b>	<ul style="list-style-type: none"> <li>→ Use high-quality materials commensurate with the function of the space.</li> </ul>

## 5.5.6 Sustainability

<b>5.5.6.1 Environmental Performance</b>	<ul style="list-style-type: none"> <li>→ Optimize Environmental Performance of the Precinct through the creation of a connected network of services.</li> <li>→ Implement and promote, through design and operation, minimised greenhouse emissions, energy efficiency &amp; water sensitive systems.</li> </ul>
<b>5.5.6.2 Energy</b>	<ul style="list-style-type: none"> <li>→ Minimise energy consumption through a fully integrated strategy, balancing supply and demand, sharing energy, optimising efficiencies and integrating renewable energy sources.</li> <li>→ Incorporate best practice ESD initiatives in building design and construction.</li> </ul>
<b>5.5.6.3 Water</b>	<ul style="list-style-type: none"> <li>→ Minimise water consumption and usage through limiting potable water and increasing the use of and strategies to facilitate recycled water within the precinct.</li> <li>→ Promote water efficiency targets to further improve performance and provides users access to safe and healthy water.</li> </ul>
<b>5.5.6.4 Materials</b>	<ul style="list-style-type: none"> <li>→ Select building materials and systems to enhance energy efficiencies and environmental performance.</li> <li>→ Select durable, recycled, natural or easily renewable materials, where possible.</li> <li>→ Specify third party certified materials, where possible.</li> </ul>
<b>5.5.6.5 Waste</b>	<ul style="list-style-type: none"> <li>→ Incorporate best practice environmentally sustainable design initiatives in waste collection and management.</li> </ul>

# 5.6

## PUBLIC REALM

**The Public Realm will be delivered in its totality as part of MAPT Phase One. It will deliver 18,000sqm of new public space at the heart of the Melbourne Arts Precinct. For locals and visitors alike, the Public Realm will deliver new and enhanced public connections through world class design and activation. It will increase visitation to the precinct and encourage those who come to stay and enjoy a unique environment, differentiated through its intimate and ever-changing celebration of the Arts.**

### 5.6.1 Zoning

The Public Realm covers an expansive area of deck structure which spans between the south edge of Hamer Hall through to Southbank Boulevard. The deck structure includes the existing deck over City Road, the existing deck of Arts Centre Melbourne and its carpark below as well as the new deck over Sturt Street.

The level change between its most northerly and southerly points is approximately 8m.

Whilst conceived as a single unified public area, the diversity of conditions of the existing and now expanded site create the parameters which will be considered in the development of the design concept for the public realm.

The transition between levels in the public realm will provide for an appropriate urban design solution that prioritises universal access, delivers usable spaces and allows for integrated progression between higher and lower areas.

At a high level, the public realm can be divided into four key zones:

→ **North:**

Framed by Hamer Hall to the north and the Theatres Building to its south, and featuring the significant Forward Surge sculpture at its heart, this zone will also consider the challenges of City Road along its western edge as well as the opportunity for enhanced pedestrian connection with Southgate and along St Kilda Road

→ **Centre**

Framed by the Theatres Building to its east and the 1 City Road and Australian Ballet Centre sites along its western edge, this zone will provide the key transition between the upper and lower levels of the Public Realm. An activated edge along its interface with the 1 City Road site will be incorporated until such time as MAPT Phase Two is delivered. The proposed enhanced activation of the eastern façade of the Australian Ballet Centre will further contribute to the activation of this zone

→ **Link**

Framed by the Theatres Building to the north and the NGV International to the south, this gateway into the precinct provides a direct connection into the heart of the site and the visitors first glimpse of the NGV Contemporary on approach. It plays an important role in integrating the existing activations of the Theatres Building with both the south and centre public realm zones

→ **South**

Framed by the two NGV buildings, the south zone of the public realm provides the largest expanse of open area and affords significant opportunity for a diverse application of activations. It also delivers the public pedestrian connection to the south of the precinct, which will be integrated seamlessly with the eastern perimeter of the NGV Contemporary.

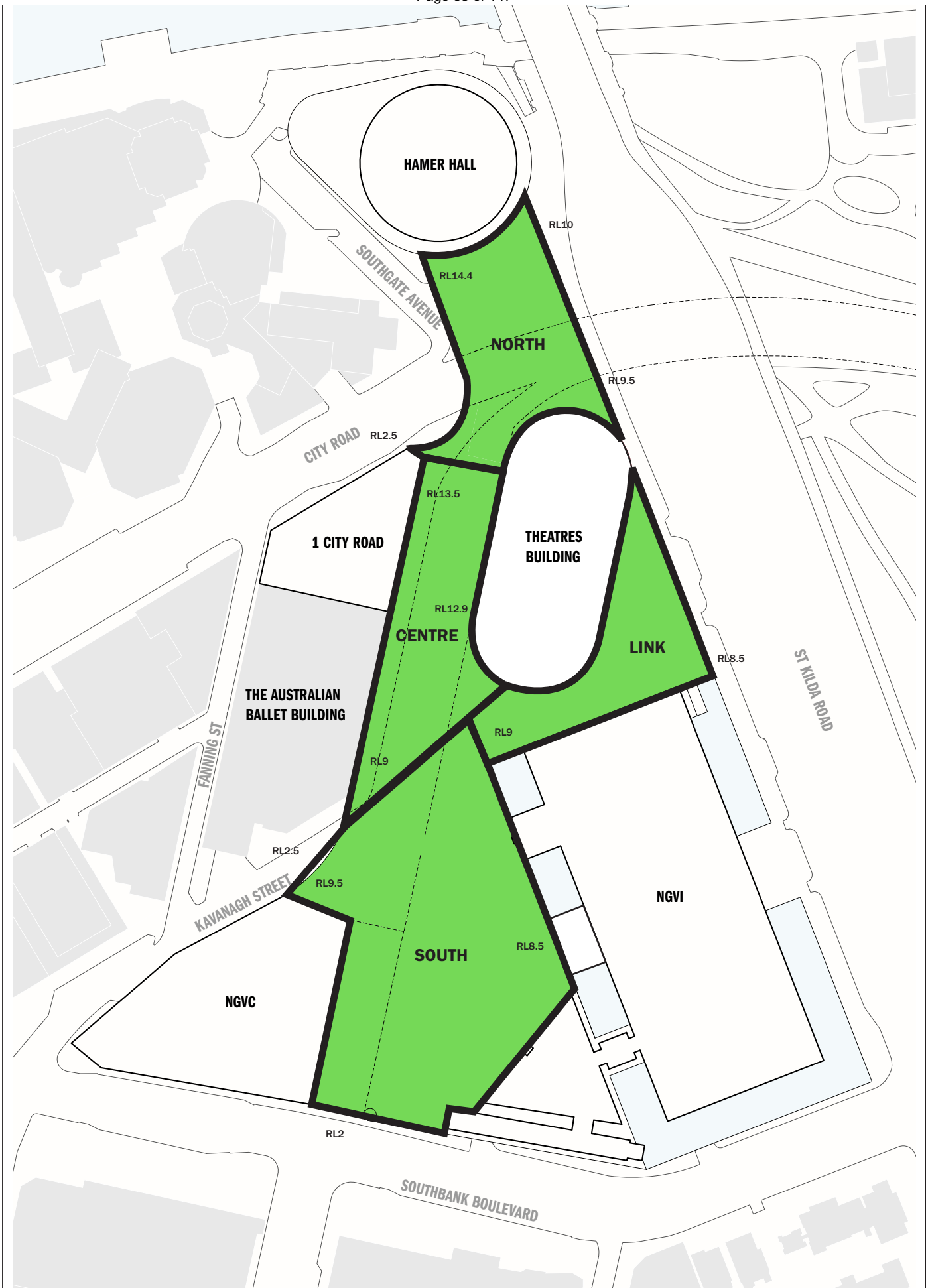


Diagram: Public Realm Zones

# 5.6 PUBLIC REALM

The MAPT principles of **Civic Generosity, Connectivity, Identity, Activation, World Class Best Practice, Sustainability, Collaboration and Design Excellence** provide the foundation for the design of the Public Realm.

## 5.6.2 Activity & Engagement

The Melbourne Arts Precinct is a place for everyone. It needs to be accessible and traversable at all times of the day, all times of the year and for a range of diverse purposes. It must be safe and legible at all times.

To allow for diverse activity to occur, the public realm will feature:

- Everchanging and diverse landscaping and landscape features for passive and active enjoyment
- A permanent and rotating exhibition of art and sculpture
- Spaces which will cater for a variety of activities, from programmed events and performances to passive recreation and reflection. These spaces will be designed to feel welcoming, even when not activated through programming.
- A curated mix of food and beverage opportunities throughout the public realm, complimented by food and beverage offers within the buildings of the MAPT.

The adjacent diagram shows a proposed series of activations incorporated throughout the public realm. The location of these activations is indicative and represents a dispersal of activations throughout the public realm and at points of interface with built form. The symbol does not reflect the proposed diversity of activation, which will be numerous, diverse in character and opportunity and consistent with the MAPT principles.

### Legend

- ☆ Symbolic representation of a diverse range of activations.

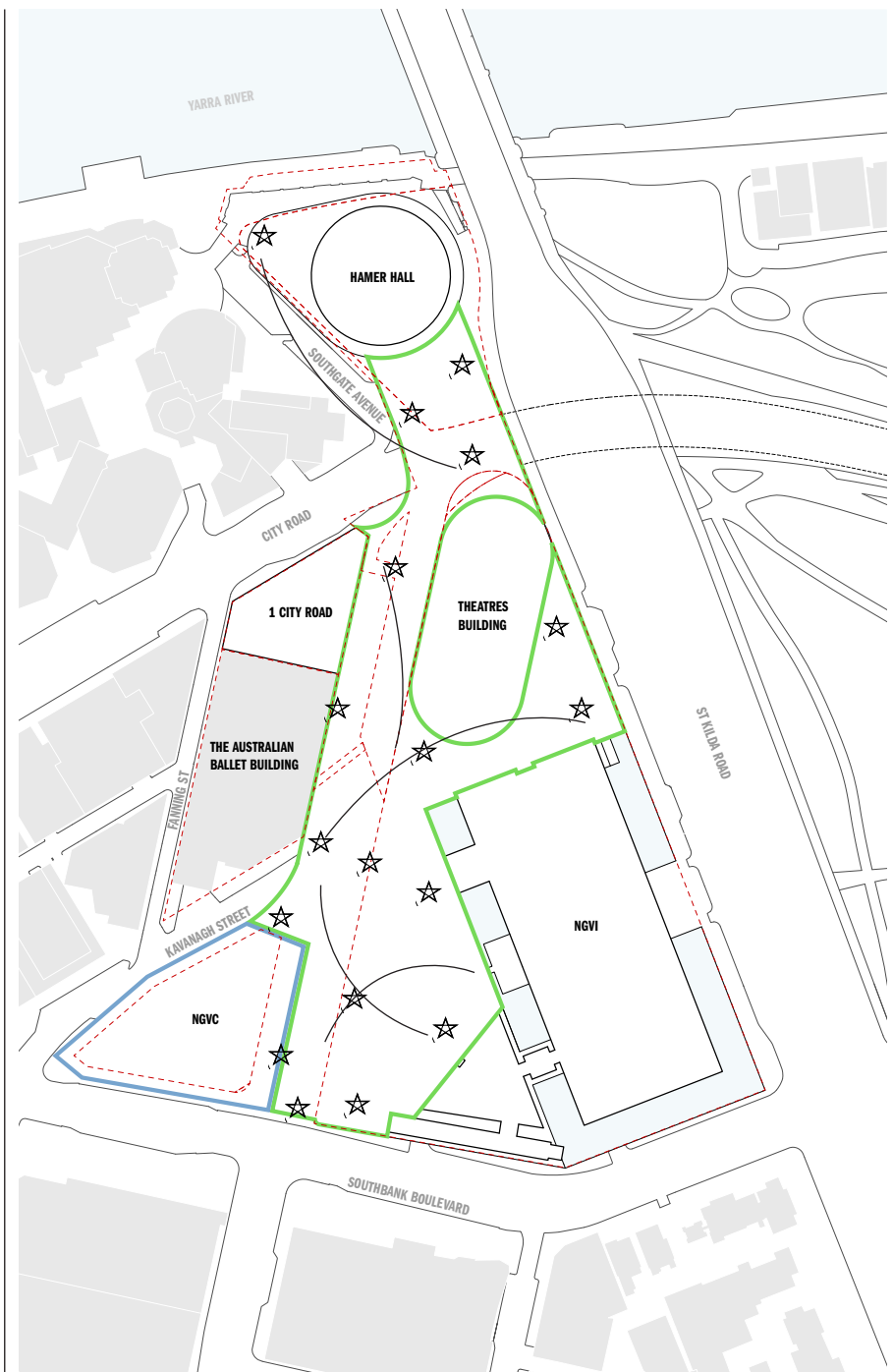


Diagram - potential engagement opportunities

## 5.6 Public Realm

### 5.6.3 Connection & Access

The public realm will provide diversity of access into, through, and between Arts Centre Melbourne's and NGV's buildings. The multiple gateways and pathways of the Public Realm will deliver equitable access to and through the Melbourne Arts Precinct, connecting into the wider urban fabric. The public realm will establish, facilitate and revitalise a range of connections:

- Between the Melbourne Arts Precinct and Birrarung / Yarra River
- From St Kilda Road to City Road, Southbank
- Between the Theatres Building and NGV International
- Between NGV International and NGV Contemporary
- Direct access to the public realm from Southbank Boulevard
- Direct access to the public realm from Kavanagh Street, Southbank
- Connection to The Arts Centre Melbourne carpark

The MAPT will deliver facilities that support the accessibility needs of the whole community by embracing diversity and inclusion principles. Universally accessible transitions will prioritize accessible pathways over vertical lifting, wherever reasonably possible, given the significant relative levels throughout the project area and the unique conditions at each of the gateways into the precinct.

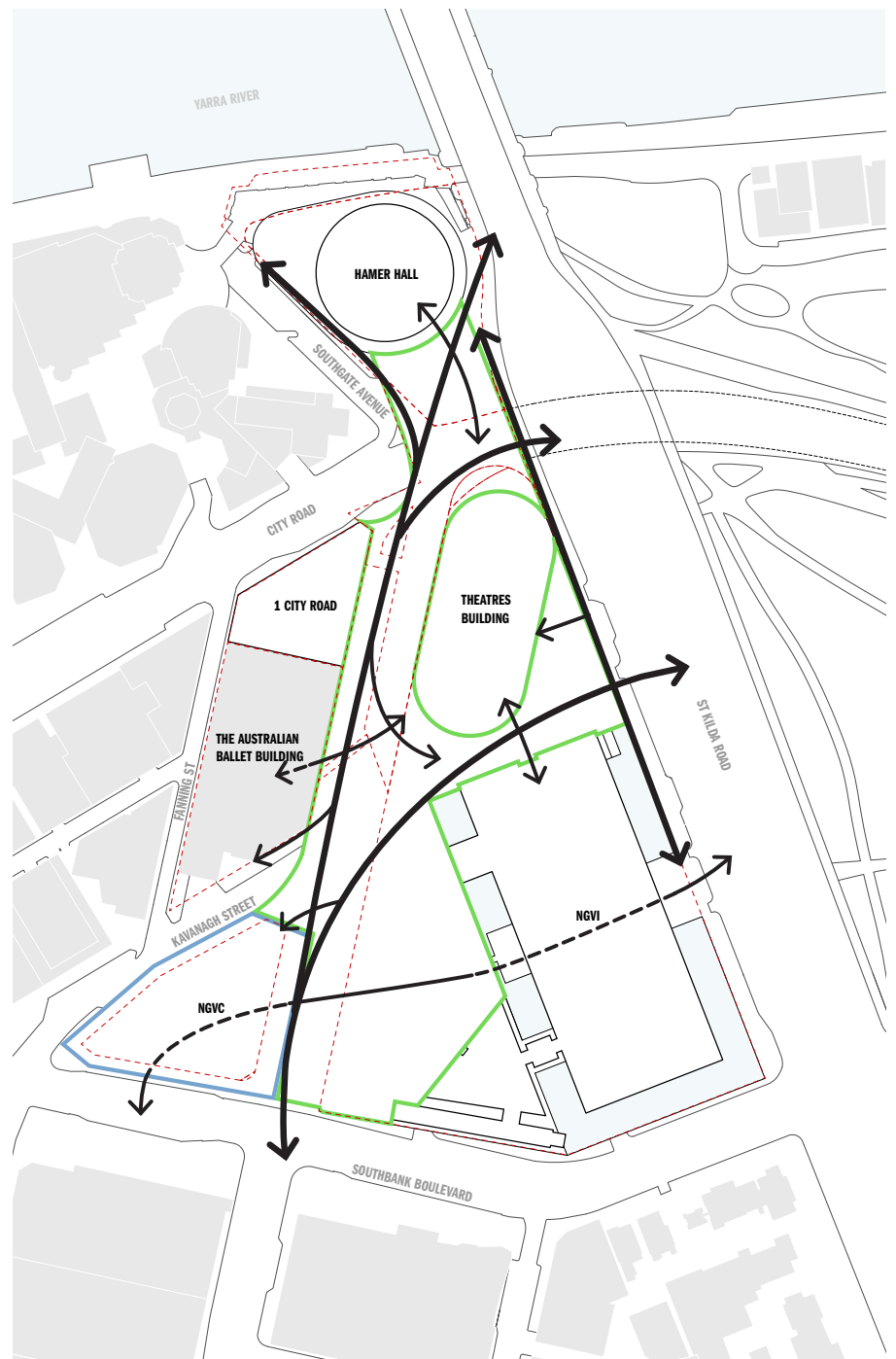


Diagram - Public Realm movement

# 5.6 PUBLIC REALM

## 5.6.4 Planting

The planting across the precinct will create a destination unlike anything in Australia, and an experience as extraordinary as those curated within the Melbourne Arts Centre, the National Gallery of Victoria and the other cultural institutions that touch the precinct.

The adjacent illustration shows the indicative landscape concept for the Public Realm.

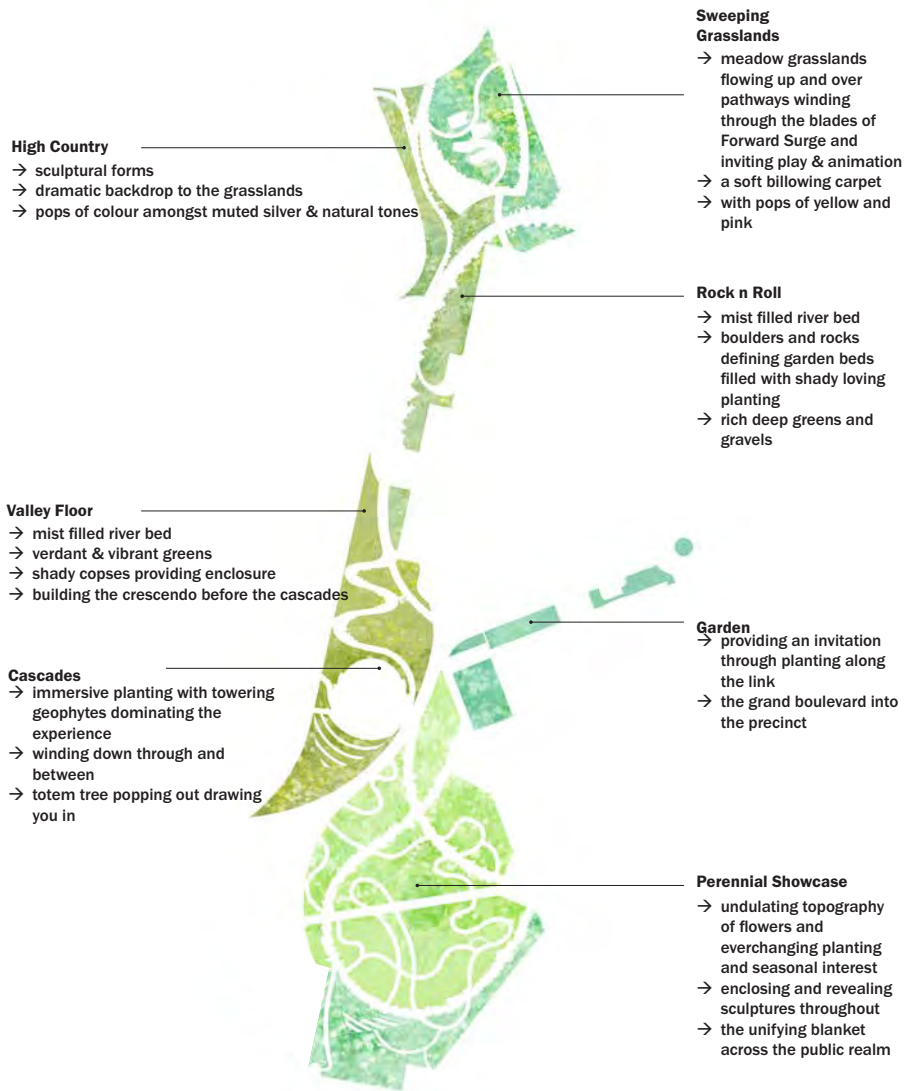


Diagram - Indicative Concept showing planting

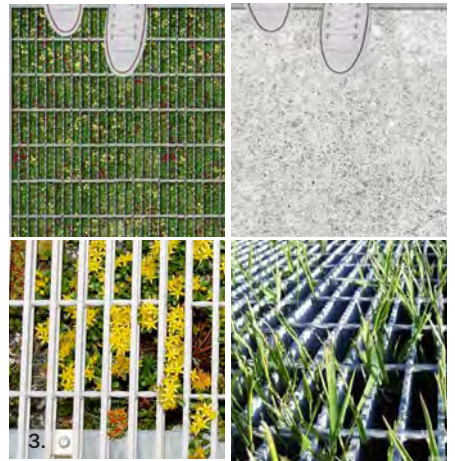
5.6 Public Realm

## 5.6.5 Landscape Materiality

Areas of the public realm serving different functions and with defined visual character, are woven together through an intentionally blurred transition of materials.

The soft gradation from planted to hardscape means one is never outside the space, but rather immersed within it.

A robust selection of paving materials and techniques will marry with garden beds to create a continuous landscape of interconnected experiences.



Images:

1. Material transition example
2. Integrated seating and landscape
3. Paving / planting interface examples
4. Hard surfaces transitioning into soft surfaces

# 5.6 PUBLIC REALM

## 5.6.6 Landscape Activation Opportunities

Through a unique curation of landscaped gardens, programming and activation, the MAPT Public Realm will be a destination in its own right, complimenting the creative institutions which frame it and offering the visitor a diverse and immersive experience within which to enjoy and celebrate the arts.

The public realm is activated with objects to engage visitors and facilitate connection, including:

Existing and new public artwork and sculpture, seating and benches, garden beds, amphitheatre terracing, and water play elements.



Images - exemplar images of activation opportunities



5.6 Public Realm



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# 6.

# STAGING

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**In the context of a phased delivery, the construction sequencing of Phase One of the MAPT project has been developed in a manner which optimises construction logic and efficiencies whilst minimising disruption to the Arts Centre Melbourne, the National Gallery of Victoria, the Australian Ballet Centre and the surrounding area generally.**

**Upon completion of Phase One, a substantial component of the overall MAPT vision will be delivered. A new NGV Contemporary Gallery and activated public realm will revitalise this part of the city, creating a vibrant destination to complement the existing iconic building along St Kilda Road as well as the remaining arts venues to the south and the Yarra River to the north of the site.**

**Beneath the new elevated Public Realm deck structure over Sturt Street, a significantly enhanced services and operational infrastructure will be delivered to the NGV International, NGV Contemporary and Arts Centre Melbourne which will underpin optimised function for future operations.**

**The civil and services infrastructure which will be delivered in Phase One will also provide the framework and future flexibility required to support the future Phase Two of the MAPT.**

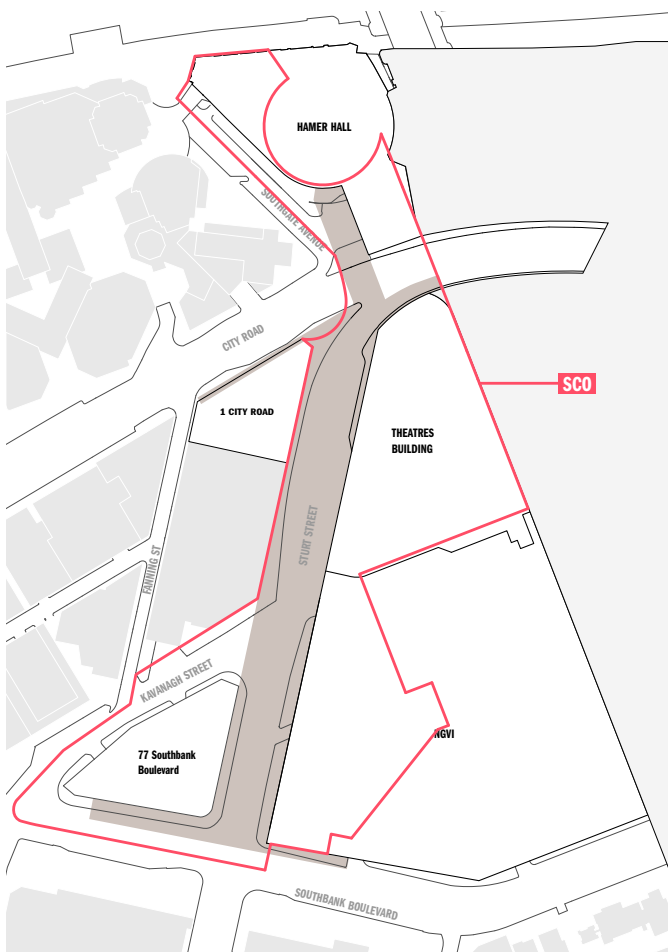
**The indicative sequencing of MAPT Phase One is illustrated in the diagrams and summary on the following pages.**

6.1 Staging

# 6.1 Staging plans

## 1. Service Relocations

- Existing services infrastructure within the Sturt St road reserve will be relocated to facilitate construction activities. This will involve new services infrastructure being installed within the surrounding road network.
- Includes services relocation works which form part of RACM Stage 2A scope which will be subject to separate Heritage Approval.

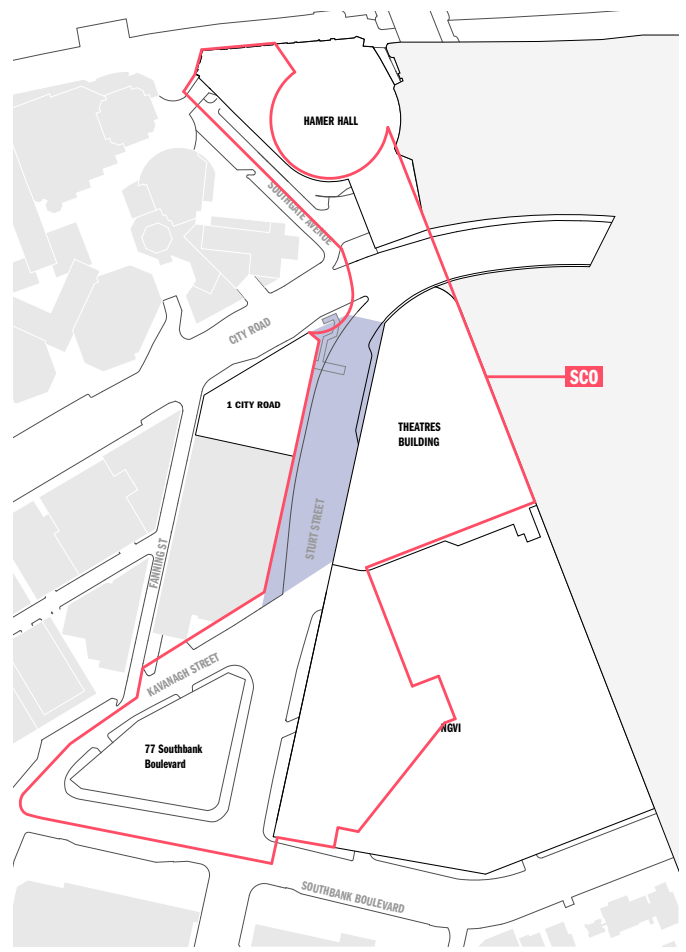


Legend:  
 Extent of services relocation (indicative area)

## 2. Preparatory Works

Early preparatory works will be required prior to the commencement of demolition and construction works. These will include:

- The removal and storage of artworks above the existing Sturt Street deck
- The “Soft strip” of the structure to be demolished (including removal of planting)
- The installation of ground water control monitoring
- Hoarding placement as required to secure the site and ensure public safety.
- Includes preparatory works which form part of RACM Stage 2A scope which will be subject to separate Heritage Approval.

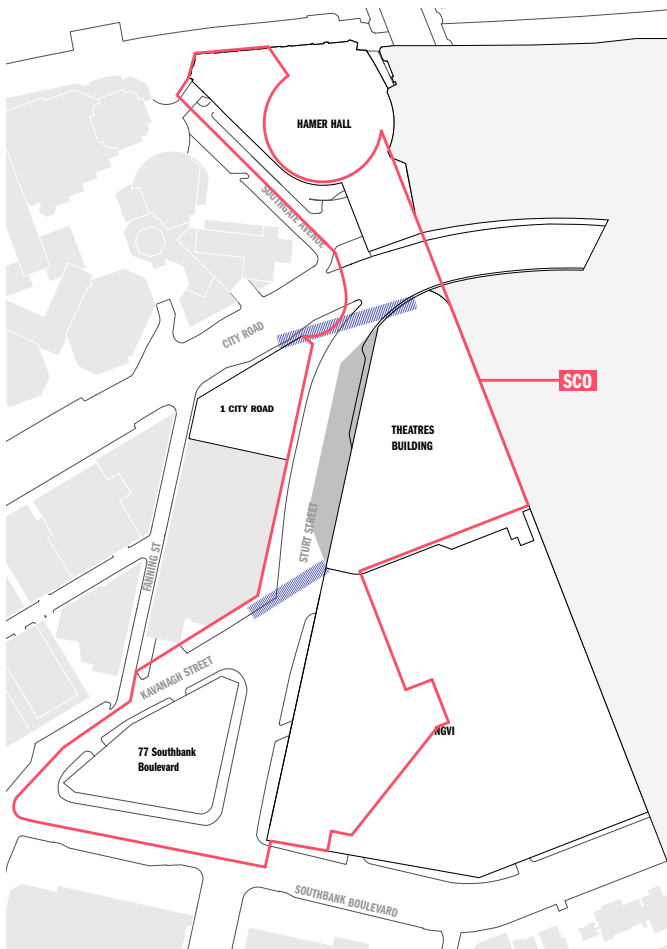


Legend:  
 Extent of preparatory works (indicative area)

# 6.1 Staging plans

## 3. Sturt Street North (demolition of existing structure)

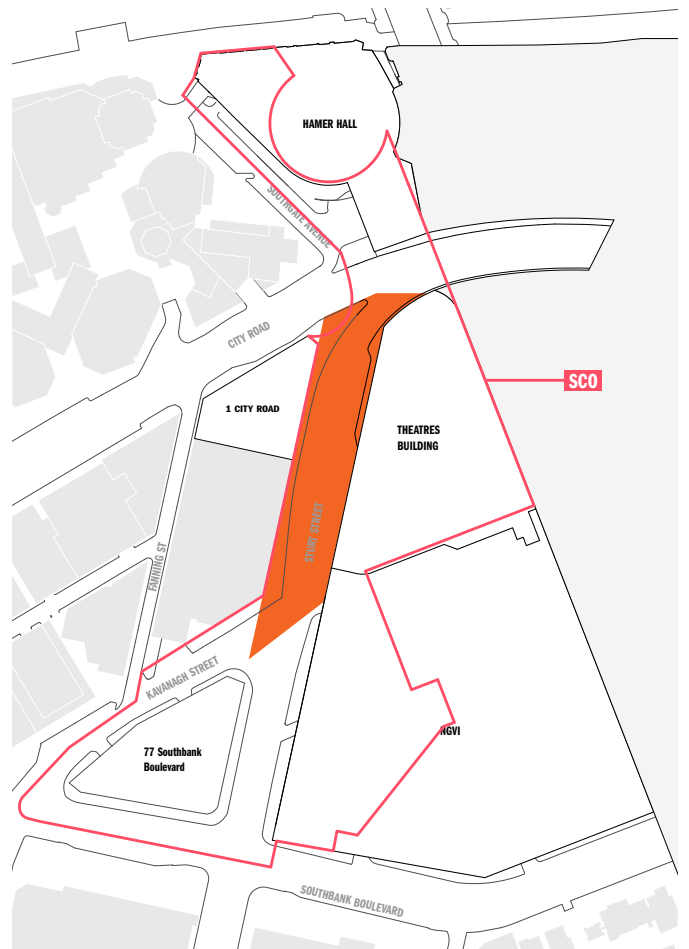
- The existing Arts Centre Melbourne deck structure over Sturt Street will be demolished prior to commencement of new in ground infrastructure and the new deck structure over Sturt Street
- The demolition phase will require the permanent closure of the Northern portion of Sturt Street, from City Road to Kavanagh Street
- Vehicular Access to the existing Arts Centre Melbourne carpark will be maintained from Kavanagh Street and Sturt Street south through this stage.
- Includes demolition works which form part of RACM Stage 2A scope which will be subject to a separate Heritage Approval.



Legend:  
 Sturt Street Deck  
 Sturt street closure (indicative)

## 4. Sturt Street North new infrastructure (underground and deck)

- Construction will commence with the necessary excavation and piling works required to enable construction of the new Arts Centre Melbourne facilities expansion within the Sturt Street reserve, and the associated in ground services infrastructure which will serve the MAPT
- Following the completion of new in-ground works, the new deck structure over Sturt Street, from City Road to Kavanagh Street will be constructed providing the necessary elevated structure for the new Public Realm above
- Vehicular Access to the existing Arts Centre Melbourne carpark will be maintained from Kavanagh Street and Sturt Street south through this stage.
- Includes new infrastructure and building works which form part of RACM Stage 2A scope which will be subject to a separate Heritage Approval.

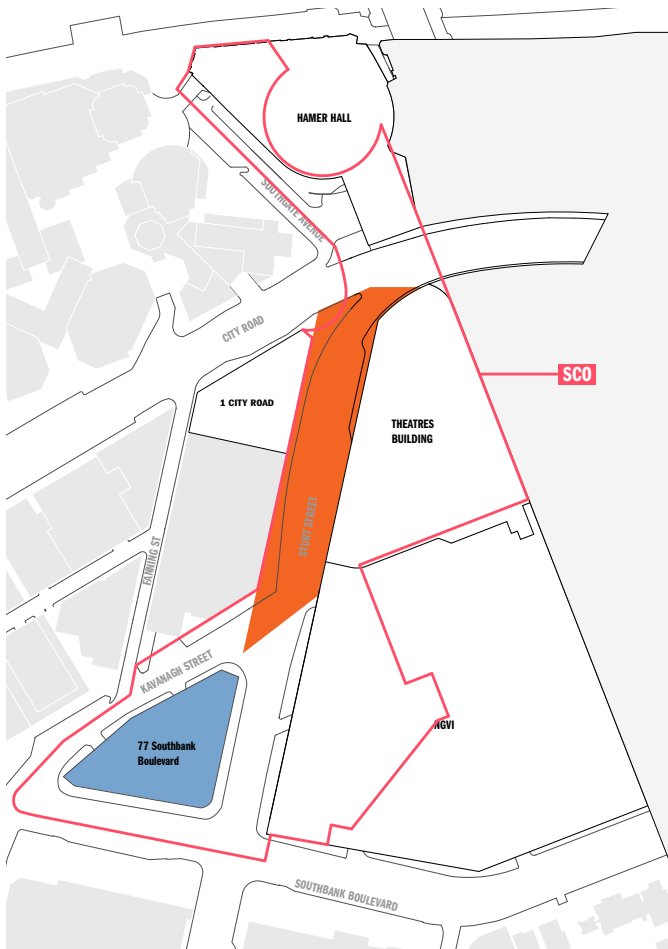


Legend:  
 New elevated deck structure and underground construction

6.1 Staging

### 5. 77 Southbank Boulevard demolition

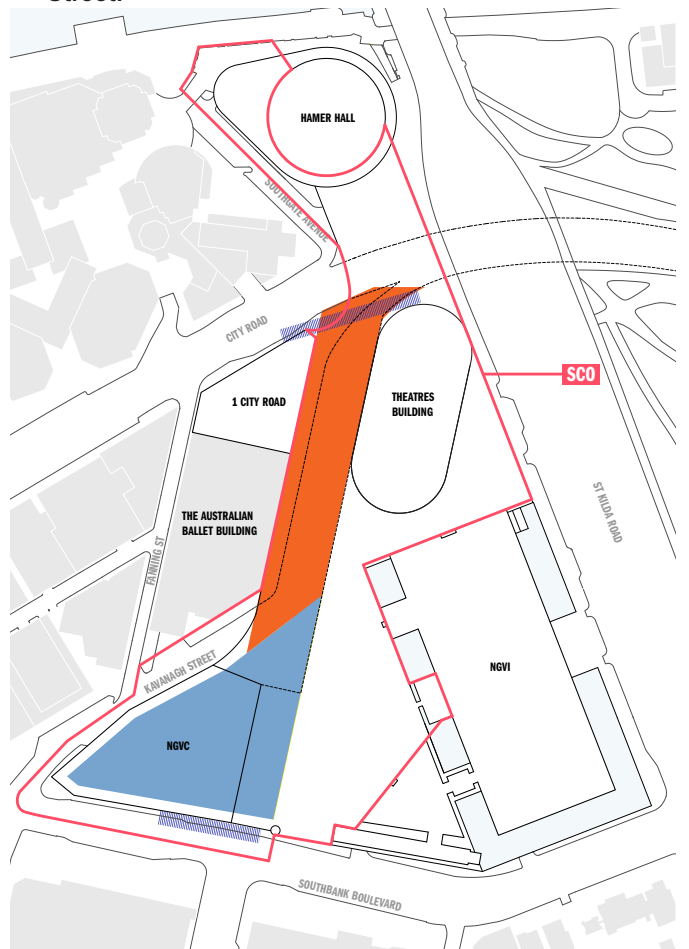
- Whilst the new underground structure and deck works are being completed in the Northern end of Sturt Street, the existing building at 77 Southbank Boulevard will be demolished to allow for the construction of the new NGV Contemporary
- Prior to the NGV Contemporary construction works commencement, preparatory works at NGV International will occur to maintain operability
- Vehicular Access to the existing Arts Centre Melbourne carpark will be maintained from Kavanagh Street and Sturt Street south through this stage.



Legend:  
■ Demolition of 77 Southbank  
■ New elevated deck structure and underground construction

### 6. NGV Contemporary

- Construction of the NGV Contemporary will require the permanent closure of the Southern section of Sturt Street to Southbank Boulevard
- The construction of the NGV Contemporary will incorporate the delivery of the Southern deck structure over Sturt Street, from Kavanagh Street to Southbank Boulevard, thus completing the new overall deck structure over Sturt Street
- With the completion of the NGV Contemporary, the structure for the transition from the Public Realm above, down to Southbank Boulevard will also be delivered, as will the key components of the services infrastructure for the MAPT and the back of house connections to the NGVI
- Vehicular Access to the existing Arts Centre Melbourne carpark will be maintained from Kavanagh Street only through this and the remaining stages of construction. Following Phase One completion, vehicles will only be able to access the existing carpark from Kavanagh Street.



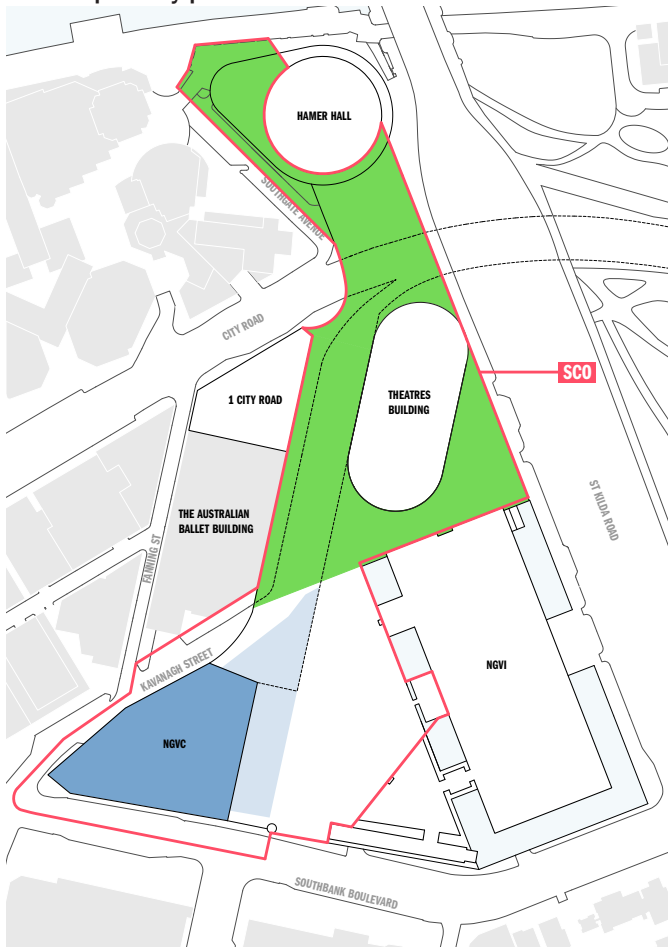
Legend:  
■ Permanent closure of Sturt Street  
■ Construction of NGVC  
■ New elevated deck structure and underground construction

6. MAPT Phase One Master Plan

# 6.1 Staging plans

## 7. Public Realm - North & Centre

- The construction of the Public Realm will commence from the north part of the precinct and deliver new and enhanced pedestrian connection between the MAPT and surrounding areas, including a new pedestrian connection between the MAPT and Southgate and an enhanced pedestrian connection between St Kilda Road and City Road along Hamer Hall
- Construction of the Public Realm north will include the demolition of the existing pedestrian shade structure along St Kilda Road and the existing hard and soft landscaping in this area
- Upon completion of the new Sturt Street north deck structure (stage. 3 above) landscaping works will continue in a southward direction along the central part of the precinct. The central part of the Public Realm will include a new connection between the Public Realm and Kavanagh Street below.
- In combination, the north and centre areas will deliver a significant component of the overall Public Realm and primary pedestrian connections.



- Legend:
- Public realm North and Centre
  - NGVC
  - NGVC southern elevated deck structure

## 8. Public Realm - South

- The final area of public realm to be constructed will be public realm south of the Arts Centre Theatres Building between the NGV International and the new NGV Contemporary
- The Public Realm south will deliver a large component of the overall Public Realm including key pedestrian connections between St Kilda Road and Southbank Boulevard as well as between the two NGV buildings
- Construction of the Public Realm south will require the demolition of the existing cooling towers, fencing and hard and soft landscaping within the Equiset Garden
- Construction of the Public Realm south will commence following the NGV Contemporary structural build and be completed in line with the completion of the NGV Contemporary.
- Works included in the delivery of the Public Realm will be subject to future, separate Heritage Approval.



- Legend:
- Public realm North and Centre
  - Public realm South
  - NGVC

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## MINISTERIAL PLANNING REFERRAL DELEGATE REPORT

<b>CoM Application Number:</b>	ID-2021-4
<b>DELWP Reference Number:</b>	Planning Scheme Amendment C356
<b>Applicant:</b>	Development Victoria c/- Urbis
<b>Owner:</b>	Development Victoria
<b>Architect:</b>	Hassell / SO-IL (Master Plan only)
<b>Location:</b>	Melbourne Arts Precinct, Southbank
<b>Proposal:</b>	Amendment to Melbourne Planning Scheme to apply Specific Controls Overlay (SCO) to land and introduce a new Incorporated Document – Melbourne Arts Precinct Transformation Project, Phase One, November 2021 – through proposed Melbourne Planning Scheme Amendment C356
<b>Cost of Development:</b>	\$1.46 billion (Phase One)
<b>Date Referred to CoM:</b>	17 November 2021

### 1 PREFACE

On 17 November 2021 Council received notice from the Minister for Planning of an application to amend the Melbourne Planning Scheme to facilitate the redevelopment of land within the Melbourne Arts Precinct. Though lodged in accordance with Section 20(4) of the *Planning and Environment Act 1987*, the application was referred to Council in accordance with Section 20(5). Whereas Section 20(4) does not allow for consultation, Section 20(5) does, albeit limited. In this case, it includes Council.

The Minister has invited the submission of a Planning Scheme Amendment to allow for site-specific controls that will facilitate the redevelopment of the site.

Refer Section 3.1 of this report for further details.

### 2 SUBJECT SITE AND SURROUNDS

The Melbourne Arts Precinct is located in Southbank, on the south side of the Yarra River. The Precinct is Victoria's premier arts and culture quarter, presenting thousands of performances and exhibitions in a typical year. It contains numerous buildings of State significance, catering to Melbourne's reputation as a creative city and as a destination for arts and culture. These include:

- National Gallery of Victoria International (NGVI), containing Victoria's largest public art collection and displaying notable works by international artists.

- The multi-venue Arts Centre Melbourne (ACM), incorporating the Theatres Building under the iconic spire, Hamer Hall and the Sidney Myer Music Bowl.
- The Melbourne Recital Centre and Melbourne Theatre Company's Southbank Theatre.
- The Victorian College of the Arts (VCA), specialising in performing and visual arts education.
- The Australian Broadcasting Corporation (ABC) Southbank Studios.
- The Australian Centre for Contemporary Art (ACCA).
- The Malthouse Theatre.
- The Melbourne Fringe Theatre.

The precinct is of architectural and historical significance and is home to numerous public art installations such as the 'Forward Surge' sculpture and the ACM spire.

The parcel of land within the broader Melbourne Arts Precinct, known as the 'Melbourne Arts Precinct Transformation' (MAPT) area, of which is the subject of this proposed re-development, is identified in Figure 3.

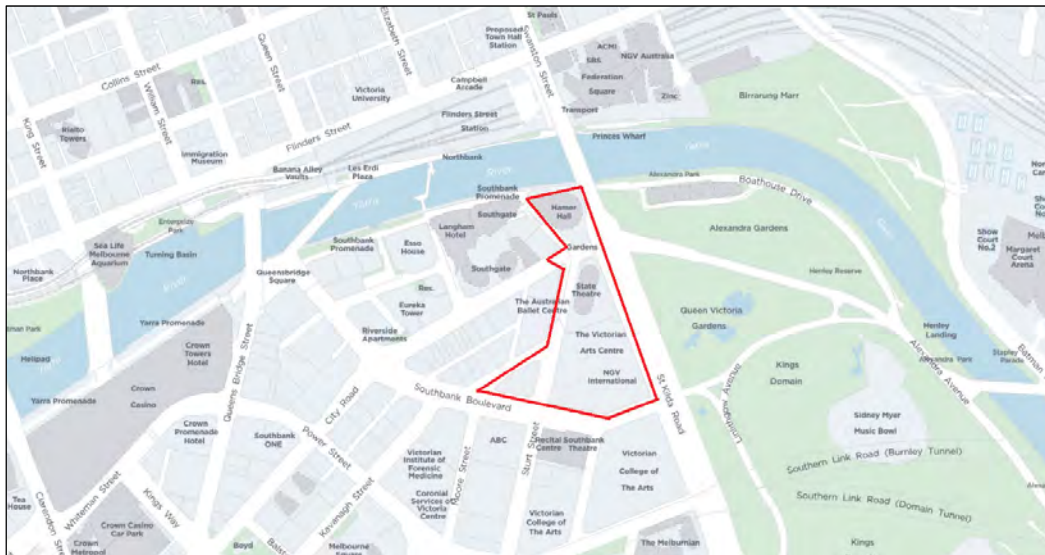


Figure 1: Map of Southbank and Melbourne Arts Precinct Transformation area

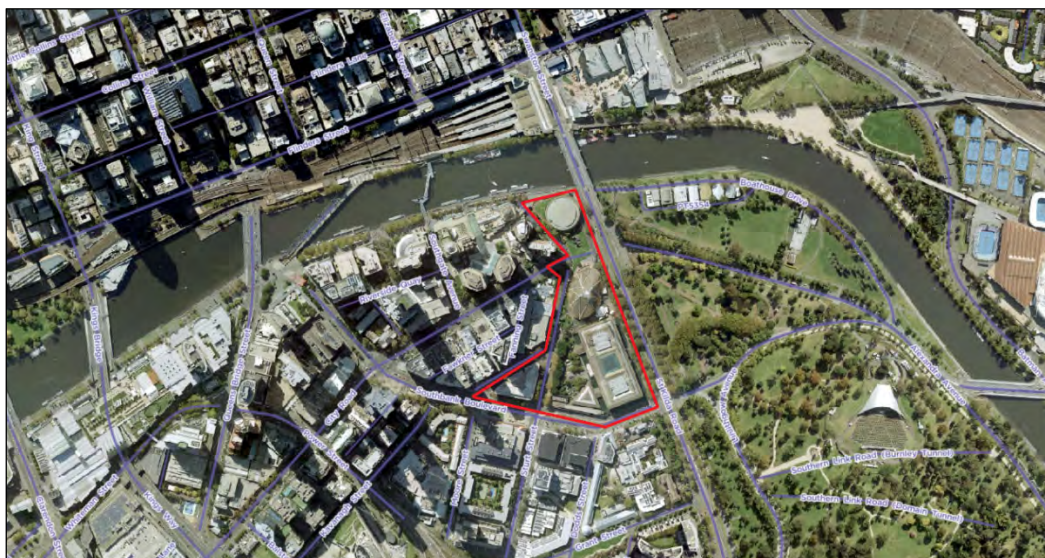


Figure 2: Aerial of Southbank and Melbourne Arts Precinct Transformation area (4 April 2021)

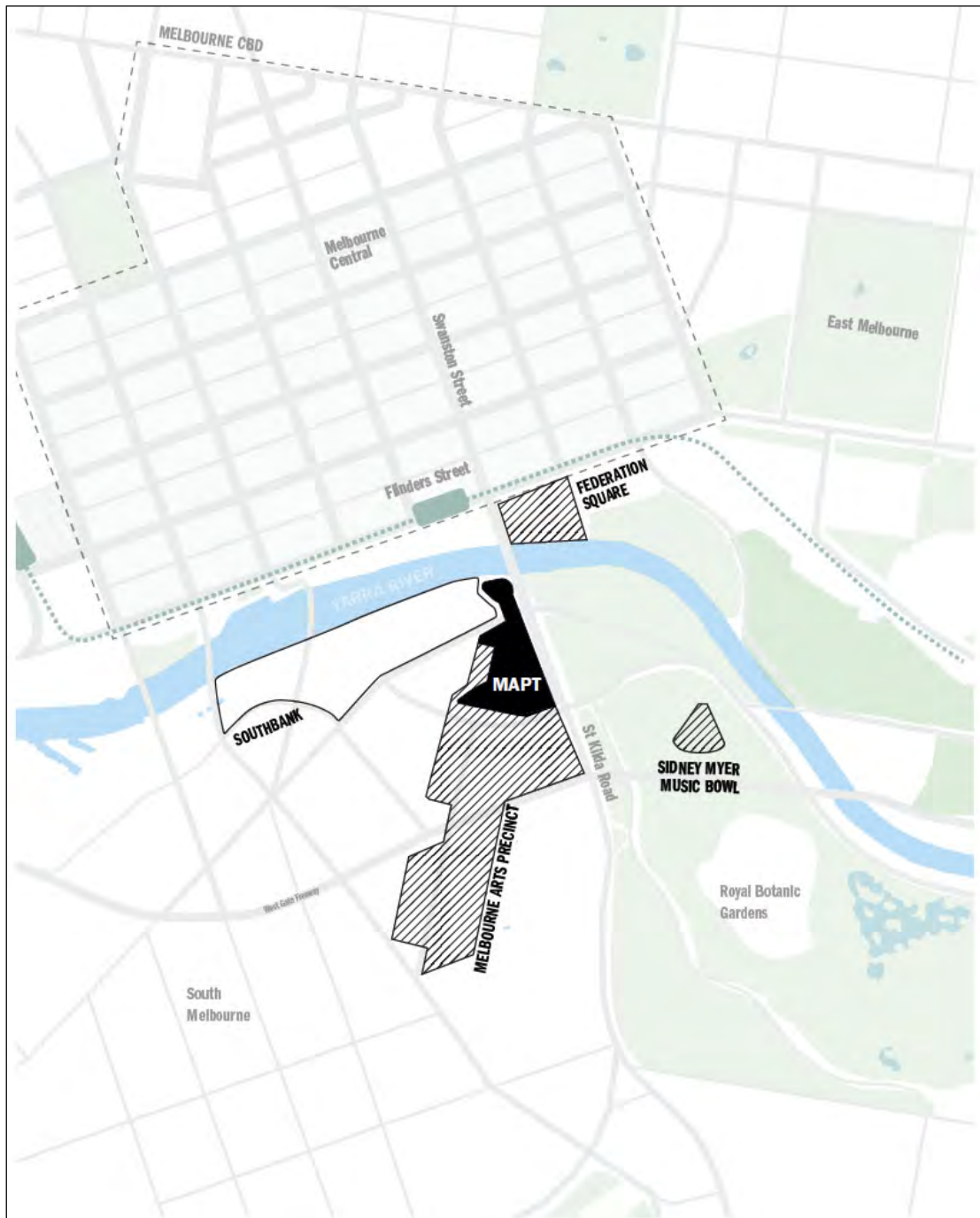


Figure 3: MAPT area within Melbourne Arts Precinct (source: Application Material)

### 3 PROPOSAL

#### 3.1 Planning Scheme Amendment

This application seeks approval to amend the Melbourne Planning Scheme to introduce site-specific controls governing the future use and development of the land. These controls would operate independently to those which govern surrounding sites and as such, allow for an alternate development model.

The proposed primary control is the Specific Controls Overlay (SCO) at Clause 45.12 of the Melbourne Planning Scheme. The purpose of this overlay is *to apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.*

Clause 45.12-1 (Use or Development) of the SCO states:

*Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to the overlay). The specific control may:*

- *Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;*
- *Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply; and*
- *Exclude any other control in this scheme.*

In this case, the schedule to the SCO would be amended to reference a new schedule number (14). This, in turn, would introduce a new Incorporated Document (ID) entitled 'Melbourne Arts Precinct Transformation Project, Phase One, November 2021' (date updated as required); the stated objective of which is to facilitate the Melbourne Arts Precinct Transformation Project which includes the delivery of a new public building at 77 Southbank Boulevard (the National Gallery of Victoria Contemporary building), a new elevated public realm above Sturt Street and upgrades to existing buildings at the interface with the new public realm.

The proposal seeks to amend the Melbourne Planning Scheme by introducing:

- A new site Specific Control Overlay to the Schedule to Clause 45.12 (Specific Controls Overlay).
- An update to the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme).

Phase Two, which is not delivered by this planning scheme amendment, will incorporate redevelopment of the Arts Centre Melbourne Theatres Building (beneath the spire) and land at 1 City Road.

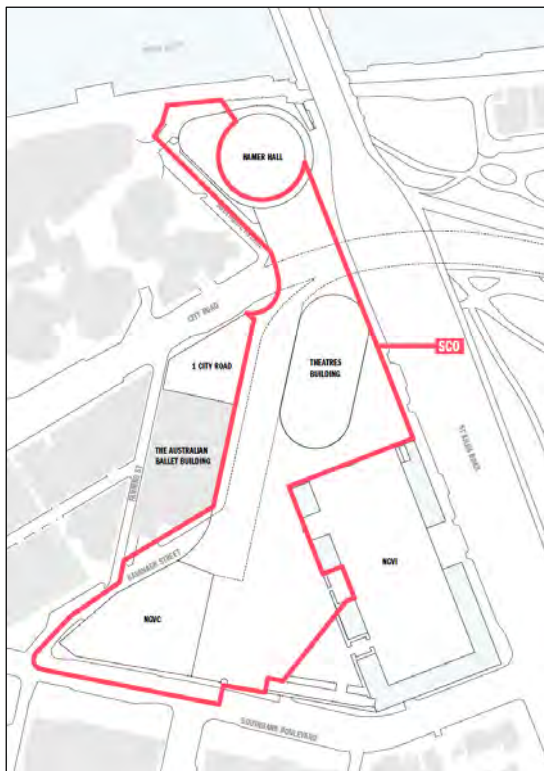


Figure 4: Map of Phase One Specific Control Overlay (source: Application Material)

### 3.2 Proposed Development

In summary, the proposed SCO and ID seeks to facilitate:

- Demolition of existing buildings and structures.
- Development of the land for the Melbourne Arts Precinct Transformation Phase One, including the construction of a multi-level building and the construction and carrying out of works.
- Use of the land for the purposes of Place of Assembly (other than Amusement Parlour and Nightclub), Informal Outdoor Recreation, and Retail Premises (other than Adult Sex Book Shop, Department Store and Hotel).
- Display of signage.

More specifically, the proposed buildings and works are as follows:

#### 3.2.1 Elevated Deck

- Closure of Sturt Street between City Road and Kavanagh Street.
- Demolition of existing building structures over Sturt Street.
- Construction of in-ground works to support a new centralised services and facilities area within the Sturt Street road reserve and new deck above, between City Road and Kavanagh Street.
- Demolition of the existing building at 77 Southbank Boulevard in preparation of a new building and associated decking.
- Closure of Sturt Street between Kavanagh Street and Southbank Boulevard.
- Construction of a deck adjacent the new NGV Contemporary building (refer Section 3.2.2), connecting the northern deck to Southbank Boulevard.
- Completing of the works within the new decked area / public realm, including hard and soft landscaping.



Figure 5: Elevated Deck (source: Application Material)

### 3.2.2 NGV Contemporary

- Construction of a new building (NGV Contemporary), which will include a new gallery dedicated to contemporary art and design in place of the existing building at 77 Southbank Boulevard. This stage of development proposes a built form envelope with a discretionary maximum building height of 60 m and cantilevered building over Sturt Street reserve, Kavanagh Street and Southbank Boulevard. The proposed controls contemplate additional building beyond the built form envelope, discussed at Section 8.2 of this report.
- The southern portion of the elevated deck above Sturt Street will be delivered and integrated with the future NGV Contemporary building.

A national Design Competition for the NGV Contemporary is currently underway. The Competition process is expected to conclude in early 2022.

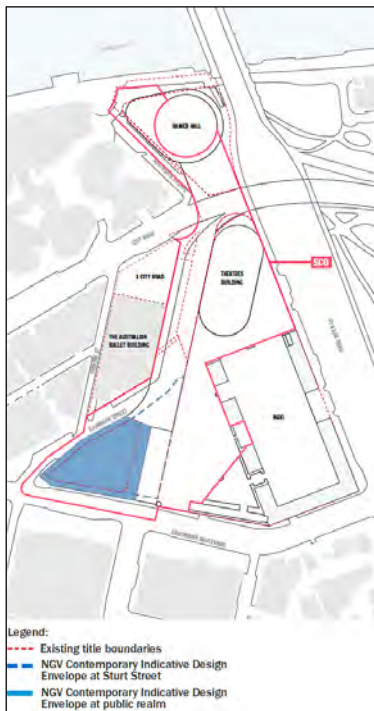


Figure 6: NGV Contemporary (source: Application Material)

### 3.2.3 Public Realm

- The construction of a new 18,000 m<sup>2</sup> activated public realm in the heart of the precinct, incorporating space for outdoor dining, art and performances. The public realm extends from the southern edge of Hamer Hall through to Southbank Boulevard and is predominantly located above street level and existing structures (The ACM, Theatres Building and car park) and the proposed elevated deck structure over Sturt Street.
- A range of new and upgraded pedestrian connections through the site connecting the new public realm area to the Yarra River promenade and surrounding area.



Figure 7: Public realm (source: Application Material)

### 3.2.4 Back-of-House

- Upgrade works to the ACM Theatres Building including:
  - A new loading dock.
  - A new studio and green room.
  - Improvements to staff areas and back-of-house and plant areas to support current and future operation of the Theatres Building.

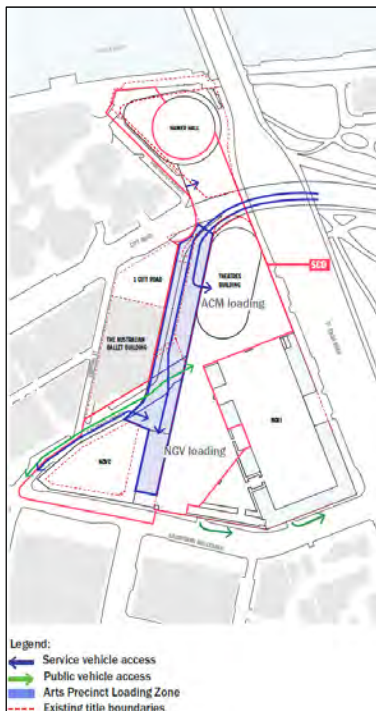


Figure 8: Back-of-house (source: Application Material)



Figure 9: Phase One including NGVC discretionary building envelope (source: Application Material)

### 3.3 Staging

Phase One is proposed to be delivered over eight stages, as follows:

- Stage 1: Service Relocations
- Stage 2: Preparatory Works
- Stage 3: Sturt Street North (demolition of existing structure)
- Stage 4: Sturt Street North (new underground infrastructure and deck)
- Stage 5: 77 Southbank Boulevard Demolition
- Stage 6: NGV Contemporary
- Stage 7: Public Realm – North and Centre
- Stage 8: Public Realm – South.

## 4 MELBOURNE PLANNING SCHEME

Planning Policies	
Planning Policy Framework	Clause 15 – Built Environment and Heritage Clause 17 – Economic Development Clause 19 – Infrastructure
Municipal Strategic Statement	Clause 21.01 – Municipal Profile Clause 21.03 – Vision Clause 21.04 - Settlement Clause 21.06 – Built Environment and Heritage Clause 21.08 – Economic Development



	<p>Clause 21.09 – Transport</p> <p>Clause 21.10 – Infrastructure</p> <p>Clause 21.13 – Urban Renewal Areas</p> <p>Clause 21.13-1 – Southbank</p> <p>Clause 21.17 – Reference Documents</p>
Local Planning Policies	<p>Clause 22.02 – Sunlight to Public Spaces</p> <p>Clause 22.07 – Advertising Signs</p> <p>Clause 22.19 – Energy, Water and Waste Efficiency</p> <p>Clause 22.23 – Stormwater Management (Water Sensitive Urban Design)</p> <p>Clause 22.26 – Public Open Space Contributions</p>

<b>Statutory Controls</b>	
<p>Clause 36.04 Road Zone</p>	<p><u>Use</u></p> <p>Pursuant to Clause 36.04-1, Place of Assembly, Informal Outdoor Recreation and Retail Premises are Section 2 Uses (permit required).</p> <p><u>Development</u></p> <p>Pursuant to Clause 36.04-2, a permit is required to construct or carry out works for a use in Section 2 of Clause 36.04-1.</p>
<p>Clause 37.04 Capital City Zone 7</p>	<p><u>Use</u></p> <p>Pursuant to Schedule 7 to the Capital City Zone:</p> <ul style="list-style-type: none"> <li>• Place of Assembly (other than Amusement parlour, Nightclub and Restricted Place of Assembly) is a Section 1 Use (no permit required).</li> <li>• Informal Outdoor Recreation is a Section 1 Use (no permit required).</li> <li>• Retail Premises is a Section 2 Use (permit required).</li> </ul> <p><u>Development</u></p> <p>Pursuant to Schedule 7 to the Capital City Zone, a permit is required to construct a building or construct or carry out works and to demolish or remove a building or works.</p> <p><u>Advertising Signs</u></p> <p>Pursuant to Schedule 7 to the Capital City Zone, a permit is required to construct or display a sign.</p>
<p>Clause 43.01 Heritage Overlay 760, 792, 1298</p>	<p>Pursuant to Clause 43.01-3, no permit is required under the Heritage Overlay to develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</p>
<p>Clause 43.02 Design and Development Overlay 1, 27, 60-A7</p>	<p><u>Schedules 1 and 60</u></p> <p>Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works.</p> <p>Refer to Section 8.2 of this report for a detailed discussion.</p> <p><u>Schedule 27</u></p> <p>Pursuant to Schedule 27, while a permit is not required to construct a building or construct or carry out works, where a permit is required to use land or for the construction of a building or the construction or carrying out of works under another provision in this scheme, notice must be given under section 52(1)(c) of the Planning and Environment Act 1987 to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause.</p>

	The Minister for Planning is responsible for referrals in accordance with Clause 66.06.
Clause 45.09 Parking Overlay 1	Pursuant to Schedule 1 to the Parking Overlay, maximum car parking rates apply. No new car parking spaces are proposed.

<b>Particular Provisions</b>	
Clause 51.01 – Specific Sites and Exclusions	
Clause 52.05 – Signs	
Clause 52.06 – Car Parking	
Clause 52.29 – Land Adjacent to a Road Zone, Category 1	
Clause 52.34 – Bicycle Facilities	
Clause 53.18 – Stormwater Management in Urban Development	

<b>General Provisions</b>	
Clause 65 Decision Guidelines	The Minister for Planning is the Responsible Authority and must determine if the proposed development will generate acceptable outcomes with reference to the provisions of this clause. This includes, amongst other things, the matters set out in Section 60 of the <i>Planning and Environment Act 1987</i> .
Clause 66.03 Referral of Permit Applications Under Other State Standard Provisions	The Minister for Planning must consult all relevant authorities. Pursuant to Clause 66.03, an application to create or alter access to, or to subdivide land adjacent to a road declared as a freeway or an arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause, must be referred to Roads Corporation (Department of Transport) as a determining referral authority.
Clause 66.06 Notice of Permit Applications Under Local Provisions	Ordinarily the Minister for Planning must notify all relevant authorities. Pursuant to the Schedule to Clause 66.06, Environment Protection Authority, Transurban Pty Ltd and Roads Corporation must be notified for a permit application for use, buildings and works under another provision.
Clause 72.01 Responsible Authority for this Planning Scheme	The Minister for Planning is the Responsible Authority in this case.

## **5 MELBOURNE PLANNING SCHEME AMENDMENTS**

### **5.1 Amendment C376 – Sustainable Building Standards**

Amendment C376 is a response to the climate and biodiversity emergency and seeks to reach zero net emissions by 2040. It proposes to change the Melbourne Planning Scheme by:

- Amending the Municipal Strategic Statement (MSS) to ensure alignment between the Local Planning Policy Framework (LPPF) and the purpose of the amendment.
- Deleting Clause 22.19 (Energy Water and Waste Efficiency) and Clause 22.23 (Stormwater Management – Water Sensitive Urban Design).

- Inserting Schedule 73 (Sustainable Building Design) to Clause 43.02 Design and Development Overlay.
- Amending Schedules 1, 2, 3, 4 and 5 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 5 and 6 to Clause 37.05 Docklands Zone.
- Amending the Schedule to Clause 72.04 Incorporated Documents to include the Guidelines for Waste and Resource Recovery Management Plans.

Amendment C376 was endorsed by the Future Melbourne Committee (FMC) on 15 September 2020. Council is seeking authorisation from the Minister for Planning to prepare and exhibit the proposed amendment. The amendment is not currently considered to be 'seriously entertained'.

In addition, it is noted that an alternative implementation pathway was endorsed by the FMC that recommends the Minister for Planning introduce a Victorian Planning Provision for a state-wide approach with local schedules.

## **6 PUBLIC NOTIFICATION**

The Minister for Planning referred the application to Council for comment in accordance with Section 20(5) of the *Planning and Environment Act 1987*.

The Minister has also invited public submissions on the proposed Amendment with submissions closing 17 December 2021, noting there are no third party rights.

## **7 INTERNAL REFERRALS**

### **7.1 City Design**

The proposal has been reviewed collectively by the City Design branch's Urban Design and Landscape Architecture teams.

City Design provides in principle support for the Melbourne Arts Precinct Transformation vision, including ambitions to enhance precinct connectivity. The extension of raised public realm has the potential to unify Southbank Arts Precinct, which has been historically fractured by geographic barriers. The reinvigoration of the precinct can be a significant benefit to the character and activation of the city.

The masterplan precinct has an existing high level of character and importance, and includes several local and state significant heritage buildings. It is crucial that any proposed works to the subject site are sensitive, well considered, human-centric and of an exceptional standard of design quality.

Hassell's Masterplan represents a high level framework appropriate for this early project phase; however, City Design recommends that more robust contextual analysis, principles, strategies, staging plans and massing envelopes are established. Following this it is crucial that any subsequent development applications within the precinct adhere to these parameters to enable City Design's ongoing support. In summary, a successful precinct renewal proposition requires the enhancement of the study area and demonstrated wider context responsiveness.

The following critical matters identified are summarised as follows:

- All built form encroachment over Kavanagh Street and Southbank Boulevard must be removed to maintain appropriate pedestrian network conditions. If any encroachment is to occur this area should be treated as a road closure. This would require the delivery of a new minimum 2 m wide footpath and subsequent street design works including reestablishment of new street trees.

- Massing envelopes must appropriately respond to DDO maximum heights and Design Objectives. This includes consideration of contextual conditions and heritage places, overshadowing, and public realm amenity impacts (wind conditions, human-scale, etc.). There is a lack of justification for a 60 m height response for the proposed NGVC.
- Further rationalisation and detail is required to proposed gateways and connections between the Melbourne Arts precinct and surrounding context. This should include confirmation that connections will be delivered as part of Phase One works.
- There is a lack of demonstrated contextual analysis informing the overall Master Plan response in regards to massing, site layout, public interface quality and design quality. A strong contextual analysis is required to form the justification for any significant precinct interventions and to demonstrate a well-considered approach.
- Further reference to and engagement with City of Melbourne strategies and guidelines within the masterplan report is required. This should be demonstrated within contextual analysis, massing response, site layout plans and design principles.
- Other general matters and detailed recommendations raised.

Refer to Section 8.2.2 of this report for a more detailed analysis of the key urban design matters raised; and Section 9.1 which translates these matters into recommended updates to the Master Plan.

## 7.2 Traffic Engineering

Traffic Engineering has reviewed the Master Plan and accompanying consultant Traffic Report with comments summarised as follows:

- The Traffic Report states that it has *considered all aspects of Phase 1 as well as broader MAPT project and demonstrates that transport can be appropriately managed for Phase 1 without compromising the future capacity of the broader MAPT project*. However, no detailed analysis has been provided (such as review of existing and proposed traffic volumes, modelling etc). The risk with accepting the statement that transport can be managed without any of the detailed assessment work having been provided is that it may be found in the future that aspects cannot actually be successfully managed, at which stage it will be too late to make the required changes to the proposed design.
- The Traffic Report states that the City Road Master Plan includes the removal of the existing left turn from City Road into Fanning Street, and the removal of the slip lane from City Road into Southbank Boulevard. As part of the MAPT Master Plan, the proposed closure of Sturt Street to the public between City Road and Southbank Boulevard would result in additional left-turn movements on City Road at Fanning Street and Southbank Boulevard, and the ability to accommodate these left turns could be heavily impacted by the proposed left-turn changes as part of the City Road Master Plan. It is essential that any analysis conducted on the road network as part of the MAPT considers the proposed changes on City Road in the City Road Master Plan to determine the impacts of these proposed changes, including the proposed removal of the left-turn slip lane at Southbank Boulevard as well as the removal of left-turns into Fanning Street.
- There are multiple pedestrian access locations to / from the ACM basement car park along Southbank Boulevard. These accesses may be used by patrons attending events at the State Theatre, Hamer Hall and other theatres within the

Arts Centre, Melbourne Theatre Company, the Melbourne Recital Centre or any other uses to the south of Southbank Boulevard. Observations indicate that many pedestrians crossing Southbank Boulevard to / from the basement car park access points often cross the road away from the traffic signals, particularly at the end of events when traffic volumes are low. This requires the pedestrian to step over the median kerb protecting the tram lines. While there are pedestrian crossing facilities within approximately 150 metres to the east and west of the pedestrian access to the car park, many pedestrians have been observed to take the direct route, rather than walking up to an additional 300 metres to cross the road and return to the same location on the south side of Southbank Boulevard (or vice versa). Consideration should be given to providing a 'cut-through' of the kerbs opposite the pedestrian access to the car park.

- The Traffic Report states that:
  - Cyclists will not be accommodated within the MAPT.
  - The development should not compromise the cycle connections provided around the boundary of the site.
  - Bicycle parking facilities to focus on St Kilda Road and Southbank Boulevard to provide access to the precinct.
  - Staff bicycle parking is to be accommodated on-site. The number of bicycle spaces to be provided should consider the City of Melbourne Transport Strategy 2030 and include lockers, showers and change facilities.

It is not clear how cyclists will be kept out of the MAPT area, and this will need detailed consideration. The opportunity should be taken to consolidate cycling links through Southbank in a north-south and east-west direction.

- Consideration should be given to an increase in traffic / parking demand outside of existing peak periods (i.e. major events).
- Additional SIDRA (Signalised and unsignalised Intersection Design and Research Aid) analysis (intersection modelling assessment) should be undertaken on the Arterial Road network to ensure displaced traffic can be accommodated and not redirected into residential streets from St Kilda Road.
- It is difficult to provide comment in regards to the appropriateness of the closure of Sturt Street and any other impacts to the road network without undertaking a detailed review of the intersection analysis, particularly in regards to the input to the models applied (i.e. the anticipated increase in traffic in the area due to the development).
- Loading is proposed to be provided in Sturt Street, which would be closed to the public. This is generally acceptable subject to the detailed design and detailed assessment of queuing of loading vehicles, to ensure there is no impact to the street network. Additionally, the signing of the area will need careful and comprehensive design to ensure all drivers are aware of where they can drive.
- There will be a loss of some on-street car parking spaces as a result of the development (less than 10 spaces). This is considered minor and would have no general impact on car parking.
- The MAPT Master Plan includes a proposal to close Sturt Street to the public. The Traffic Report highlights the need for further detailed analysis to determine if the closure can be appropriately managed.

In summary, Traffic Engineering has concluded that while it is possible that the Sturt Street closure could be achieved, this should not be taken for granted until a detailed review of additional analysis has been undertaken; and that it is strongly considered that additional assessment is undertaken prior to the acceptance of the proposal to ensure that the maintenance of required access is feasible.

All other transport items (i.e. pedestrian and bicycle movements, public transport, loading and car parking) appear to be satisfactory.

Importantly, Development Victoria is engaging with City of Melbourne's Traffic Engineering department to address the above-mentioned concerns and queries around Sturt Street closure and traffic management in and around the precinct.

Reference to this item forms a recommendation to the Minister – refer recommendation 20 at Section 9.1 of this report.

### **7.3 Civil Infrastructure**

Civil Infrastructure comments are summarised as follows:

- Civil Infrastructure supports MAPT project expanding Melbourne Arts Precinct in principle.
- No objection to the closure of Sturt Street at City Road for public *subject* to City of Melbourne Transport Engineering comments and DoT consent.
- The new elevated public realm infrastructure shall be available to the general public and managed by the state government.
- Sturt Street below the elevated deck structure will provide exclusive services to the precinct and must be managed by the precinct including the storm water network.
- All services in Sturt Street shall be relocated to relevant service authority approval to facilitate the construction of new public realm.
- Pedestrian access to City Road footpath south side shall be maintained from the elevated deck.
- The width of Kavanagh Street road reserve is approximately 20 m. The 5 m building projection over Kavanagh Street is excessive and does not comply with Council Road Encroachment Guidelines, open space corridor requirements.
- Council indemnity for building projections must be provided via a suitable S173 agreement or likewise.
- All new or altered portions of road (including the provision of bluestone footpaths, drainage, public lighting, street furniture, pavement marking and signage) in Kavanagh Street and Southbank Boulevard must be constructed prior to the occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

In relation to the building projection over Kavanagh Street, refer discussion at Section 8.2.2 of this report.

In relation to Council indemnity, Sections 8.2.2 and 9.1 of this report provide recommendations to extend the RXO, which would negate any requirement for indemnity.

## 7.4 Waste Services

Waste Service's comments are summarised as follows:

- The Waste Strategy by Irwin Consultants, dated 9 August 2021 is acceptable.
- Whilst the strategy provides an overview of the waste proposal for the precinct, it aligns with 2021 Waste Management Guidelines for the use of garbage, recycling and cardboard compactors; and the separate processing of organic waste via the use of digesters. Further source separation has been accounted for, which exceeds the requirements of Council's Guidelines.
- Once the WMP is provided, further details will be assessed against Council's Guidelines.
- The WMP condition within the draft ID makes reference to the 2017 Guidelines and therefore should be updated to the 2021 Guidelines, which came into effect on 1 August 2021.

## 7.5 Green Infrastructure

Green Infrastructure has reviewed the submitted Sustainability Strategy and draft Incorporated Document ESD-related conditions. The referral response is two-fold. Firstly, it recommends a set of conditions for the Incorporated Document to provide evidence via the Melbourne Planning Scheme for a high level of environmentally sustainable design for the precinct; and secondly, it provides detailed feedback on the submitted Sustainability Strategy for consideration in future submissions.

The recommended updated draft Incorporated Document conditions relating to ESD are provided at Section 9.2 of this report.

### Discussion

The ESD commitments are generally in accordance with Clause 22.19 Energy, Water and Waste; however, further information should be addressed prior to endorsement of the SMP.

Whilst the Sustainability Framework Development (SFD) within the submitted Sustainability Strategy sets very good sustainability aspirations for the precinct including zero emissions from Energy and Water use, zero operational waste to landfill, zero embodied emissions from Materials and zero emissions from Transport use to and from the site, the Strategy fails to provide adequate standards that demonstrate the development can achieve the aspirational goals.

The term 'equivalent' has been provided in the updated draft Incorporated Document conditions to provide flexibility for the project team to decide on an appropriate assessment framework to assess the precinct and new buildings contained within. Alternative approaches may include the International Living Future Institutes Living Building Challenge and the Living Community Challenge – both set high standards for sustainability requirements in built form and precinct development respectively.

Green Infrastructure has provided a response to each credit drafted in the SFD, requesting evidence to be submitted to support the implementation of the credit or to detail the appropriate point in the design, construction and operational phases that evidence will become available. Additional tools such as Green Star Buildings (GSB) for new buildings and Green Star Performance (GSP) have also been listed and should be considered in an updated SFD.

The full list of credits and Green Infrastructure's responses forms a recommendation to the Minister – refer recommendation 25 at Section 9.1 of this report.

## 7.6 Urban Forest and Ecology

Urban Forest and Ecology's comments are summarised as follows:

- The omission of any reference to tree canopy cover and its enhancement throughout the precinct is contrary to the City of Melbourne Urban Forest Strategy and the Living Melbourne Urban Forest Strategy. As such, it is strongly recommended that the proposal be revised and existing tree canopy cover identified with corresponding project levels.
- It is expected that each phase of works are likely to impact existing public trees on Sturt Street, Kavanagh Street, St Kilda Road and Southbank Boulevard, although to what extent will be dependent on the impacts of demolition and construction.
- Public trees on the eastern side of Sturt Street and those within the NGV boundary provide in excess of 2,000 m<sup>2</sup> of canopy cover. None of the application reports reference canopy cover, the City of Melbourne Urban Forest Strategy or the Living Melbourne (Urban Forest Strategy). The Planting Concept, whilst potentially introducing additional habitats, suggest that tree canopy cover would be significantly reduced.
- In regards to the Planting Concept, there is good potential to integrate the Nature in the City Strategy priorities to increase understorey habitat which supports biodiversity, and develop a more ecologically connected landscape within the municipality. It is therefore recommend understorey species (shrubs and ground covers) are selected in consultation with the Ecology team to maximise benefits for biodiversity. Consideration also needs to be given to plant species' abilities to survive a harsh urban environment with reflected heat and wind.

In light of the critical detail missing as described above, it is crucial that the Master Plan explains how the new public realm landscape design response addresses key City of Melbourne strategies, actions and targets around canopy cover. These outstanding canopy items form recommendations to the Minister – refer recommendation 12 at Section 9.1 of this report.

## 7.7 City Strategy

City Strategy's comments are summarised as follows:

- More attention is required to manage cycling in the precinct and its integration with the surrounding cycle network. This could be achieved by:
  - Installing eastbound protected cycle lanes on Southbank Boulevard (east of Sturt Street) to encourage people to cycle around the new open space.
  - 'Cycling banned' is not supported. As people tend to cycle wherever the environment is conducive (including this expanded public realm), Council's approach is to manage rather than ban. Given the presence of high-quality cycling facilities on Southbank Boulevard, St Kilda Road and the Dodds Street cycling corridor, bikes are likely to ride through the new open space. Providing a formal, low-speed cycling connection will enable cycling to be managed, rather than the alternative of bike riders ignoring the ban and riding through any and all paths in the open space. Careful consideration of materials and geometric design can be employed to minimise conflict.



- The Arts Precinct is a cycling barrier between Princes Bridge / St Kilda Road and Southbank Promenade. The Master Plan should address this issue by providing access between the two corridors e.g. modifying the curved ramp at Hamer Hall to accommodate cycling and construct a new cycling connection to the south of Hamer Hall.
- The provision of convenient, accessible and high-amenity off-street bicycle parking as part of the project is supported. Consideration should be given to providing off-street bike parking for general public use, in addition to employees.
- A pedestrian operated signal of City Road in the vicinity of Sturt Street and Southgate Avenue is supported. This would improve local access to / from Southbank Promenade and facilitate access to the future building at 1 City Road.
  - This is in accordance with the City Road Masterplan.
  - While this crossing could be included in the works and planning approval for 1 City Road, delivery in this current phase is preferable.
- It is unclear if the Sturt Street level is entirely for loading or if some existing footpath will be retained e.g. on the west side.
  - This should be addressed in the Master Plan.
- Further details should be provided to determine what changes, if any, are proposed to intersections in the vicinity of the Arts Centre, including physical and signal changes.

The provision for dedicated cycling paths through the public realm is preferred, as it is not realistic to ban cyclists from the space. These outstanding cycling items form recommendations to the Minister – refer recommendation 22-24 at Section 9.1 of this report.

Other traffic items raised will form part of the parallel process between Traffic Engineering and Development Victoria as described at Section 7.2 of this report.

## 7.8 Open Space Planning

Open Space Planning's comments are summarised as follows:

- The general open space detail provided likely meets the definition of Capital City Open Space under Council's Open Space Strategy; that is:
 

*Iconic open space that is primarily established and managed to stage activities and events of international, national, state and metropolitan importance.*
- The addition of this open space is therefore considered broadly positive.
- The OSS also highlights:
 

*The Southbank Structure Plan 2010 continues to strengthen the Capital City role that Southbank will continue to have in relation to the Arts and entertainment precincts, and the open space associated with this will continue to receive high levels of use, which are not always consistent with the local population open space needs*
- Given the shortage of open space in Southbank, detailed design of the MATP area should seek to meet the open space needs of the local community in addition to performing its Capital City open space function.
- As the open space is provided in lieu of a Public Open Space Contribution, the open space must fulfil both a capital city and local community role. To that

extent, the City of Melbourne should have the opportunity to approve the detailed design for the open space.

- It is Open Space Planning's preference that the NGV Contemporary building does not cast any additional shadow across the open space on the south side of Southbank Boulevard.

Refer detailed discussion at Section 8.2.2 of this report.

## **7.9 Land Survey**

Land Survey's comments are summarised as follows:

- The Road Closure Overlay (RXO) should be amended to include the following areas:
  - The north-west splay at the corner of Sturt Street and Southbank Boulevard.
  - The south-west splay at the corner of Sturt Street and Kavanagh Street.
  - The east side of Sturt Street at the northern end as it has a dual status and the government road status should be removed to support the project.
  - The proposed overhangs.
- Consideration could be given to a limited in depth road closure for the NGVC proposed projections if they are supported which may be able to be included in the RXO if it can deal with the 3D definition being 5 metres above the existing surface.

Reference to additional parcels of land to be included in the RXO forms a recommendation to the Minister – refer recommendation 21 at Section 9.1 of this report.

- The legal agreement for projections condition in the Incorporated Document is incorrect as all the roads are government roads and no licence fee is payable to Council. Notwithstanding, if proposed overhangs are included in the RXO, there is no need for this condition (Legal Agreement – Projections) unless other projections are proposed.

Further land title recommendations around the road closure and building projections are discussed at Section 8.2.2 of this report.

## **8 ASSESSMENT**

### **8.1 Land Uses**

The proposal seeks to use the land for the purposes of Place of Assembly, Informal Outdoor Recreation and Retail Premises.

Pursuant to Schedule 7 to the CCZ, Place of Assembly (other than Amusement parlour, Nightclub and Restricted Place of Assembly) and Informal Outdoor Recreation are Section 1 uses (no permit required).

Retail Premises is a Section 2 Use (permit required).

The use of land for arts and cultural purposes (i.e. places of assembly, art galleries etc.) within this area has long been established and there are several leading arts, media and arts education institutions based in the precinct.

The introduction of a new, dedicated gallery for contemporary arts and design, NGV Contemporary, will contribute to the cultural offering of the Melbourne Arts Precinct and strengthen Melbourne's status as an arts and travel destination.

The delivery of a new 18,000 m<sup>2</sup> public realm central to the precinct will create a new public space for informal outdoor recreation featuring gardens, art, sculptures and performance zones to complement the surrounding public institutions and improve the connections within the precinct. The retail component is considered ancillary to these uses.

The proposed uses are consistent with the purposes of Schedule 7 to the Capital City Zone, which are:

- To maintain and enhance the Melbourne Arts Precinct as a significant arts and cultural precinct of State significance.
- To develop Sturt Street and surrounds as an arts and performance spine with complementary services and activities for local residents and visitors.
- To support the growth of creative industry sectors and disciplines such as music and performing arts, fashion, film, television and radio, digital and print media, architecture, design and visual arts.
- To provide for a diversity of art and cultural uses within the first four storeys of buildings, including studios, workshops, galleries and rehearsal, performance and events spaces.

## **8.2 Design Response**

### **8.2.1 DDO Parameters**

If the proposed Planning Scheme Amendment were approved, the provisions of DDO1 and 60-A7 would not apply. Notwithstanding, the provisions of these DDOs remain an appropriate built form guide for assessment of the proposal.

#### Schedule 1

The Design Objectives of DDO Schedule 1 (Urban Design in Central Melbourne) seek:

- To ensure that all development achieves high quality urban design, architecture and landscape architecture.
- To ensure that development integrates with, and makes a positive contribution to, its context, including the hierarchy of main streets, streets and laneways.
- To ensure that development promotes a legible, walkable and attractive pedestrian environment.
- To ensure that the internal layout including the layout of uses within a building has a strong relationship to the public realm.
- To ensure that development provides a visually interesting, human scaled and safe edge to the public realm.

#### Schedule 60

The Design Objectives of DDO Schedule 60 (Special Character Areas – Built Form (Southbank)) seek:

- To ensure that the suitability of each development to its context takes precedence over the individual merit of the building.

- To ensure that new buildings respect the future development potential of adjacent sites and allow for an equitable spread of development potential on these sites.
- To ensure that new buildings respect the potential of future development on adjacent sites to access privacy, sunlight, daylight and an outlook from habitable interiors.
- To ensure the height of new buildings does not overwhelm the public domain.
- To allow daylight and sunlight to penetrate to the street and lower building levels.
- To ensure development supports high levels of pedestrian amenity in relation to human scale and microclimate conditions within the public realm including acceptable levels of sunlight access and wind.
- To maintain the visual dominance and views to the Arts Centre Spire as a civic skyline landmark.
- To ensure that development provides a high level of amenity for building occupants.
- To ensure that advertising signs interfacing with or visible from the Shrine of Remembrance do not adversely affect the significance of the Shrine of Remembrance.
- To ensure that the scale and design of new buildings preserve the significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence.

Specific to Area 7, the schedule seeks:

- To reinforce the breadth and grandeur of the Yarra River.
- To maintain the existing low-scale urban form along the river corridor.
- To protect and enhance St Kilda Road from Princes Bridge to the Victoria Barracks as a civic boulevard lined with predominantly low / mid-rise civic and heritage buildings.
- To maintain the landscape character of St. Kilda Road as a dominant visual element.

The Design Objectives are informed by the more prescriptive Built Form Outcomes of Area 7, which include:

- The protection of the stature of heritage and civic buildings along St Kilda Road.
- The maintenance of the importance of St Kilda Road as a grand entrance to the City.

In Schedule 60, Area 7 has a mandatory maximum building height of 24 m.

### **8.2.2 Discussion**

The broad vision and intent of the MAPT project is strongly supported as it introduces a significant opportunity to enhance the arts precinct and central Melbourne with a project that could increase accessibility, activations, open space provision, and a building of design excellence. However, to ensure that this opportunity is realised, careful consideration of the site and its context is required.

Having regard to the referral comments from City of Melbourne's City Design department and the built form planning controls that would otherwise apply under normal applications, the following assessment considers design outcomes relating to gateways and connections, safety, public realm, massing, wind effects, overshadowing, signage and relevant strategies.

### Gateways and Connections

Due to the exclusion of key interfaces from the Phase One SCO boundaries, such as the Ballet Centre and 1 City Road, the Master Plan fails to adequately demonstrate how this substantial precinct looks beyond its boundaries and truly links into its surrounds in a strategic and design sense.

The Master Plan acknowledges that *"each of the precinct gateways is defined by unique urban context parameters specific to its location"*. The provision of further detail into the existing conditions and expectations at each gateway to justify a site response is recommended. Proposed gateways and connections should be informed by the existing pedestrian network and building entries across the wider precinct including existing desire lines, open spaces / public realm, significant views, etc. These existing attributes should be demonstrated through detailed contextual analysis diagrams, and proposed diagrams should demonstrate a responsive approach.

The Master Plan details the benefits of incorporating the Ballet Centre into this precinct, stating that *"as a significant neighbour to the MAPT along its western perimeter, the interface of the Public Realm with the eastern façade of the Australian Ballet Centre building provides a significant opportunity for optimised activation at the heart of the Public Realm and improved transition between the north and south parts of the Public Realm"*; and *"the deck structure will interface with the Australian Ballet Centre along its western edge to provide an optimised activation with the eastern façade of this building."* However, the building is omitted from the SCO.

The staging of crucial site gateways and connections is unclear. All public realm connections to the site should be achieved as part of Phase One works without reliance on built form to provide access. Confirmation that a public realm connection will be facilitated to City Road, before 1 City Road is constructed, should be provided.

These outstanding gateways and connections items form recommendations to the Minister – refer recommendations 1-6 at Section 9.1 of this report.

### Safety

There is limited dialogue around the importance of pedestrian safety and comfort at the site interfaces, particularly at the junctions between service vehicle access and pedestrian areas. Interfaces between pedestrian zones and the undercroft services road entry must be detailed to ensure safety and design quality.

These outstanding safety items form recommendations to the Minister – refer recommendation 7 at Section 9.1 of this report.

### Public Realm

Clause 19.02-6 (Open Space – Metropolitan Melbourne) includes strategies to develop a network of open spaces that are accessible and high quality.

While not directly applicable to the proposed Planning Scheme Amendment, Clause 22.26 (Public Open Space Contributions) identifies Southbank as a location where land contributions are preferred over cash contributions for the purposes of Clause 53.01 (Public Open Space Contribution and Subdivision); and Clause 22.26-5 sets out a criteria for determining whether land proposed for public open space is appropriate which may be used as a guide. It is noted that there is no legal public open space contribution requirement under Clause 53.01 applicable to this proposal.

The project includes an 18,000 m<sup>2</sup> parcel of land located on an elevated deck above Sturt Street (to be closed), to be allocated for public open space. The open space will enhance the pedestrian experience within the precinct, linking Southbank Promenade (Yarra River) and Southbank Boulevard.

While on a broader scale the open space is a significant addition to the Melbourne Arts Precinct and beyond, the following matters have been identified and which should be addressed in an updated Master Plan:

#### *Activation*

- The Master Plan lacks specificity and detail around the design and activation of the public realm. The diagrams within *5.6 Public Realm* provide a generic level of detail, spatial zoning, activation and connections, which do not consider the broader context beyond precinct boundaries. A proposed activation and engagement strategy should engage, connect and address any gaps in the broader precinct beyond the site's immediate boundaries, as identified through contextual analysis. Further contextual analysis to ensure the precinct addresses existing wider precinct offerings, activation and open spaces is recommended. This analysis should acknowledge significant public realm investment to Southbank Boulevard, and future works to Dodds street.

These outstanding broader public realm activation and connection items form recommendations to the Minister – refer recommendations 8-9 at Section 9.1 of this report.



Figure 10: Potential Engagement Opportunities diagram (Master Plan: *5.6 Public Realm*)

### *Events*

- The frequency of events and the provision of public access during events should be clarified. Any impacts of the potential closure of site connections and gateways into the site should be adequately demonstrated and addressed. Site interfaces should remain activated and engaging to the general public during prospective events.

Further event details and resolution of their flow-on effects to the public realm forms recommendations to the Minister – refer recommendation 10 at Section 9.1 of this report.

### *Landscaping*

- It is imperative to put forward the best possible conditions for landscape and tree growth on the raised public realm area. Crucial considerations include soil profile, irrigation systems, plant species, waterproofing and drainage systems. City of Melbourne requires structures supporting planted areas to have the capacity to support at least 1.5 m depth of saturated soil and associated live loadings including maintenance vehicle access. Structures should also provide for appropriate waterproofing, drainage and watering.

These outstanding soil depth and associated landscape items form recommendations to the Minister – refer recommendation 11 at Section 9.1 of this report.

Further, City Design Landscape Architects' involvement at regular intervals of a staged design for the landscape and public realm design is recommended, to ensure a durable, high quality and publically inviting approach. This could be captured in an updated draft Incorporated Document.

### *Canopy Cover*

As outlined at Section 7.6 of this report, along with the surrounding footpaths, the lack of canopy cover detail to be removed and replaced within the 18,000 m<sup>2</sup> public realm is crucial to ensuring support for the space in line with City of Melbourne greening strategies. These outstanding canopy items form recommendations to the Minister – refer recommendation 12 at Section 9.1 of this report.

### Building Scale

DDO60-A7 has a mandatory maximum building height of 24 m. The DDO includes several design objectives and built form outcomes (listed at Section 8.2.1 of this report).

Acknowledging that the SCO / ID process allows consideration of a building scale that would otherwise be prohibited under the DDO, the DDO height control, design objectives and built form outcomes that underpin development expectations within the precinct are relevant considerations.

The Master Plan considers a preferred 60 m high building envelope on the NGVC site. However, it fails to demonstrate how the scale responds to the height, objectives and outcomes in the existing DDO. Further, as the Master Plan excludes proposed massing envelopes of any subsequent developments within the overall precinct site (e.g. 1 City Road in the Phase Two works), cumulative effects on precinct character, overshadowing, wind conditions, and pedestrian amenity cannot be adequately considered. By default, both 1 City Road and the Australian Ballet Centre will continue with a mandatory 24 m height, which appears inequitable and no longer addresses the context.

The lack of detail provided in the Master Plan, being a preferred 60 m building height and an unresolved building envelope, results in the inability to adequately assess future development at 77 Southbank Boulevard in accordance with the following key design objectives within existing DDO60:

- To ensure that the suitability of each development to its context takes precedence over the individual merit of the building.
- To ensure that new buildings respect the future development potential of adjacent sites and allow for an equitable spread of development potential on these sites.
- To ensure the height of new buildings does not overwhelm the public domain.
- To maintain the visual dominance and views to the Arts Centre Spire as a civic skyline landmark.

Further detail must be included in the Master Plan to demonstrate that the building proposed at 77 Southbank Boulevard, including a maximum overall height, before it could be supported in this context. This additional detail forms recommendations to the Minister – refer recommendation 13 at Section 9.1 of this report.

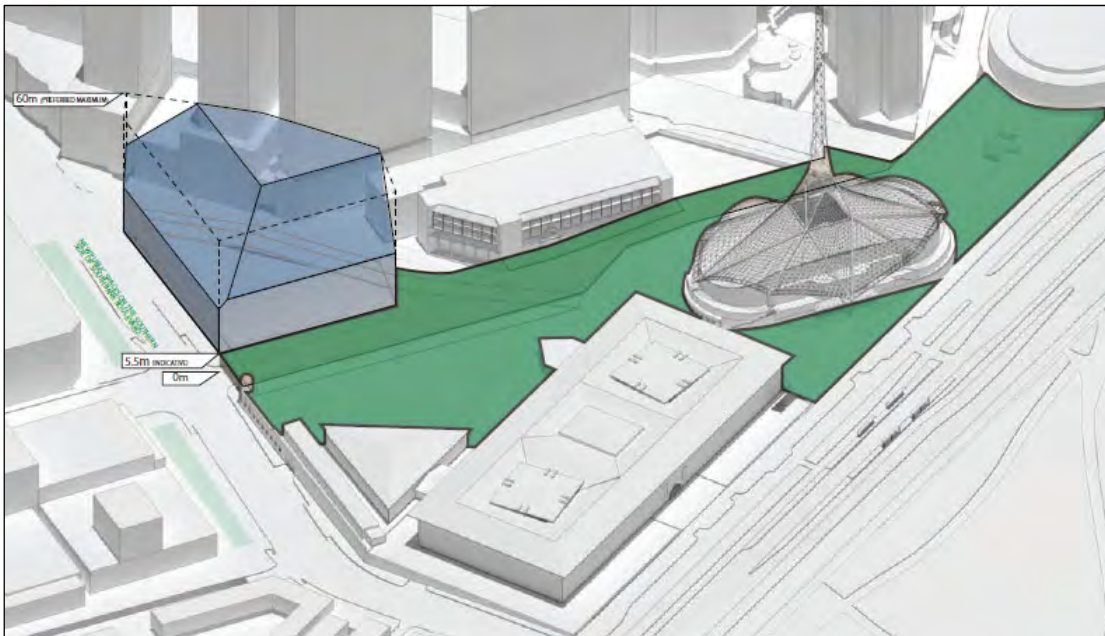


Figure 11: Preferred NGV Contemporary building envelope

### Building Projections

Referring to Figures 12 and 13, the Master Plan proposes an indicative NGVC building envelope with boundary projections over adjacent streets, including:

- Southbank Boulevard: 5 m projection and 5.5 m clearance above ground level.
- Kavanagh Street: 5 m projection and 5.5 m clearance above ground level.
- Sturt Street: 10 m projections from ground level within the new elevated deck.



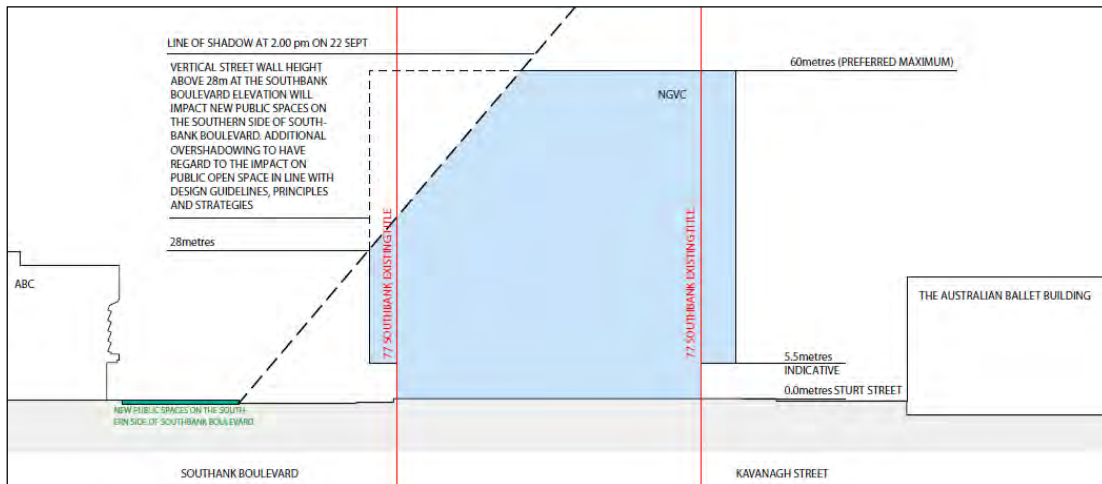


Figure 12: NGVC building projections over Southbank Boulevard (left) and Kavanagh Street (right)

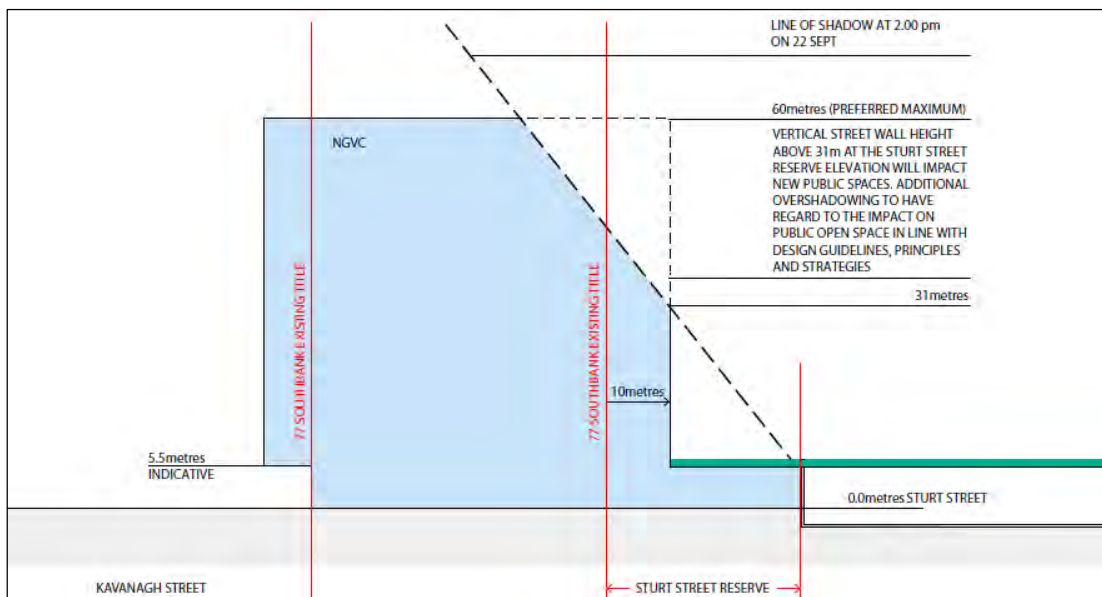


Figure 13: NGVC building projections over Kavanagh Street (left) and Sturt Street elevated deck (right)

Habitable projections over public realm are typically not supported by the City of Melbourne – particularly to the extent proposed as shown above. Projections such as these require significant design work to address urban design issues; and as the projections encroach over Crown Land, require resolution of land ownership / tenure / discontinuance matters.

Strictly from an urban design perspective, the following matters remain unresolved:

- The impact of the proposed overhanging built form over Southbank Boulevard and Kavanagh Street is concerning. Strong justification is required for any significant encroachment over the site boundaries. A well-defined boundary between public realm and private development is imperative to ensure the publicness, safety and generosity of the precinct pedestrian network is maintained.
- Impacts of overhanging built form over the footpath include:
  - The appearance of a less open and inviting pedestrian path causing confusion for pedestrians and potential safety implications.

- The low height undercroft will cause restricted passive surveillance and potential safety implications if not designed appropriately.
- The proposal sets an inappropriate precedent for future precinct development and enables unspecified encroachment into the public / pedestrian realm.
- Southbank Boulevard currently has a strong level of greening through street trees and facilitates regular pedestrian movement to other civic and residential buildings. Southbank Boulevard has also benefitted from significant public realm investment from the City of Melbourne. Pedestrian amenity, bicycle movement and greening across this road should be protected, prioritised and improved.
- As a local street, Kavanagh Street will be used as the primary car park access for public visitors to the arts precinct, as well as drop-off to the Australian Ballet Centre. A highly public and generous pedestrian footpath must be retained.
- Any building overhang of existing footpaths is not supported in its current form. If this massing strategy proceeds, it will be considered that the development is seeking to reduce the width of the street and road reserve (refer Civil Infrastructure discussion below).
- Overhanging of the site boundaries can only be supported if the following is demonstrated or included within the Master Plan:
  - An open, public and generous pedestrian footpath zone must be established outside the line of the proposed encroachment over the site boundary.
  - The undercroft area should be treated as part of the development site. This could result in a continuation of built form to ground or a 'colonnade' typology as described in *DDO1 – Urban Design policy within the Central City*.
  - If a colonnade is pursued, this space could be used to accommodate stationary activity associated with active tenancies to the building frontage (Southbank Boulevard) and support the movement role of the adjacent public footpath (Kavanagh Street).
  - The overhang / colonnade (as per *DDO1*) should adopt vertical proportions with a height greater than width to ensure an adequate sense of publicness, quality and passive surveillance.
  - The height of the overhang should be raised significantly (8-10 m minimum).

While the recommendations above are supported from an urban design point of view, the substantial public realm changes required to facilitate those recommendations are discussed as follows.

If additional building floor space is required by NGVC and the building footprint is to extend beyond the existing title boundaries, then from an urban design perspective the RXO must be extended and revised footpath zone established. However, under this scenario, significant collaboration would be required with the City of Melbourne Infrastructure and Engineering departments.

To that end, Civil Infrastructure has provided advice on the basis of an extended RXO into the existing public realm, confirming that the realignment of the property boundary and reduction in road reserve area would require relocation of all services from within this zone into the remaining road space with necessary offset to street trees and existing services. The reduction in public realm would significantly impact existing pedestrian areas, bike lanes, planting zones and the road reserve and cannot be supported.

Therefore, having considered the changes required to address urban design matters and the lack of support from Civil Infrastructure to extend the RXO, City of Melbourne cannot support any habitable building projections over the existing title boundaries.

These projection matters form recommendations to the Minister – refer recommendation 14 at Section 9.1 of this report.

Furthermore, Land Survey has offered the following additional advice relevant to the proposed building projections, depending on whether the Master Plan is approved by the Minister in its current form:

- All proposed works on the land known as 77 Southbank Boulevard (NGVC site) should be wholly contained within one certificate of title and owned by one entity, noting that the land at 77 Southbank Boulevard is Freehold title and Southbank Boulevard, Sturt Street and Kavanagh Street is Crown Land.
- If the proposed building projections are supported, but the RXO is not extended, formal road discontinuance, land tenure authorisation and / or complex legal agreements may be required.

### Wind Effects

While a site specific approval is sought (which turns off existing planning controls), DDO60, as the most relevant test, requires the following:

*A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half of the total height of the building, whichever is greater as shown in Figure 1.*

*A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.*

A Wind Effect Statement, dated 26 July 2021, has been prepared by Vipac. The report considers all component-built form and public open space in its assessment and strategic recommendations for the necessary future requirements and obligations of the Precinct with respect to wind management. The report has considered all aspects of Phase One and recommends mitigation strategies so that wind can be appropriately managed without compromising the future capacity of the broader MAPT project. Vipac anticipates that more detailed and individual Phase-specific wind reports will be prepared for the public realm and future detailed design of NGV Contemporary.

The report considers wind impacts within the new public realm (gardens) and around NGVC, as follows:

### **Wind Report Recommendations**

- Within the north section of the public realm, a mix of lush vegetation, 1.5 m high balustrades, windscreens and 1.2 m high lush vegetation on top of solid planters has been recommended to ensure that wind conditions do not exceed the sitting / standing comfort criterion.
- Within the central section of the public realm, if any outdoor dining is proposed, 1.2 m-1.5 m high windscreens / planters are recommended to ensure that wind conditions do not exceed the sitting / standing comfort criterion.
- Within the link section of the public realm, the wind report identifies a proposed pavilion in front of the Theatre building will provide adequate shielding to ameliorate winds, as well as recommending that the landscaping is lush and located on raised planters.

### **Officer's Recommendation**

A Design Guideline within the Master Plan is to design wind mitigation features as integrated building elements with more limited reliance on vegetation and stand-alone screening. This is contrary to the recommendations in the wind report.

To that end, and having regard to City Design referral advice, provisions are required to ensure that these wind barriers are well designed and incorporated with overall precinct design in a visually interesting and cohesive way; and should not unreasonably impede sightlines and passive surveillance.

The Master Plan should therefore be updated to address the design of wind barriers, which could be integrated with the art installations / landscape activation strategy. Further detail of wind mitigation measures could form recommendations to the Minister – refer recommendation 15 at Section 9.1 of this report.

In addition, the Draft Incorporated Document could be amended to include a condition that ensures wind screens and other wind mitigation measures are appropriately designed; and wind screen must be visually interesting, cohesive with overall architecture, and will not unreasonably impede sightlines and passive surveillance.

An updated Master Plan and additional Incorporated Document conditions would enable further detailed design of future planning applications to be undertaken to ensure the success, quality and safety of the new public realm design, and associated landscape design elements.

### **Wind Report Recommendations**

- Within the south section of the public realm, changes to topography and built up earth mounds of between 800 mm and 1.2 m (identified as “rolling hills”) have been recommended to provide shielding to activation spaces.

### **Officer's Recommendation**

Details around how and where these “rolling hills” will be integrated into the landscaping of the public realm should be incorporated into an updated Master Plan as it could have significant implications for how pedestrians (and cyclists) use this space – refer recommendation 16 at Section 9.1 of this report.

### **Wind Report Recommendations**

- Around the NGVC, the wind report identifies that most pedestrian pathways and entrances will be within the recommended walking and standing comfort criterion. However, some high winds may be expected at the far western and north-eastern corners due to winds accelerating beneath the undercrofts.

### **Officer's Recommendation**

Firstly, it is noted that the consultant's wind recommendations are based on an absolute maximum 60 m high building, a sloped upper level façade and ground level undercrofts of 6.5 m in height. The Master Plan, however, shows a discretionary overall building height, discretionary façade slope and 5.5 m high undercrofts. Therefore, due to discrepancies, it's important that additional wind analysis is undertaken against those development plans at the appropriate time.

Notwithstanding, the wind report identifies that due to the high winds expected at the far western and north-eastern corners, it is recommended that entrances and public activation is positioned away from these corners.

Both corners are expected to be highly active as the north-eastern corner is adjacent the new public realm and the western corner faces the pedestrianised Southbank Boulevard and Kavanagh Street. It is therefore considered appropriate to update the wind condition in the draft Incorporated Document to ensure that any recommendations in future wind tunnel assessments do not compromise public activation at these key locations.

### Overshadowing

While a site specific approval is sought (which turns off existing planning controls), DDO60, as the most relevant test, identifies that a proposed development must not cast any additional shadow across:

- Shrine of Remembrance and its northern forecourt between 11am and 3pm on 22 April to 22 September; or
- Boyd Park between midday and 2pm on 22 April to 22 September.

These locations would not be affected by shadow on the basis of a 60 m high building at the NGVC site.

DDO60 also identifies that, unless the overshadowing will not unreasonably prejudice the amenity of the space, a proposed development must not cast any additional shadow across:

- Sturt Street Reserve between 11am and 2pm on 22 April to 22 September.
- Grant Street Reserve and the Australian Centre for Contemporary Art Forecourt, south side of Grant Street between Sturt Street and Wells Street between 11am and 2pm on 22 April to 22 September.
- Dodds Street between Southbank Boulevard and Grant Street between 11am and 2pm on 22 April to 22 September.

These locations would not be affected by shadow on the basis of a 60 m high building at the NGVC site.

- Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public between 11am and 2pm on 22 September.

The proposed building envelope shown in the Master Plan (albeit discretionary), provides a sloped southern façade, which is a direct response to the protection of sunlight over the linear park on the south side of Southbank Boulevard, at the Equinox. The shadow diagrams provided in the Master Plan identify a small portion of additional shadow over this area of open space at 11am, but no additional shadow between midday and 2pm.

The Master Plan states:

*To allow for creativity and flexibility in the design response there is discretion in regard to the building envelope, however any proposed built form that would extend outside of the shaded area of the building envelope needs to consider the extent and nature of any additional overshadowing that may be cast on adjoining public areas. This built form would need to be [sic] have regard to the Principles, Strategies, and Design Guidelines set out in this Master Plan, and should not unreasonably prejudice the amenity of such public areas.*

Having regard to City of Melbourne's considerable investment in improving Southbank Boulevard for pedestrians, bicycle movement and greening, protection of the linear park is fundamental to the continued success of the open space and the wider arts precinct. It is also noted that the Southbank Boulevard open space implementation post-dates the planning scheme's overshadowing controls and is therefore not specifically considered. This does not lower its importance. In summary, there must be no additional shadow cast over the recently constructed public realm on the south side of Southbank Boulevard beyond the extent of shadow at 11am as shown in the Master Plan. Any additional shadow would be considered to reduce the amenity of this new open space and this should be reinforced through the Master Plan principles and strategies, and proposed massing envelopes.

These overshadowing matters form recommendations to the Minister – refer recommendation 17 at Section 9.1 of this report.

### Signage

There is insufficient principles and strategies in the Master Plan around signage and wayfinding.

These signage matters form recommendations to the Minister – refer recommendation 18 at Section 9.1 of this report.

### Relevant Strategies

There is limited demonstration of engagement with City of Melbourne context, values, strategies and guidelines. This is crucial considering the local significance of the precinct and surrounding area, including Southbank Boulevard and Yarra River Birrarung.

Several City of Melbourne Strategies and guidelines will directly influence and guide the design response to the site and its interfaces. The Master Plan should be updated to have regard to strategies and guidelines (as relevant) where they relate to the immediate precinct or site interfaces.

Consideration of these City of Melbourne strategies form recommendations to the Minister – refer recommendation 19 at Section 9.1 of this report.

### 8.3 Cultural Heritage

The site is located within an area of Aboriginal Cultural Heritage Significance.

Clause 15.03-2S (Aboriginal Cultural Heritage) promotes the protection and conservation of places of Aboriginal cultural heritage values. Clause 22.04 (Heritage Places within the Capital City Zone) requires that development does not adversely impact Aboriginal cultural heritage values for any site known to contain Aboriginal archaeological relics as indicated in an archaeologist's report.

A Cultural Heritage Management Plan (CHMP) has been prepared by Extent Heritage Advisors, dated 23 September 2021. The CHMP concludes that *no Aboriginal cultural heritage or areas with the potential for Aboriginal cultural heritage to be present were recorded. Pursuant to regulation 64, a complex assessment is not required and this CHMP concludes at a standard assessment.*

It is noted that, for the purposes of this Incorporated Document, the planning authority is the Minister for Planning. The responsibility for determining whether or not further assessment is required therefore rests with DELWP.

## 9 RECOMMENDATION

The proposed Amendment C356MELB to facilitate the Melbourne Arts Precinct Transformation Project which includes the delivery of a new public building at 77 Southbank Boulevard (the National Gallery of Victoria Contemporary building), a new elevated public realm above Sturt Street and upgrades to existing buildings at the interface with the new public realm, has been reviewed in detail.

Having considered the Planning Scheme Amendment material provided by the applicant and the internal referral advice received, the Melbourne Arts Precinct Transformation project is supported by the City of Melbourne subject to detailed changes in the Master Plan (identified under Outstanding Key Matters) and amendments to the Incorporated Document (identified under Draft Incorporated Document).

### 9.1 Outstanding Key Matters

#### 9.1.1 Gateways and Connections

1. Provide adequate contextual analysis within the Master Plan to demonstrate a responsive approach to precinct gateways and connections.
2. Include a higher level of diagrammatic detail in the Master Plan to demonstrate proposed precinct gateways. An overall diagram should be provided, capturing all key gateway and connection priorities, including:
  - Mode of pedestrian movement including ramps, stairs, lifts.
  - Other gateway / connection priorities including:
    - Facilitation of other transport modes, i.e. slow cycling access.
    - Activation or placemaking priority, including consideration of any zones for stationary activities such as outdoor dining.
    - Safety, publicness and general invitation.
    - Generosity and accessibility.

Where text is used to support diagrams, it should provide additional information such as operating hours, vertical transport modes, landscape design intent, etc.

3. Unify the *Gateways* and *Connections* diagrams in the Master Plan to provide further clarity on the identity and role of key gateways and connection into the site. This diagram should be larger in scale and have an advanced level of detail.
4. Strengthen the requirement for establishing direct and publically accessible gateway connections to the new raised public realm in the Master Plan as part of Phase One works.
5. Include an additional staging diagram in the Master Plan (within *6.1 Staging plans*) addressing precinct gateways and connections.
6. Provide clarification of the Australian Ballet Centre building's inclusion in the Master Plan works. Connections, activation and public interface quality should be addressed in Phase One.

### **9.1.2 Safety**

7. Include consideration of pedestrian safety, and well-designed and secure enclosure of services only areas. This should be included within design principles and strategies of the Master Plan, as well as site layout diagrams.

### **9.1.3 Public Realm**

8. Provide further detail in the Master Plan to demonstrate the nuance and detail of site activation, zones and connections.
9. Provide consideration of the wider precinct by including a strategy for site and street interface activation in the Master Plan to address any gaps in the broader precinct beyond the site's immediate boundaries. Further contextual analysis to ensure the site addresses existing wider precinct offerings, activation and open spaces is recommended. This analysis should acknowledge significant public realm investment to Southbank Boulevard, and future works to Dodds Street.
10. Provide clarity on any potential closure of grounds due to private events, and impacts to site connections and gateways in the Master Plan. This should be provided as an additional diagram.
11. Provide further information around the quality of the soil and landscaping within the masterplan document, potentially under *5.6 Public realm* in the Master Plan. This is to ensure that new tree growth and successful landscaping will be provided as a fundamental and focal aspect of precinct works.

### **9.1.4 Canopy Trees**

12. Provide further details on existing tree canopy cover within the precinct area, including adjacent streets / footpaths and within the existing NGV gardens; and demonstrate that the proposals provide for replacement trees, for those identified for removal, to provide equivalent or greater canopy by 2040. Reference must be made to 'Living Melbourne - Our Metropolitan Urban Forest' and the City of Melbourne Urban Forest Strategy and explain how the new public realm landscape design response addresses these strategies including actions and targets.

### **9.1.5 Massing**

13. The proposed building envelope and massing at 77 Southbank Boulevard cannot be supported unless all proposed massing envelopes are demonstrated within the precinct (e.g. 1 City Road and Australian Ballet Centre) to understand



cumulative effects on precinct character, visual perspectives, overshadowing, wind conditions, and pedestrian amenity within the Master Plan.

#### **9.1.6 Projections**

14. The building envelope at 77 Southbank Boulevard must be contained entirely within the title boundaries adjacent Southbank Boulevard and Kavanagh Street with the exception of non-habitable architectural features of no more than 300 mm, or an alternative solution as discussed under 'Building Projections' at Section 8.2.2 of this report.

#### **9.1.7 Wind**

15. Include provisions in the Master Plan to address the design of wind barriers. This could be integrated with the art installations / landscape activation strategy.
16. Include details in the Master Plan around how and where "rolling hills" (identified as recommended wind mitigation strategies within the Wind Effect Statement) will be integrated into the landscaping of the public realm.

#### **9.1.8 Shadow**

17. Update the Master Plan principles, strategies and proposed massing envelopes so that new development must not cast any additional shadow over the public realm open space on the south side of Southbank Boulevard between 11am and 2pm on 22 September beyond the extent of shadow shown cast at 11am in the Master Plan.

#### **9.1.9 Signage**

18. Update the Master Plan to include the following signage *Principles & Strategies*:
  - Signage and wayfinding should be integrated with the architecture and character of the area, and with the broader precinct, and have sensitivity to the Yarra River – Birrarung.
  - Signage and wayfinding should have a highly public language and use high quality, robust materials.
  - Promotional signage must be limited to the publicising of events and programs within the MAPT.
  - While strongly discouraged, digital signage should be confined to one focus area (arrival gateway, etc.).
  - Achieving connectivity of a precinct should consider pavement treatments and measures other than signage and wayfinding.

#### **9.1.10 City of Melbourne Strategies**

19. Provide reference to and consideration of key City of Melbourne strategies and guidelines relating to the immediate precinct or site interfaces. This includes (as relevant):
  - The Yarra River Birrarung Strategy
  - Southbank Boulevard masterplan
  - City Road Masterplan
  - Greenline implementation plan

- Domain Masterplan
- DDO1 – The Central Melbourne Design Guide
- Heritage Design Guide
- Sunlight to public parks (Amendment C278)
- Living Melbourne Strategy
- Urban Forest Strategy
- Integrated Water Management Plan
- Any other relevant strategies and guidelines.

### 9.1.11 Road Closure

20. The Master Plan updated as required through consultation with City of Melbourne Traffic Engineering department to ensure concerns and queries around the Sturt Street closure and traffic management in and around the precinct is resolved.
21. The Road Closure Overlay (RXO) amended to include the following parcels of land (refer Figure 14):
- The north-west splay at the corner of Sturt Street and Southbank Boulevard.
  - The south-west splay at the corner of Sturt Street and Kavanagh Street.
  - The east side of Sturt Street at the northern end as it has a dual status and the government road status should be removed to support the project.

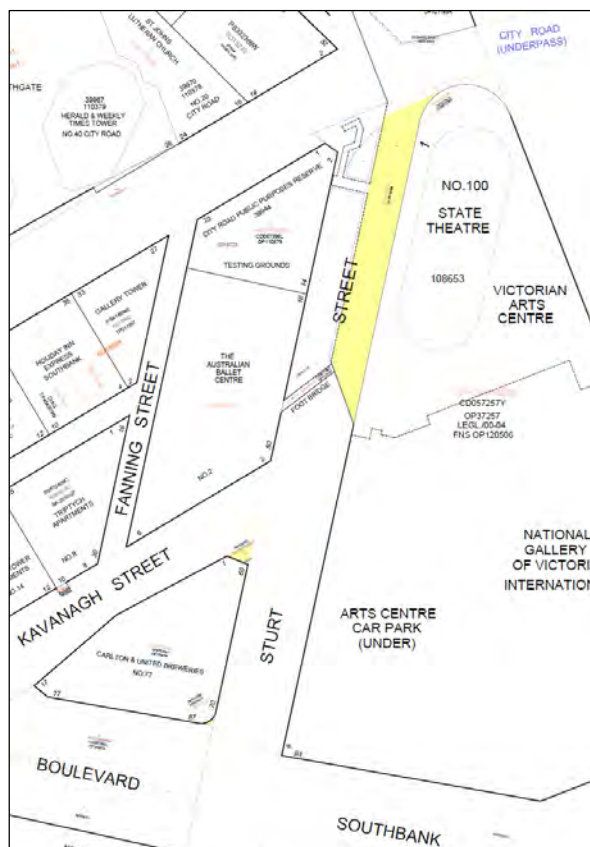


Figure 14: Land to be included in the RXO

### **9.1.12 Bicycle Facilities**

22. Include in the Master Plan provision of formal, low-speed cycling connections through and within the public realm to enable cycling to be managed, rather than attempting to ban cyclists. Careful consideration of materials and geometric design can be employed to minimise conflict.
23. Include in the Master Plan consideration of cycling access between Princes Bridge / St Kilda Road and Southbank Promenade. An example could be achieved by modifying the curved ramp at Hamer Hall to accommodate cycling and by constructing a new cycling connection to the south of Hamer Hall.
24. Include in the Master Plan the provision of convenient, accessible and high-amenity off-street bicycle parking for general public use, in addition to employees.

### **9.1.13 Environmentally Sustainable Design**

25. Consider updates to the MAPT Masterplan Sustainability Strategy as detailed in the Green Infrastructure Referral Advice dated 8 December 2021, a copy of which will be provided to the Minister.

## **9.2 Draft Incorporated Document**

Notwithstanding the outstanding key matters identified at Section 9.1 of this report, the Incorporated Document as proposed by the applicant is included on the subsequent page and provides recommendations, including added and amended conditions, shown in red – many of which are corrections, conditions required by internal referrals or changes required to address key matters identified (where possible).

Importantly, the draft Incorporated Document provided below is contingent on updates to the Master Plan as identified at Section 9.1 (Outstanding Key Matters).

**MELBOURNE PLANNING SCHEME**

**INCORPORATED DOCUMENT**

**Melbourne Arts Precinct Transformation Project, Phase One**

**November 2021**

**This document is an incorporated document in the Melbourne Planning Scheme pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*.**

## **1. INTRODUCTION**

This document is an Incorporated Document as listed within the schedule to Clause 72.04 of the Melbourne Planning Scheme (the Scheme).

## **2. LAND DESCRIPTION**

This document applies to the following parcels of land:

- Crown Allotment 12A Section B City of South Melbourne, Parish of Melbourne South (Volume 11753 Folio 156)
- Crown Allotment 10A Sec. 86 City of South Melbourne, Parish of Melbourne South (Volume 11753 Folio 067)
- Crown Allotment 3C City of South Melbourne Parish of Melbourne South (Volume 11753 Folio 110)
- Crown Allotment 2342 City of South Melbourne Parish of Melbourne South (Volume 11753 Folio 207)
- Crown Allotment 13F Section C City of South Melbourne Parish of Melbourne South (Volume 11753 Folio 158)
- Crown Allotment 11D Section B City of South Melbourne Parish of Melbourne South (Volume 9810 Folio 237)

This document also applies to land surrounding the parcels listed above, described as:

- Sturt Street between City Road and Southbank Boulevard
- A portion of Southbank Boulevard as identified in the SCO14 map.
- A portion of Kavanagh Street as identified in the SCO14 map.

Together known as 'the land', being all of the land within SCO14.

## **3. APPLICATION OF PLANNING SCHEME PROVISIONS:**

Despite any provision to the contrary in the Scheme, pursuant to Clause 45.12 of the Scheme the land identified in this Incorporated Document may be used and developed in accordance with the specific controls contained in this document. In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this document will prevail.

For the purposes of public open space, the open space provided in this Incorporated Document is considered to meet the relevant contribution requirements of Clause 53.01 of the Melbourne Planning Scheme.

## **4. EXPIRY OF THIS SPECIFIC CONTROL**

The development of the land permitted under this Incorporated Document must commence within four years of the gazettal date of Amendment C356melb to this Scheme and must be completed within 10 years of the gazettal date of Amendment C356melb to this Scheme. The use permitted under this Incorporated Document must commence within 10 years of the gazettal date of Amendment C356melb to this Scheme.

The Minister for Planning may extend the period for commencement if a request is made in writing before the time period for commencement expires or within six months afterwards.

The Minister for Planning may extend the date for the completion of the development if a request is made in writing before the time period for completion expires or within 12 months after the time for completion expires and the development started lawfully before the approval expired.

This Incorporated Document will expire twelve months after the date of the issuing of the Certificate of Occupancy for the last stage of the development or as otherwise agreed in writing by the Minister for Planning.

## 5. THIS DOCUMENT ALLOWS:

This Incorporated Document allows for the following:

- Demolition of existing buildings and structures.
- Development of the land for the Melbourne Arts Precinct Transformation Phase One, including the construction of a multi-level building and the construction and carrying out of works.
- Use of the land for the purposes of Place of Assembly (other than Amusement Parlour and Nightclub), Informal Outdoor Recreation, and Retail Premises (other than Adult Sex Book Shop, Department Store and Hotel).
- Display of signage.

The use and development of the land must be in accordance with the detailed development plans endorsed under the conditions of the Incorporated Document and must be generally in accordance with the Masterplan prepared by Hassell and dated **August 2024 [date of updated Master Plan]**; and including any amendment of the plans that may be approved from time to time under the conditions of this document. Once approved, these plans will be the endorsed plans.

## 6. CONDITIONS

The use and development permitted by this Incorporated Document must be undertaken in accordance with the following conditions:

### Detailed Development Plans

1. Before each stage of the development starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, detailed development plans including full architectural drawings, plans, sections, elevations and renders of the development must be submitted to and approved by the Minister for Planning **in consultation with Melbourne City Council**. The plans must be drawn to scale and fully dimensioned, including heights to Australian Height Datum for all levels, parapets, roof plant and architectural features on all elevations; **and include details of abutting land such as built form, use, access, easements and the like.**
2. The detailed development plans must be generally in accordance with the Masterplan by Hassell and dated **August 2024 [date of updated Master Plan]**. The detailed development plans must provide the following information:
  - a) The title boundary and any projections over the title boundary, including details of any adjustments to the title boundaries to those as at the date of this Incorporated Document.
  - b) Detailed site layout plans and location of publicly accessible open space and connections.
  - c) A development schedule including the total Gross Floor Area (GFA) using the definition in Clause 73.01 the Melbourne Planning Scheme and the GFA allocated to the proposed uses; the total number and allocation of car parking spaces; number and type of bicycle facilities; public realm area(s) (sqm); area (sqm) allocated for waste storage and collection, loading and unloading, and building services and equipment.
  - d) Detailed floor plans, elevation plans and section diagrams including pedestrian access, bicycle access, loading and other services.

- e) A detailed overshadowing analysis.
- f) Materials and finishes schedule generally consistent with the corresponding condition below.
- g) Any changes as a result of the Landscape Plan required by the corresponding condition below.
- h) Any changes as a result of further ESD assessments required by the corresponding condition below.
- i) Any changes as a result of the Transport Impact Assessment required by the corresponding condition below.
- j) Any changes as a result of the Waste Management Plan required by the corresponding condition below.
- k) Any changes required as a result of recommendations of further wind testing if required by the corresponding conditions below.

### **Layout not altered and satisfactory completion**

- 3. When approved the plans, schedules and reports referred to in the conditions of this Incorporated Document will be endorsed by the Minister for Planning or Melbourne City Council, as stated. The development as shown on the plans, schedules and reports must not be altered without the prior written consent of the Minister for Planning or Melbourne City Council, as stated.
- 4. All buildings and works must be maintained in good order and appearance to the satisfaction of the Minister for Planning.
- 5. Once the development has started it must be continued and completed to the satisfaction of the Minister for Planning.

### **Land Use (Bar)**

- 6. Before use of the land as a bar commences, a Bar Management Plan must be submitted to and approved by the Minister for Planning. The plan must address the following matters to the satisfaction of the Minister for Planning:
  - a) ~~Red line plan identifying all land to be used as a bar~~
  - b) Written submission in accordance with the application requirements at Clause 22.22-4 of the Melbourne Planning Scheme
  - c) Waste management plan specific to the bar land use

### **Façade Strategy**

- 7. Before the development of the National Gallery of Victoria Contemporary (NGVC) starts, other than demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, a Façade Strategy must be submitted to and approved by the Minister for Planning in consultation with Melbourne City Council. When approved, the Façade Strategy will form part of the endorsed plans. All materials, finishes, and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Minister for Planning.

The Façade Strategy must detail:

- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
- b) Elevation details generally at a scale of 1:50 (or as otherwise agreed with the Minister for Planning) illustrating typical details, entries and doors, privacy screening and utilities, and any special features which are important to the building's presentation.

- c) Design sectional details generally at a scale of 1:50 of the façade system. Vertical and horizontal cladding should appear to be an integrated component of the façade, as opposed to an attached element.
- d) Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and or materials.
- e) **Site sections to street interfaces, including junctions between closed services roads and pedestrian areas, demonstrating safety, quality and human-centric design.**
- f) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
- g) Example prototypes and/or precedents that demonstrate the intended design outcome indicated on plans and perspective images to produce a high-quality built form outcome in accordance with the design concept.
- h) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding

### **Glare**

- 8. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Minister for Planning.

### **Reflectivity**

- 9. Light reflectivity from external materials and finishes must not reflect more than **2015%** of specular visible light, to the satisfaction of and unless otherwise approved by the Minister for Planning.

### **Projections over the title boundary**

- 10. **Projections over the title boundary must comply with the Melbourne City Council Road Encroachment Guidelines to the satisfaction of Melbourne City Council.**
- 11. **All projections over the title boundary must be drained to a legal point of discharge in accordance with plans and specifications first approved by Melbourne City Council.**

### **Demolition and early site preparation works**

- 12. Before the demolition and early site preparation works for each stage start on site, detailed plans showing the early site preparation works may be submitted to and approved by the Minister for Planning in consultation with Melbourne City Council.

The early site preparation works permitted under this condition are restricted to demolition, bulk excavation, site retention, soil investigation, soil remediation works, piling, footings, ground beams, ground slabs, relocation or diversion of existing services, or as otherwise agreed with the Minister for Planning. All early site preparation works must be in accordance with the approved plans.

- 13. Before the demolition of the existing building and early site preparation works for each stage start on the site, an Early Works Demolition and Construction Management Plan (EWDCMP) must be submitted to and approved by Melbourne City Council. The EWDCMP must be prepared in accordance with



Melbourne City Council's Construction Management Plan Guidelines. The EWDCMP is to consider at least the following:

- a) Staging of works.
- b) Public safety, amenity and security.
- c) Management of public access and linkages around the site during construction.
- d) Site access and traffic management, including any disruptions to adjoining vehicular and pedestrian access ways.
- e) Any works within the adjoining reserves and street network road reserves including footpaths.
- f) Hours of construction
- g) Noise and vibration controls.
- h) Air and dust management.
- i) Stormwater and sediment control.
- j) Arrangements for managing stockpiled soil before it is removed from the site.
- k) Collection and disposal of demolition waste.
- l) ~~Street~~Public trees to be retained and protected.
- m) ~~Street~~Public trees to be removed, ~~lopped~~ or pruned. Provide details of all options exhausted to retain public trees when identifying trees proposed for removal. Any public tree removal must be in consultation with the City of Melbourne and in accordance with City of Melbourne Tree Policy.
- n) Public assets to be protected.
- o) Program dates.

### Temporary works

14. Before the development starts, other than the demolition of the existing building and early site preparation works approved under Condition 10 or as otherwise agreed with the Minister for Planning in consultation with Melbourne City Council, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide for the following:

- a) if the land remains vacant for 12 months after completion of the demolition;
- b) if demolition or construction activity ceases for a period of six months; or
- c) if construction activity ceases for an aggregate of six months after commencement of the construction,

the owner must construct temporary works on the land to the satisfaction of Melbourne City Council to ensure that an active street frontage and/or landscaping is provided at the main site frontages.

Before the construction of any temporary works as required by Condition ~~23~~14, details of the works must be submitted to and approved by Melbourne City Council. Temporary works may include:

- a) The construction of temporary buildings for short-term retail or commercial use, providing an active street frontage.
- b) Landscaping of the site for the purpose of public recreation and open

space.

The owner must pay all of Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

### Staging Plan

15. The development of the land may be undertaken in stages. Before the commencement of development, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, a staging plan must be submitted to and approved by the Minister for Planning. The staging plan may be altered and updated from time to time to the satisfaction of the Minister for Planning.

### Wind Tunnel Assessment

16. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, a Wind Tunnel Assessment prepared by a suitably qualified person must be undertaken and submitted to and approved by the Minister for Planning **in consultation with Melbourne City Council**. The Wind Tunnel Assessment must **accord to the wind comfort parameters of Design and Development Overlay Schedule 60 and:**
- a) Explain the effect of the development on the wind conditions in publicly accessible areas impacted by the development as well as any terraces and/or rooftop areas within the development.
  - b) At a minimum, model the wind effects of the development and its surrounding buildings (existing and proposed) using wind tunnel testing.
  - c) Identify the principal role of each part of the publicly accessible areas for sitting, standing or walking purposes. This criteria for each publicly accessible area should be reflective of its purpose.
  - d) Not rely on any trees within publicly accessible areas for wind mitigation.
  - e) Make recommendations for modifications to the design of the development, if required, to achieve comfortable wind conditions consistent with the identified principal role for publicly accessible areas as well as any balconies and/or rooftop areas within the development.
  - f) **Ensure wind screens and other wind mitigation measures are appropriately designed. Wind screen must be visually interesting, cohesive with overall architecture, and will not unreasonably impede sightlines and passive surveillance.**
  - g) **Ensure wind mitigation recommendations do not compromise public activation at key locations, including the far western and north-eastern corners of NGVC.**
17. Any modifications to the development to ensure comfortable wind conditions to the surrounding streets, building entries, publicly accessible areas and any balconies and/or rooftop areas within the development must be carefully developed as a high quality integrated architectural solution to the satisfaction of the Minister for Planning in consultation with Melbourne City Council and implemented at no cost to the Minister for Planning.

### Environmentally Sustainable Design Statement

18. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, an Environmentally

Sustainable Design (ESD) Statement prepared by a suitably qualified professional shall be submitted to and approved by the Minister for Planning. The ESD Statement must be generally in accordance with the Sustainability Strategy prepared by Hassell + Steensen Varming and dated 2021 and demonstrate that the building has the preliminary design potential to achieve the following:

- ~~a) A minimum (mandatory) 5 Star NABERS Energy rating or equivalent.~~
- ~~b) An aspirational (preferred) 6 Star NABERS Energy rating or equivalent.~~
- ~~c) A minimum (mandatory) 3 points for Wat-1 credit under the Green Star Office rating tool or equivalent.~~
- ~~d) A minimum (mandatory) 5 Star Green Star Design and As Built or equivalent.~~
- ~~e) An aspirational (preferred) 6 Star Green Star Design and As Built or equivalent.~~

New buildings must meet:

- a) A minimum 5.5 Star NABERS Energy rating including a signed NABERS Commitment Agreement and associated energy modelling.
- b) A minimum 3 points for Water Use credit 25 under the Green Star Buildings.
- c) A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's Guidelines for Waste Management Plans.
- d) A minimum 5 Star Green Star Buildings certified rating or equivalent.

Precinct must meet:

- e) A minimum 6 Star Green Star Communities certified rating or equivalent.
- f) Achieve Climate Active Carbon Neutral Standard or equivalent.
- g) A minimum 0.55 using City of Melbourne's Green Factor Tool.

19. Any change during design which affects the approach of the endorsed ESD Statement, must be assessed by an accredited professional. The revised statement must be endorsed by the Minister for Planning before development starts.
20. Within 182 months of occupation of the final stage of the development, a report must be submitted to and approved by the Minister for Planning, which details the initiatives implemented within the completed development that achieve the performance outcomes specified in the endorsed ESD Statement.

### **Water Sensitive Urban Design**

21. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, a stormwater drainage system incorporating integrated water cycle management design principles must be submitted to and approved by Melbourne City Council. The system must be constructed prior to occupation of each stage of the development and provision made to connect this system to Melbourne City Council's underground stormwater drainage system. MUSIC modelling must be provided with to demonstrate whether the proposed stormwater management devices would achieve best practice stormwater quality as required by Clause 22.23 of the Melbourne Planning Scheme.

### **Waste Management Plan**

22. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with Melbourne City Council, a detailed Waste Management Plan (WMP) must be submitted to and approved by Melbourne City Council. The WMP must be generally in accordance with the preliminary WMP prepared by Irwin Consultants and dated 9 August 2021. The WMP should include (but not be limited to):
- (a) Consideration of on-site processing of organic waste.
  - (b) Details of height clearances for relevant vehicles throughout entries, accessways, collection and storage areas.
  - (c) Details of waste equipment and waste storage areas.
  - (d) Swept path diagrams for all waste vehicles showing egress and ingress manoeuvres from/to street level.

The WMP should detail the waste storage and collection arrangements, including dimensions and comply with Council's Waste Management Plan Guidelines 2021~~7~~, also having regard to any new or updated version of Council's Guidelines.

Waste storage and collection arrangements must not be altered without prior written consent of Melbourne City Council.

23. All garbage and other waste material must be stored in an area set aside for such purpose to the satisfaction of Melbourne City Council.

### **Car Parking and Traffic Management**

24. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, a Car Parking and Traffic Management Report prepared by a suitably qualified traffic consultant must be submitted to and approved by the Minister for Planning in consultation with Melbourne City Council. The Car Parking and Traffic Management Report must be generally in accordance with the preliminary Traffic Engineering Assessment prepared by GTA Consultants and dated 26 July 2021 and must:
- a) Address the number of car parking spaces and bicycle facilities provided.
  - b) Integrate with the approved WMP and inform the detailed internal design of the car parking and loading areas.
  - c) Specify and assess all relevant access, parking, loading and traffic matters, including pedestrian and cyclist safety and recommend traffic mitigation works and management measures, if required, to manage the traffic impacts generated by the development.
  - d) Provide swept path diagrams showing all road infrastructure, kerbs, on-street parking, poles etc.
25. All traffic mitigation works and management measures as recommended in the Car Parking and Traffic Management Report must be implemented at no cost to the Minister for Planning or Melbourne City Council and must be to the satisfaction of Melbourne City Council.

### **Car parking access and layout and access to be constructed and maintained**

26. The accessways and areas set aside for car parking must be constructed, delineated and clearly line-marked to indicate each car space and the direction in which vehicles must proceed along the accessways, in conformity with the

endorsed plans. Accessways and parking areas must be kept available for these purposes at all times and maintained to the satisfaction of Melbourne City Council.

### **Road Safety Audit**

27. Before the development starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with Melbourne City Council, a formal independent desktop Road Safety Audit of the development must be submitted to and approved by ~~Melbourne City Council~~ **City of Melbourne – Infrastructure & Assets branch**. The Audit must include assessment of:
- a) Internal layout.
  - b) Access arrangements.
  - c) Loading arrangements.
  - d) Pedestrian and bicycle access and movements within the site and in the public realm.
  - e) Potential conflicts between vehicles / pedestrians / cyclists.
  - f) Road safety issues affecting all road users.

The findings of the Audit must be incorporated into the detailed design to the satisfaction of Melbourne City Council.

### **Loading**

28. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed by Melbourne City Council, a Loading Management Plan must be submitted to and approved by ~~Melbourne City Council~~ **City of Melbourne – Infrastructure & Assets branch**, specifying how the access/egress of loading vehicles is to be managed and ensuring that:
- a) The delivery needs of the various uses within the development can be accommodated.
  - b) Vehicles do not queue on-street.
  - c) Any potential conflicts between various vehicles (and other road users) are satisfactorily addressed.
  - d) The loading facilities are designed generally in accordance with the relevant Australian Standard.

### **Bicycle facilities**

29. The development must provide bicycle facilities to satisfy the minimum requirements of Clause 52.34 of the Scheme, to the satisfaction of the Minister for Planning. The design of bicycle spaces should comply with Clause 52.34-6 and way finding signage should be provided to comply with Clause 52.34-7.

### **Public Realm Design Plan**

30. **Establish a brief and process for staged design and approval of public realm areas that incorporates publically accessible, privately managed areas and also areas to be constructed and/or reinstated by the development and managed by the City of Melbourne.**

**A schematic, dimensioned, public realm plan must firstly be produced for the whole area of the master plan and adjacent affected areas and submitted for City of Melbourne review. It should link clearly to the approved master plan. It must show title boundaries and consider all aspects of pedestrian and vehicular**

movement, hard and soft construction materials, building and podium access points / interfaces and long term maintenance.

The approved schematic public realm plan will form the basis for the staged production, submission and City of Melbourne approval of Landscape Plans for privately managed areas in accordance with Condition 31.

The approved schematic public realm plan will also form the basis for the staged production, submission and City of Melbourne approval of detailed Design Development Documents and the subsequent Construction Documents for areas to be managed by the City of Melbourne. Plan preparation, construction and handover of these areas will be in accordance with City of Melbourne standards.

### **Landscaping plan**

31. Before the development of each stage starts, other than demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with the Minister for Planning, a detailed landscape plan, landscape maintenance plan and irrigation performance specification for the development must be submitted to and approved by the Minister for Planning in consultation with Melbourne City Council. The documents must be prepared by a suitably qualified landscape architect and address the following:
  - a) Details of all surface finishes including pathways, driveways, terrace or decked areas.
  - b) The landscape design of all publicly accessible areas **at ground level**.
  - c) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes and sizes at maturity. **All trees must be species that are recognised by the City of Melbourne as being future climate ready.**
  - d) Detailed planter sections including soil volumes and growing media. **Soil volumes for planters designed for tree planting must demonstrate that the soil volumes are suitable for the optimal growth of selected species.**
  - e) **Identify that any canopy cover lost as a result of public tree removal will be mitigated by new tree planting.**
  - f) Urban design elements including, but not limited to, paving, lighting, seating and public art.
  - g) Clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
  - h) How the development responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used, including the location of any rainwater tanks.
  - i) Demonstrate any pedestrian connections and level changes. This should include proposed access hours and security considerations for publicly accessible private spaces.
  - j) Legible, safe and accessible pedestrian connections.
  - k) **All softscape works including soil profiles, substrates layers, growing media along with associated specifications are to be certified by qualified green roof specialist, soil scientist and documented by a Landscape Architecture consultant.**
  - l) **Preparation of a soil specification must be undertaken by a qualified soil scientist. All proposed soil types proposed as part of these works must**

conform to Soil Specification and be approved by Soil Scientist and Landscape Architect prior to installation on site.

- m) Consultant Landscape Architect shall be engaged for the duration of the contract from concept plan to conclusion of the construction phase.
- n) A landscape maintenance plan detailing:
  - i. Ownership and management responsibilities of landscaped areas.
  - ii. The proposed maintenance regimes with provision for maintenance beyond the fifty-two-week period following Practical Completion.
  - iii. A Landscape Irrigation Performance Specification.

Landscaping must be implemented in accordance with the landscape plan to the satisfaction of the Minister for Planning.

- 32. Before the occupation of the development, landscape works as shown on the endorsed plans must be completed to the satisfaction of the Minister for Planning.
- 33. All landscape works must be maintained to the satisfaction of the Minister for Planning.

#### **Tree Protection Plan**

- 34. Before the development of each stage starts, or as otherwise agreed with Melbourne City Council, an Arboricultural ~~Assessment and Report~~ **Assessment** and Tree Protection Plan (TPP) must be submitted to and approved by Melbourne City Council. The documents must demonstrate how publicly owned trees will be protected during the construction activities associated with the development. The documents must be in accordance with Australian Standard 4970-2009 – Protection of Trees on Development Sites. If a TPP is required for the demolition of the existing building and early site preparation works approved under Condition 10, the TPP may be staged. The documents must include but not be limited to:
  - a) An assessment of all trees on or adjacent to the site, including their canopy cover.
  - b) Tree protection recommendations for the trees to be retained in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites to ensure their long-term health, including tree protection zones (for roots and canopies) and structural root zones.
  - c) Melbourne City Council asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
  - d) Reference to the finalised Construction and Traffic Management Plan, including any public protection gantries. The Construction and Traffic Management Plan requirements must relate directly to those provided to Melbourne City Council in relation to any other permit conditions.
  - e) Site specific details of the temporary tree protection fencing to be used to isolate publicly owned trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the site.
  - f) Specific details of any special construction methodologies to be used within the Tree Protection Zone of any publicly owned trees.
  - g) Full specifications of any pruning required to publicly owned trees.
  - h) Any special arrangements required to allow ongoing maintenance of

publicly owned trees for the duration of the development.

- i) Name and contact details of the project arborist who will monitor the implementation of the TPP for the duration of the development.
  - j) Details of the frequency of the project arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release). Interim reports of monitoring must be provided to Melbourne City Council's email via [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au).
35. All works (including bulk excavation), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Arboricultural Assessment and Report and TPP and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of Melbourne City Council.

### **Public Tree Protection Bond**

36. Following the approval of the endorsed ~~Arboricultural Assessment and Report and Tree Protection Plan (TPP)~~, a bond equivalent to the combined environmental and amenity values of public trees that may be affected by the development must be lodged with Melbourne City Council. The bond will be held against the TPP for the duration of construction activities. The bond amount will be calculated by Council and provided to the applicant/developer/owner of the site. Should any tree be adversely impacted on, Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred. If an Arboricultural Assessment and Report and TPP are required for the demolition of the existing building and early site preparation works approved under Condition 10, payment of the bond may be staged.
37. If a Construction Management Plan or Traffic Management Plan change any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed Arboricultural Assessment and Report and TPP, a revised TPP must be submitted to and approved by Melbourne City Council.

### **Public Tree Removal**

38. ~~Approval for any tree removal is subject to the City of Melbourne Tree 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.~~
39. If any public trees are proposed for removal at any stage of the development under an Arboricultural Assessment and Report and TPP endorsed under this Incorporated Document, then prior to the commencement of the development, the applicant must submit a Street Public Tree Plot Replacement Strategy to Melbourne City Council, which shows replacement and/or additional tree plots in accordance with Melbourne City Council's Tree Retention and Removal Policy.
40. Before the occupation of each stage of the development, the replacement and/or additional street tree plots shown on the endorsed Public Tree Plot Replacement Strategy must be constructed at no cost to Melbourne City Council and be to the satisfaction of Melbourne City Council.
41. ~~All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a trees to be removed, must be met by the applicant/developer/owner of the site. The costs of these works will be provided and must be agreed to before council remove the subject trees.~~

### **Construction Management Plan**



42. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with Melbourne City Council, a detailed construction management plan must be submitted to and approved by Melbourne City Council. This construction management plan must be prepared in accordance with Melbourne City Council's Construction Management Plan Guidelines and is to consider the following:
- a) Management of public access and linkages around the site during construction.
  - b) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian accessways).
  - c) Any works within the adjoining reserves and street network.
  - d) Public safety, amenity and site security.
  - e) Hours of construction operating hours.
  - f) Noise and vibration controls.
  - g) Air and dust management.
  - h) Stormwater and sediment control.
  - i) Waste and materials reuse.
  - j) Traffic management.
  - k) Protection of street trees.

#### **Building Appurtenances**

43. All building plant and equipment are to be concealed to the satisfaction of the Minister for Planning. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment, shall be to the satisfaction of the Minister for Planning.
44. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point in the development to the satisfaction of the Minister for Planning, unless otherwise approved to the satisfaction of the Minister for Planning.
45. No building services or architectural features other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Minister for Planning.

#### **Civil Works**

46. Existing street and footpath levels in roads and open space adjoining the site must not be altered for the purpose of constructing new vehicle crossovers or pedestrian entrances without first obtaining approval from Melbourne City Council.
47. Before the occupation of each stage of the development, or as otherwise agreed with Melbourne City Council, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by Melbourne City Council.
48. All portions of roads and reserves affected by the development must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council.

49. Before the occupation of each stage of the development starts, or as otherwise agreed with Melbourne City Council, any damaged footpaths adjoining the site must be reconstructed in new sawn bluestone together with associated works including the renewal of kerb and channel, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council.
50. All street lighting assets temporarily removed or altered to facilitate construction works (except for those along Sturt Street) shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of Melbourne City Council.
51. Existing street furniture must not be removed or relocated (except for those along Sturt Street) without first obtaining the written approval of Melbourne City Council. All street furniture such as street litter bins recycling bins, seats and bicycle rails must be supplied and installed on footpaths outside the proposed building to plans and specifications first approved by Melbourne City Council.
52. All new or altered portions of road (including the provision of bluestone footpaths, drainage, public lighting, street furniture, pavement marking and signage) in Kavanagh Street and Southbank Boulevard must be constructed prior to the occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
53. Any works within Tree Protection Zones must be detailed in a Tree Protection Plan and supervised by a suitably qualified Project Arborist.

### **Lighting Plan**

54. Before the development of each stage starts, other than the demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with Melbourne City Council, a lighting plan must be submitted to and approved by Melbourne City Council. The lighting plan should be generally consistent with Melbourne City Council's Lighting Strategy and include the provision of public lighting in the streets and open space adjacent the subject land.
55. The lighting works must be undertaken prior to the occupation of each stage of the development, in accordance with plans and specifications first approved by Melbourne City Council.

### **3D Digital Model**

56. Before the development is occupied, or as otherwise agreed with the Minister for Planning, a 3D digital model of the development must be submitted to and must be to the satisfaction of the Minister for Planning. In the event that substantial modifications are made to the building envelope and design, a revised 3D digital model must be submitted to and be to the satisfaction of the Minister for Planning, before these modifications are approved.

### **Signage Strategy**

57. Before any signage is displayed on the site, a signage strategy must be submitted to and approved by the Minister for Planning **in consultation with Melbourne City Council**. The signage strategy must identify the type, location and dimensions of proposed signs and structures, details of any illumination proposed, and specific plans identifying signage text, colours and materials.
58. All advertising signs hereby approved, including their structure and advertising material, shall be maintained in good order and condition to the satisfaction of the Minister for Planning.

**~~Legal agreement—Projections (To be replaced with RXO condition(s))~~**

~~59. Where part of a stage of development projects into the airspace above or the subsoil of land under the care and maintenance of the Melbourne City Council, within six months of that stage of the development starting, other than demolition of the existing building and early site preparation works approved under Condition 10, or as otherwise agreed with Melbourne City Council, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide for the following:~~

- ~~a) Liability and maintenance of those parts of the development projecting into airspace or sub-soil under the care and maintenance of Melbourne City Council and disclaiming any right or intention to make any claim or application relating to adverse possession of the land.~~
- ~~b) Liability and maintenance of those parts of the development projecting into the airspace or subsoil of land under the care and management of Melbourne City Council, including provision of an indemnity and comprehensive insurance cover against damage and injury resulting from the erection and use of the projection, to the satisfaction of Melbourne City Council.~~
- ~~c) Providing for the payment to the Melbourne City Council of one lump sum licence fee of such amount as may be reasonable determined by a certified practising property valuer appointed by Council for that purpose.~~

~~The developer must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.~~

**END OF DOCUMENT**