

**MELBOURNE PLANNING SCHEME**

**INCORPORATED DOCUMENT**

**HAMER HALL REDEVELOPMENT  
JULY 2010**

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

## **INTRODUCTION**

This document is an incorporated document in the Schedule to Clause 52.03 and Clause 81 of the Melbourne Planning Scheme. It consists of the written provisions of this document and the plan marked 'Southbank Cultural Precinct Redevelopment Hamer Hall Redevelopment June 2010' prepared by ARM Architects.

The purpose of the Incorporated Document is to facilitate implementation of the Hamer Hall Redevelopment as the first stage of the Southbank Cultural Precinct Redevelopment. The Incorporated Document allows the Hamer Hall Redevelopment to be undertaken in accordance with detailed development plans that are generally in accordance with concept plans prepared by ARM Architects.

Hamer Hall Redevelopment will open up Hamer Hall to the Yarra River, Southbank and St Kilda Road. Substantial internal refurbishment of the Hall will be undertaken to improve the acoustics and technical support and to improve the experience for patrons and performers. External improvements involve demolition and replacement of the upper terrace on the river side of Hamer Hall and construction of a new terrace with a reduced width. The new terrace will maintain elevated access for pedestrians between St. Kilda Road and the adjacent Southgate buildings and improve access to sunlight for the area between Hamer Hall and the river. The solid walls of Hamer Hall at the St Kilda Road terrace level will be replaced with glazing to provide a new outlook to the City and views into the foyer and other spaces within Hamer Hall.

Hamer Hall Redevelopment also includes construction of a new "civic stair" rising from the river side path to St Kilda Road adjacent to Princes Bridge and a 24 hour lift from the river side path level to the St Kilda Road terrace. A new direct entry into Hamer Hall from the river promenade will also be provided and there will be an opportunity for cafes and restaurants between Hamer Hall and the river to contribute to a vibrant, public precinct.

Pursuant to Clause 52.03 of the Melbourne Planning Scheme the land identified in this document may be developed and used in accordance with the specific controls contained in this document. The specific controls may exclude other controls in the scheme.

If there is any inconsistency between the specific controls and the general provisions of the scheme, the specific controls will prevail.

## **LAND DESCRIPTION**

The Incorporated Document applies to the area shown on the Southbank Cultural Precinct Redevelopment: Hamer Hall Redevelopment May 2010 HH-TP-A050000 Rev 04 Plan prepared by ARM Architects. The area includes Hamer Hall, the concourse between Hamer Hall and St Kilda Road, the upper level terrace on the north side of Hamer Hall that connects St Kilda Road to the adjacent Southgate buildings and the lower concourse along the Yarra River between Princes Bridge and the Southgate buildings.

The area is bounded generally by Princes Bridge, St Kilda Road, Yarra River, Southgate Avenue and the Arts Centre Lawn.

## **APPLICATION OF PLANNING SCHEME PROVISIONS**

The following provisions of the Melbourne Planning Scheme do not apply to the land identified in this Incorporated Document:

- Clause 36.02 Public Park and Recreation Zone
- Clause 36.04 Road Zone
- Clause 37.04 Capital City Zone
- Clause 43.01 Heritage Overlay
- Clause 43.02 Design and Development Overlay
- Clause 44.04 Land Subject to Inundation Overlay
- Clause 52.05 Advertising signs
- Clause 52.06 Car parking
- Clause 52.07 Loading and unloading of vehicles
- Clause 52.27 Licensed Premises
- Clause 52.29 Land adjacent to a Road Zone, Category 1 or a Public Acquisition Overlay for a Category 1 Road
- Clause 52.34 Bicycle facilities
- Clause 52.36 Integrated Public Transport

## **USE AND DEVELOPMENT OF LAND**

### **Views of relevant agencies**

Before deciding on a development plan, the responsible authority shall consider comments from the following agencies as relevant:

- Heritage Victoria.
- Melbourne City Council.
- Melbourne Water, if a development plan affects land in the Land Subject to Inundation Overlay.

### **Internal works**

Development plan approval is not required for works internal to Hamer Hall that do not alter the external appearance of the building.

### **This Incorporated Document allows:**

Part demolition and external alterations to Princes Bridge and part demolition, external alterations and additions to Hamer Hall for the purpose of Concert hall, Office, Retail premises (other than Adult sex bookshop, Department store, Hotel, Supermarket and Tavern), display of “Arts” related signage promoting events to be held at Hamer Hall and in other Arts Centre venues and not for broader commercial purposes, and construction of buildings and works in the public realm including civic

stairs and lift access to Hamer Hall from the river level and the riverside promenade, generally in accordance with the Southbank Cultural Precinct Redevelopment Stage One Hamer Hall Town Planning Submission Part 1: Report and Part 2: Drawings & Supporting Documents June 2010 prepared by ARM Architects, and subject to the conditions in this Incorporated Document.

### **Conditions**

#### **Development plans for part demolition, external alterations and additions to Hamer Hall and Princes Bridge**

1. Prior to the commencement of buildings and works (excluding demolition, bulk excavation works and site preparation/retention works,) to Hamer Hall and Princes Bridge detailed development plans generally in accordance with the Southbank Cultural Precinct Redevelopment Stage One Hamer Hall Town Planning Submission Part 1: Report and Part 2: Drawings & Supporting Documents June 2010 must be submitted to and be to the satisfaction of the responsible authority. When approved, the plans will be endorsed and will then form part of the Incorporated Document. The plans must be drawn to scale with dimensions and three copies must be provided.

The detailed development plans must provide the following information, as appropriate:

- a) An existing conditions plan, including levels;
- b) Staging of development;
- c) Proposed site layout plan showing the location of all proposed buildings and works and proposed use;
- d) Plans and elevations of all external alterations to Princes Bridge;
- e) Plans and elevation of all external alterations and additions to Hamer Hall;
- f) Re-instatement works to Princes Bridge and the exterior of Hamer Hall following demolition of existing elements;
- g) An external pedestrian access and circulation plan including disabled access showing in particular details of access to Southgate and other adjoining properties and the riverside promenade.

#### **Development plans for buildings and works in the public realm**

2. Prior to the commencement of buildings and works (excluding demolition, bulk excavation works and site preparation/retention works,) in the public realm, detailed development plans generally in accordance with the Southbank Cultural Precinct Redevelopment Stage One Hamer Hall Town Planning Submission Part 1: Report and Part 2: Drawings & Supporting Documents June 2010 must be submitted to and be to the satisfaction of the responsible authority. When approved, the plans will be endorsed and will then form part of the Incorporated Document. The plans must be drawn to scale with dimensions and three copies must be provided.

The detailed development plans and supporting documentation must address the following matters, as appropriate:

- a) Staging;
- b) Public safety;
- c) Security;

- d) External lighting;
- e) Traffic generation and loading dock access strategy;
- f) Glazing that does not reflect more than 20% of visible light when measured at an angle of 90 degrees to the glass surface;
- g) Disability access;
- h) Transitions or interfaces with the Southgate property and other adjoining properties;
- i) Management vehicle access including access to the Southgate property and other adjoining properties;
- j) Emergency vehicle access;
- k) Directional signage including signage to the Southgate property and the river promenade;
- l) Areas of soft and hard landscaping, materials and surface treatments, planting schedule, paving, seating, litter bins, barriers and bollards;
- m) Treatment of the demarcation between the public and private realms;
- n) Weather protection;
- o) Graffiti prevention and management;
- p) Circulation and access arrangements for pedestrians and cyclists and integration with the adjacent pedestrian and bicycle links and open space; showing in particular details of access to Southgate and other adjoining properties and the riverside promenade;
- q) Public art.

### **Pedestrian modeling**

3. The detailed development plans for works to be undertaken in the public realm shall be informed by pedestrian and cycling modeling analysis undertaken by a suitably qualified professional consultant to the satisfaction of the responsible authority.

### **Layout not altered**

4. The layout of the site and the size of the proposed buildings and works shown on the endorsed development plans must not be altered or modified in any way without the prior written consent of the responsible authority.

5. The use and development must be carried out generally in accordance with the endorsed development plans.

### **Staged development**

6. The development including demolition, bulk excavation works and site preparation/retention works may be undertaken in stages. Prior to the commencement of the development demolition, bulk excavation works and site preparation/retention works, a staging plan shall be submitted to and be approved to the satisfaction of the responsible authority.

7. The staging plan may be revised at any time with the approval of the responsible authority.

### **Construction Management Plan**

8. Prior to the commencement of any or any stage of demolition, bulk excavation works and site preparation/retention works, a Construction Management Plan (CMP) must be submitted to and approved to the satisfaction of the responsible authority. Melbourne City Council, VicRoads and Melbourne Water shall be consulted during the preparation of the CMP. The CMP shall have regard to the City of Melbourne Construction Management Guidelines and address the following matters, as appropriate:

- a) Staging;
- b) Demolition management;
- c) Arrangements to prevent debris falling into the Yarra River;
- d) Arrangements to prevent the pollution of any waterway;
- e) Site management;
- f) Construction hours;
- g) Noise management;
- h) Dust suppression;
- i) Traffic and parking management;
- j) Site access for construction vehicles;
- k) Soiling of roadways;
- l) Site drainage;
- m) Stormwater and sediment control;
- n) Protection of public assets and street trees;
- o) Protection of buildings and works in the public areas on the Southgate property and adjoining properties;
- p) Site security, fencing and lighting;
- q) Access for pedestrians and cyclists showing in particular details of access to Southgate and other adjoining properties and the riverside promenade.

9. All demolition and construction must be undertaken in accordance with the Construction Management Plan to the satisfaction of the responsible authority.

10. Construction shall commence within 2 months of the date of completion of the demolition, unless otherwise agreed by the responsible authority.

### **Repair of public assets**

11. Any public assets damaged during construction must be repaired or replaced at no cost to Melbourne City Council to the satisfaction of the responsible authority.

### **Materials and finishes**

12. Prior to the commencement of the development, excluding demolition, bulk excavation works and site preparation/retention works, a schedule of all external materials and finishes must be submitted to and be to the satisfaction of the responsible authority. All external surfaces of all buildings and works, including materials and colours must be in conformity with the approved schedule to the satisfaction of the responsible authority.

### **Loading facilities**

**13.** The loading and unloading of vehicles of goods, plant, materials and equipment or other items delivered to or dispatched from the land must take place within the boundary of the land to the satisfaction of the responsible authority.

### **Drainage**

**14.** The owner of the subject land shall construct a drainage system, incorporating water sensitive urban design in so far as possible, within the development for and make provision to connect this system to Council's stormwater drainage system in accordance with plans and specifications approved by Melbourne City Council to the satisfaction of the responsible authority.

### **Street levels**

**15.** Alterations to the existing footpath and road levels in St Kilda Road, Southgate Avenue or the Riverside Promenade must not be made without first obtaining the written approval of the Melbourne City Council to the satisfaction of the responsible authority.

### **External amenity**

**16.** Within 6 months of the commencement of the development, an external lighting strategy must be prepared in consultation with Melbourne City Council and be submitted to and approved to the satisfaction of the responsible authority.

**17.** External lighting must be installed in such positions to effectively illuminate all publicly accessible areas to the satisfaction of the responsible authority.

**18.** External lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

**19.** The amenity of the surrounding area must not be detrimentally affected by the emission of noise to the satisfaction of the responsible authority.

### **Waste management**

**20.** Within 6 months of the commencement of the development, a detailed waste management plan must be prepared in consultation with Melbourne City Council and be submitted to and approved by the responsible authority.

**21.** All rubbish and other waste material must be stored in an area within the land and set aside for such purpose and screened from public view to the satisfaction of the responsible authority.

**22.** No waste bin or surplus materials generated by the permitted uses may be deposited or stored outside the site to the satisfaction of the responsible authority.

### **Environmental design**

**23.** Prior to the commencement of development, excluding demolition, bulk excavation works and site preparation/retention works, a Sustainability Report outlining the ESD initiatives included in the development must be submitted to and be approved to the satisfaction of the responsible authority.

### **Advertising Signs**

**24.** The following provisions apply to the display of advertising signs on the subject land.

Despite anything to the contrary in this Incorporated Document, the advertising sign provisions of Clause 52.05-3 “Signs not requiring a permit” in the Melbourne Planning Scheme, continues to apply.

In addition to Clause 52.05-3 “Signs not requiring a permit”, a permit is not required to erect the following advertising signs:

- An under-verandah business sign if:
  - It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
  - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
  - It does not contain any animation or intermittent lighting.
- A ground floor business sign cantilevered from a building if:
  - It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
  - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
  - It does not contain any animation or intermittent lighting.
- A window display.
- A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign;
- A non-illuminated “Arts” related sign that only relates to Hamer Hall and or the Arts Centre and must not be for broader commercial purposes, to the satisfaction of the responsible authority.

Development plan approval is required to display a sign that is not in section 1 of Clause 52.05-7 in the Melbourne Planning Scheme, unless the sign is exempt under the advertising provisions in this Incorporated Document. Development plan approval may include conditions to be met and an expiry date.

### **Proposed illuminated advertising concept**

The following conditions apply to the display of illuminated signage on the canopy of Hamer Hall above the upper terrace.



**25.** The Southbank Cultural Precinct Redevelopment Stage One Hamer Hall Town Planning Submission Part 1: Report and Part 2: Drawings & Supporting Documents June 2010 include a proposal for the display of illuminated electronic signage promoting events at Hamer Hall and the Arts Centre on the canopy above the upper terrace. To enable the advertising concept to be reviewed and assessed in detail with regard to its potential visual impacts on Hamer Hall and the broader setting, full details, including its extent, design, installation, methodology and proposed operation are to be prepared in consultation with Heritage Victoria and Melbourne City Council and submitted to and approved to the satisfaction of the responsible authority.

**26.** Development plan approval is required to display illuminated electronic signage on the canopy. Approved signage must only relate to Hamer Hall and/or the Arts Centre and must not be for broader commercial purposes.

**27.** Following development plan approval and the installation of illuminated electronic signage on the canopy, all existing signs above the canopy level on Hamer Hall are to be removed and the fabric made good to the satisfaction of the responsible authority.

**28.** No advertising signs may be displayed on Princes Bridge.

**Time limits**

**29.** This approval will expire if one of the following circumstances applies:

- a) The development including demolition is not started within two (2) years of the approval date;
- b) The development is not completed within four (4) years of the date of commencement of demolition and construction.

The responsible authority may extend the periods referred to if a request is made in writing before the approval expires or within three months afterwards.

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