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Job Code
P4944
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EXECUTIVE SUMMARY

Urbis has been engaged by Maddocks, on behalf of Federation Square Pty Ltd (FSPL), to prepare a Heritage Impact Statement (HIS) for proposed works within Federation Square, 2-20 Swanston Street, Melbourne. This HIS will accompany a heritage permit application for works within Federation Square, which is subject to an Interim Protection Order (IPO) issued on 21 August 2018 by the Executive Director, Heritage Victoria that has been extended to have effect until 31 August 2019.

Description of Federation Square

Federation Square, located at 2-20 Swanston Street, Melbourne, is a complex focussed around an open plaza designed by Lab Architecture Studio in association with Bates Smart. It was opened to the public on 26 October 2002 to commemorate the 100th anniversary of Australian Federation. Built above working rail lines that feed into Flinders Street Station, Federation Square is bounded by Flinders Street, Swanston Street, the Russell Street extension and Princes Walk which skirts the Yarra River.

The site consists of a series of interlocking buildings, spaces and laneways, integrating public and civic spaces, commercial and retail tenancies and major cultural institutions including the Australian Centre for the Moving Image (ACMI) and SBS in the Alfred Deakin building on the north side, the Ian Potter Centre: NGV Australia to the east and the Koorie Heritage Trust (KHT) in the Yarra Building to the south.

The aesthetic of Federation Square is associated with its early 21st century architecture which embraces geometry as the primary generator of form in both plan and elevation, expressing a variety of materials creating a unique aesthetic expressed in a painterly manner.

Proposed Works

The proposed works ultimately seek construction of an Apple Global Flagship Building (AGFB) designed by architects, Foster + Partners, and Oculus landscape architects, seek to:

- dismantle and remove those parts of the existing “Yarra Building” above basement level;
- retain the significant elements of the existing basement of the Yarra Building including the “Labyrinth”;
- construct a four-level building designed to meet the functional and operational needs of an AGFB comprising two levels above the plaza level of Federation Square and two basement levels below the plaza level. The building occupies a lesser footprint than the existing “Yarra Building” and is sited further west, increasing separation from the Deakin Edge;
- public realm upgrade works surrounding the new building of an area of 593m$^2$ including performance spaces for general public use and improved pedestrian access, stairs and paths (including providing universal access), between Federation Square and Princes Walk; and
- new landscape works to the south of the new building interfacing with the Princes Walk.

Summary of Heritage Impact

In preparing the HIS, Urbis recognises Federation Square has heritage value. However, at this stage, that heritage value has been neither resolved nor adopted. Federation Square is a complex site comprising built and landscape elements with various gradings of heritage significance. The place is capable of change.

It is acknowledged the Yarra Building shares some of the design qualities, language and materials of other buildings within the Federation Square, notably recognisable by the geometric fractal façade cladding. It is recognised the Yarra Building does not share the high level of design resolution of other buildings within Federation Square, notably the Alfred Deakin Building and the Ian Potter Centre.

Roger Poole, one of the original designers of Federation Square, describes the Yarra Building as an ancillary commercial building: “The materiality and detailing of the building are typical of the remaining Federation Square. There is no remarkable or distinct design feature which is pivotal to the experience of the Square…”

The Yarra Building did not form part of the design competition. Other than the upper level plant and significant Labyrinth structures in the basement, the Yarra Building contains little original internal fabric. The significant internal elements of the Yarra Building will be retained as part of the proposed works and will not be adversely impacted.
The proposed removal of the Yarra Building will result in some negative heritage impact on Federation Square as a whole. Within the context, that loss will be acceptable in heritage terms. The design of the proposed new AGFB by Forester + Partners and Oculus will respect the heritage significance of Federation Square – a suite of buildings designed in a Post-Modernist architectural language. It is proposed to construct a sympathetic building that complements, without imitating, the existing architectural language of cranked angular geometries.

The proposed new AGFB will have a smaller footprint than the Yarra Building, will create a robust, southern edge to Federation Square whilst opening up pedestrian and visual connection to the Yarra River and “universal” access for the public, including the less-abled. The proposed glazed ground level provides panoramic views and strong visual connections from Federation Square through to the Yarra River, currently only available in the Deakin Edge.

The reduced footprint of the proposed new AGFB will provide additional public gathering space (over 500m²) to the Square and an important amphitheatre event space on the western-side of the new proposed building. This increased open space will enhance opportunities to create an “engaging edge” in which to socialise and gather within Federation Square.

The proposed design of the façade of the new AGFB will appear more conventional in composition than the existing Yarra Building. However, the metal solar shading outer skin, contemporary technologies showcasing exemplary Ecologically Sustainable Development (ESD) outcomes, aiming to achieve Six Star Green Star ratings through passive solar and energy efficient design. This will provide a dynamic built form that will provide a long-term built legacy that complements the technological significance of the existing Labyrinth within Federation Square.

There is some public misconception about the role of Apple in Federation Square. Apple has been criticised for providing a “retail” outlet. Rather Apple is offering education and community engagement. This will provide synergies and collaborations with the existing tenants - National Gallery of Victoria, ACMI and KHT. This in turn will reinvigorate and reactivate Federation Square enriching the civic and cultural roles played by Federation Square.

The Yarra Building currently poses economic challenges associated with the struggle to tenant the main floor space of the building and the ground level food and beverage spaces. The economic challenges related to the Yarra Building are being experienced in a broader context where FSPL faces even greater economic difficulties related to the whole place, summarised in the Corporate Plan for FSPL as follows:

1 In the absence of recurrent funding or guaranteed Victorian Government capital grants, FSPL’s business model has effectively relied on accumulated annual-operating surpluses to fund asset maintenance and capital replacement. Going forward however, funding and the increasing cost of asset maintenance and capital replacement from the company’s current revenue base is not sustainable.

There has been a high turnover, requiring repeated redesign of spaces for food and beverage. The Urbis report, “Economic Analysis Accompanying Permit Application for Federation Square” (December 2018) states:

- The area currently occupied by the Yarra Building was originally intended to be the ‘greenhouse’ component of the original design for Federation Square, in line with original brief to designers. This was deemed appropriate in order to ensure permeability and a connection with the Yarra River.

- In the final design, the Yarra Building was known as the South Commercial Building, and from the time of development, this part of Federation Square was intended to be used for commercial purposes.

- The planned use of the Yarra Building for commercial purposes (perhaps a bookstore, in the vision of the architects of Federation Square) has not come to fruition, for reasons related to various limiting physical characteristics of the Yarra Building (i.e. internal access, floor plates and shopfront areas are all sub-optimal).

- The Yarra Building is not able to be modified to suit the operational or functional Apple Global Flagship Store

1 Fed Square Pty Ltd, ‘Corporate Plan 2018 - 2021’
The permit application to enable an Apple Global Flagship Store to replace the Yarra Building does not result in a change in the nature of the continued historic use of the site (i.e. commercial).

The proposed Apple Global Flagship Store is a ‘reasonable use’ of the site.

Over many years, indeed since inception, the economic use of the Yarra Building has been problematic. The location and design of the building is sub-optimal for commercial purposes, and arguably for cultural purposes as well, and consequently there has been a very high turnover of tenants, despite relatively low rents.

The current use of the Yarra Building is not a viable economic use for Federation Square and affects the sustainability of Federation Square as a whole because FSPL is required to subsidise cultural uses and events.

Historically, the Yarra Building has not lived up to expectations. In the past year it has attracted only 1.9% of visitors to Federation Square, and only 0.6% of visitors to Federation Square have visited the Yarra Building and done something else in Federation Square. The nexus value of the Yarra Building, in economic terms, is therefore very low.

Given the importance of commercial uses with Federation Square to FSPL’s ability to be self-funded, the current and likely future financial performance of the Yarra Building in the context of Federation Square as a whole is critical to FSPL’s long term financial sustainability.

The proposed development will vastly improve access to, and usage of, the Yarra Building site and Federation Square by virtue of the increased public square civic space, the improved quality of the public square civic space through the creation of the amphitheatre, pedestrian access to the Yarra River (and beyond that to, Birrarung Marr) general public realm improvements, and attraction of a larger and broader visitor base.

This report has concluded that the economic use of the subject site, and Federation Square as a whole, would be adversely affected by refusing the permit application for the following reasons:

As noted by the Victorian Auditor General, and by adopting the Auditor General’s methodology for recent years, Federation Square is categorised as a ‘high risk’ entity. This ‘indicates that it is difficult for these entities to set their fees and charges at a level that would enable them to generate enough revenue to meet their obligations as they fall due, and to ensure the long-term maintenance of their assets. Over the long term, such financial challenges may reduce the service potential of assets and consequentially, reduce the services that can be provided to the community’. The assessment is based on four indicators that identify short and long-term risks – Underlying Result, Liquidity, Self-Financing and Capital Replacement.

FSPL’s financial position is not sustainable under present conditions given the imperative to fund a substantial Capital Expenditure program for the replacement of critical infrastructure (i.e. urgent maintenance). CapEx/additional maintenance costs for the Operational Action List in the Asset Plan are over and above normal maintenance requirements. Over approximately the next decade a budget amount of $6.15 million per annum (escalated at the Building Cost index), in addition to the current $2.7 million of operational funds currently invested, are required to be set aside.

The required CapEx funds are not available from FSPL’s operations which calls into question the economic sustainability of the entire asset under the Base Case, let alone the Worst Case.

Financial comparison of the proposed development with the refusal position indicates a net detriment equating to a burden on the public purse of around $40 million over ten years in constant dollar terms.

In the event of the permit application is refused, FSPL will experience considerable adverse economic impact associated with the decline in commercial activity at Federation Square. The proposed loss of the Yarra Building will be acceptable given the appropriateness of the high-quality, design-excellence of the proposed new AGFB designed by designed by architects, Foster + Partners, and Oculus landscape architects. It is noted that the construction and architectural plans submitted with the application are not fully detailed and it would therefore be appropriate to apply conditions to a permit to the satisfaction of the Executive Director.

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2 Victorian Auditor-General, ‘Portfolio Departments and Associated Entities: Results of the 2013–14 Audit, p.19
1. **INTRODUCTION**

1.1. **BACKGROUND AND PROPOSED WORKS**

Urbis has been engaged by Maddocks, on behalf of Federation Square Pty Ltd, to prepare a Heritage Impact Statement (HIS) for proposed works within Federation Square, 2-20 Swanston Street, Melbourne. This HIS will accompany a heritage permit application for works within Federation Square, which is subject to an Interim Protection Order (IPO) issued on 21 August 2018 by the Executive Director, Heritage Victoria that has been extended to have effect until 31 August 2019.

The proposed works ultimately seek construction of an Apple Global Flagship Building (AGFB) designed by architects, Foster + Partners, and Oculus landscape architects seek to:

- dismantle and remove those parts of the existing “Yarra Building” above basement level;
- retain the significant elements of the existing basement of the Yarra Building comprising the “Labyrinth”;
- construct a four-level building designed to meet the functional and operational needs of an AGFB comprising two levels above the plaza level of Federation Square and two basement levels below the plaza level. The building occupies a smaller footprint than the existing “Yarra Building” and is sited further west, increasing separation from the Deakin Edge;
- public realm upgrade works surrounding the new building of an area of 593m$^2$ including performances spaces for general public use and improved pedestrian access, stairs and paths (including providing universal access) between Federation Square and Princes Walk; and
- new landscape works to the south of the new building interfacing with Princes Walk.

The proposed architectural works are detailed in the “Book of Plans” for Federation Square, Melbourne – Concept (dated July 2018), prepared by architects, Foster + Partners. The Concept drawing documentation is identified in Table 1:

<table>
<thead>
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The proposed public realm and landscape works as relates to the areas beyond the footprint of the AGFB lying to the east, north and west are as detailed in the “Project Core Federation Square – Landscape Report” (dated 17 July 2018), prepared by Oculus landscape architects and Fosters + Partners. The drawing documentation is identified in Table 2:

Table 2 – “Project Core Federation Square – Landscape Report” (dated 17 July 2018)

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By reason of the first condition imposed by the Minister on 30 September 2018 at the time of granting consent to the proposal for planning purposes, the landscape plan for the public realm to the south of the AGFB is not that depicted in the 17 July 2018 “Landscape Report”.

Rather, the landscape plan for the public realm to the south of the AGFB will be generally in accordance with the original concept plans prepared by Oculus in November 2017 which are referenced in the Incorporated Document “Project Core Building, Federation Square December 2017” (in turn as set out at clause 72.04 of the Melbourne Planning Scheme). The drawing documentation is identified in Table 3:

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This report assesses the heritage impacts of the proposed works on Federation Square.
1.2. NOMINATION OF SIGNIFICANCE

Federation Square has been nominated to the Victorian Heritage Register (VHR) by the National Trust of Australia (Victoria) (National Trust).

An IPO was issued on 21 August 2018 by the Executive Director, Heritage Victoria. The IPO has been extended until 31 August 2019. Pursuant to section 144(2) of the Heritage Act 2017, the issue of the IPO has the effect of including the land the subject to the IPO within the Victorian Heritage Register (VHR) on a temporary basis.

On 11 October 2018, the Executive Director recommended to the Heritage Council that Federation Square should be included in the VHR under section 37 of the Heritage Act 2017. The recommendation of the Executive Director (ED recommendation) was that Federation Square warrants inclusion in the VHR.

On 14 December 2018, Maddocks on behalf of the owner and manager of Federation Square (FSPL) made a submission to the Heritage Council. In this submission, agreement in principle is expressed for Federation Square possessing cultural heritage significance at the State level relative to some of the criteria applicable to such assessments. However, the submission seeks certain amendments and refinements to the ED recommendation, including the proposed permit policy and proposed permit exemptions under section 38 of the Heritage Act 2017.

The opportunity to make submissions in response to the ED recommendation recently closed on Sunday 16 December 2018. The Heritage Council will not make a final decision until some time in 2019.

As no final decision about the significance of Federation Square has been made at the time of preparation of this HIS, there is no formally adopted statement of significance. While FSPL is committed to the preparation of a Conservation Management Plan (CMP), work on preparation of a CMP is yet to commence and a CMP is not likely to be completed for some months, potentially not before a final decision is made by the Heritage Council on the detail of the cultural heritage significance of Federation Square.

In the absence of an adopted statement of significance or CMP, we have cited both the statement of significance prepared by the National Trust lodged as part of the nomination and the statement of significance forming part of the Executive Director’s recommendation. These documents are relied on in this HIS to inform an understanding of the cultural heritage significance of Federation Square.

1.3. SITE LOCATION

Federation Square has a site address of 2-20 Swanston Street, Melbourne. It is located southeast of the intersection of Flinders and Swanston Street, Melbourne (Figure 1). Federation Square is bound by Swanston Street to the west, Flinders Street to the north, the Russell Street Extension to the east and Princes Walk and the Yarra River to the south.

1.4. METHODOLOGY

This HIS has been prepared in accordance with the Heritage Act 2017. Heritage Victoria has prepared “Guidelines for preparing Heritage Impact Statements” (undated) (Guidelines). These Guidelines have informed the preparation of this HIS, save that reference has been made to relevant provisions of the Heritage Act 2017 where the Guidelines make reference to the Heritage Act 1995.

The philosophy and process adopted in this HIS is also guided by the Australia ICOMOS The Burra Charter 1999 (revised 2013).

In preparing this HIS, reference has been made to (and information has been drawn from) the HIS prepared by GJM Heritage and Purcell: “Melbourne Tunnel Project: Federation Square Entrance for New Town Hall Station – Heritage Impact Statement”, dated 22 August 2018 (Tunnel Project HIS). Permission has been provided by GJM Heritage.
1.5. AUTHOR IDENTIFICATION

This HIS has been prepared by Lynette Gurr (Associate Director, Heritage) and Stephen Davies (Director, Heritage) of Urbis.

This HIS has been informed by a desk-based study, physical inspection and archival research. The site and surrounds were inspected on 29 November 2018 and all images were taken on those dates unless otherwise stated.

Figure 1 – Aerial photo of Federation Place bounded in red showing heritage registration of listing. The Yarra Building and associated landscape is circled in red

Source: VHR, Nomination for Federation Square listing, Hermes No: 201519
2. SITE DESCRIPTION

This description of Federation Square draws on the National Trust nomination and the ED recommendation and was informed by site visits undertaken by Urbis Heritage in November 2018.

Federation Square extends over approximately 3.8 hectares and is bound by Swanston Street to the west, Flinders Street to the north, the Russell Street Extension to the east and Princes Walk and the Yarra River to the south. The site is built above working railway lines that feed into Flinders Street Station.

The ED recommendation states\(^3\) under a subheading 'What is at the place?':

“Federation Square is an integrated complex of buildings and covered laneways connected by a paved landscape with central public plaza, or square, constructed over working rail lines to create a central city block of 3.8 hectares at the corner of Swanston and Flinders Street, Melbourne.”

Federation Square consists of a series of interlocking buildings, spaces and laneways, integrating public and civic spaces, commercial and retail tenancies and major cultural institutions including Australian Centre for the Moving Image (ACMI) and SBS in the Alfred Deakin building to the north, the Ian Potter Centre: NGV Australia to the east and the Koorie Heritage Trust (KHT) in the Yarra Building to the south.

In its nomination, the National Trust asserts that “the architectural and aesthetic significance of Federation Square depends on its presentation as a unified whole.”\(^4\) It notes the following “key elements” that make up the site and asserts that the relationships between each element are intrinsic to the significance of the place\(^5\):

- The Deck;
- The Labyrinth;
- The Square;
- *Nearamnew* by Paul Carter;
- The Atrium;
- The Crossbar;
- Ian Potter Centre: NGV Australia;
- Deakin Edge Auditorium;
- The Alfred Deakin Building;
- The Yarra Building;
- Transport Hotel Building;
- St Paul’s Court;
- The Western Shard;
- The Eastern Shard; and
- Landscaping features.

In the Executive Director’s recommendation, the extent of registration set out by National Trust nomination is the extent of registration recommended by the Executive Director\(^6\), being the “City block bounded by the Flinders Street, Swanston Street, the Russell Street extension and Princes Walk which skirts the Yarra River.”

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\(^3\) ED recommendation at page 7  
\(^4\) National Trust nomination at page 1  
\(^5\) Ibid at page 1  
\(^6\) Op cit at page 2
The ED recommendation sets out the relevant title details of the recommended registration in the following terms:

“All of the place (to be) shown hatched on Diagram 2390 encompassing part of Lot 2 on Title Plan 18290, all of Crown Allotment 2140 and parts of Crown Allotment 2035 and Crown Allotment 6 Section E City of Melbourne, Parish of Melbourne North.”

A note appears in the ED recommendation under diagram 2390 which reads:

“The recommended extent of registration of Federation Square to the Victorian Heritage Register affects the whole of the place shown on Diagram 2390 including but not limited to the land, buildings (exteriors and interiors) the decking, its footings and supports over the railway lines, the Labyrinth and its related air system, landscape elements including paving, landscaping and planting. The recommended registration also includes all elements which were purpose-designed for the place prior to 2002 such as signage (applied, attached and perforated screens) light fittings, inverted ‘L’ shaped door handles, and built-in and free-standing furniture. The railway lines and platforms below Federation Square are not included in the extent of registration.”

Descriptions of each built element are contained within the National Trust nomination and within the ED recommendation.

2.1. THE YARRA BUILDING

The Yarra Building and its immediate curtilage which includes both hard and soft landscaped areas is the principal element of Federation Square impacted by the proposed works.

Descriptions of the Yarra Building are given in both the National Trust nomination and the ED recommendation.

The National Trust nomination describes the Yarra Building in the following terms:

“The three-storey Yarra Building encloses the Square on its southern side, allowing people to move beside it down to the riverside walk on either side. To keep the continuity with the coherent themes of Federation, the Yarra Building is clad in the fractal façade. This cladding differs to the Ian Potter Centre: NGV Australia and Alfred Deakin Building. The building has more stainless-steel grillage than other buildings in Federation Square. However, it looks rather different to the Ian Potter Centre: NGV Australia and the Alfred Deakin Building with more stainless steel grillage (the steel beams and crossbeams under the cladding) being visible than in the rest of Federation Square.

The land around the Yarra Building slopes downhill to the river, and on both the eastern and western sides there are several flights of steps leading the pedestrian down. The whole building is designed as commercial spaces, and on both the deck level (towards the river) and the Square level there are cafes and restaurants. The Koorie Heritage Trust is currently housed in the Yarra Building, having relocated there in 2015.”

The ED recommendation describes the Yarra Building more briefly, in the following terms:

“The Yarra Building is located on the southern boundary and is clad in a pinwheel wrap. It encloses the square on its southern side, with steps to the riverside walk on either side. There is an open balcony facing the river. The interiors were designed by Lyons Architecture in 2015 to accommodate the current tenant, the Koorie Heritage Trust.”

A description of the design process for the Yarra Building is set out in a statement prepared by Professor Donald Bates, extracted in full at Appendix A to this HIS. Taken from this statement, it is notable that he states that:

7 Ibid at page 3
8 Ibid at page 3
9 Ibid at pages 2 - 4
10 Op cit at pages 27 - 30
11 Op cit at page 18
12 Op cit at page 29
13 At page 4
“For at least 3 or 4 years of the schematic, design development and documentation of the Federation Square project (effectively 1998 to 2002), this building was referred to as the “South Commercial Bldg”. It was not part of the design competition. It did not have an assigned tenant or stakeholder. It was added to the project to assist with the urban design aspects of the civic plaza. It was seen as a commercial opportunity, to be leased to several potential commercial activities, in order to re-cover its cost of construction.

The South Commercial Building was designed without a specific use or operational logic. It was first and foremost a massing for the benefit of the civic plaza. It was designed to include food and beverage tenancies at the plaza and riverside levels, as a means of activation and animation. The mass of the building and the upper levels did not have a defined use, so the internal planning was developed on the speculation that a commercial tenant with a culturally directed program would sign on as a tenant. Being 1999, we hoped for a bookstore – such as Readings, Dymocks, or Borders. We felt that such an operation such as books, etc, would contribute positively to Fed Sq and its projected audience.

After many conversations with such potential tenants, nothing eventuated. The first major tenant was “Champions” a horse-racing exhibition. Other exhibition or entertainment-like temporary uses were made to the re-named Yarra Building. More recently, a variety of small arts organisations, such as Melbourne Festival, have occupied parts of the Yarra Bldg. The more recent addition of the Koori Heritage Trust has been beneficial to Fed Square and to giving KHT a more central and visible presence in the Melbourne CBD. Nonetheless, the spatial arrangements of all these tenancies is less than optimal and are constrained by the planning of the Yarra Bldg.”

A description of the Yarra Building’s immediate curtilage follows:

Towards the Yarra River, there are seven established trees lying to the immediate south of the Yarra Building set within the landscaped area forming the northern edge of the Princes Walk Promenade. These trees are within the recommended extent for inclusion in the VHR.

The trees have been the subject of an arboricultural assessment undertaken by David Phillips of Tree Logic Pty Ltd under instruction from Urbis. A copy of this report is appended to this HIS at Appendix B. The arboricultural assessment identifies the trees as planted specimens either exotic deciduous (4x London Plane trees) or Australian natives (2x Lemon-scented gums, 1x Smooth-barked Apple)⁴.

To the north, east and west of the Yarra Building, three pedestrian spaces provide access routes out of the main plaza of Federation Square: Flinders Street Amphitheatre, St Paul’s Court, and the Swanston Street Forecourt. Each of these three spaces have an outward focus, with sloping gradients and seating separating them from the main plaza.

A series of photographic figures with captions describe the Yarra Building and its immediate curtilage to supplement the description given above. These figures are contained within Appendix C to this HIS.

### 2.2. CONDITION OF THE NOMINATED PLACE

Federation Square is generally in good condition and has been well maintained. The exterior of the Yarra Building is in good condition.

### 2.3. INTACTNESS OF THE NOMINATED PLACE

In terms of intactness, the Yarra Building has not been the subject of exterior alteration since the construction of the Yarra Building was completed (noting this took place late in the overall construction process of Federation Square).

The interior of the above ground elements of the Yarra Building are not intact, with substantial changes having been made to the interior to remodel the spaces to accommodate the Koori Heritage Trust in 2015.

The ED recommendation notes these internal changes in the physical description given of the Yarra Building which is quoted at section 2.1 of this HIS above.

The interior of the levels of the Yarra Building lying below plaza level are largely intact.

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¹⁴ Table 1 on page 3 - 4
Dealing with Federation Square more broadly, numerous temporary installations have taken place – often to accommodate cultural and sporting events.

The substantial changes that have taken place at Federation Square since the main construction phases of Federation Square completed in 2002 are identified below:

- 2004 to 2006 – introduction of new wayfinding across site;
- 2005 – development of Vaults at Federation Wharf;
- 2006 – reconfiguration of commercial and public space in the Atrium, to back of house facilities for various tenants and FSPL;
- 2009 – adaption of commercial space into a gallery in the Ian Potter building;
- 2009 – reconfiguration of ACMI to open from the Square and not Flinders Street and reconfiguration in 2016;
- 2009 – extensive internal reconfiguration throughout the ACMI tenancy;
- 2013 – redevelopment of Beer De Luxe external areas;
- 2014 – construction of honeycomb shade structures called ‘Cloud Canopy’ designed by Maddison Architects at the eastern end of the square;
- 2015 – reconfiguration of the St Paul’s amenities;
- 2017 – the installation of larger lift from the Atrium to the Plaza;
- 2017 – the internal adaption of commercial spaces to meet the operational needs of the FSPL in terms of office and boardroom spaces in the Crossbar Building;
- 2018 – works to the multimedia screen to re-configure it as high definition wall panels covering a larger area; and
- 2018 – the temporary works and commencement of the permanent works to facilitate the demolition of the Western Shard to make way for the construction of the Town Hall Metro Station entrance.

2.4. SETTING AND VIEWS

Significant views to Federation Square, generally, and to the Yarra Building, in particular, are available from the following locations:

- along St Kilda Road from the Princes Bridge (noting that in these views, the Yarra Building is obscured by the canopy of the existing trees planted immediately to the south of the southern wall of the Yarra Building);
- looking east along Flinders Street – noting that in views taken along Flinders Street to the west of the south-western edge of Federation Square, the Yarra Building is not visible;
- from the entrance to Flinders Street Station and the tram stop along Swanston Street;
- from the corners of the intersection of Flinders and Swanston Streets and St Kilda Road; and
- from the Alexandra Gardens and the Main Yarra Trail on the south bank of the Yarra River.

Key views of the Yarra Building are available from:

- the eastern entrance / exit to Flinders Street Station looking east and southeast to Federation Square;
- from the corners of the Swanston Street/St Kilda Road and Flinders Street intersection – revealing distant views to the Yarra Building;
- from the St Kilda Road entry to Federation Square to the south of the Transport Hotel Building (noting that views to the south elevation of the Yarra Building are obscured by the existing trees planted immediately to the south of the southern wall of the Yarra Building in this view); and
• from the top of the western stairs off Princes Walk leading into Federation Square (affording views to the west elevation of Yarra Building).
3. **HISTORICAL OVERVIEW**

3.1. **BEFORE FEDERATION SQUARE**

Both the National Trust nomination and the ED recommendation describe the history of use and development of the area recommended for registration in some detail. The National Trust nomination states\(^\text{15}\):

> "Federation Square is located on the traditional lands of the Kulin Nation.
> The site of Federation Square at early colonial settlement was an open swampy area of public land reserved between Flinders Street, the Yarra River, and the extension of Swanston Street to the main river crossing point. Government buildings were supplanted by the first rail line and station from 1859, a use which gradually expanded through the nineteenth century until the whole area was railway lines and railyards, with Princes Bridge Station serving lines to the northeast on Flinders Street. Batman Avenue, which curved along parallel to the river up to Swanston Street, was developed in 1890 along with the construction of the final Princes Bridge.

A number of proposals for roofing the rail yards were made through the twentieth century, first in the 1920s, then revived in the 1950s and 60s as part of wider reforms to develop public buildings, purpose-built public institutions, and public plazas to remedy the paucity of public open space within the Hoddle Grid. Ultimately, only the few railway lines adjacent to Flinders Street were built over, with a pair of sixteen storey office blocks, named Princes Gate Plaza (also known as the Gas and Fuel Buildings) with Princes Bridge Station below, and a raised plaza on the corner of Swanston Street, completed in 1967".

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3.2. **THE DESIGN COMPETITION**

Federation Square was commissioned by the State of Victoria and City of Melbourne and designed by LAB Architecture Studio and Bates Smart.

Again, both the National Trust nomination and the ED recommendation set out the historical background to the appointment of LAB Architecture Studio and Bates Smart as joint architects and interior designers of Federation Square, including details of the design competition launched in 1996.

\(^\text{15}\) Op cit at page 6
The following chronology highlighting the key events is derived from both the National Trust nomination and the ED recommendation:

- in 1994, the Victorian State Government, led by Premier Jeff Kennett, announces that the Gas and Fuel Buildings would be replaced by a development celebrating the Centenary of Federation on 1 January 2001;
- in 1996, demolition of the Gas and Fuel buildings begins;
- in 1996, an international design competition is held to develop a unique 21st century civic and cultural facility that was to include a plaza, a Cinemedia centre, a performance space, a small gallery, a wintergarden and shops and cafes;
- in 1996, from 177 entries, a shortlist of five is chosen;
- in 1997, a Civic and Cultural Charter was developed and agreed to by the State Government of Victoria and City of Melbourne to guide the future operations of the Square, balancing the civic and public uses and the commercial tenancies. It was assumed that the commercial activities would underpin the operational costs of managing the square as a whole.
- on 28 July 1997, the design competition winner is announced: London-based Lab Architecture Studio, led by Australian Peter Davidson and US-born Donald Bates, in association with the Melbourne architects, Bates Smart;
- on the same day the winning design is announced, the first of what would become many changes to the original brief is also made (namely that the proposed ‘civic and cultural facility’ will also house the Australian art collection of the National Gallery of Victoria in an enlarged gallery on the site);
- in July 1998, the final design is announced. The design is different in detail but retains the general layout of the winning scheme and employs the same architectural language of ‘cranked’ angular geometries, scattered vertical ‘shards’, and folded abstract patterned facades;
- August 1998, construction commences; and
- in 1999, the Victorian Government established Fed Square Pty Ltd to operate the Square on its behalf.
3.3. THE DESIGN COMPETITION – CONTROVERSY

The design of Federation Square provided impetus for public interest and debate around the project. The Western Shard, a free-standing four-storey element proposed for the corner of Flinders and Swanston Street, was particularly controversial, as historian, Andrew May (formerly Andrew Brown-May) explains in a paper prepared for Federation Square Management Pty Ltd in October 2001, “Federation Square: A Place in History”:

Following the announcement of the winning Federation Square design in 1997 public controversy raged over the height and siting of shards on the north-west corner of the site. The National Trust and members of the Melbourne City Council defended the view of St Paul’s cathedral from Princes Bridge, and in the final design of June, 1998 the shards were realigned and reduced in height by two metres.

An independent review by architect and former Planning Minister Professor Evan Walker in early 2000 recommended the removal of the western shard near the corner of Swanston and Flinders Streets, to minimise obstruction to the view of St Paul’s Cathedral from the south. Premier Steve Bracks announced on 17 February, 2000 that one of the glass shards would be scrapped. The project’s architects argued that such intervention would compromise the integrity of their overall design package. The Government’s Project Director, Damien Bonnice, who was critical of the Government’s handling of the project, resigned in March 2000.

In June 2000 the Auditor-General reported to Parliament on the project’s mismanagement, cost blowouts, the initial judging panel procedures and subsequent decision-making processes. In September 2000 a working party review, chaired by the Federation Square management company chief executive Peter Seamer, reported on project costs and timing, and recommended a restructured and simplified management system reporting directly to the Minister for Major Projects. A management company, Federation Square Management Pty Ltd, was established to oversee development and operate Federation Square in perpetuity. In October 2000 the State Government announced that the controversial western shard would be replaced by a lower structure, no higher than eight metres.

The intervention of the Premier and Evan Walker proved controversial. A series of academic and newspaper articles published at the time criticised both the process of re-design and also its logic. An article by Philip Goad in Architecture Australia from 1 May 2001, “Urbanity” is indicative in this regard. In relation to the process, Goad commented that Walker’s ‘eight page’ report:

“...reads as a criticism of the 1996 competition brief which had omitted to protect the so-called ‘heritage view’. Walker’s report therefore is an attempt to rewrite the terms of the competition – but three years too late”.

In relation to the preservation of the view itself, Goad observed that:

“In Walker’s opinion, the offending shard (a three-level building of steel and glass on the corner of Flinders and Swanston Streets) would block a ‘much-loved’ ‘heritage vista’ of St. Paul’s Cathedral. However, his interpretation relies on the specious idea that people must be able to see the cathedral ‘in perpetuity’ while being run down by a tram in the exact centre of the Princes Bridge. This prospect had been denied to Melburnians by earlier developments on the site, most lately the 1960s Gas and Fuel Buildings demolished by Jeff Kennett’s government in 1998.

Lab + Bates Smart had intended their western and eastern shards to frame the St Paul’s facade when seen from the Federation Square plaza and from the south side of the Yarra. Their latest computer-modelled perspectives (produced to try to reverse the government’s decision), also show most of the cathedral facade visible beyond the western shard, from the central bridge viewpoint that Walker specified”.

The government’ intervention and the outcome were widely ridiculed at the time. The reduced shard has been unflatteringly referred to as a ‘fish tank’ by Age critic Dr Bill Birnbauer in his article published in The Age on 25 October 2002.
3.4. FEDERATION SQUARE – SINCE 2002

Construction of the amended design for Federation Square proceeded. The complexity of bringing to fruition the design of ‘cranked’ angles in three dimensions, a process that required sophisticated computer modelling, meant that the final cost was four times the original budget.

The Premier of Victoria, the Honourable Steve Bracks officially opened Federation Square to the public on Saturday 26 October 2002.

The Ian Potter Centre: NGV Australia and ACMI were fully completed later that year, and other tenancies opened over the next 12 months. The Square and its various occupants were immediately popular, drawing millions of visitors in the first year.

The large amphitheatre-like space of the Square has since become the focus for numerous public events. The first was New Year’s Eve 2002, followed in January 2003 by crowds gathering to watch the Australian Open on the screen. In September 2003 the AFL Grand Final was streamed live, as were the 2006 Melbourne Commonwealth Games. It has been used as a site for protest, from an Iraq war demonstration in 2002, to a ‘work choices’ rally in 2005, and on 13 February 2008 people gathered to watch Prime Minister Kevin Rudd issue the formal apology to the Stolen Generations. It has been used for numerous events, from Indigenous ceremonies, to festivals, markets, fashion shows, public lectures, films and concerts. The Ian Potter Centre: NGV Australia has hosted Australian art shows, from the permanent collection to curated shows, and the ACMI has become a focus for screen culture, with film festivals, special events, accessing the State Film collection, and drawing in thousands to the many screen and movie culture-based shows in the basement Screen Gallery. The Melbourne Visitors Centre in the basement accessed via the truncated corner shard was a starting point for many visitors and tourists into the site.

In 2018, an approval was given for the removal of the Western Shard for the construction of a Metro Station resulting in the loss of the Melbourne Visitor’s Centre at the Square.

3.5. AGFB – CHRONOLOGY OF PROPOSED DEVELOPMENT

The design process for the AGFB commenced prior to the identification of the cultural heritage significance of Federation Square through the National Trust nomination and subsequent ED recommendation.

The "Guidelines for preparing Heritage Impacts Statement" provide16:

“A Heritage Impact Statement should clearly demonstrate to both the Executive Director and other interested parties that in developing a proposal for change, a clear process has been undertaken that addresses the impacts of the proposal on the cultural heritage significance of the place or object…”

Regardless of the timing of the National Trust nomination and ED recommendation, the development of the design of the AGFB depicted in the plans referenced in section 1.1 of this HIS has been substantially guided and informed by:

- the cultural values of Federation Square;
- the architectural, aesthetic and social significance of Federation Square;
- a desire to achieve improved energy efficiency and all abilities access connectivity between Federation Square and the Yarra River; and
- the impact of the partial demolition of the Yarra Building and its replacement with the AGFB on the public square, the adjoining buildings framing the public square and the river setting of these buildings.

This is in part a consequence of a detailed design review process that has formed part of the process according to which Apple obtained final conditional planning approval in September this year:

- The AGFB project was initiated in a planning sense, via an amendment to the Melbourne Planning Scheme (Scheme). On 20 December 2017, Amendment C314 to the Scheme was gazetted. The

16 At page 4
Amendment was prepared by the Minister for Planning at the request of Apple (with the consent of FSPL).

- On 30 September 2018, the Minister for Planning considered the revised concept plans for the AGFB submitted by Urbis (on behalf of Apple) for approval on 20 July 2018 (Revised Concept Plans). A brief report was prepared by Urbis dated 18 July 2018 that describes the proposed plans from July 2018, offers a comparison between the approved concept plans and the July 2018 plans and the design review process (including a table setting out how the July 2018 plans have been prepared to meet the design principles). A copy of this report is attached to this HIS at Appendix H.

- The Revised Concept Plans followed 2 previous (and superseded) sets of plans dated December 2016 and December 2017 respectively.

- In response to these previous plans, the Minister required Apple undertake design refinements and consult with Melbourne City Council to determine an appropriate final design response.

- In response to the issues raised by the Melbourne City Council, a Steering Committee was formed to provide feedback throughout the design development process. The Steering Committee included representatives from Melbourne City Council, the Office of the Victorian Government Architect, FSPL, DELWP, Apple and Professor Donald Bates.

- The Steering Committee agreed on a series of design principles to guide the further development, to which the Revised Concept Plans seek to respond.

- On 30 September 2018, the Minister determined to consent to the Revised Concept Plans subject to four (4) conditions:
  - the landscape plan for the public realm to the south of the Apple store has been revised to be a similar design to that shown on the original concept plans (as referenced in Clause 4.5 of the 'Project Core Building, Federation Square, Incorporated Document, December 2017');
  - the stepped transition from the building to the terrace at Level 2 is removed;
  - the screen facade to Level 2 is to extend beyond the floor and roof plates; and
  - the structural steelwork is to have a rectangular geometry.

- Revised documentation responding to these four (4) conditions will be prepared by architects, Foster + Partners, and landscape architects, Oculus, in due course. It is considered possible that any permit as might be issued under the Heritage Act 2017 may also be subject to conditions. There is no requirement that such heritage permit conditions replicate the conditions imposed by the Minister. Heritage permit conditions might generate a need for different changes to the proposal plans from those set out above forming part of the Minister’s consent given in September 2018. In order to allow the Executive Director to consider the impact of the conditions imposed by the Minister in terms relevant to the decision to be made under the Heritage Act 2017, FSPL has made the permit application on the basis of the proposal as depicted in:
  - the Revised Concept Plans to which the Minister gave conditional consent on 20 September 2018;
  - the landscape plans dated 17 July 2018 as regards the public realm to the east, north and west of the AGFB; and
  - the original concept plans for landscaping of the public realm to the south of the AGFS.

- It is these plans that form the basis of this HIS.
4. **HERITAGE SIGNIFICANCE: EXECUTIVE DIRECTOR, HERITAGE VICTORIA**

4.1. **ASSESSMENT OF HERITAGE SIGNIFICANCE**

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place – why it is important and why a statutory listing was made to protect these values.

The statement of significance set out in the ED recommendation to the Heritage Council dating from 11 October 2018 is extracted in full at Appendix D to this HIS.

Reference is also made in this HIS especially in the analysis of the proposal comprising the permit application to the statement of significance set out in the National Trust nomination accepted by the Executive Director on 1 August 2018. The statement of significance contained in the National Trust nomination is extracted in full at Appendix E to this HIS.

4.2. **ANALYSIS OF SIGNIFICANCE: URBIS**

The statements of significance proposed by the National Trust of Victoria and as advanced in the ED recommendation in principle provide for the evaluation of Federation Square as a whole. However, beyond a physical description of the Yarra Building, there is no discrete detailed analysis of the heritage significance of the Yarra Building as an individual element, nor of the considerations relevant to any alterations to Federation Square as necessary over time to accommodate change. Indeed, the statements of significance have not reflected on the changes made to the fabric of Federation Square that have occurred since Federation Square was originally designed and then completed.

This is a complex heritage place and, with respect, the statements of significance do not sufficiently recognise the implications that flow from this.

Inevitably, there are requirements for changing technology and the use of all heritage places, both places that are private and public in ownership, nature and use.

It is trite to say that all major complex sites are subject to change. The Opera House in Sydney, for example, has been altered and added to since its opening in 1973. It is currently undergoing major works for performance and accessibility reasons that will change the aesthetics of the place, primarily internally. The question there is whether the works will detrimentally affect the ‘universal’ heritage values of major complex places of cultural heritage significance.

Managed change to heritage places is explicitly recognised in the “Guidelines for preparing Heritage Impact Statements” prepared by Heritage Victoria, which states:

> “Victoria’s registered heritage places and objects include buildings, gardens, landscapes, archaeological sites and historic shipwrecks. They are irreplaceable assets. While their long-term survival is often dependent on ensuring an ongoing use, and in some cases through new development, this should not be at the expense of the cultural heritage significance of the place or object…”

> **A Heritage Impact Statement should clearly demonstrate to both the Executive Director and other interested parties that in developing a proposal for change, a clear process has been undertaken that addresses the impacts of the proposal on the cultural heritage significance of the place or object…”**

In this context, it is notable that the exploration of the design of Federation Square in part recognised in both the National Trust nomination and the ED recommendation and made more explicit in the statements of Professor Donald Bates and Roger Poole is that Federation Square was designed following principles and in a manner which anticipated change.

Albeit that there was controversy focussed on the initial and subsequent design of the Western Shard as described in section 3.3 of this HIS, Federation Square was never intended to be a ‘set piece’ of architecture (in direct contrast to the Opera House).
Professor Donald Bates states:\(^\text{17}\)

“The primary point I wish to convey – as one of the authors of the architectural design of Federation Square – is that it is inappropriate and inadequate to evaluate and propose heritage design constraints on the Federation Square based on experiences with previous design methods and characteristics. Both because of its particular circumstance and because of the particular design logic that underwrote the winning and implemented design, it is necessary to take into account a more fluid, more provisional genesis of the design, one that is not open to all possible interpretations, nor is it a design that is fixed and locked into a formal embodiment.”

Federation Square is a place which is able to accommodate change.

In the case of demolition to any parts of the fabric of Federation Square of heritage significance and new buildings and works, the question arises whether such demolition and new works are responsive to the design and context.

An understanding of the impact of any demolition and what is demanded of new works in terms of response to the design and context of Federation Square will inevitably involve an analysis of the level of significance each criterion has to State Significance and the how detrimental the works will be to the overall significance the place has to Victoria by the proposed change.

It is a matter of rigour and design excellence that is carried out in any change to a significant place. This is the process that is occurring in Federation Square.

\(^{17}\) At page 5 of his statement of 23 November 2018 attached at Appendix A to this HIS
5. PROPOSED WORKS

In September 2015, Apple approached London-based architects, Foster + Partners, to design a flagship store in Federation Square, Melbourne. The close partnership between Apple and Foster + Partners was an iterative process to identify the brief to suit the chosen site.

There are five global flagship stores located in various cities around the world. These are to be distinguished from flagship stores, of which there are more, but which do not have an equivalent focus on community and educational programs. The requirements of Apple for global flagship stores give rise to a minimum (and maximum) internal area to provide for the space necessary to conduct the community and education functions, office and staff spaces and a small footprint for retail sales. In the case of Federation Square, the area the Apple identified was 1,394m$^2$, to include the following:

- certain number of sales tables;
- a forum with video wall;
- certain length of sales display;
- a boardroom;
- extensive support facilities for customer service support; and
- staff facilities including lounge areas, briefing rooms, management offices.

The brief for external areas to the AGFB was not rigidly defined by any requirements of Apple set for global flagship stores. In the case of Federation Square, which was already noted by Apple to be a significant event venue, Apple requested a dedicated external gathering area where Apple could host events as part of its community integration and engagement program and by other event holders, according to scheduling.

The proposed works are based on the following leasing arrangements:

- Apple leases a part of Federation Square for an initial term of 21 years;
- Apple undertakes partial demolition of the existing Yarra Building and reconstructs a new building which Apple retains and until such time as Apple exits the site or transfers the replacement building to FSPL with mutual agreement. Apple is obliged under the lease terms to maintain the parts of Federation Square leased to Apple at its own expense; and
- Apple undertakes the landscape works down to the River and maintains the landscaped area at its own expense.

5.1. POTENTIAL TO ADAPTIVELY RE-USE THE YARRA BUILDING

Foster + Partners undertook an examination of the Yarra Building to explore the potential for the Yarra Building to satisfy the needs of their client as an important preliminary task after being appointed in September 2015, notwithstanding that the Yarra Building had not at that time been identified to have cultural heritage significance.

The following quotation extracted from a document entitled “Proposed Apple Store Federation Square: Design Statement by Foster + Partners” prepared by James Edwards dating from December 2018 describes this initial step in the design process (following taking the design brief from Foster + Partner's client), and the design process that followed prepared the following “Design Statement” for the proposed Apple store in Federation Square. The design statement describes the architectural approach to the design building and includes the limitations associated with the adaptive re-use of the existing Yarra Building:

*Our initial approach for the site entailed a review of the existing Yarra building and its potential for re-use as well as the opportunities a new structure might offer.*

*It was noted that several aspects of the Yarra building could not meet our Clients brief:*
• Area – the internal area of the Yarra building (42,000sqft / 3,902m²) significantly exceeded the area required by the Clients brief.

• The limited internal floor to floor heights (approx. 13ft / 3.96m) would not deliver the spatial qualities required by the Client’s brief.

• The irregular internal column grids could not accommodate the internal planning required by the Clients brief.

• The multi-level ground floor, if retained, would not meet the Clients requirements.

• The internal arrangements of elevators and escalators would not accommodate the Clients requirements.

It was understood at a very early stage that significant re-structuring would have been required including omitting columns, floor plates, increasing structural spans, re-structuring the cladding support system, re-location of staircases, elevators and cores and an entire re-design of the building services to accommodate an Apple store of the highest calibre expected by our Client. To that extent it was decided there would be too great an impact on the existing building and a new structure would better meet the requirements.

In our assessment of the opportunities a new structure might bring, we identified the opportunity to better connect Federation Square with the Yarra River. At the very start of the process the significance of Federation Square, and its importance in the community, was identified and a meeting was held with Donald Bates to fully understand LAB Architects design principles behind the built design. Those early discussions identified that the Yarra building was a commercial building introduced into the masterplan at a late stage in place of a greenhouse structure which allowed for better connection between square and river. Connectivity had therefore been a strong principle of the original competition winning scheme which had not been fully realised.

The opportunity to re-visit the aspirations of the original masterplan aligned well with the aspirations for an Apple store to fully integrate into its context and offer an enhanced contribution to the immediate surroundings and the wider city. The challenge of introducing a new building into the Federation Square campus was identified and understood at this time. In keeping with the aspiration that each and every Apple store is a bespoke product of its site, this challenge was seen advantageously. At this early stage it was also noted that to fully integrate a new structure would require an equally significant undertaking to the landscape to allow the physical, as well as visual connection.

Through the later stages of the design process Apple and Foster + Partners participated in design reviews with a Steering committee set up to address comments made by State and City. Several areas of the design were debated, we welcomed that debate and took on board many of the comments. The design that has emerged has benefited from that process and is described below.

It is noted that Foster + Partners has designed a number of Apple Stores in significant locations and are internationally recognised for their adaptation of heritage buildings.

5.2. DESIGN PRINCIPLES FOR THE APPLE STORE (FEBRUARY 2018)

As previously stated, the proposed works for the AGFB the subject of the permit application are described in drawings titled, “Book of Plans” for Federation Square, Melbourne – Concept (dated July 2018), prepared by architects, Foster + Partners, together with the earlier landscape concept plans prepared by Oculus (as concerns the public realm to the south of the AGFB) and the “Landscape Report” of 17 July 2018 (as concerns the public realm to the east, north and west of the AGGB.

The works can be divided into two categories – temporary works (to facilitate construction) and permanent works.

An overview of the chronology of the proposed development review and approval process has been set out previously in this HIS, at section 3.5.

A more detailed description of the content of this process is set out below.

The initial designs for the AGFB were reviewed by various Victorian State Government departments and authorities (specifically including DEDJTR, DEWLP and OVGA).
After the Foster + Partners design proposal for the new AFGB at Federation Square was made public on 20 December 2017 following the gazettal of Amendment C314 to the Melbourne Planning Scheme that day, along with Professor Donald Bates, Apple and FSPL were involved in presenting a recommendation and design assessment of the existing Yarra Building and the new architectural scheme for the AGFB. This included presentations to Melbourne City Council, as well as various groupings of government ministers and opposition parties and back-bench members.

The feedback from Melbourne City Council to the presentation brought forward a number of issues about the architectural response and the approval process. In response to these issues, at the initiative of the Victorian State Government, a Steering Committee was formed to provide feedback throughout a process of an evaluation of the design.

An initial step in this process saw the development of an agreed series of “design principles” drafted with input from Rob Adams, Emma Appleton and Angela Meinke of Melbourne City Council, along with representatives of DEDJTR, DEWLP, OVGA, Apple, Foster + Partners, FSPL and Professor Donald Bates.

Meetings were held as part of the process established to evaluate the design. In the deliberations and discussions at these meetings, a series of principles to guide revision of the initial Foster + Partners design proposal of December 2017 were developed.

These included the siting, the form and scale of the building, the size of the building facing the civic plaza, the landscape and the design down to Princes Walk, the materiality, the environmental performance and the plaza level interface activation. It is observed that a number of these principles echo the applicable principles guiding whether a new building proposed to establish in a built context of significant heritage value retains the cultural heritage significance of the host heritage context.

Professor Donald Bates states:\footnote{At page 4 of his statement of 23 November 2018 attached at Appendix A to this HIS}{19}

\begin{quote}
Apple and the Foster architects responded positively and respectfully to these different issues and their potential resolution. [Melbourne City Council], led by Rob Adams, added additional issues that were not part of the original concerns expressed by the Council and the team with Rob. Nonetheless, the design as it has been advanced by Foster and Partners has met most of the concerns originally expressed after Dec 2017. The outstanding issues were those solely being promoted by Rob Adams and his team, and were not agreed by DEWLP, OVGA, FSPL, Apple and myself.
\end{quote}

The following “Design Principles for the Apple Store”, as agreed by the Steering Committee on 7 February 2018,\footnote{Taken from website of DEDJTR}{20} were prepared to ensure the proposed Apple building responds sympathetically and appropriately to the part of the site presently occupied by the Yarra Building and its immediate surrounds as well as to the broader context of Federation Square:

The following “Design Principles for the Apple Store”, as agreed by the Steering Committee on 7 February 2018,\footnote{Taken from website of Department of Economic Development, Jobs, Transport and Resources}{21} were prepared to ensure the proposed Apple building is site specific and responds to the context of Federation Square:

\begin{quote}
**Contextual Design Response**

The architectural design concept should be further developed to respond to and acknowledge:

- the scale, diversity and form of the Hoddle Grid and its relationship with the contrasting, more organic and less structured Fed Square network patterns and buildings;
- the landscaped river corridor;
- the existing buildings in Fed Square;
- the emerging concept design for the Town Hall metro station (to be located on the northwest corner of Fed Square);

\end{quote}
• make a civic contribution in terms of its architecture and relationship to the public realm;
• be conscious of the wider precinct networks – road, tram, pedestrian and cycling;
• The new building should be considered in terms of its contribution as a design legacy for Fed Square and central Melbourne: not as a generic response, nor as a stand-alone building but as part of an assembly of campus buildings.

Design cues from Fed Square

The architectural design concept should be further developed to respond to and acknowledge design cues embedded in the existing place:

• The siting and alignment of the new building can reference the non-orthogonal layout of existing buildings within Fed Square, within the structural constraints of the deck.
• The new building must balance an appropriate level of containment and activation to the southern edge of Fed Square’s plaza, maintain an engaging edge to the plaza whilst creating an improved visual and physical connection with universal access between the plaza and the Yarra River.
• The form of the new building should interpret the architectural intent in the built form ‘type’ in Fed Square: buildings celebrate geometry, they have layered and varied facades, parapet roofs, indented screened balconies – so that the building is identifiable as being both of its place and a contemporary addition to the campus of buildings within the square.
• The rooftop should be viewed as a fifth elevation with a resolved design response with no projections or visible services.
• The palette of materials and finishes for the new building, whilst including sheer, transparent glass facades, should also reference the bespoke materiality of Fed Square and its layering and nuancing of materials, without being a literal or faux interpretation.
• Fed Square’s signature catenary lighting must be appropriately integrated with the new building.
• The new building must not result in any additional overshadowing impact when compared to the shadow impact of the existing Yarra building.
• The developed design must adequately resolve site specific organisational factors including orientation, natural light, maintenance and servicing.

The Minister for Planning provided consent for the revised concept plans submitted by Apple and Foster + Partners on 20 July 2018 subject to the following conditions:

• The landscape plan for the public realm to the south of the Apple store has been revised to be a similar design to that shown on the original concept plans (as referenced in Clause 4.5 of the ‘Project Core Building, Federation Square, Incorporated Document, December 2017’).
• The stepped transition from the building to the terrace at Level 2 is removed.
• The screen façade to Level 2 is to extend beyond the floor and roof plates.
• The structural steelwork is to have a rectangular geometry.

Professor Donald Bates has stated that the conditions of approval are in alignment with discussions and comments made about the plans submitted in July 2018 and revised design. He has stated:

“There is still architectural design work to do to produce a design that, while clearly different to the rest of the architectural language of Federation Square, will nonetheless be appropriate and not detrimental to the architectural heritage of Federation Square. The conditions of approval provide for a defined design development focus and address some residual concerns. It is my considered assessment that these conditions provide the necessary framework for a positive outcome that

22 Extract from Correspondence titled: “Revised Concept Plan, Global Flagship Apple Store, Federation Square, Melbourne” from Hon Richard Wynne MP, Minister for Planning, to Federation Square Pty Ltd, dated 30 September 2018
23 Ibid at page 5
supports both the design intent and role of this part of Federation Square, as well as the development requirements of Apple."

Foster + Partners have developed plans which are in accordance with the stated Ministerial conditions of approval and provide an “appropriate” fit to Federation Square, contributing to an early 21st century postmodernist design idiom.

5.3. DESIGN INTENT STATEMENT - PROPOSAL

A description of the intent of the project architect for the AGFB, Mr James Edwards of Foster + Partners is offered in the “Proposed Apple Store Federation Square: Design Statement by Foster + Partners” dating from December 2018 previously quoted at section 5.1 of this HIS:

The design proposal maintains many of the day 1 design principles, none more so than the opportunity to better connect Federation Square with the Yarra River.

The two-story structure above plaza level accommodates the sales areas with minimal structural support and visual interruption. Expressed ‘V’ form steel columns minimise structural connection to the plaza slab, sit outside the glazing line providing a structural design language that enhances the floating appearance of the upper volume. The generous height of the entry level is wrapped on 3 sides by high quality double glazing, achieving full transparency and allowing views through to the river and landscape beyond, whilst also allowing the interior to become part of the life of the square. The sandstone clad core on the east façade reflects the solidity of the ‘shards’ of Federation Square. Glazed corners to the east façade connect the space to the east to the store interior and adjacent landscape areas.

The upper level sales floor is elevated and wrapped in a layered cladding system, cantilevering beyond the glazing line below. To the north and south, inset terraces allow new, previously inaccessible, vantage points for visitors. The upper floor level also contains the more specialised Boardroom and experience space. Internally the clear span, single volume spaces accommodate the large format tables, sales avenues and forum with video screen in an arrangement that would not have been possible within the existing Yarra building. Circulation routes around each floor are clearly defined, as well as routes to staircases and elevators. As single volume spaces, panoramic views across the square, river and landscape are maintained form the store interior. The simple, clean interior palette does not detract from the function or the surroundings and it is intended that the sandstone ‘carpet’ of Federation Square continues through the interior of the entry level to further integrate the interior and exterior.

Support areas are all concentrated on the ground level below grade with all the MEP services contained in the basement below. The Ground floor sits adjacent to the innovative labyrinth system which remains unaffected by this design proposal. The basement floor below is contained to its north side by the existing train tunnel crash wall. The existing train tunnel enclosure is retained and unaffected by the proposed development.

The siting of the building, aligned with the west and north elevations of the existing Yarra building, together with its rectangular plan form, maintains the physical enclosure of the upper part of Federation Square whilst also allowing enhanced visual and physical connection to the river edge. By retaining the existing elevational lines of the Yarra building, and parallel to the elevations on the opposite side of the square, we re-enforce the definition of the square, maintaining its function as a people gathering, civic heart of the city. The enclosure of the generous upper level with semi-opaque solar screens emphasise mass and solidity in keeping with the architectural identity and expression of the precinct.

We have taken ques from the existing, layered design language of the surrounding buildings by recessing the glazed enclosure behind layers of steel structure, indented terraces and the solar screen. It is very important to both Apple and Foster + Partners that our work should be a respectful and a contemporary interpretation of the existing design language rather than mimic it. The screens are therefore very functional elements providing solar protection on the north and west and privacy for the Deakin edge performance space, as well as the internal Boardroom and experience space, on the west elevation of the store.

The ‘V’ form structural columns supporting the upper volume reference the fractal geometry in both form and scale of the major grid elements of the existing Federation Square language. The proposed ‘weave’ pattern of the bespoke screens, varying in scale and density in response to solar exposure, reference the minor grid of the existing geometric cladding systems. The bespoke screen can slide open to reveal
the terraces and interior over the course of a day, or a season, when solar shading is not required. By carefully detailing the interface of the terrace and roof construction the screen appears to layer and float off the elevation and provide the parapet appearance of the adjacent structures. On the north side, the screens contain a public terrace from which the visitor can enjoy views of the square and connect with the activities within. On the south side a second terrace provides clear panoramic views across the south side of the Yarra river. As there is no solar gain or privacy issues on the south side there is no requirement for the screen. As there is no solar gain or privacy issues on the south side there is no requirement for the screen.

The rooftop of the proposal has been considered as the 5th elevation. The prominence of the roof from the wider city, together with the importance of a visual ‘parapet’ expression of the massing, has made the roof a considered aspect of the design since the early approach stage. By adopting space within the undercroft of Federation Square for all MEP plant, and carefully integrating air intake and exhaust into the landscaping, we have been able to maintain a clean rooftop free form any MEP kit or need for projections and enclosures. Instead, we have proposed a neat arrangement of PV panels that sit below the visible roof line which generate energy for use in the store.

The proposed materials for the store have their origins in the materiality of the surrounding campus. As well as running the sandstone carpet of Federation Square though the plaza level interior it is also intended that the stone cladding to the east core is clad in a similar or complimentary stone. The cladding system of glazing, exposed steel structure and metal screen also refer to the materiality of the adjacent buildings.

The replacement of the Yarra building with a similarly stand alone, yet more transparent building of reduced footprint and height, allows improved visual and physical connectivity between square and river without diminishing the sense of enclosure to the square. It’s transparency and function maintain engagement and activation to the southern side of the square.

5.4. THE DESIGN STATEMENT - LANDSCAPE PROPOSAL

Mr James Edwards’ December 2018 statement\(^24\) contains a description of the design intent for the public realm works, as follows:

The landscaping is integral to our design approach and the principle of enhanced connectivity. Working closely with Oculus we have developed a landscape that deals with the significant datum change by providing multiple means of traversing the gradient including an accessible ramp, greatly improving DDA accessibility across the site. Hardscape and softscape combine to provide space for people to sit, rest and observe the surroundings amongst an arboretum of indigenous tree species. The landscape approach adopts and extends the undulating ribbon of green seen in the landscaping of Birrarung Marr and connects it to Federation Square and Central Station. The periphery of the development adopts existing features from Federation Square to frame and integrate the new landscape elements. The area of Kimberley sandstone is significantly increased and extends through the new areas of hardscaping, visually integrating the new landscape and connecting square to river edge.

These new proposals extend the use of the Federation Square amenity throughout the season, and diurnal use through dusk and evenings. Connections create multiple new means of accessing Federation Square by extending the principle of universal access. The terraces and the lower lawns extend events programming opportunities, as well as public use, informal occupation, appropriation, programming and activation. The further greening of the precinct increases ground permeability and reduces the urban heat island effect. The sloping lawns and tree canopies provide foreground and frame views, increasing the river corridor amenity. This landscape proposal will not only make a significant contribution to the setting of the Apple store but delicately balances the enclosure of Federation square with improved connection to the River Yarra, knitting together the edge of the city to the green environment of the river corridor.

We believe the proposal for the Apple store in Federation Square not only maintains and re-enforces the existing design language of the precinct but further advances the principles of technical innovation and advancement, upon which Federation Square was conceived. The proposal will make a significant cultural and civic contribution to the city giving the local and international visitor added experience and enhancing the activation and amenity value within the square.

\(^24\) Ibid
6. IMPACT ASSESSMENT

We have reviewed the proposed works against the asserted values identified in the National Trust nomination and the ED recommendation. The National Trust nomination identifies Federation Square as being of: historic, aesthetic, architectural and social significance to the State of Victoria.

The ED recommendation identifies Federation Square as likely to satisfy at the State level Criteria A, D, E, F, G and H.

6.1. PROPOSED TEMPORARY WORKS

Within Federation Square the proposed temporary works, the subject of the permit application to which this HIS relates, include:

- the erection of a temporary hoarding fence around the site;
- the removal of seven (7) trees along Princes Walk adjacent to Federation Square;
- the dismantling and removal of the existing Yarra Building for the construction of the proposed new building on the site. This is to be undertaken to provide access to the main deck structure and structural footings of the crash walls for use in the proposed new building; and
- the protection of the retained the Labyrinth during the temporary works.

6.2. PROPOSED PERMANENT WORKS

Permanent works are described earlier in this HIS and are as depicted in the plans referenced at section 1.1. These works include:

- the construction of a four-level building within the area presently occupied by the Yarra Building that will adopt the form of a two-storey building above Federation Square plaza level, with two levels below plaza level including the retention of existing below ground levels within the Yarra Building);
- extensive public realm upgrade works surrounding the new building to all sides; and
- new landscape works to the south of the new building at the interface with the Yarra Walk.

6.3. HERITAGE GUIDELINES

Urbis has been engaged to prepare this HIS to accompany the permit application for the proposed temporary and permanent works at Federation Square. In preparing this HIS, Urbis has reviewed the advice and critique of other experts including both heritage and other consultants and architects (including architects who have been deeply associated with the history of Federation Square), including:

- Lovell Chen, heritage consultancy, who are engaged to assist FSPL in responding to the ED recommendation before the Heritage Council, including the preparation of revisions to the proposed permit policy and permit exemptions;
- Mr Roger Poole, now of Roger Poole Architects, who was a former design architect at Bates Smart (1974-2014) and who worked on Federation Square. Mr Poole is one of Australia’s leading architectural and urban designers. He has prepared a report of his architectural opinions in relation to the appropriateness of the proposed demolition of the Yarra Building and the appropriateness of the proposed AGFB. This report is set out in Appendix G to this HIS;
- Professor Donald Bates, Director LAB Architecture Studio and principal architect of Federation Square; Chair Architecture Design, The University of Melbourne. Professor Donald Bates’ written statement, as previously noted, is set out in Appendix A to this HIS.

Importantly, as described above, there is support for the removal of the Yarra Building and to construct an AGFB, generally as designed by Foster + Partners (subject to final design details) from two highly regarded Australian architects who are both, critically, uniquely acquainted with Federation Square (given Professor Bates’ role as project architect and Mr Poole’s role working in association with Professor Bates and Mr Peter Davidson on the design of Federation Square.)
## Guidelines and Discussion

**What physical and/or visual elements will result from the proposed works? What will be the affect on the cultural heritage significance of the place?**

*S101(2)(a) the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object.*

### Criterion A
- The ED recommendation references the significance of Federation Square as being related to an association with representing Victoria’s principal and most enduring response to the commemoration of Australia’s Centenary of Federation. The ED recommendation highlights that this association is:

  “directly evident through the paving of the public square with an installation known as Nearamnew by artist and academic Paul Carter in collaboration with LAB Architecture Studio. The installation incorporates symbolic and literary representations of historical and contemporary interpretations of federation of Australia’s states/colonies.”

- The proposed design will not alter adversely the importance of Federation Square to the course, or pattern, of Victoria’s cultural history.
- Federation Square will continue to incorporate landscape, public open space, buildings, exhibition halls, office space, cinemas, interior public spaces, retail and hospitality venues within the one complex. Federation Square will continue to operate as a place that commemorates the Federation of Australia and much of the language and art works relating to Federation will be retained and conserved as part of the proposed works. This will have a positive heritage impact on Federation Square as a whole.

### Criterion D
- The ED recommendation describes Federation Square as a notable exemplar of a public square. The ED recommendation notes:

  "The principal characteristics of ‘public squares’ are evident in the physical fabric of Federation Square through the large central open space, or the ‘square’ the laneways leading to it and the buildings framing it".

- Careful attention has been paid in the design to ensure that the public square is suitably clearly defined along its southern edge in the proposed AGFB. Between the earlier designs and that forming part of the permit application to which this HIS relates, the building has been extended in length with the specific intent of seeking to create this defining edge to the public square.
- The proposed construction of the AGFB will have a positive heritage impact on the heritage place in that the AGFB will itself function as a meeting place for public events. The reduced footprint of the proposed new AGFB will provide additional public gathering space (over 500m²) to the Square and an important amphitheatre event space on the western-side of the new proposed building. This increased open space will enhance opportunities to create an “engaging edge” in which to socialise and gather within Federation Square by continuing to function as a meeting place for public events.
- The proposed works will replace the existing building with a new built form on the southern side of Federation Square. This will have a positive heritage impact and ensure Federation Square will continue to function as a public meeting place, bounded by perimeter-built form of high architectural and design quality. The proposed construction of AGFB will reinvigorate Federation Square by providing an additional focus and well-considered architectural feature designed by a globally-recognised architectural practice.
- The proposed public realm works to compliment the AGFB will not only result in an increased physical capacity for Federation Square’s plaza for public gatherings, but will also serve to enhance visual and physical connections between Federation Square and the Yarra River.
Guidelines and Discussion

Criterion E

- The ED recommendation describes Federation Square as having aesthetic significance because of its visually distinctive non-orthogonal forms, unique design grammar of lines and fractal geometries combined to achieve a complex architectural aesthetic of coherence and difference. The ED notes:

  “Federation Square is one of the most awarded projects in the history of the Royal Australian Institute of Architects (RAIA) Victoria.”

- The permanent works, including demolition of the existing Yarra Building and construction of the proposed AGFB, will have minor heritage impact on the aesthetic significance of Federation Square as described in the proposed Statement of Significance. The Yarra Building forms a southern component of an ensemble of Post-Modernist Deconstructivist buildings with non-orthogonal forms and fractal geometries surrounding Federation Square. The removal of the Yarra Building will result in the loss of approximately fifteen percent (15%) of the built structures on the site. However, given the Yarra Building did not form part of the original design intent for Federation Square, and the proposed design for the AGFB is in an early 21st century architectural idiom that is well-conceived, respectful and sympathetic architectural element, we consider the negative impacts will be lessened and acceptable in heritage terms. In addition, it is noted that this will result in a smaller built footprint with greater landscaping opportunities that will result in improved connection to the river.

- Foster + Partners has a proven capacity to design architectural elements within a heritage context. In Foster + Partners’ design of Berlin’s Reichstag, the architects preserved the place as a ‘living museum’ by retaining and conserving its 19th century architectural context and setting. However, they also radically departed from the heavy masonry shell by adding a light, transparent glazed dome and contemporary interiors that revealed activities to the general public and adapted the place to reveal a new architectural language that is sympathetic to the earlier form.

- Foster + Partners has designed several global stores for Apple. Apple Champs-Elysees, Paris, restored a 19th century historic building and seamlessly incorporated within, a sympathetic juxtaposition of dynamic contemporary interior spaces. Italy’s Apple Piazza Liberty, Milan (2014-18) provided an ensemble of stepped plaza and fountain which act as the entry to the Apple store. Japan’s Apple Kyoto (2016-18) and Macau’s Apple Cotai Central (2016-18), provide innovative architectural edifices that provide contemporary additions within historic urbanscapes.

- The integrity of the civic space of Federation Square is retained by locating the proposed AGFB within the footprint of the Yarra Building, whilst continuing to expressing the post-modernist architectural context of the place through the use of use of screens that echo the original style and detail of the place without imitating the original buildings noted for their non-orthogonal forms, design grammar of
Guidelines and Discussion

- Since September 2015, architects, Foster + Partners, and Apple have been designing a new Apple building for Federation Square. The design process of the AGFB has been informed by the Victorian State Government and Melbourne City Council and various Steering Committee workshops. This iterative process has helped to refine the design of the building for the public space of Federation Square. The most recent review resulted in the document “Design Principles for the Apple Store”, dated 30 October 2018, prepared by Victoria State Government (Department of Economic Development, Jobs, Transport and Resources). The Permit Application for the proposed AGFB is the result of incorporating the design recommendations of this document. Apple’s corporate ethos is committed to high quality architecture and design that is sympathetic to its context. The proposed new AGFB, designed by Foster + Partners, would provide a focal point within Federation Square whilst enlivening and activating the existing public space in a sympathetic manner. Foster + Partners is an architectural practice that has the capacity to produce high quality architecture. This will ensure the place will continue to attract significant numbers to Federation Square.

Criterion F

- The ED recommendation describes Federation Square as being technologically significant for its engineering achievements. The ED notes:

  “The decking over the former Jolimont railyards was the first large scale application of this technology and it remains the largest expanse of railway decking built in Victoria and Australia. The use of computer aided design (CAD) and emerging 3D computer programs for modelling and documentation, the design and construction of the façade ‘wraps’, and the structure of the Atrium, were all innovative and complex for their time. The Labyrinth system for storing and dispersing air demonstrates a high degree of technical achievement as the reintroduction and expansion of a previously obsolete technique.”

- Federation Square comprises the largest suspended decking of its time (35,000m$^2$). At the time of construction, parts of the structural deck design extended the scope of tolerances for Australian engineering standards. For this reason, Federation Square received the Engineers Australia’s Australian Engineering Excellence Award (2003) and two Institute of Engineers (Victoria) Engineering Excellence Awards. The proposed construction of a new building, AGFB, and associated landscape works will involve no underground works or changes to the decking structure of high technological significance. The retention of this decking structure is a sympathetic approach and will have a positive heritage impact on the place as a whole which is noted for its high heritage significance.

- The proposed permanent works will be no impact on the railway lines or operation of the structures below the deck at Federation Square. This will have a positive heritage impact on the proposed heritage items and will not impact physically or visually on places of heritage significance in close proximity.

- Federation Square exhibits a high degree of achievement for its integrated creative and technical innovations, breakthroughs, adaptations and re-introduction of ‘lost’ technology. The Labyrinth at Federation Square comprises the implementation of Roman technology to store and circulate air beneath buildings. The Labyrinth is the largest such system in Victoria and Australia. In 2003, this achievement was recognised with a Planning Institute of Australia (Victoria) Award for Planning Excellence – Ecologically Sustainable Development. The Labyrinth will be retained and conserved as part of the proposed works associated with the construction of the proposed AGFB. This will have a positive heritage impact on Federation Square, a place recognised to have heritage listed significance through its interim heritage listing.

- It is our assessment that the temporary works will have no impact on the historic, aesthetic, creative/technical or social significance of Federation Square as asserted in the nomination documentation.

Criterion G

- The ED recommendation describes Federation Square as having social significance to the Victorian community as the state’s pre-eminent civic space for public gatherings. The ED notes:
Guidelines and Discussion

Federation Square is... regularly used in times of celebration, grief and protest, such as the Iraq War demonstration in 2003. The public screen allows for live streaming to a mass audience of historically important events... Federation Square is also significant as the location of some of Victoria’s most important arts and cultural institutions. There are particularly strong associations between the Australian Centre for the Moving Image (ACMI), the Ian Potter Centre: NGV Australia, the Koorie Heritage Trust and the Deakin Edge auditorium and their communities.

- Federation Square is significant for being a public gathering place within Melbourne. This forms part of the social significance of the place. The proposed changes associated with the construction of the proposed AGFB will respect this significance. The general public and tourists will continue to gather at Federation Square. In all likelihood, the construction of a well-designed, innovative AGFB, designed by Foster + Partners, located within Federation Square, will draw significant numbers to the Square. The use of the building will be in the public interest and will add a positive social revitalisation to Federation Square.

- Successfully designed squares generally have a diversity of buildings around a public gathering space. The proposed AGFB will provide a richer variety of architectural forms that will add to the vibrancy of Federation Square. Federation Square, like any gathering space, needs to be able to accommodate change. Change within Federation Square needs to respond to its distinctive design and context and underlying fractal system and geometry. There have already been numerous alterations within the public space and internal changes to buildings to ensure more workable spaces. The Metro Station, in the north-western portion of Federation Square, is currently under construction and is an example of the need for change within an urban environment.

- The AGFS will create a synergistic alignment with its cultural tenants. Its presence fits with the new direction for FSPL and is consistent with its Civic and Cultural Charter (Charter). This Charter “recognises Melbourne’s pre-eminence as a centre for creativity and innovation” and, as objectives for the Square, mandates that:
  o it is to provide a stimulating, educational, comfortable and entertaining destination;
  o it is to represent Melbourne as a leading city for the arts and for innovation and creativity in all forms of cultural expression; and
  o it communicates the city's leadership in contemporary ideas and expression and which attracts local, national and international visitors to Federation Square.

- Apple has always had a mission to enrich lives by educating and inspiring people to extend their creativity and imagination, which reflects the alignment with FSPL's Charter.

- Whilst having a small retail component, the proposed AGFB will be vastly different to a retail store, such as those in Chadstone and Doncaster. Rather it will be an internationally inspired community and innovation hub that will enhance Melbourne's inclusiveness, connections and conversations.

- Apple aims to create a gathering place for the community, which reaffirms the original intent and aspiration of Federation Square.

- The proposed AGFB will provide a space that people can go to learn, connect, be stimulated, be inspired and be entertained. The proposed design will also add to the activation of public spaces within Federation Square to provide additional exhibition, performance and gathering spaces and to enhance the pedestrian linkages to the Yarra River.

- As a Global Flagship Store, it will have team dedicated to curating and delivering the 70+ sessions expected to be run out of the store each week. This is the 'Today at Apple' program, which focuses on art & design, photo & video, music, coding, activity, business, kids & parents, teachers and products. As part of the 'Today at Apple' program, the Global Flagship Store will offer free sessions to Federation Square every day and every hour. Apple will continue to develop the programs and has just announced 60 newly designed sessions. The curriculums for video, music and design have all been expanded. These programs will not only take place within the store, but will also encourage participants to explore spaces outside of the store, like “Photo Walks” and “Sketch Walks”.
Guidelines and Discussion

- Only in Global Flagship Stores does Apple build a dedicated event team to curate programs that are internationally significant and locally relevant. It will attract the world’s most talented artists, photographers, musicians, entrepreneurs, and developers to Federation Square and the artistic, cultural, educational, technological and social events will create synergy with FSPL’s principal cultural tenancies, i.e. the NGV, the ACMI and KHT.

- It is the depth and breadth of Apple’s cultural and artistic programming that makes Apple a great complement to Federation Square’s civic and cultural fabric, which are the essence of the asserted social significance of the place.

- The proposed AGFB is one of only five currently announced. It will be the second outside of the USA (after Milan) and the only one in the southern hemisphere.

- It is anticipated the AGFB will conservatively bring over 2 million visitors to Federation Square annually. This is based on figures from the recently refurbished Chadstone store, current Flagships and Global Flagship stores. These visitors are expected to be made up of the following, 50% will be local within Melbourne, 20% will be from outside Victoria and 30% international, supporting the Charter objective to attract local, national and international visitors to Federation Square.

- The well-considered AGFB will help maintain Federation Square as a leading cultural and tourism destination in Australia to be the focal point of innovation and creativity.

Criterion H

- The ED recommendation describes Federation Square as having a special association with LAB Architecture Studio and its directors Peter Davidson and Donald L Bates. The ED notes:

  “LAB Architecture Studio and its directors Peter Davidson and Donald L Bates... have made a strong and influential contribution to the course of Victoria’s history through the design of Federation Square, one of the most awarded projects in the history of the Royal Australian Institute of Architects (RAIA) Victoria.”

- The VHR Nomination does not provide a grading of significance of the various spaces and buildings within Federation Square. However, the Yarra Building is likely to have moderate heritage significance. Roger Poole, former design architect at Bates Smart (1974-2014) and who worked on Federation Square, provided the following comments on the Yarra / South Commercial building: “The materiality and detailing of the building are typical of the remaining Federation Square. There is no remarkable or distinct design feature which is pivotal to the experience of the Square...”.25 Professor Donald Bates, design architect of the subject site, states: “it is necessary to take into account a more fluid, more provisional genesis for the design, one that is not open to all possible interpretations, nor is it a design that is fixed and locked into a formal embodiment”. Or in other words, any new design for the site should respond to contemporary needs and should be open to new interpretations. Neither architect has a strong association with the Yarra Building and both see the potential for future change within Federation Square.

- The proposed demolition of the Yarra Building will be mitigated by the retention of more significant buildings around Federation Square and construction of a well-considered, innovative building on its footprint, will ensure the design concept and legacy of LAB Architecture Studio, in association with Bates Smart, is retained and conserved as part of the award-winning design of Federation Square.

- The preparation of a CMP for the place will assist in nominating the gradings of significance for various spaces to guide change.

Is the Registered Place or Object in a World Heritage Enviorns Area? How Does the Proposal Affect the World Heritage Values of the Listed Place or any Relevant Approved World Heritage Strategy Plan?

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## Guidelines and Discussion

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<th>S.101(2)(e) if the application relates to a listed place or to a registered place or registered object in a World Heritage Environ Area, the extent to which the application, if approved, would affect — (i) the world heritage values of the listed place; or (ii) any relevant Approved World Heritage Strategy Plan;</th>
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<tr>
<td>- Not applicable. The subject site does not form part of any world heritage listed site.</td>
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### If there are detrimental impacts on the Cultural Heritage Significance of the place or object, provide reasons why the proposal should be permitted.

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<thead>
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<th>S.101(2)(b) the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object;</th>
</tr>
</thead>
<tbody>
<tr>
<td>- The planning, layout and spatial dimensions of the Yarra Building have made it difficult to find a suitable commercial tenant for the main internal spaces of the building, and generally the food and beverage spaces at the ground level of the building. Foster + Partners was commissioned by Apple as project architects for a new AGFB in Federation Square. As stated earlier at section 5.1 of this HIS, the architect and their client explored the option to adaptively re-use the existing Yarra Building for the purposes of an AGFB. Foster + Partners found the internal area of the Yarra Building to be greater than the area required. The internal floor to ceiling heights (3.96m) did not align with the spatial requirements, and the irregular internal column grids limited internal planning. In addition, the multi-level ground floor and internal arrangements of elevators and escalators limited accommodation requirements. Foster + Partners found retention and adaptive re-use of the Yarra Building as an AGFB was not feasible. Adaptive re-use of the Yarra Building was discounted because planning issues made re-purposing for Apple’s proposed use difficult.</td>
</tr>
<tr>
<td>- The Yarra Building has been a difficult space to tenant despite the best efforts of the management team at Federation Square Trust. Unlike other tenancies in buildings surrounding Federation Square, the Yarra Building was not designed to house a significant public institution. It was designed as a commercial building for an unspecified commercial tenant. The existing layout of the building inhibits equal access. The floorplate makes it difficult to provide separate tenancies on each floor.</td>
</tr>
<tr>
<td>- Information dated 27 November 2018 was provided by Roger Poole Architects (formerly working with architects, Bates Smart, from 1974-2014 and design architect on Federation Square)(^\text{26}). In “Part One: The Appropriateness of the Proposed Demolition of the Yarra Building”, Poole states: “The Yarra Building has always been an ancillary commercial building. During the design phase it was referred to as the South Commercial building… The Yarra / South Commercial building did not have a public institution as a tenant. The materiality and detailing of the building are typical of the remainder Federation Square. There is no remarkable or distinct design feature which is pivotal to the experience of the Square… After a long period of uncertainty, the first tenant of the South Commercial Building was the Racing Museum… then was closed down for lack of patronage… A number of other uses for the Yarra Building followed, but it is fair to say that none have stood the tests of time and commercial viability.”(^\text{27})</td>
</tr>
<tr>
<td>- Economic considerations associated with the Permit Application have been the subject of rigorous consideration by Urbis, as set out in the report that accompanies this HIS entitled ‘Federation Square Economic Analysis – Apple Global Flagship’ dated December 2018 (Economic Analysis). The Economic Analysis finds that since Federation Square opened in 2002, new public spaces have been built, or are planned, and competitive alternatives such as Queen Victoria Market, Cato Square, Melbourne Quarter and Lincoln Square have emerged across Melbourne. In addition, Flinders Lane now has high-end restaurants. As a result, Federation Square is attracting second-tier food and beverage outlet tenants. There is a need to re-invigorate Federation Square by attracting the public through more appealing, innovative tenancies.</td>
</tr>
</tbody>
</table>

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Guidelines and Discussion

- The Economic Analysis concludes:
  - The area currently occupied by the Yarra Building was originally intended to be the ‘greenhouse’ component of the original design for Federation Square, in line with original brief to designers. This was deemed appropriate in order to ensure permeability and a connection with the Yarra River.
  - In the final design, the Yarra Building was known as the South Commercial Building, and from the time of development, this part of Federation Square was intended to be used for commercial purposes.
  - The planned use of the Yarra Building for commercial purposes (perhaps a bookstore, in the vision of the architects’ of Federation Square) has not come to fruition, for reasons related to various limiting physical characteristics of the Yarra Building (i.e. internal access, floor plates and shopfront areas are all sub-optimal).
  - The Yarra Building is not able to be modified to suit the operational or functional Apple Global Flagship Store.
  - The permit application to enable an Apple Global Flagship Store to replace the Yarra Building does not result in a change in the nature of the continued historic use of the site (i.e. commercial).
  - The proposed Apple Global Flagship Store is a ‘reasonable use’ of the site.
  - Over many years, indeed since inception, the economic use of the Yarra Building has been problematic. The location and design of the building is sub-optimal for commercial purposes, and arguably for cultural purposes as well, and consequently there has been a very high turnover of tenants, despite relatively low rents.
  - The current use of the Yarra Building is not a viable economic use for Federation Square, and affects the sustainability of Federation Square as a whole because FSPL is required to subsidise cultural uses and events.
  - Historically, the Yarra Building has not lived up to expectations. In the past year it has attracted only 1.9% of visitors to Federation Square, and only 0.6% of visitors to Federation Square have visited the Yarra Building and done something else in Federation Square. The nexus value of the Yarra Building, in economic terms, is therefore very low.
  - Given the importance of commercial uses with Federation Square to FSPL’s ability to be self-funded, the current and likely future financial performance of the Yarra Building in the context of Federation Square as a whole is critical to FSPL’s long term financial sustainability.
  - The proposed development will vastly improve access to, and usage of, the Yarra Building site and Federation Square by virtue of the increased public square civic space, the improved quality of the public square civic space through the creation of the amphitheatre, pedestrian access to the Yarra River (and beyond that to, Birrarung Marr) general public realm improvements, and attraction of a larger and broader visitor base.
  - This report has concluded that the economic use of the subject site, and Federation Square as a whole, would be adversely affected by refusing the permit application for the following reasons:
    - As noted by the Victorian Auditor General, and by adopting the Auditor General’s methodology for recent years, Federation Square is categorised as a ‘high risk’ entity. This ‘indicates that it is difficult for these entities to set their fees and charges at a level that would enable them to generate enough revenue to meet their obligations as they fall due, and to ensure the long-term maintenance of their assets. Over the long term, such financial challenges may reduce the service potential of assets and consequently, reduce the services that can be provided to the
Guidelines and Discussion

The assessment is based on four indicators that identify short and long-term risks – Underlying Result, Liquidity, Self-Financing and Capital Replacement.

- FSPL’s financial position is not sustainable under present conditions given the imperative to fund a substantial Capital Expenditure program for the replacement of critical infrastructure (i.e. urgent maintenance). CapEx/additional maintenance costs for the Operational Action List in the Asset Plan are over and above normal maintenance requirements. Over approximately the next decade a budget amount of $6.15 million per annum (escalated at the Building Cost Index), in addition to the current $2.7 million of operational funds currently invested, are required to be set aside.
- The required CapEx funds are not available from FSPL’s operations which calls into question the economic sustainability of the entire asset under the Base Case, let alone the Worst Case.
- Financial comparison of the proposed development with the refusal position indicates a net detriment equating to a burden on the public purse of around $40 million over ten years in constant dollar terms.

S.101(2)(d) if the applicant is a public authority, the extent to which the application, if refused, would unreasonably detrimentally affect the ability of the public authority to perform a statutory duty specified in the application; S.101(2) (f) and S.101(3)(b)

- Not applicable – FSPL is not a public authority.

If there are Detrimental Impacts on the Cultural Heritage Significance of the Place or Object, detail alternative proposals that were considered and reasons why these were dismissed S.101(2)(B)(D), (F) and S.101(3)(B)

- Urbis has assessed the Yarra Building to have moderate heritage significance with respect to aesthetic criterion. The materials and details of the Yarra Building are reflected within the suite of buildings surrounding Federation Square style. The loss of one element within the suite would not have an adverse heritage impact on the collection of buildings as a whole. There are various combinations of cladding materials used in the suite of distinctive buildings that surround Federation Square. The buildings, with their fractal geometric organisation and material palette, provide a contemporary language to Melbourne’s premier public space and forms part of the aesthetic and architectural significance of the place. The Yarra Building provides no remarkable or distinct design feature that is pivotal to the experience of Federation Square.
- It is proposed that the AGFB will provide an important public benefit to Federation Square. The AGFB will be an extension of the public space and provide extended opening hours. It will provide a showcase of technology and contribute to 21st century arts, educational and cultural programs for all ages on a seven-day basis. Apple’s presence in Federation Square would be compatible with the contributions of the current tenants of ACMI, NGV and KHT.

What measures are being proposed to avoid, limit or manage the detrimental impacts?

- The proposed design minimises its floor area and height to avoid adverse impacts on the spatial quality of Federation Square, to retain the existing interrelationship between the various elements within the Square, and to ensure that key views to St Paul’s from Princes’ Bridge are maintained.
- The proposed new AGFB has a smaller footprint than the existing Yarra Building and is lower in height. The proposed AGFB, two-storeys above ground level, is lower in height than the main buildings surrounding Federation Square. This ensures the building does not compete with the existing buildings designed in the Deconstructivist style. They will continue to be dominant features within Federation Square. The design has however been adapted to be higher and longer than the

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28 Victorian Auditor-General, ‘Portfolio Departments and Associated Entities: Results of the 2013–14 Audit, p.19
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first 'Apple Design' to ensure the sense of enclosure and scale of the square is maintained as recommended in the Design Principles.

- Federation Square is built on a deck structure located over railway lines. The railway lines will remain operational during construction works. The proposed development will not require any excavation works at railway level. The proposed construction of the new AGFB and associated landscape works will not involve any underground works or changes to the decking structure. The proposed works will not impact on any archaeological potential of the site.

- The proposed Apple Building has a design approach that complements the existing Deconstructivist styled buildings on the perimeter of Federation Square. The Apple Building does this by adopting sliding metallic screens that are sympathetic to the fractal cladding approach adopted in the existing Deconstructivist style buildings.

- The proposed AGFB has a refined upper level design will incorporate moveable exterior screens on the northern, western and eastern façades. These metallic screens introduce a high degree of texture, whilst allowing for views into and out of the new building. These complement the remaining Deconstructivist style buildings around the perimeter of Federation Square, whilst being more functional than the Deconstructivist style cladding/screens. (see FSPL)

- The proposed AGFB will operate as a commercial building. Therefore, the commercial use of the existing Yarra Building will continue.

- The existing design of the Yarra Building obscures views to the Yarra River to the south. The design of the ground floor of the AGFB will be "transparent". This will enhance views and vistas from Federation Square to the Yarra River. The original idea of a market building will be reinforced by the current design.

- The South Elevation of the Yarra Building was designed as a secondary elevation and not as finely treated as other elevations within Federation Square. Current views from the Yarra River and Princes Bridge to the Yarra Building have been obscured by plane tree plantings. There are also limited views out from the Yarra Building to the Yarra River, the Domain and the southern bank of the river.

- In addition, the physical connections between Federation Square and the Princes Walk is currently via steep stairways. This is seen by many to be an impediment and shortcoming of the two public spaces. The proposed landscaping treatment will provide accessible pathways connections and visual connections to Melbourne’s waterway and landmark feature. This will have a positive heritage impact and allow greater appreciation of Federation Square, a heritage item of State significance.

- Federation Square was designed to allow for change. Various changes have occurred to the Federation Square precinct over the past sixteen (16) years, since construction in 2002. These changes have been associated with improvements to public amenity and enhancements associated with the use of spaces in and around buildings and changing public needs.

- The proposed landscape works include the re-design of the public realm areas to the south of the existing Yarra Building. A portion of the hard surfaces have been changed to a grass bank. Seating and paved steps respond to the river bank context. The proposed landscaping to the south of the Yarra Building will provide an improved physical connection between Federation Square and Princes Walk.

- The proposed landscaping design activates the river edge which was previously disregarded by the 2002 Deconstructivist design for Federation Square.

- It is proposed to remove seven (7) trees along Princes Walk adjacent to Federation Square. An “Arboricultural Assessment – Federation Square”, prepared by Tree Logic Pty Ltd (5 July 2016) identifies the trees (2 x Lemon-scented Gum; 4 x London Plane; and 1 x Smooth-barked Apple) as semi-mature to mature in age, in fair or typical condition for the species. The design review concluded that all the assessed trees would be unsustainable, given they are located within a construction zone. The trees were planted specimens either exotic deciduous or Australian natives
Guidelines and Discussion

and rated as having “Moderate” arboricultural value. As a mitigative measure, new trees will be planted as part of the redevelopment of the site.

Has the Proposal been influenced by, or does it address any Local Planning Scheme or Building Act 1993 Requirements? S.101(2)(F) AND S.101(3)

- The existing layout of the Yarra Building inhibits equal access throughout the interior spaces and is not in accordance with the Building Code of Australia (BCA). In addition, the existing landscaped and paved area around the Yarra Building comprises steep stairs around the building and down to the Princes Walk. The proposed new AGFB and associated landscape treatment will have a positive impact on allowing visitors the opportunity to appreciate the heritage listed Federation Square.

- The proposed new AGFB will have a smaller footprint than the Yarra Building, will create a robust, southern edge to Federation Square whilst opening up pedestrian and visual connection to the Yarra River and “universal” access for the public, including the less-abled.
7. CONCLUSIONS AND RECOMMENDATIONS

Having considered the proposed works against the asserted significance from the National Trust nomination of Federation Square, it is our view that the works are acceptable and that it is appropriate for a permit to be issued under the Heritage Act 2017.

The social significance of Federation Square must be underlined by the operation of the place both physically and economically. The original scheme was altered to provide a sound financial base for the Square and this historic resolution has not proven to be successful. The viability of places to enable their longevity is well embodied in heritage legislation and must be matched by the respect for the significance of the place. In this situation the proposal has carefully bridged these considerations and this philosophy was the underlaying principle of the design competition and the resulting built form.

In response to the issues raised by the design committee the architects have prepared plans which provide further for the final resolution of a building that will play the contemporary role of the original planned for ‘book store’ on the site - an educational and commercial experience that will draw young and old to the Square for a contemporary learning experience. This reinforces the important social significance that the Square has for the City as well as respecting the historic, aesthetic and technical attributes of the place.

In preparing the HIS, Urbis recognises Federation Square has heritage value. However, at this stage, that heritage value has been neither resolved nor adopted. Federation Square is a complex site comprising built and landscape elements with various gradings of heritage significance. The place is capable of change.

It is acknowledged the Yarra Building shares some of the design qualities, language and materials of other buildings within the Federation Square, notably recognisable by the geometric fractal façade cladding. It is recognised the Yarra Building does not share the high level of design resolution of other buildings within Federation Square, notably the Alfred Deakin Building and the Ina Potter Centre.

Roger Poole, one of the original designers of Federation Square, describes the Yarra Building as an ancillary commercial building: “The materiality and detailing of the building are typical of the remaining Federation Square. There is no remarkable or distinct design feature which is pivotal to the experience of the Square…”

The Yarra Building did not form part of the design competition. Other than upper level plant and the significant Labyrinth structures in the basement, the Yarra Building contains little original internal fabric. These elements of the Yarra Building will be retained as part of the proposed works and will not be adversely impacted.

The proposed removal of the Yarra Building will result in some negative heritage impact on Federation Square as a whole. Within the context, that loss will be acceptable in heritage terms. The design of the proposed new AGFB by Forester + Partners and Oculus will respect the heritage significance of Federation Square – a suite of buildings designed in a Post-Modernist architectural language. It is proposed to construct a sympathetic building that complements, without imitating, the existing architectural language of cranked angular geometries.

The proposed new AGFB will have a smaller footprint than the Yarra Building, will create a robust, southern edge to Federation Square whilst opening up pedestrian and visual connection to the Yarra River and “universal” access for the public, including the less-abled. The proposed glazed ground level provides panoramic views and strong visual connections from Federation Square through to the Yarra River, currently only available in the Deakin Edge.

The reduced footprint of the proposed new AGFB will provide additional public gathering space (over 500m²) to the Square and an important amphitheatre event space on the western-side of the new proposed building. This increased open space will enhance opportunities to create an “engaging edge” in which to socialise and gather within Federation Square.

The proposed design of the façade of the new AGFB will appear more conventional in composition than the existing Yarra Building. However, the metal solar shading outer skin, contemporary technologies showcasing exemplary ESD outcomes, aiming to achieve Six Star Green Star ratings through passive solar and energy efficient design. This will provide a dynamic built form that will provide a long-term built legacy that complements the technological significance of the existing Labyrinth within Federation Square.

There is some public misconception about the role of Apple in Federation Square. Apple has been criticised for providing a “retail” outlet. Rather Apple is offering education and community engagement. This will
provide synergies and collaborations with the existing tenants - National Gallery of Victoria, ACMI and KHT. This in turn will reinvigorate and reactivate Federation Square.

The Yarra Building currently poses economic challenges associated with the struggle to tenant the main floor space of the building. There has been a high turnover, requiring repeated redesign of spaces for food and beverage. The Urbis Economic Analysis report, “Economic Analysis Accompanying Permit Application for Federation Square” (December 2018) states:

- The area currently occupied by the Yarra Building was originally intended to be the ‘greenhouse’ component of the original design for Federation Square, in line with original brief to designers. This was deemed appropriate in order to ensure permeability and a connection with the Yarra River.
- In the final design, the Yarra Building was known as the South Commercial Building, and from the time of development, this part of Federation Square was intended to be used for commercial purposes.
- The planned use of the Yarra Building for commercial purposes (perhaps a bookstore, in the vision of the architects’ of Federation Square) has not come to fruition, for reasons related to various limiting physical characteristics of the Yarra Building (i.e. internal access, floor plates and shopfront areas are all sub-optimal).
- The Yarra Building is not able to be modified to suit the operational or functional Apple Global Flagship Store
- The permit application to enable an Apple Global Flagship Store to replace the Yarra Building does not result in a change in the nature of the continued historic use of the site (i.e. commercial).
- The proposed Apple Global Flagship Store is a ‘reasonable use’ of the site.
- Over many years, indeed since inception, the economic use of the Yarra Building has been problematic. The location and design of the building is sub-optimal for commercial purposes, and arguably for cultural purposes as well, and consequently there has been a very high turnover of tenants, despite relatively low rents.
- The current use of the Yarra Building is not a viable economic use for Federation Square and affects the sustainability of Federation Square as a whole because FSPL is required to subsidise cultural uses and events.
- Historically, the Yarra Building has not lived up to expectations. In the past year it has attracted only 1.9% of visitors to Federation Square, and only 0.6% of visitors to Federation Square have visited the Yarra Building and done something else in Federation Square. The nexus value of the Yarra Building, in economic terms, is therefore very low.
- Given the importance of commercial uses with Federation Square to FSPL’s ability to be self-funded, the current and likely future financial performance of the Yarra Building in the context of Federation Square as a whole is critical to FSPL’s long term financial sustainability.
- The proposed development will vastly improve access to, and usage of, the Yarra Building site and Federation Square by virtue of the increased public square civic space, the improved quality of the public square civic space through the creation of the amphitheatre, pedestrian access to the Yarra River (and beyond that to, Birrarung Marr) general public realm improvements, and attraction of a larger and broader visitor base.
- This report has concluded that the economic use of the subject site, and Federation Square as a whole, would be adversely affected by refusing the permit application for the following reasons:
  - As noted by the Victorian Auditor General, and by adopting the Auditor General’s methodology for recent years, Federation Square is categorised as a ‘high risk’ entity. This ‘indicates that it is difficult for these entities to set their fees and charges at a level that would enable them to generate enough revenue to meet their obligations as they fall due, and to ensure the long-term maintenance of their assets. Over the long term, such financial challenges may reduce the service potential of assets and consequently, reduce the services that can be provided to the
The assessment is based on four indicators that identify short and long-term risks – Underlying Result, Liquidity, Self-Financing and Capital Replacement.

- FSPL’s financial position is not sustainable under present conditions given the imperative to fund a substantial Capital Expenditure program for the replacement of critical infrastructure (i.e. urgent maintenance). CapEx/additional maintenance costs for the Operational Action List in the Asset Plan are over and above normal maintenance requirements. Over approximately the next decade a budget amount of $6.15 million per annum (escalated at the Building Cost index), in addition to the current $2.7 million of operational funds currently invested, are required to be set aside.

- The required CapEx funds are not available from FSPL’s operations which calls into question the economic sustainability of the entire asset under the Base Case, let alone the Worst Case.

- Financial comparison of the proposed development with the refusal position indicates a net detriment equating to a burden on the public purse of around $40 million over ten years in constant dollar terms.

In the event of the permit application is refused, FSPL will experience considerable adverse economic impact associated with the decline in commercial activity at Federation Square. The proposed loss of the Yarra Building will be acceptable given the appropriateness of the high-quality, design-excellence of the proposed new AGFB designed by architects, Foster + Partners, and Oculus landscape architects.

It is noted that the construction and architectural plans submitted with the application are not fully detailed and it would therefore be appropriate to apply conditions to a permit to the satisfaction of the Executive Director.

29 Victorian Auditor-General, ‘Portfolio Departments and Associated Entities: Results of the 2013–14 Audit, p.19
8. BIBLIOGRAPHY AND REFERENCES

8.1. BIBLIOGRAPHY


8.2. REFERENCES


[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]
9. APPENDIX

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STATEMENT OF PROFESSOR DONALD BATES
23 November 2018

Re: Fed Square’s Heritage Permit Application

To Whom It May Concern

Federation Square: Design process

In order to consider an appropriate assessment of the future heritage status of Federation Square, it is important to explain the design process, to establish the design logic and to clarify the architectural and urban design aspirations that led to the final built project, known as Federation Square, opening officially in October, 2002.

The International Architectural Design Competition for Federation Square (Melbourne) was launched in late 2016. It was a two-stage design competition, with participants making initial design submission in March 2017. After this 1st stage selection, 5 national and international design practices were shortlisted, and provided with feedback and consultation on their design submissions. The image below shows the model of the 1st stage design of LAB Architecture Studio:

![LAB Architecture Studio. Federation Square: Stage 1 model (March 1997)](image)

Given the feedback, as well as our own evolving understanding of the project and the developing form investigations, we made considerable alterations to the massing, the adjacencies and connections between internal spaces, arcades and linkages, as well as the over-all form of the plaza and external public spaces.

This was incorporated and developed into the 2nd stage submission, that while maintaining a genetic filiation with the 1st stage design, was a significantly new massing, new configuration and adjusted linkages across the site. The 2nd stage design gave stronger presence to the civic plaza, drawing it further into the site, while making the “atrium” a more distinct and specific element. This evolved, emergent design carried forward many themes
and design effects of the earlier submission, yet also established new sets of relationships between the various pieces and their spatial order.

Below is an image of the 2nd Stage competition submission:

![LAB Architecture Studio. Federation Square: Stage 2 model (June 1997)](image)

The announcement in late July 1997 that LAB Architecture Studio, in association with Bates Smart Architects were the winners of the International Design Competition, also included the news that the National Gallery of Victoria would shift its “Australian” collection to a new gallery building at Federation Square. The winning design did not have a design for the NGV Australia – this would have to be designed into the project over the following six months. The inclusion of the NGV Australia is important as it identifies two aspects that are central to the design logic of Federation Square: 1) design emergence out of iteration; 2) the design of relationships, not objects.

The built project of Federation Square, officially opened in 2002, includes NGV Australia as a major element of the overall design, along with SBS, ACMI and the North and South Atrium (as well as the civic plaza). The incorporation of the NGV Australia required a different way of working than is often the case with major cultural designs and civic precincts. Rather than a fixed formal massing, a readable geometric order or an identifiable figural image for the ensemble that is Federation Square, the design developed as a series of shifting forms that operated as calibrated relationships. There was no image in advance as to what Federation Square would look like – neither at the 1st stage; the 2nd stage; nor the subsequent developments that culminated in the final built project. Rather, the design was “emergent”, coming out of progressive iterations that dealt with the multitudes of impacts, constraints, revisions and evolving briefs.

The image below documents a percentage of the many building forms, profiles and locations for many of the built elements of Fed Sq. It helps to show that the result design of Fed Sq was never a fixed and static design formation.
Comments from one of the jury members of the International Design Competition also noted that this flexibility or adjustability without a loss of design integrity was major factor in the selection of LAB + Bates Smart. During the 2nd stage design presentations, the jury knew of the very real possibility that the NGV_Australia would be added to Federation Square. However, the competitors were not informed of this future option. Having a proposal that had a clear design logic and means of making decisions on forms and relationships, without being fixed into a limited set of spatial arrangements was seen as a major benefit to our proposal – allowing for a reconfiguration without losing the essence of the design.

South Commercial Building (Yarra Building)

The image below shows how the winning design of July 1997 evolved in the following years to arrive at a more or less final configuration. With the addition of the NGV_Australia, which necessitated a shift in the locations of the SBS and ACMI, it was also decided to eliminate the “greenhouses” that formed part of the southern edge of the project. One was located in the middle position of the southern edge of the civic plaza (circled in red below in the right side image), while another was located to the east of the South Atrium.

Eliminating the greenhouse at the civic plaza required the addition of another massing at that edge in order to “hold” the space of the civic plaza. Without some massing there to help contain the civic plaza and to provide an activating edge to the southern side of the plaza, we felt that the civic plaza would have the necessary containment and sense of focus.
For at least 3 or 4 years of the schematic, design development and documentation of the Federation Square project (effectively 1998 to 2002), this building was referred to as the “South Commercial Bldg”. It was not part of the design competition. It did not have an assigned tenant or stakeholder. It was added to the project to assist with the urban design aspects of the civic plaza. It was seen as a commercial opportunity, to be leased to several potential commercial activities, in order to re-cover its construction cost.

The South Commercial Building was designed without a specific use or operational logic. It was first and foremost a massing for the benefit of the civic plaza. It was designed to include food and beverage tenancies at the plaza and riverside levels, as a means of activation and animation. The mass of the building and the upper levels did not have a defined use, so the internal planning was developed on the speculation that a commercial tenant with a culturally-directed program would sign on as a tenant.

Being 1999, we hoped for a bookstore – such as Readings, Dymocks, or Borders. We felt that such an operation such as books, etc, would contribute positively to Fed Sq and its projected audience.

After many conversations with such potential tenants, nothing eventuated. The first major tenant was “Champions” a horse-racing exhibition. Other exhibition or entertainment-like temporary uses were made to the re-named Yarra Building. More recently, a variety of small arts organizations, such as Melbourne Festival, have occupied parts of the Yarra Bldg. The more recent addition of the Koori Heritage Trust has been beneficial to Fed Square and to giving KHT a more central and visible presence in the Melbourne CBD. Nonetheless, the spatial arrangements of all these tenancies is less than optimal and are constrained by the planning of the Yarra Bldg.

Apple Global Flagship at Federation Square

After the Foster-design proposal for the new Apple Global Flagship at Federation Square was made public, along with Victorian Government Architect Jill Garner, I was involved in presenting our recommendation and design assessment of the existing Yarra Building and the new scheme. This included presentations with Melbourne City Council, as well as various groupings of government ministers and opposition parties and back-bench members.

Out of these conversations and presentations, it was agreed that a series of “design principles” would be developed, with inputs from Rob Adams, Emma Appleton and Angela Meinke of the Melbourne City Council, along with representative of DEDJTR, DEWLP, OVGA, Apple, Foster and Partners, Fed Square Pty Ltd and myself. In these deliberations and discussions, a series of principles related to the Foster design proposal of Dec 2017 were developed. These included the siting, the form and scale of the building, its size facing the civic plaza, the landscape and design down to Princes Walk, the materiality, the environmental performance and the plaza level interface activation.

Apple and the Foster architects responded positively and respectfully to these different issues and their potential resolution. The MCC, led by Rob Adams, added additional issues that were not part of the original concerns expressed by the Council and the team with Rob. Nonetheless, the design as it has been advanced by Foster and Partners has met most of the concerns originally expressed after Dec 2017. The outstanding issues were those solely being promoted by the MCC and were not agreed by DEWLP, OVGA, FSPL and myself.
Minister for Planning’s Conditions of Approval – 30 September, 2018

The Minister for Planning provided consent for the revised concept design plans submitted by Apple and Foster and Partners on 20 July, 2018. The conditions of approval are in alignment with discussions and comments I (and others) have made about these said plans and revised design. There is still architectural design work to do to produce a design that, while clearly different to the rest of the architectural language of Federation Square, will nonetheless be appropriate and not detrimental to the architectural heritage of Federation Square. The conditions of approval provide for a defined design development focus and address some residual concerns. It is my considered assessment that these conditions provide the necessary framework for a positive outcome that supports

Federation Square as a Different Design Genesis

The primary point I wish to convey – as one of the authors of the architectural design for Federation Square – is that it is inappropriate and inadequate to evaluate and propose heritage design constraints on the Federation Square based on experiences with previous design methods and characteristics. Both because of its particular circumstance and because of the particular design logic that underwrote the winning and implemented design, it is necessary to take into account a more fluid, more provisional genesis for the design, one that is not open to all possible interpretations, nor is it a design that is fixed and locked into a formal embodiment.

With sincere regards,

[Signature]

Prof Donald L. Bates
LFRAIA, FRIBA
Director – LAB Architecture Studio
Chair - Architectural Design; Associate Dean (Engagement)
Melbourne School of Design
Faculty of Architecture, Building and Planning
University of Melbourne
Arboricultural Assessment
Federation Square

Prepared for: Andrew Lanarus. Urbis Pty. Ltd.
Prepared by: David Phillips. Tree Logic Pty. Ltd.

5 July, 2016
Ref No. 007188

Reason for Assessment
An assessment of seven (7) trees within the Princes Walk Promenade at Federation Square in Melbourne’s central business district was undertaken to assess the potential impacts to them from redevelopment of the site.

General Overview
Seven (7) trees were assessed within Princes Walk adjacent to Federation Square. The trees were semi-mature to mature in age, in fair or typical condition for the species present. The design review concluded that all of the assessed trees would be unsustainable as they are located within the construction zone.

Method
1. A site inspection was carried out in cool conditions on Thursday May 26, 2016. The trees were inspected from the ground and observations were made of the growing environment and surrounding area. The trees were not climbed and no samples of the tree or site soil were taken.

2. Assessment details of individual trees are listed in Table 1 and a copy of the tree plan can be seen in Figure 3.

3. Observations were made of the assessed trees to determine the species, age category, and condition with measurements taken to establish tree crown height (measured with a height meter) and crown width (paced) and trunk dimensions (measured 1.4 metres above ground level with a diameter tape unless otherwise stated). Descriptors used in the assessment can be seen in Appendix 1.

4. Mostly trees were assessed and data collected. A tree is generally a plant with a height greater than 5 metres on a single trunk with a single trunk (stem) diameter (DBH) being greater than 150 mm at a height of 1.4 metres above ground level.

5. Each of the assessed trees were allocated a tree protection zone (TPZ). The Australian Standard AS4970-2009 Protection of trees on development sites, has been used as a guide in the allocation of TPZs for the assessed trees. The TPZ is calculated based on trunk diameter (DBH), measured at 1.4 metres up from ground level. The radius of the TPZ is calculated by multiplying the trees DBH by 12. The method provides a TPZ that addresses both the stability and growing requirements of a tree. TPZ distances are measured as a radius from the centre of the trunk at (or near) ground level. The maximum TPZ should be no more than 15m radius and the minimum TPZ should be no less than 2m radius. See Appendix 2 for tree protection zone establishment.
6. The structural root zone (SRZ) was calculated based on the method outlined in AS4970, where the basal measurement was taken from above the root flare.

7. Documents viewed;
   - City of Melbourne Tree Retention and Removal Policy, 2012.
   - Tree Protection in the City of Melbourne.

8. Design Plans reviewed;

Observations

9. The tree study area constituted part of the Princes Walk promenade located on the southern side of Federation Square. See Figure 1 for aerial image of tree study area.

10. The study area consisted of trees growing on the south side of the existing retail establishments where the redevelopment is proposed. In general, the trees were growing within an established garden bed with understorey plantings of ferns and herbaceous plants. These trees had been planted within 5 metres of the adjacent building and past pruning had been carried out on the northern side of the canopy for building clearance. Two other trees were located to the south were growing within open space covered by granitic sand with a paved surface existing directly adjacent to the base of the trees.

![Figure 1: Aerial view of the subject site at Federation Square. Dashed line indicates tree study area.](image-url)
Figure 2: View to the east show trees 1 – 5 growing on the southside of Federation Square.

11. Seven (7) trees were assessed in total. The details of each assessed tree can be seen in Table 1 and relate to the tree numbers in Figure 3.

12. The assessed trees were planted specimens either exotic deciduous or Australian natives.

13. The trees were well established in the landscape and provided a functional role in the landscape of screening the adjacent building and/or were general features of the landscape.

Table 1: Tree Assessment Details.

<table>
<thead>
<tr>
<th>Tree No</th>
<th>Common Name (Botanical Name)</th>
<th>DBH (cm)</th>
<th>Height x Width</th>
<th>Health</th>
<th>Structure</th>
<th>Comment</th>
<th>Arb Rating</th>
<th>TPZ (m radius)</th>
<th>SRZ (m radius)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lemon-scented Gum <em>(Corymbia citriodora)</em></td>
<td>39</td>
<td>19 x 12</td>
<td>Fair</td>
<td>Fair</td>
<td>Over-extended branch to south east, past building clearance pruning on northside</td>
<td>Moderate</td>
<td>4.7</td>
<td>2.5</td>
</tr>
<tr>
<td>2</td>
<td>London Plane <em>(Platanus Xcerifolia)</em></td>
<td>75 @ 1m</td>
<td>19 x 17</td>
<td>Fair</td>
<td>Fair</td>
<td>Past building clearance pruning on northside</td>
<td>Moderate</td>
<td>9.0</td>
<td>3.0</td>
</tr>
<tr>
<td>3</td>
<td>London Plane <em>(Platanus Xcerifolia)</em></td>
<td>73 @ 1m</td>
<td>19 x 17</td>
<td>Fair</td>
<td>Fair</td>
<td>Past building clearance pruning on northside</td>
<td>Moderate</td>
<td>8.8</td>
<td>3.0</td>
</tr>
<tr>
<td>No</td>
<td>Common Name (Botanical Name)</td>
<td>DBH (cm)</td>
<td>Height x Width</td>
<td>Health</td>
<td>Structure</td>
<td>Comment</td>
<td>Arb Rating</td>
<td>TPZ (m radius)</td>
<td>SRZ (m radius)</td>
</tr>
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</tr>
<tr>
<td>4</td>
<td>London Plane (<em>Platanus</em> Xacerifolia)</td>
<td>62 @ 1m</td>
<td>19 x 17</td>
<td>Fair</td>
<td>Fair</td>
<td>Past building clearance pruning on northside, decay pockets at the base of several pruned branches.</td>
<td>Moderate</td>
<td>7.4</td>
<td>2.8</td>
</tr>
<tr>
<td>5</td>
<td>London Plane (<em>Platanus</em> Xacerifolia)</td>
<td>74 @ 1m</td>
<td>19 x 20</td>
<td>Fair</td>
<td>Fair</td>
<td>Minor building clearance pruning on northside</td>
<td>Moderate</td>
<td>8.9</td>
<td>3.0</td>
</tr>
<tr>
<td>6</td>
<td>Smooth-barked Apple (<em>Angophora costata</em>)</td>
<td>33</td>
<td>15 x 8</td>
<td>Fair</td>
<td>Fair</td>
<td></td>
<td>Moderate</td>
<td>4.0</td>
<td>2.3</td>
</tr>
<tr>
<td>7</td>
<td>Lemon-scented Gum (<em>Corymbia citriodora</em>)</td>
<td>37</td>
<td>16 x 9</td>
<td>Fair</td>
<td>Fair</td>
<td></td>
<td>Moderate</td>
<td>4.4</td>
<td>2.5</td>
</tr>
</tbody>
</table>

Key: DBH = Diameter at breast height, 1.4m up trunk, unless otherwise indicated. Basal dimensions is trunk diameter at base immediately above root buttress. Arb rating = arboricultural rating. TPZ = Tree protection zone in radial metres. SRZ = Structural root zone in radial metres. Definition of the descriptor categories used in the assessment can be seen in Appendix 1.

Figure 3: Tree numbers and location: Federation Square.

14. Tree health was assessed based on foliage colour, size and density as well as shoot initiation and elongation. In general, of the trees displayed a typical health for the species growing under the current environmental conditions. The London Plane trees had
partially defoliated as part of their physiological response to cooler seasonal temperatures. No major pathogens were noted.

15. Tree structure was assessed for structural defects and deficiencies, likelihood of failures and risk to potential targets. There were no major structural defects present within the trees. Small decay pockets were noted at the base of several branches where pruning had occurred tree 4. The extent of the decay is minor and restricted to the base of the branch attachment.

16. The assessed trees were attributed with an arboricultural rating. The rating relates to the combination of tree condition factors, including health and structure (arboricultural merit), and also conveys an amenity value. Amenity relates to the trees biological, functional and aesthetic characteristics within an urban landscape context.

17. All of the assessed trees were attributed with an arboricultural rating of Moderate, being in fair or better condition. They are suitable to be retained within the context of a site redevelopment where reasonable design intent is not unduly hampered.

**Tree Protection Zones (TPZ).**

18. The Tree protection zones (TPZ’s) provided for each tree in the Tree Assessment Table and referred to in this statement, are calculated using the formula provided in the Australian Standard AS4970 where the Radial TPZ = Trunk diameter (DBH) measured at 1.4m above grade (unless otherwise stated) and multiplied by 12. TPZ distances are measured as a radius from the centre of the trunk at (or near) ground level. A TPZ should not be less than 2m nor greater than 15m.

19. The TPZ forms an area around a tree or group of trees that addresses both the stability and growing requirements of a tree. Construction and worksite activities within the TPZ need to be determined to assess their impacts in order to preserve tree condition.

20. Minor encroachment, up to 10% of the TPZ area, is generally permissible provided encroachment is compensated for by recruitment of an equal area contiguous with the TPZ. Encroachment greater than 10% is considered major encroachment under AS4970 and is only permissible if it can be demonstrated that after such encroachment the tree would remain viable.

21. The structural root zone provided for each tree has been calculated using the method provided in AS4970. The Structural Root Zone (SRZ) is the area in which the larger woody roots required for tree stability are found close to the trunk and which then generally taper rapidly. This is the minimum area recommended to maintain tree stability but does not reflect the area required to sustain tree health. No works are permitted within the SRZ radius as tree stability could be compromised.

See Appendix 2 for TPZ establishment and encroachment types.

**Design impacts**

22. The arboricultural assessment report provides planners and designers with information on trees suitable to be retained and any measures required to protect these trees. A subsequent assessment of the proposed design is required to understand what measures are necessary to protect suitable trees.

23. The trees were in fair condition and could be considered for retention within any proposed redevelopment of the site.
24. Discussions with the client advised the new development is to incorporate a new retail store. The development is to demolish the existing building and construct a multi-storey building with a basement. A series of steps are proposed that extend from the upper level down to the Princes Walk for pedestrian access.

![Diagram of Princes Walk]

Figure 4: Shows the proposed site plan. The red outline indicates the existing building outline.

25. Based upon the proposed design the extent of the proposed construction zone is greater than the existing building footprint. As a result, all of the assessed trees are located with the construction zone and would be unsustainable.

26. All trees nominated for removal must be approved by the City of Melbourne. Section 7 and 8 of the City of Melbourne Tree Retention and Removal Policy (2012) outlines specific criteria for the removal of public trees.

- Clause 7.5.4 states that public tree removal may be permitted in the case of development, where all design solutions have been considered and deemed by Council's arborist to be exhausted.

- Clause 7.5.8 states if the development project results in an improvement to green space/infrastructure that would not be possible without the removal of the existing trees then tree removal may be approved.

- Section 8 of the policy, Bonds and Payments discusses the costs associated with tree removal. These costs include:
  1. Removal Costs
  2. Amenity Value
  3. Ecological Services Value
4. Re-instatement Greening Costs.
   
   - These costs are to be calculated in accordance with the requirements of the policy and all associated costs of the tree and its removal are to be paid by the property owner, or representative prior to the removal.

27. Further arboricultural advice can be provided as the design progresses to minimise impacts to trees that are considered for retention.

Photographs

Figure 5: Shows the relative size, condition and location of tree 1, a Lemon-scented Gum.
Figure 6; Shows the relative size, condition and location of trees 2 – 5, all London Plane trees.

Figure 7; Shows the relative size, condition and location of tree 6, a Smooth-barked Apple.
Figure 8: Shows Princes Walk. Tree 7, a Lemon-scented Gum can be seen in the centre of the image.

Conclusion & recommendations

28. Seven (7) trees located along Princes Walk to the south of Federation Square were assessed as part of redevelopment occurring within the public space.

29. The trees were attributed a Moderate arboricultural value, displaying fair condition for the species present and would be suitable for retention where design intent is not unduly hampered.

30. A concept design was supplied by the client and reviewed as part of determining the impacts to the assessed trees. The impact assessment concluded;
   - All of the assessed trees are located with the construction zone and would be unsustainable.

31. All trees nominated for removal can only be removed with consent from the City of Melbourne and are subject to criteria set out in the tree retention and removal policy (2012) document. Associated costs for tree removal are also outlined in the policy that applies to all public trees.

32. Further arboricultural advice can be provided as the design progresses to minimise impacts to trees considered for retention.
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I am available for contact regarding any issues arising from this report.

D. Phillips

Signed

David Phillips  Associate Deg (Env Hort)
Consulting Arborist- Treelogic P/L

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References

Australian Standard (4970-2009) Protection of Trees on development sites. Standards Australia, Sydney NSW Australia
Appendix 1: Arboricultural Descriptors (April 2015).

Note that not all of the described tree descriptors may be used in a tree assessment and report. The assessment is undertaken with regard to contemporary arboricultural practices and consists of a visual inspection of external and above-ground tree parts.

I. Tree Condition

The assessment of tree condition evaluates factors of health and structure. The descriptors of health and structure attributed to a tree evaluate the individual specimen to what could be considered typical for that species growing in its location under current climatic conditions. For example, some species can display inherently poor branching architecture, such as multiple acute branch attachments with included bark. Whilst these structural defects may technically be considered arboriculturally poor, they are typical for the species and may not constitute an increased risk of failure. These trees may be assigned a structural rating of fair-poor (rather than poor) at the discretion of the assessor.

Diagram 1, provides an indicative distribution curve for tree condition to illustrate that within a normal tree population the majority of specimens are centrally located within the condition range (normal distribution curve). Furthermore, that those individual trees with an assessed condition approaching the outer ends of the spectrum occur less often.

II. Tree Name

Provides botanical name, (genus, species, variety and cultivar) according to accepted international code of taxonomic classification, and common name.

III. Tree Type

Describes the general geographic origin of the species and its type e.g. deciduous or evergreen.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indigenous</td>
<td>Occurs naturally in the area or region of the subject site. Remnant.</td>
</tr>
<tr>
<td>Victorian native</td>
<td>Occurs naturally within some part of the State of Victoria (not exclusively) but is not indigenous (component of EVC benchmark). Could be planted indigenous trees.</td>
</tr>
<tr>
<td>Australian native</td>
<td>Occurs naturally within Australia but is not a Victorian native or indigenous</td>
</tr>
<tr>
<td>Exotic deciduous</td>
<td>Occurs outside of Australia and typically sheds its leaves during winter</td>
</tr>
<tr>
<td>Exotic evergreen</td>
<td>Occurs outside of Australia and typically holds its leaves all year round</td>
</tr>
<tr>
<td>Exotic conifer</td>
<td>Occurs outside of Australia and is classified as a gymnosperm</td>
</tr>
<tr>
<td>Native conifer</td>
<td>Occurs naturally within Australia and is classified as a gymnosperm</td>
</tr>
<tr>
<td>Native Palm</td>
<td>Occurs naturally within Australia, Woody monocotyledon</td>
</tr>
<tr>
<td>Exotic Palm</td>
<td>Occurs outside of Australia, Woody monocotyledon</td>
</tr>
</tbody>
</table>

IV. Height and Width

Indicates height and width of the individual tree; dimensions are expressed in metres. Crown heights are measured with a height meter where possible. Due to the topography of some sites and/or the density of vegetation it may not be possible to do this for every tree. Tree heights may be estimated in line with previous height meter readings in conjunction with assessor’s experience. Crown widths are generally paced.
(estimated) at the widest axis or can be measured on two axes and averaged. In some instances the crown width can be measured on the four cardinal direction points (North, South, East and West).

Crown height, crown spread are generally recorded to the nearest half metre (crown spread would be rounded up) for dimensions up to 10 m and the nearest whole metre for dimensions over 10 m. Estimated dimensions (e.g. for off-site or otherwise inaccessible trees where accurate data cannot be recovered) shall be clearly identified in the assessment data.

V. Trunk diameters

The position where trunk diameters are captured may vary dependent on the requirements of the specific assessment and an individual trees specific characteristics. DBH is the typical trunk diameter captured as it relates to the allocation of tree protection distances. The basal trunk diameter assists in the allocation of a structural root zone. Some municipalities require trunk diameters be captured at different heights, with 1.0 m above grade being a common requirement. The specific planning schemes will be checked to ascertain requirements.

Stem diameters shall be recorded in centimetres, rounded to the nearest 1 cm (0.01 m).

Diameter at Breast Height (DBH)

Indicates the trunk diameter (expressed in centimetres) of an individual tree measured at 1.4m above the existing ground level or where otherwise indicated, multiple leaders are measured individually. Plants with multiple leader habit may be measured at the base. The range of methods to suit particular trunk shapes, configurations and site conditions can be seen in Appendix A of Australian Standard AS 4970-2009 Protection of trees on development sites. Measurements undertaken using foresters tape or builders tape.

Basal trunk diameter

The basal dimension is the trunk diameter measured at the base of the trunk or main stem(s) immediately above the root buttress. Used to ascertain the Structural Root Zone (SRZ) as outlined in AS4970.

VI. Health

Assesses various attributes to describe the overall health and vigour of the tree.

<table>
<thead>
<tr>
<th>Category</th>
<th>Vigour, Extension growth</th>
<th>Decline symptoms, Deadwood, Dieback</th>
<th>Foliage density, colour, size, intactness</th>
<th>Pests and or disease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>Above typical. Excellent. Full canopy density</td>
<td>Negligible</td>
<td>Better than typical</td>
<td>Negligible</td>
</tr>
<tr>
<td>Fair</td>
<td>Typical. 90-100% canopy density</td>
<td>Minor or expected. Little or no dead wood</td>
<td>Typical. Minor deficiencies or defects could be present.</td>
<td>Minor, within damage thresholds</td>
</tr>
<tr>
<td>Fair to Poor</td>
<td>Below typical - low vigour</td>
<td>More than typical. Small sub-branch dieback</td>
<td>Exhibiting deficiencies. Could be thinning, or smaller</td>
<td>Exceeds damage thresholds</td>
</tr>
<tr>
<td>Poor</td>
<td>Minimal - declining</td>
<td>Excessive, large and/or prominent amount &amp; size of dead wood</td>
<td>Exhibiting severe deficiencies. Thinning foliage, generally smaller or deformed</td>
<td>Extreme and contributing to decline</td>
</tr>
</tbody>
</table>

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VII. Structure

Assesses principal components of tree structure (Diagram 2).

<table>
<thead>
<tr>
<th>Descriptor</th>
<th>Zone 1 - Root plate &amp; lower stem</th>
<th>Zone 2 - Trunk</th>
<th>Zone 3 - Primary branch support</th>
<th>Zone 4 - Outer crown and roots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>No obvious damage, disease or decay; obvious basal flare / stable in ground</td>
<td>No obvious damage, disease or decay; well tapered</td>
<td>Well formed, attached, spaced and tapered. No history of failure.</td>
<td>No obvious damage, disease, decay or structural defect. No history of failure.</td>
</tr>
<tr>
<td>Fair</td>
<td>Minor damage or decay. Basal flare present.</td>
<td>Minor damage or decay</td>
<td>Generally well attached, spaced and tapered branches. Minor structural deficiencies may be present or developing. No history of branch failure.</td>
<td>Minor damage, disease or decay; minor branch end-weight or over-extension. No history of branch failure.</td>
</tr>
<tr>
<td>Fair to Poor</td>
<td>Moderate damage or decay; minimal basal flare.</td>
<td>Moderate damage or decay; approaching recognised thresholds</td>
<td>Weak, decayed or with acute branch attachments; previous branch failure evidence</td>
<td>Moderate damage, disease or decay; moderate branch end-weight or over-extension. Minor branch failure evident.</td>
</tr>
<tr>
<td>Poor</td>
<td>Major damage, disease or decay; fungal fruiting bodies present. Excessive lean placing pressure on root plate</td>
<td>Major damage, disease or decay; exceeds recognised thresholds; fungal fruiting bodies present. Acute lean. Stump re-sprout</td>
<td>Decayed, cavities or has acute branch attachments with included bark; excessive compression flaring; failure likely. Evidence of major branch failure.</td>
<td>Major damage, disease or decay; fungal fruiting bodies present; major branch end-weight or over-extension. Branch failure evident.</td>
</tr>
<tr>
<td>Very Poor</td>
<td>Excessive damage, disease or decay; unstable / loose in ground; altered exposure; failure probable</td>
<td>Excessive damage, disease or decay; cavities. Excessive lean. Stump re-sprout</td>
<td>Decayed, cavities or branch attachments with active split; failure imminent. History of major branch failure.</td>
<td>Excessive damage, disease or decay; excessive branch end-weight or over-extension. History of branch failure.</td>
</tr>
</tbody>
</table>

Structure ratings will also take into account general branching architecture, stem taper, live crown ratio, crown symmetry (bias or lean) and crown position such as tree being suppressed amongst more dominant trees.

Diagram 2: Tree structure zones

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tree parts. It does not include any exploratory assessment of underground or internal tree parts unless this is requested as part of the investigation. Trees are assessed and then given a rating for a point in time. Generally, trees with a poor or very poor structure are beyond the benefit of practical arboricultural treatments.

The management of trees in the urban environment requires appropriate arboricultural input and consideration of risk. Risk potential will take into account the combination of likelihood of failure and impact, including the perceived importance of the target(s).

VIII. Age class

Relates to the physiological stage of the tree’s life cycle.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young</td>
<td>Sapling tree and/or recently planted. Approximately 5 or less years in location.</td>
</tr>
<tr>
<td>Semi-mature</td>
<td>Tree increasing in size and yet to achieve expected size in situation. Primary developmental stage.</td>
</tr>
<tr>
<td>Early-mature</td>
<td>Tree established, generally growing vigorously. 50% of attainable age/size.</td>
</tr>
<tr>
<td>Mature</td>
<td>Specimen approaching expected size in situation, with reduced incremental growth.</td>
</tr>
<tr>
<td>Over-mature</td>
<td>Mature full-size with a retrenching crown. Tree is senescent and in decline. Significant decay generally present.</td>
</tr>
</tbody>
</table>

IX. Arboricultural Rating

Relates to the combination of tree condition factors, including health and structure (arboricultural merit), and also conveys an amenity value. Amenity relates to the trees biological, functional and aesthetic characteristics (Hitchmough 1994) within an urban landscape context. The presence of any serious disease or tree-related hazards that would impact risk potential are taken into account.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>Tree of high quality in good to fair condition. Generally a prominent arboricultural/landscape feature. These trees have the potential to be a medium- to long-term component of the landscape if managed appropriately. Retention of these trees is highly desirable.</td>
</tr>
<tr>
<td>Moderate</td>
<td>Tree of moderate quality, in fair or better condition. Tree may have a condition, and or structural problem that will respond to arboricultural treatment. These trees have the potential to be a medium-to long-term component of the landscape if managed appropriately. Retention of these trees is generally desirable.</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
</tr>
<tr>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td>Low</td>
<td>Unremarkable tree of low quality or little amenity value. Tree in either poor health or with poor structure or a combination. Tree is not significant because of either its size or age, such as young trees with a stem diameter below 15 cm. These trees are easily replaceable. Tree (species) is functionally inappropriate to specific location and would be expected to be problematic if retained. Retention of such trees may be considered if not requiring a disproportionate expenditure of resources for a tree in its condition and location.</td>
</tr>
<tr>
<td>None</td>
<td>Trees of low quality with an estimated remaining life expectancy of less than 5 years. Tree has either a severe structural defect or health problem or combination that cannot be sustained with practical arboricultural techniques and the loss of the tree would be expected in the short term. Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Tree infected with pathogens of significance to either the health or safety of the tree or other adjacent trees. Tree whose retention would not be viable after the removal of adjacent trees (includes trees that have developed in close spaced groups and would not be expected to aclimate to severe alterations to surrounding environment – removal of adjacent shelter trees). Tree has a detrimental effect on the environment, for example, the tree is a recognised environmental woody weed with potential to spread into waterways or natural areas. Unremarkable tree of no material landscape, conservation or other cultural value.</td>
</tr>
</tbody>
</table>

Trees have many values, not all of which are considered when an arboricultural assessment is undertaken. However, individual trees or tree group features may be considered important community resources because of unique or noteworthy characteristics or values other than their age, dimensions, health or structural condition. Recognition of one or more of the following criterion is designed to highlight other considerations that may influence the future management of such trees.

<table>
<thead>
<tr>
<th>Significance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horticultural Value/ Rarity</td>
<td>Outstanding horticultural or genetic value; could be an important source of propagating stock, including specimens that are particularly resistant to disease or exposure. Any tree of a species or variety that is rare.</td>
</tr>
<tr>
<td>Historic, Aboriginal Cultural or Heritage Value</td>
<td>Tree could have value as a remnant of a particular important historical period or a remnant of a site or activity no longer in action. Tree has a recognised association with historic aboriginal activities, including scar trees. Tree commemorates a particular occasion, including plantings by notable people, or having associations with an important event in local history.</td>
</tr>
<tr>
<td>Ecological Value</td>
<td>Tree could have value as habitat for indigenous wildlife, including providing breeding, foraging or roosting habitat, or is a component of a wildlife reserve. Remnant Indigenous vegetation that contribute to biological diversity</td>
</tr>
</tbody>
</table>
Bibliography:
Coder, K.D. (1996) Construction damage assessments: trees and sites, University of Georgia, USA
Hitchmough, J.D. (1994) Urban landscape management, Inkata Press, Australia
Appendix 2: Tree Protection Zones.

The most important consideration for the successful retention of trees is to allow appropriate above and below ground space for the trees to continue to grow. This requires the allocation of tree protection zones for retained trees.

The Australian Standard (AS 4970-2009) ‘Protection of Trees on Development Sites’ has been used as a guide in the allocation of TPZs for the assessed trees. The TPZ for individual trees is calculated based on trunk diameter (DBH measured in centimetres), measured at 1.4 metres up from ground level. The radius of the TPZ is calculated by multiplying the trees DBH by 12.

This method provides a TPZ that addresses both the stability and growing requirements of a tree. TPZ distances are measured as a radius from the centre of the trunk at (or near) ground level. The maximum TPZ should be no more than 15m radius and the minimum TPZ should be no less than 2m radius.

Encroachment into the TPZ is permissible under certain circumstances though this is dependent on both site conditions and tree characteristics. Minor encroachment, up to 10% of the TPZ, is generally permissible provided encroachment is compensated for by recruitment of an equal area contiguous with the TPZ. Encroachment must also consider the crown of the tree and ensure that excessive pruning is not required that would cause the tree to become unbalanced or disfigured.

The 10% encroachment on one side equates to approximately a 1/2 reduction of the radial distance.

Examples of minor encroachment are provided in Diagram 1A & 1B.

Encroachment greater than 10% is considered major encroachment under AS4970-2009 and is only permissible if it can be demonstrated that after such encroachment the tree would remain viable. Non-destructive root investigation (NDRI) may be required to investigate and identify the location of roots within the proposed area of encroachment.

Tree root growth is opportunistic and occurs where the essentials to life (primarily air and water) are present. Heterogeneous soil conditions, existing barriers, hard surfaces and buildings may have inhibited the development of a symmetrically radiating root system. Existing infrastructure around some trees may be within the TPZ or root plate radius. Where this has occurred, the roots of some trees may have grown in response to the site conditions and if existing hard surfaces and building alignments are utilised in new designs the impacts on trees should be minimal.

All TPZ measurements are provided in the tree assessment data in Appendix 1. More specific tree protection distances and other measures could be provided during the design phase of a development project. Appendix 4 provides tree protection guidelines that should be incorporated into design and management plans for retained trees.

The Structural Root Zone (SRZ) is the area in which the larger woody roots required for tree stability are found close to the trunk and which then generally taper rapidly. This is the minimum area recommended to maintain tree stability but does not reflect the area required to sustain tree health. The area between the reduced TPZ and the SRZ may only be encroached if root sensitive construction methods are adopted, based on results of Non-destructive root investigation and if approved by the consulting arborist. No works are permitted within the SRZ radius as tree stability maybe compromised.
Tree Logic Pty. Ltd.
Unit 4, 21 Eugene Terrace
Ringwood Vic 3134

Arboricultural Consultancy:
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- All instructions (verbal or written) that define the scope of the report have been included in the report and all documents and other materials that the Tree Logic consultant has been instructed to consider or to take into account in preparing the report have been included or listed within the report.

To the writer's knowledge all facts, matter and all assumptions upon which the report proceeds have been stated within the body of the report and all opinion contained within the report will be fully researched and referenced and any such opinion not duly researched is based upon the writer's experience and observations.
APPENDIX C  SITE IMAGES TAKEN BY URBIS

A series of photographic figures with captions describe the Yarra Building and its immediate curtilage to supplement the description given within the report.

Figure 6 – Yarra Building, North Elevation and principal entry - view looking south from Federation Square

Source: Urbis, November 2018

Figure 7 – Yarra Building, West Elevation - view looking east from Federation Square

Source: Urbis, November 2018

Figure 8 – Yarra Building, North Elevation with view to the Transport building, located at the southwestern corner of Federation Square, adjoining Flinders Street. A screen and stage, added to the Transport Building, are focal points to the Square.

Source: Urbis, November 2018

Figure 9 – Yarra Building, North Elevation with view to the Transport building, located at the southwestern corner of Federation Square and Flinders Street railway station in the distance

Source: Urbis, November 2018
Figure 10 – Yarra Building, North Elevation, showing the change in cladding treatment to walling. There are various changes in the Fed Square paving treatment.

Source: Urbis, November 2018

Figure 11 – Yarra Building, North Elevation, showing details of the cladding treatment to walling.

Source: Urbis, November 2018

Figure 12 – View looking north to steep stair connection from Princes Walk to Federation Square. Stair is located east of the Yarra Building (at left) and Deakin Edge Auditorium located to the right

Source: Urbis, November 2018

Figure 13 – View looking north to steep stair connection from Princes Walk to Federation Square. Stair is located east of the Yarra Building (at left) and Deakin Edge Auditorium located to the right

Source: Urbis, November 2018
Figure 14 – Yarra Building, South Elevation, deck level, external circulation under croft looking west
Source: Urbis, November 2018

Figure 15 – Yarra Building, South Elevation, deck level, external circulation under croft looking east to Deakin Edge Auditorium
Source: Urbis, November 2018

Figure 16 – Yarra Building, South Elevation, showing the air intake for the Labyrinth on the lower level adjoining the Yarra River walk
Source: Urbis, November 2018

Figure 17 – Yarra building, South Elevation, deck level with plane tree plantings screening view to the Yarra River
Source: Urbis, November 2018
Figure 18 – Yarra Building, South Elevation, showing the air intake for the Labyrinth on the lower level. Elevation screened by plane trees

Source: Urbis, November 2018

Figure 19 – View east to the adjoining Deakin Edge Auditorium

Source: Urbis, November 2018

Figure 20 – View to LED screen on Transport Building and stage, located west of the Yarra Building

Source: Urbis, November 2018

Figure 21 – View north across Fed Square to St Paul’s Cathedral, at the corner of Flinders Street and Swanston Street. Construction works for new Metro Station underway, including demolition of The Western Shard

Source: Urbis, November 2018
Figure 22 – Stair located west of Yarra Building linking Yarra River walk to Federation Square. Stairs form part of the air intake to the Labyrinth. View north to St Paul’s Cathedral

Source: Urbis, November 2018

Figure 23 – View south to Yarra River Walk

Source: Urbis, November 2018

Figure 24 – View looking west from Yarra Building across Fed Square to Transport Building and LED screen

Source: Urbis, November 2018

Figure 25 – View looking north across Fed Square from Yarra Building to ACMI Building

Source: Urbis, November 2018
Figure 26 – View looking east from Fed Square to NGV Australia building
Source: Urbis, November 2018

Figure 27 – View looking east from Fed Square to NGV Australia building (left), Crossbar (centre) and the Yarra Building (right)
Source: Urbis, November 2018

Figure 28 – Atrium showing the variety of cladding systems and materials utilised throughout the Federation Square complex
Source: Urbis, November 2018

Figure 29 – View of The Ian Potter Centre: NGV Australia, East Elevation, located on the south-western corner of Russell Street Extension and Flinders Street
Source: Urbis, November 2018
Figure 30 – View showing the range of cladding and screen connector systems in the Atrium
Source: Urbis, November 2018

Figure 31 – View showing the range of cladding and screen connector systems in the Atrium
Source: Urbis, November 2018

Figure 32 – View of Atrium and ACMI building looking south-west from the northern side of Flinders Street
Source: Urbis, November 2018

Figure 33 – View of Forum Melbourne, South Elevation, located on the north-western corner of Russell Street and Flinders Street
Source: Urbis, November 2018
Figure 34 – View south from Flinders Street to Federation Square
Source: Urbis, November 2018

Figure 35 – View southwest from Flinders Street to Flinders Street Station main entry
Source: Urbis, November 2018

Figure 36 – View southeast from the intersection of Flinders and Swanston Streets with views to the Yarra Building in the distance
Source: Urbis, November 2018

Figure 37 – View looking from within Federation Square to the Yarra Building in the background
Source: Urbis, November 2018
Figure 38 – View from eastern frontage of Flinders Street Station looking east to Federation Square

Source: Urbis, November 2018

Figure 39 – View looking east from eastern pedestrian crossing outside Flinders Street Station looking east to Federation Square with views to the Yarra Building obscured by Transport Hotel Building

Source: Urbis, November 2018

Figure 40 – View from eastern frontage of Flinders Street Station looking to north-eastern portion of Federation Square

Source: Urbis, November 2018

Figure 41 – View from eastern frontage of Flinders Street Station looking to the south-eastern portion of Federation Square

Source: Urbis, November 2018
Figure 42 – Labyrinth plant
Source: Urbis, November 2018

Figure 43 – Poster showing the layout of the Labyrinth plant under Federation Square
Source: Urbis, November 2018

Figure 44 – Internal access way to Murray Building comprises stair and escalator within the central floorplate. Lack of accessible entry to Yarra Building
Source: Urbis, November 2018

Figure 45 – Yarra Building interior showing the glass office partitions within the floor plate
Source: Urbis, November 2018

Figure 46 – Yarra Building, interior, upper level, showing use of tenancy for workshops, learning, teaching and exhibition display by Koorie Heritage Trust and Melbourne Festival
Source: Urbis, November 2018

Figure 47 – Yarra Building, interior, upper level, showing use of workshop areas with adjoining outside deck area
Source: Urbis, November 2018
APPENDIX D  EXECUTIVE DIRECTOR RECOMMENDATION

The following statement of cultural heritage significance and assessment of cultural heritage significance under Part 3, Division 3 of the Heritage Act 2017 has been sourced from the recommendation to the Heritage Council of Victoria by the Executive Director, Heritage Victoria under s.37 of the Heritage Act 2017 dated Thursday 11 October 2018.

What is significant?
Federation Square including the land, buildings (exteriors and interiors) the decking, its footings and supports over the railway lines, the Labyrinth and its related air system, landscape elements including paving, landscaping and planting. The registration also includes all elements which were purpose-designed for the place prior to 2002 such as signage (applied, attached and perforated screens) light fittings, inverted ‘L’ shaped door handles, and built-in and free-standing furniture. The railways lines and platforms below Federation Square are not of cultural heritage significance in the context of Federation Square.

How is it significant?
Federation Square is of historical, architectural, aesthetic, cultural and technical significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

Table 4 – Assessment of heritage significance – Criteria for inclusion in the Victorian Heritage Register Nomination

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criteria A</td>
<td>Importance to the course, or pattern, of Victoria’s cultural history</td>
</tr>
<tr>
<td>Criteria D</td>
<td>Importance in demonstrating the principal characteristics of a class of cultural place.</td>
</tr>
<tr>
<td>Criteria E</td>
<td>Importance in exhibiting particular aesthetic characteristics.</td>
</tr>
<tr>
<td>Criteria F</td>
<td>Importance in demonstrating a high degree of creative or technical achievement at a particular period.</td>
</tr>
<tr>
<td>Criteria G</td>
<td>Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.</td>
</tr>
<tr>
<td>Criteria H</td>
<td>Special association with the life or works of a person, or group of persons, of importance in Victoria’s history.</td>
</tr>
</tbody>
</table>
Why is it significant?

Federation Square is significant at the State level for the following reasons:

Federation Square is historically significant as Victoria’s principal and most enduring response to the commemoration of Australia’s Centenary of Federation (1901-2001). It was the State of Victoria and City of Melbourne’s major public commission for the Centenary and incorporates a design language and art works relating to Federation. [Criterion A]

Federation Square is significant as a notable public square. It is a fine and highly intact example of its class and displays high quality design characteristics. As a large, open urban space with civic prominence, it has become Melbourne’s pre-eminent mass gathering place and attracts visitors from across Victoria, nationally and internationally. [Criterion D]

Federation Square is significant for its aesthetic and architectural qualities. It has visually distinctive non-orthogonal forms and uses a unique design grammar of lines and fractal geometries combined to achieve a complex architectural aesthetic of coherence and difference. Federation Square is one of the most awarded projects in the history of the Royal Australian Institute of Architects (RAIA) Victoria, and has been critically acclaimed in state, national and international architectural publications. [Criterion E]

Federation Square is technologically significant for its engineering achievements. The decking over the former Jolimont railyards was the first large scale application of this technology and it remains the largest expanse of railway decking built in Victoria and Australia. The use of computer aided design (CAD) and emerging 3D computer programs for modelling and documentation, the design and construction of the façade ‘wraps’, and the structure of the Atrium, were all innovative and complex for their time. The Labyrinth system for storing and dispersing air demonstrates a high degree of technical achievement as the reintroduction and expansion of a previously obsolete technique. [Criterion F]

Federation Square is socially significant to the Victorian community as the state’s pre-eminent civic space for public gatherings. It has been regularly used in times of celebration, grief and protest, such as the Iraq War demonstration in 2003. The public screen allows for live streaming to a mass audience of historically important events such as the 2006 Commonwealth Games and the Apology to the Stolen Generations in 2008. Federation Square is also significant as the location of some of Victoria’s most important arts and cultural institutions. There are particularly strong associations between the Australian Centre for the Moving Image (ACMI), the Ian Potter Centre: NGV Australia, the Koorie Heritage Trust and the Deakin Edge auditorium and their communities. [Criterion G]

Federation Square has a special association with LAB Architecture Studio and its directors Peter Davidson and Donald L Bates. They have made a strong and influential contribution to the course of Victoria’s history through the design of Federation Square, one of the most awarded projects in the history of the Royal Australian Institute of Architects (RAIA) Victoria. [Criterion H]
APPENDIX E  NATIONAL TRUST NOMINATION

The following statement of cultural heritage significance has been sourced from the National Trust Classification Report for Federation Square (File No: B6873) located at Swanson Street and Flinders Street, Melbourne.

What is significant?

Federation Square is a public square designed by Lab Architecture Studio, led by Peter Davidson and Donald Bates, in association with Bates Smart, and was opened to the public on 26 October 2002. It occupies a site the size of a city block (3.8 hectares), bound by Flinders Street, Swanston Street, the Russell Street extension and Princes Walk which skirts the Yarra River. Federation Square is built above working rail lines that feed into Flinders Street Station.

The site consists of a series of interlocking buildings, spaces and laneways, integrating public and civic spaces, commercial and retail tenancies and major cultural institutions including the Australian Centre for the Moving Image (ACMI) and SBS in the Alfred Deakin building on the north side, the Ian Potter Centre: NGV Australia to the east and the Koorie Heritage Trust (KHT) in the Yarra Building to the south.

The architectural and aesthetic significance of Federation Square depends on its presentation as a unified whole. The key elements of the site are outlined below, however, the relationships between each element are also intrinsic to the significance of the place.

The Deck

Federation Square is built on a deck constructed over the Jolimont railyards, supported by steel beams, concrete ‘crash walls’, and vibration-absorbing spring coils and rubber padding.

The Labyrinth

The Labyrinth is a maze of zig-zag surface corrugated concrete walls situated between the deck and the surface of the Square where the site slopes upward towards the Atrium. Covering an area of about 160 square metres, the Labyrinth is almost 40x40 metres and 1.4 km in length, functioning as an environmentally friendly air-conditioning system that provides cool air to the Atrium, Deakin Edge and other parts of the Square in summer and warm air in winter.

The Square

The Square is an irregularly shaped open space, sculpted to the rising ground levels required over the railway tracks below. A complex of buildings forms an irregular U-shape around the square, oriented to the west. The Square gradually rises approximately 6 metres from Swanston Street to the eastern end of the site, near the Atrium and the Ian Potter Centre: NGV Australia.

Nearamnew by Paul Carter

The surface of the Square is made up of approximately 467,000 cobblestones of variegated coloured Kimberley sandstone from Mt Jowlenga in Western Australia, which comprise the public artwork Nearamnew by Paul Carter. The work was commissioned by the Federation Square Public Art program and designed by public artist and academic Paul Carter in collaboration with Lab Architecture Studio. The artwork was created specifically for the Square to commemorate Federation, referencing the global, regional and local levels found in a federally organised society. The design consists of three parts inscribed into the cobbled surface: 1) the whorl pattern which forms the envelope of the design, 2) nine ground figures and 3) nine vision text.

The Atrium

The eastern end of the square is formed by the Atrium, which runs north-south from Flinders Street to the Yarra River walk, immediately to the west of the Ian Potter Centre: NGV Australia. It is a five-storey covered laneway or street constructed from glass and steel. It is a feature entry point into Federation Square from Flinders Street. At street level there are a collection of retail and hospitality outlets.
The Crossbar

Two-thirds of the way down the Atrium is the 'Crossbar', situated at an angle to both the Ian Potter Centre: NGV Australia and the Atrium, slicing through the two. The Crossbar acts as an entry point to the gallery, also facilitating the movement from the Atrium to the main Square. The western half of the Crossbar hosts restaurants at ground level and on the second-floor, as well as corporate offices in between.

Ian Potter Centre: NGV Australia

The Ian Potter Centre: NGV Australia is situated at the eastern end of Federation Square, stretching almost the whole block from Flinders Street down to the Yarra River walk. The gallery is designed as two north-south 'filaments', which form an angular and elongated figure of eight. The main entrance to the gallery and access to the three levels of the building are positions where the two filaments meet, at the Crossbar. The floor of this area is Kimberley sandstone which also paves the Square, creating a visual link with the rest of the precinct.

Deakin Edge auditorium

At the southern end of the Atrium, with views through the glass wall to the Yarra River, is an indoor auditorium designed for music, lectures forums and presentations. It can seat up to 450 people. The interior is lined in wood veneer in geometrical patterns. The space was named BMW Edge until May 2013 until a new sponsorship deal with Deakin University led to the rebranding of the space as Deakin Edge.

The Alfred Deakin building

The Alfred Deakin building encloses the northern side of the Square and consists of two large buildings joined by a glass central arcade. In 2018, the anchor tenants of the Alfred Deakin Building are the Australian Centre for the Moving Image (ACMI) and SBS. The eastern half of the building is a solid mass, containing two cinemas, a function room, retail space and café. The western half of the Alfred Deakin Building houses the administration of ACMI and the Melbourne headquarters of SBS. The arcade between the two parts of ACMI leads from Flinders Street into the Square. The Alfred Deakin building also includes a below-ground space on the Flinders Street side of the Square, which runs parallel to Flinders Street and the railway lines. This space, occupied by ACMI's Screen Gallery, is utilised for screen-based exhibitions. The Screen Gallery was built in part of the space that once contained two platforms of the former Princes Bridge railway station. The Screen Gallery is 110 metres long, 15 metres wide and 8 metres high. There is a huge steel mezzanine floor which is retractable, allowing the Screen Gallery to have varying floor configurations. The Alfred Deakin building is connected to the Atrium by a small two storey building which currently has a hospitality use.

The Yarra Building

The three-storey Yarra Building encloses the Square on its southern side, allowing people to move beside it down to the riverside walk on either side. The land around the Yarra Building slopes downhill to the river, and on both the eastern and western sides there are several flights of steps leading the pedestrian down. There are a number of cafes and restaurants at deck level, facing the river, and on the western side of the building. In 2018, the anchor tenant is the Koorie Heritage Trust (KHT), which relocated there in 2015.

Transport Hotel building

The Transport building is located at the south-western corner of Federation Square, adjoining Flinders Street and opposite the railway station and Princes Bridge, thus enclosing the Square on that side. A stage has been built on the side of the building facing the Square which, when in use, turns the space into an amphitheatre. On the eastern side of the building is an LED screen, which is a central element of the Square. The Screen showcases major events within the Square itself and from places elsewhere in Melbourne, across Australian and around the world, at various times of day and night.

St Paul's Court

St Paul's Court is a roughly triangular area of Federation Square directly opposite the twin steeples at the southern end of St Paul's Cathedral. The corner of Federation Square opposite St Paul's Cathedral at Swanston and Flinders Streets is the major gateway for pedestrians into Federation Square. Unlike the main Square, St Paul's Court is not paved in sandstone cobbles. Instead it is covered by bluestone and concrete pavers. The court's surface rises from the street corner until it leads the visitor into the cobbled area and up a flight of steps into the Square. To the east there are commercial and retail outlets.
The Western Shard

The Swanston/Flinders Street corner of the site is occupied by the Western Shard, a glass-walled pavilion which provides access to the underground Melbourne Visitor Centre. The entrance features interactive news tickers in colour LEDs and small screens promoting current activities. This element is currently being demolished for the construction of a Metro Station.

The Eastern Shard

The Eastern Shard is a zinc-clad building with a jagged and asymmetric outline. Slits of irregular shape act as windows and as a sculpture in the surface of the building. The distinctive slashed façade also flashes messages and electronic information about the Square and other news and events. The Eastern Shard is also the western buffer to the Flinders Street Amphitheatre. The Eastern Shard is the exit for the Melbourne Visitor Centre. A retail tenancy is housed in St Paul’s Court in the Eastern Shard.

Landscaping features

There are a small number of landscaped sections in the Square which are planted with Eucalyptus trees. There is also a row of established Plane trees and native plantings between the Yarra Building and Princes Walk. Three main spaces branch off the Square, including the Flinders Street Amphitheatre, St Paul’s Court, and the Swanston Street Forecourt. Each of these spaces focuses outwards, with a sloping gradient and seating, and feature a level change separating them from the Square.

How is it significant?

Federation Square is of historic, aesthetic, architectural and social significance to the State of Victoria. It satisfies the following criteria for inclusion in the Heritage Register of the National Trust of Australia (Victoria):

<table>
<thead>
<tr>
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</tr>
</tbody>
</table>

Why is it Significant?

Federation Square is significant to the State of Victoria for the following reasons:

Federation Square is significant as Victoria’s premier civic and cultural space, bound by a civic and cultural charter developed in 1997. Federation Square represents the culmination of a century-long search for a public square within the State’s capital city, Melbourne. Its unique design incorporates landscape, public open space, buildings, exhibition halls, office space, cinemas, interior public spaces and retail and hospitality venues all within the one cohesive complex, representing an innovative approach to the provision of civic and cultural space. [Criterion A]

Federation Square is aesthetically and architecturally significant as a monumental example of architecture dating to the turn of the twenty-first century, which has been both critically and popularly acclaimed, and which is largely intact to its constructed form. The aesthetic and architectural significance of Federation Square relies on its presentation as a unified whole. Federation Square is a prominent example in Victoria of a monumental civic and cultural space resulting from an international design competition. [Criterion E]

Federation Square is aesthetically and architecturally significant as the finest example of turn-of-the-century architecture embracing geometry as the primary generator of form, using the slightly angled ‘cranked’ line in
both plan and elevation, and one of the only buildings in Australia that uses pinwheel triangular tiling for the façade, which utilises fractal geometry. The angular geometries in both plan and elevation and rendered in three dimensions in a variety of materials creates a completely unique aesthetic of unsettled, non-orthogonal surfaces and spaces, expressed in an unexpected, almost painterly manner. [Criterion E]

The paving of the square, known as Nearamnew by artist and academic Paul Carter, is significant as a unique and ground-breaking public artwork, commissioned for the site and integrated within the design of the place. Nearamnew commemorates Federation, while deliberately eschewing the more traditional forms and language of commemorative statues and memorials in the State’s public open spaces [Criterion E].

Federation Square is significant for the high degree of technical achievement demonstrated in its construction. The construction of the deck over the railway lines, the first large scale and still the largest expanse of railway decking built in Victoria is notable. The Labyrinth and its related passive air-conditioning system also demonstrate a high degree of technical achievement. The Labyrinth is the largest such system in Victoria and the most extensive of any public project. This achievement was recognised with a Planning Institute of Australia (Victoria) Award for Planning Excellence–Ecologically Sustainable Development in 2003. [Criterion F].

Federation Square demonstrates a high degree of technical achievement through the use of non-orthogonal geometries in plan and elevation and especially in the three-dimensional structure of the Atrium, which was achieved through what was at the time the most extensive use of sophisticated computer modelling, now commonly used to create complex façade patterns and built form. [Criterion F]

Federation Square is socially and culturally significant to the State of Victoria as a place of celebration, entertainment and protest since 2002, which has engendered a sense of ownership by all sections of Victorian society. It is significant as Victoria's premier live site for the broadcast of significant national events including the 2006 Commonwealth Games, the location of significant twenty first century protest events, as well as the state’s premier location for cultural events. In less than two decades Federation Square has come to be highly values by the community as part of its history, cultural life and identity. It is one of Victoria’s best known and most heavily used public spaces. [Criterion G].

Figure 48 - Diagram showing nominated area of Federation Square. The Yarra Building is circled in red.
Source: Heritage Victoria – with Urbis overlay
Figure 49 – The recommended extent of the registration of Federation Square (bounded in red) in the Victorian Heritage Register - shown on Diagram 2390

Source: VHR, Nomination for Federation Square listing Hermes No: 201519
Proposed Apple Store Federation Square: Design Statement by Foster + Partners

Background

Foster + Partners were appointed as part of a global retail initiative by Apple in 2011. Since that time we have collaborated on a number of Apple stores in cities across the globe. Our appointment recognises our significant body of work addressing individual sites and bespoke design solutions to every site. Our appointment goes beyond a typical client/architect, it represents a collaborative exploration of design and technological advancement.

Design Brief

Apple approached the practice with the Federation Square site in September 2015. The close partnership between Apple and Foster + Partners is characterised by an iterative working process to identify the brief. The brief is not therefore a formal, fixed requirement and is formulated to suit the chosen site.

The store requirements do however identify the store typology and area which dictates the internal provision, upon which the commercial arrangements are based. In the case of Federation Square the area was identified as 15,000sqft representing the larger store type and, by definition, should include the following:

- certain number of sales tables
- a forum with video wall
- certain length of sales display
- a boardroom
- extensive support facilities for customer service support
- staff facilities including lounge areas, briefing rooms, management offices

The brief for external areas is often not defined leaving the opportunity for each store design to maximise the opportunities offered by each site. In the case of Federation Square, already a significant event venue, the request was for a dedicated external event area where Apple could host events as part of its community integration and engagement program.

Design Approach

The global initiative mentioned above accommodates an early design phase, termed an 'Approach', within which the vision for the identified site is established. There is no pre-conceived design approach to the Foster + Partners family of Apple stores. Our design approach merges with the Apple requirements and expectations in a seamless collaboration to produce buildings unique to their location whilst accommodating the hallmarks of the global Apple brand. As such, each site is approached solely on its own merits. There is however a strong design language shared between both companies. Our initial approach for the site entailed a review of the existing Yarra building and it’s potential for re-use as well as the opportunities a new structure might offer.

It was noted that several aspects of the Yarra building could not meet our Clients brief:

- Area – the internal area of the Yarra building (42,000sqft) significantly exceeded the area required by the Clients brief
- The limited internal floor to floor heights (approx. 13ft) would not deliver the spatial qualities required by the Clients brief
- The irregular internal column grids could not accommodate the internal planning required by the Clients brief
- The multi-level ground floor, if retained, would not meet the Clients requirements
- The internal arrangements of elevators and escalators would not accommodate the Clients requirements
It was understood at a very early stage that significant re-structuring would have been required including omitting columns, floor plates, increasing structural spans, re-structuring the cladding support system, re-location of staircases, elevators and cores and an entire re-design of the building services to accommodate an Apple store of the highest calibre expected by our Client. To that extent it was decided there would be too great an impact on the existing building and a new structure would better meet the requirements.

In our assessment of the opportunities a new structure might bring, we identified the opportunity to better connect Federation Square with the Yarra river. At the very start of the process the significance of Federation Square, and it’s importance in the community, was identified and a meeting was held with Donald Bates to fully understand LAB Architects design principles behind the built design. Those early discussions identified that the Yarra building was a commercial building introduced into the masterplan at a late stage in place of a greenhouse structure which allowed for better connection between square and river. Connectivity had therefore been a strong principle of the original competition winning scheme which had not been fully realised.

The opportunity to re-visit the aspirations of the original masterplan aligned well with the aspirations for an Apple store to fully integrate into its context and offer an enhanced contribution to the immediate surroundings and the wider city. The challenge of introducing a new building into the Federation Square campus was identified and understood at this time. In keeping with the aspiration that each and every Apple store is a bespoke product of its site, this challenge was seen advantageously. At this early stage it was also noted that to fully integrate a new structure would require an equally significant undertaking to the landscape to allow the physical, as well as visual connection.

Through the later stages of the design process Apple and Foster + Partners participated in design reviews with a Steering committee set up to address comments made by State and City. Several areas of the design were debated, we welcomed that debate and took on board many of the comments. The design that has emerged has benefitted from that process and is described below.

**Design Proposal**

The design proposal maintains many of the day 1 design principles, none more so than the opportunity to better connect Federation Square with the Yarra river.

The two-story structure above plaza level accommodates the sales areas with minimal structural support and visual interruption. Expressed ‘V’ form steel columns minimise structural connection to the plaza slab, sit outside the glazing line providing a structural design language that enhances the floating appearance of the upper volume. The generous height of the entry level is wrapped on 3 sides by high quality double glazing, achieving full transparency and allowing views through to the river and landscape beyond, whilst also allowing the interior to become part of the life of the square. The sandstone clad core on the east façade reflects the solidity of the ‘shards’ of Federation Square. Glazed corners to the east façade connect the space to the east to the store interior and adjacent landscape areas.

The upper level sales floor is elevated and wrapped in a layered cladding system, cantilevering beyond the glazing line below. To the north and south, inset terraces allow new, previously inaccessible, vantage points for visitors. The upper floor level also contains the more specialised Boardroom and experience space. Internally the clear span, single volume spaces accommodate the large format tables, sales avenues and forum with video screen in an arrangement that would not have been possible within the existing Yarra building. Circulation routes around each floor are clearly defined, as well as routes to staircases and elevators. As single volume spaces, panoramic views across the square, river and landscape are maintained form the store interior. The simple, clean interior palette does not detract from the function or the surroundings and it is intended that the sandstone ‘carpet’ of Federation Square continues through the interior of the entry level to further integrate the interior and exterior.
Support areas are all concentrated on the ground level below grade with all the MEP services contained in the basement below. The Ground floor sits adjacent to the innovative labyrinth system which remains unaffected by this design proposal. The basement floor below is contained to its north side by the existing train tunnel crash wall. The existing train tunnel enclosure is retained and unaffected by the proposed development.

The siting of the building, aligned with the west and north elevations of the existing Yarra building, together with its rectangular plan form, maintains the physical enclosure of the upper part of Federation Square whilst also allowing enhanced visual and physical connection to the river edge. By retaining the existing elevational lines of the Yarra building, and parallel to the elevations on the opposite side of the square, we re-enforce the definition of the square, maintaining it’s function as a people gathering, civic heart of the city. The enclosure of the generous upper level with semi-opaque solar screens emphasise mass and solidity in keeping with the architectural identity and expression of the precinct.

We have taken ques from the existing, layered design language of the surrounding buildings by recessing the glazed enclosure behind layers of steel structure, indented terraces and the solar screen. It is very important to both Apple and Foster + Partners that our work should be a respectful and a contemporary interpretation of the existing design language rather than mimic it. The screens are therefore very functional elements providing solar protection on the north and west and privacy for the Deakin edge performance space, as well as the internal Boardroom and experience space, on the west elevation of the store.

The ‘V’ form structural columns supporting the upper volume reference the fractal geometry in both form and scale of the major grid elements of the existing Federation Square language. The proposed ‘weave’ pattern of the bespoke screens, varying in scale and density in response to solar exposure, reference the minor grid of the existing geometric cladding systems. The bespoke screen can slide open to reveal the terraces and interior over the course of a day, or a season, when solar shading is not required. By carefully detailing the interface of the terrace and roof construction the screen appears to layer and float off the elevation and provide the parapet appearance of the adjacent structures. On the north side, the screens contain a public terrace from which the visitor can enjoy views of the square and connect with the activities within. On the south side a second terrace provides clear panoramic views across the south side of the Yarra river. As there is no solar gain or privacy issues on the south side there is no requirement for the screen.

The rooftop of the proposal has been considered as the 5th elevation. The prominence of the roof from the wider city, together with the importance of a visual ‘parapet’ expression of the massing, has made the roof a considered aspect of the design since the early approach stage. By adopting space within the undercroft of Federation Square for all MEP plant, and carefully integrating air intake and exhaust into the landscaping, we have been able to maintain a clean rooftop free from any MEP kit or need for projections and enclosures. Instead, we have proposed a neat arrangement of PV panels that sit below the visible roof line which generate energy for use in the store.

The proposed materials for the store have their origins in the materiality of the surrounding campus. As well as running the sandstone carpet of Federation Square though the plaza level interior it is also intended that the stone cladding to the east core is clad in a similar or complimentary stone. The cladding system of glazing, exposed steel structure and metal screen also refer to the materiality of the adjacent buildings.

The replacement of the Yarra building with a similarly stand alone, yet more transparent building of reduced footprint and height, allows improved visual and physical connectivity between square and river without diminishing the sense of enclosure to the square. It’s transparency and function maintain engagement and activation to the southern side of the square.
Landscape proposal

The landscaping is integral to our design approach and the principle of enhanced connectivity. Working closely with Oculus we have developed a landscape that deals with the significant datum change by providing multiple means of traversing the gradient including an accessible ramp, greatly improving DDA accessibility across the site. Hardscape and softscape combine to provide space for people to sit, rest and observe the surroundings amongst an arboretum of indigenous tree species. The landscape approach adopts and extends the undulating ribbon of green seen in the landscaping of Birrarung Marr and connects it to Federations Square and Central Station. The periphery of the development adopts existing features from Federations Square to frame and integrate the new landscape elements. The area of Kimberley sandstone is significantly increased and extends through the new areas of hardscaping, visually integrating the new landscape and connecting square to river edge.

These new proposals extend the use of the Federation Square amenity throughout the season, and diurnal use through dusk and evenings. Connections create multiple new means of accessing Federation Square by extending the principle of universal access. The terraces and the lower lawns extend events programming opportunities, as well as public use, informal occupation, appropriation, programming and activation. The further greening of the precinct increases ground permeability and reduces the urban heat island effect. The sloping lawns and tree canopies provide foreground and frame views, increasing the river corridor amenity. This landscape proposal will not only make a significant contribution to the setting of the Apple store but delicately balances the enclosure of Federation square with improved connection to the River Yarra, knitting together the edge of the city to the green environment of the river corridor.

We believe the proposal for the Apple store in Federation Square not only maintains and re-enforces the existing design language of the precinct but further advances the principles of technical innovation and advancement, upon which Federation Square was conceived. The proposal will make a significant cultural and civic contribution to the city giving the local and international visitor added experience and enhancing the activation and amenity value within the square.
APPENDIX G  ARCHITECTURAL OPINIONS OF MR ROGER POOLE
The Brief
Roger Poole was instructed to provide independent expert architectural opinions to Federation Square Pty Ltd in relation to the following matters:

The appropriateness of the proposed demolition of the Yarra Building; and

The appropriateness of the design response of the replacement building [and associated landscape works].

In addressing these matters, I have conducted an in-depth examination of the architectural context and the documents supplied to me. I have formulated my own opinion, within the limits the above brief, with respect to the appropriateness of the proposed demolition of the Yarra Building; and the design response of the proposed replacement building and landscape works, all viewed in their urban context.

Part One: The Appropriateness of the Proposed Demolition of the Yarra Building

Federation Square in Context

Federation Square can best be understood as a response to Melbourne’s long search for a defining central open space within the Hoddle Grid.

The central city grid devised by Hoddle in the 19th Century has the virtue of flexibility in response to growth and change. In the second half of the last Century, a growing number of influential Melbournians felt that the City lacked a defining central space which could become the ‘heart of the City.’ An early attempt to remedy this perceived deficiency was the City Square Competition, based on a vacant block of land bounded by Swanston and Collins Streets, and Flinders Lane. The City of Melbourne sponsored a design competition for a new City Square which was won by Denton Corker Marshall. The brief contained something for everyone but was inadequate to meeting the full aspirations for a new ‘heart’ for Melbourne.

Once constructed, the design was seen by many to have failed to achieve its objectives. There were a number of shortcomings evident, but perhaps the most serious was the belated recognition that the site lacked sufficient depth and was open to three street frontages, and therefore lacked an appropriate sense of enclosure.

A redesigned square, incorporating the Westin Hotel and including modified and less ambitious retail activities, replaced the original City Square design. However, there was general agreement that the redesigned City Square did not fulfil the ambitions of the City for a new ‘heart’. The space was, at most, a useful medium-size urban open space.

The privatisation and relocation of the Gas and Fuel Corporation permitted the demolition of two Gas and Fuel Towers in Flinders Street and opened the City to the Yarra.

This new site was seen as one worthy of a great city square. The Centenary of Federation was near, and so the project came to be called Federation Square, in part because of the hope for some commemorative Commonwealth funding. Creation of the new square required that the rail yards be covered from Swanston to Russell Streets. This was a construction achievement of substance, one which was achieved with relative efficiency.

The Design Competition for Federation Square

There was general agreement that a space of the desired importance demanded an international design competition to resolve the design challenge. A design brief was prepared which contemplated that a number of cultural uses would occupy the new Federation Square, along with ancillary food and beverage and retail activity.
A two-stage open international competition was initiated by the Victorian Government.

At the end of Stage One, a number of design practices had been shortlisted to participate in Stage Two. Those practices without an office or track record in Victoria were encouraged to work in association with an established Melbourne practice.

Bates Smart Pty Ltd had chosen not to participate in the first stage competition. The practice was approached by a number of the finalists. Bates Smart chose to work in association with Lab Architectural Studio, which was directed by architects Donald Bates and Peter Davidson.

Parallel Processes: The National Gallery of Victoria

The NGV had earlier identified major deficiencies in their much-loved but undersized gallery in St Kilda Road, which forms part of the Victorian Arts Centre complex designed by Sir Roy Grounds.

During the course of the NGV redevelopment process it became evident that the redeveloped building in St Kilda Road would not have the capacity to meet all of the needs of the NGV. Federation Square offered an appropriate location for a component of the NGV. However, participation of the NGV in Federation Square was not confirmed in time for the second and final stage of the Competition. The winning competition entry contained a large volume which could accommodate the NGV at Federation Square. However, the design of that volume did not have the benefit of a detailed design brief from the NGV.

Cultural Institutions as Tenancies

The preceding discussion is intended to explain the nature of the design brief for Federation Square. The Square project was placed under the management of the Victorian Government's Major Projects unit.

The Major Projects Unit's management model for the project was influenced by the typical strategy for large retail shopping centres. The government [in the role of shopping centre developer] creates the "base building", and the cultural institutions, the "tenants", provide fit-out briefs and fit-out funding for the components which they occupy. Tenants were to be responsible for funding their own fit-outs from public or private sources.

The Federation Square Competition was not the result of carefully crafted responses to a number of well-defined institutional designed briefs. The project was defined through the competition, and then "tenants" were found to occupy the space which was to be built.

The Flexibility of the Federation Square Design

The design language of Federation Square uses what is called "fractal geometry", which in simple terms is a way of composing plans, sections and elevations based on a dynamic triangular geometry. In the hands of Donald Bates and Peter Davidson, this way of making buildings proved quite flexible. For example, the ground plan of Federation Square as built is quite different from the ground plan of the competition-winning Stage Two design.

Once the NGV was firmly committed to Federation Square, it became evident that a different arrangement of buildings would be necessary from that resolved in Stage Two. With the consent of all parties a new arrangement was devised. Since the geometric language of the architecture was so distinctive, few outside the project team realised the extent of the modifications incorporated in the final design.

The Essential Character of Federation Square

I believe that the essential character of Federation Square is that of a great public space. In its comparatively short life, Federation Square has been the setting for a great many memorable civic events from celebrations to protests.
The Square has become the place where people come together to watch world events. The incorporation of a large LED screen has enabled an international see-and-be-seen experience where people can participate in international events, from tennis finals to new year celebrations. Indeed, the remarkable achievement of Federation Square is to merge real-life experience with the viewing of a giant community LED daylight screen through which world events can be shared. This is not to downplay the significance of the buildings. The arrival of their distinctive facades and combination of materials heralded a new and contemporary cultural landmark for Melbourne.

I believe that the essential character of Federation Square is that of a large civic open space of contemporary character, a place for people to assemble and share the experience of global and local events. The buildings, and the 'fractal' design language of their facades, define the character of the space and should be treated with respect.

The Yarra Building in Context

The Yarra Building has always been an ancillary commercial building. During the design phases it was known as the South Commercial building. Once the NGV and ACMi were established as the primary cultural institutions to be accommodated at Federation Square, the design team focused enormous energy on those two buildings, in part because the Lab + Bates Smart team was responsible for interior fit-out of both components. Joining these buildings together are the elements known as the Atrium and Deakin Edge, two public spaces of enormous significance.

The Yarra/South Commercial building did not have a public institution as a tenant. The materiality and detailing of the building are typical of the remainder of Federation Square. There is no remarkable or distinct design feature which is pivotal to the experience of the Square.

Federation Square Pty Ltd has had difficulty finding and retaining appropriate commercial tenants. There are limits to the capacity of a government corporation to support commercial enterprises – the ultimate financial risk must remain with the operator of the commercial use, restaurant, bar or retail outlet. Most people feel that it is not appropriate to use scarce public funds to support commercial operations.

The Racing Museum

After a long period of uncertainty, the first tenant of the South Commercial Building was the Racing Museum.

Despite a relatively expensive fit-out, the Racing Museum struggled for a period and then was closed down for lack of patronage. In seeking to celebrate the world of horse racing in a free-standing museum format in Federation Square, the Museum became detached from its natural home at Flemington Racecourse. People who are passionate breeders, owners, trainers and spectators congregate at Flemington and the other racecourses. To the extent that the Racing Museum exists today, it has been subsumed into the VRC’s historical exhibits.

A number of other uses for the Yarra Building followed, but it is fair to say that none have stood the tests of time and commercial viability.

Blocking Access to the Yarra

The most common criticism of the design of Federation Square is that it “turns its back on the Yarra”. While this comment is not quite fair, this the criticism contains an element of truth. Whether viewed from within the Square or from the Yarra Promenade, the two public spaces seem quite unrelated at for much of the journey along the River.

The Deakin Edge structure provides a strong sense of connection to the Yarra. There is a wonderful panorama of the River from the auditorium seating, and the Gardens make a superb backdrop for the
stage. I believe that the relationship between the public spaces of Federation Square and the Yarra River frontage could be strengthened through the demolition of the Yarra Building and the construction of a new building with a stronger landscape connection on the ground plane.

Summary of Opinions on the Yarra Building

1. Federation Square has established itself as the premier public space within the Hoddle grid; it is the City’s setting for great civic events, whether celebration or protest, whether Grand Final or outdoor concert.

2. It is connected to the world through a great daylight LED screen which makes international events seem immediate and connects Melbourne to the world.

3. The distinctive surrounding buildings, with their fractal geometric organisation and distinctive material palette, define a familiar yet contemporary language for our City.

4. The two great institutions which occupy most of the built space at Federation Square, the NGV and ACMI, relate directly to the contemporary cultural dialogue which occurs in the Square.

5. NGV and ACMI provide a reason for visitors and locals to visit Federation Square several times per year. Temporary exhibitions in the Atrium and events in Deakin Edge reinforce the sense of the space as a strong cultural hub.

6. The Yarra Building was not designed to house a significant public institution; it was designed for an unspecified commercial tenant. The space has proven to be quite difficult to fill despite the best efforts of a sophisticated management team.

7. The materiality of the Yarra Building is typical of that used in the remainder of Federation Square. There is no remarkable or distinct design feature in the building which is pivotal to the experience of the Square.

8. The relationship between Federation Square and the Yarra River promenade is ambivalent. The Deakin Edge space demonstrates the power of an effective connection, but it is an indoor event space which cannot always be available to the public.

9. For all of the above reasons I am satisfied that the Yarra Building could be replaced by an innovative new building which provides a stronger visual connection to the Yarra, and new public spaces which connect Federation Square and the Yarra River promenade.
Part Two: The Proposed Replacement Building and Open Space Link

Foster + Partners have created two proposals for a replacement building and related open space works at Federation Square. In setting out my views on this subject, I want to acknowledge and set aside the first design proposal. In the first proposal, the designers did not appear to fully comprehend the nature of the design challenge presented by the urban context and the history of the Square.

The subsequent design dialogue which has occurred is summarised in the Victorian government document "Design Principles for the Apple Store" which are "principles to guide the design refinement stage of the global Flagship Apple Store building, Federation Square". I commend and support the views articulated in this document which should provide a good basis for further development of the revised proposal.

I have also been provided with a copy of the planning Minister's letter of 30 September 2018, setting out his conditions for approval. This letter provides the Minister's consent to the revised concept plans submitted on 20 July 2018, provided that:

- "The landscape plan for the public realm south of the building is revised to be a design similar to that shown on the original concept plans of December 2017, and"

- "The stepped transition from the building to the terrace at Level 2 is removed, and"

- "The screen façade to level 2 is to extend beyond the floor and roof plates, and"

- "The structural steelwork is to have rectangular geometry."

My review of the proposed building will assume that the Minister's required changes will form part of the revised proposal, even though they are not yet reflected on the Foster + Partners and Oculus drawings supplied to me. I agree with and support the Minister's conditions, which address certain shortcomings of the 20 July concept plans.

In evaluating the revised plans and subject to the Minister's conditions, I will deal with the design under a number of headings, as follows:

Orientation and Character

The revised proposed building is essentially a pavilion, rectangular in form and with a significantly smaller ground-level footprint than the Yarra Building it would replace. The orientation of the revised building follows the established non-orthogonal geometry of Federation Square and reinforces the established shape of the square.

The ground level of the pavilion is transparent in character, so that visitors to Federation Square will be able to see through the building to the Yarra River. The vertical circulation elements which give access to the upper level of the pavilion are oriented to maximise views of the River.

The upper level of the building is essentially an expanded pavilion with north and south verandas, protected by metallic movable screens which respond to solar loads and view opportunities.

Both the ground level and the first-floor level are very generous - 4.7 metres floor to ceiling on the ground level, and just under 6 metres on the first level. The building is elegant and yet recessive - a pavilion in the trees.

Balancing Definition and Transparency

It is clear to me from the documents supplied that the revised concept seeks to introduce a new balance between spatial definition and transparency. There is precedent for this strategy at Federation Square. Both the Atrium and Deakin Edge combine a fractal structural grid with layers of glazing which make the forms simultaneously transparent and solid.
The fractal grid is so robust that it transforms the visual experience of the Square or the City beyond, yet the glazing allows panoramic views beyond the space.

The proposed building sets itself the same task – continuing the definition of Federation Square as a space, while allowing views through the new building. Not only would the new building provide views from the Square to the Yarra River, but also from the Yarra promenade into the Square. The building would provide a broad and welcoming linkage and transition which is currently missing at Federation Square. People walking along the River would be enticed into the Square, and people in the Square would find a broad, welcoming view of the Yarra river from within the space.

The Views from the Pavillion

As I understand it the Apple Store will be open to the public during extended business hours. People will be able to experience a new set of upper level views of Melbourne and Federation Square which now can only be glimpsed from within the NGV. I believe that this is an important public benefit which should be considered in contemplating the proposed building.

The Apple Tenancy

I would now like to deal with the Apple tenancy in a forthright matter. There is a risk that some views expressed to date about change at Federation Square have been less than objective about the architectural proposals because they object to the idea of an international company occupying space at Federation Square.

The first thing which needs to be said is that Federation Square was not conceived as an assembly of cultural institutions, but as a compelling public space containing some important institutions but open to the diverse life of the City. I believe that it is the space which is important, not the uses of all of the surrounding buildings.

Federation Square is not “sullied” by the presence of commercial activities. Melbourne is famous for its outstanding cafes, restaurants and bars. Most people would agree that Federation Square should have a range of excellent hospitality options to complement the other activities. Yet the talented management team has struggled to maintain the right food and beverage tenancies. In part, this can be explained because the Square’s cultural institutions are a compelling attraction for some but by no means all Melburnians.

The Apple flagship store provides another reason for people to come to Federation Square while facilitating a new relationship between the Square and the River. Although proprietary in nature, the Store will be a showcase of technology and its significance for the future.

Apple happens to have a strong emphasis on high quality architecture and design embedded into their corporate ethos. As I understand it, their global flagship store strategy seeks to create a place where the ethos, range and nature of Apple’s approach to product design can be demonstrated. Most product sales will occur elsewhere.

I believe that the proposed building should be evaluated as an architectural proposal without undue focus on Apple as the occupant.

Is Federation Square a Building or a Place?

If we think of Trafalgar Square in London, the National Gallery and the National Portrait Gallery define one side of the space, and a wide range of commercial and retail uses define the opposite side. Trafalgar Square is not diminished by the nature of the activities on the “commercial” side, and most of us would be challenged to remember what those uses are.
Bringing the Design Languages Together

The most interesting issue in designing the proposed building is how to complement the existing Federation Square buildings in order to create continuity as well as diversity.

Over the centuries, outstanding public spaces around the world have been defined by buildings of great diversity. My preferred example is the central square in Verona, where beautiful facades literally collide with others from different centuries to create a rich tapestry of architectural form.

Federation Square was never designed to be preserved in aspic as a single perfect artefact. Rather the architecture is expressed in a design language which explicitly defies the notion of finite resolution. The layered, overlapping and complex geometries mirror our changing perspectives as we move through and around the buildings.

It is in this sense that the architecture of Federation Square is most contemporary – it merges with and expresses the kaleidoscope of images which form our daily consciousness, filled as our minds are with constantly refreshed imagery from our mobile devices.

How then can the calm pavilion language of Foster + Partners be reconciled with Lab’s more fractal architectural grammar? I believe that the essential connection is already evident in the Foster book of plans, but this may be difficult for many people to appreciate.

On page 54 of the Foster + Partners July plans, there is proposal to link the crafted and organic world of weaving with the use of woven sliding panels to form the movable sunscreens shown on the upper level of the Pavillion.

It takes a good deal of imagination to transpose the potentially very beautiful screen patterns on page 54 onto the moving panels shown on pages 50 to 53. Yet I believe that the use of sliding metallic screens in the complex organic patterns shown on pages 54-5 can generate a rich tapestry which will link the new building back to the surrounding Square.

To make this idea work a good deal of thought will need to be given to the materials from which the screens are made, as well as the scale and the regularity of the patterns.

The necessary work has not been done but is well within the capacity of the Foster + Partners practice. While well known for their earlier modernist works inspired by technology and aircraft design, the Foster + Partners practice has demonstrated an extraordinary capacity for invention and working with non-rectangular geometries. I am confident that a design solution can be found and demonstrated with high-quality, virtual reality visualisations.

The Landscape Design Solutions

While not qualified in landscape architecture I have a seasoned appreciation of landscape solutions and knowledge of the work of Oculus. I concur with the Minister’s view that the earlier landscape proposals for the river frontage are to be preferred to those shown in the July 2018 book of plans.
Summary of Opinions on the Proposed Building and related landscape works

1. The revised design proposal by Foster + Partners reflects a much better understanding of the nature and culture of Federation Square.

2. The orientation and character of the proposed building reinforce the established shape of the Square yet offer a new transparency, with broad views of the River.

3. The design balances definition and transparency in an appropriate way, complementing the experience of the Atrium and Deakin Edge, both of which are largely enclosed spaces, with a new, delicately filtered vista over the Yarra. This achievement will only be evident when fully rendered virtual-reality images are available.

4. The elevated views from the new pavilion will enhance the whole experience of Federation Square and become a kind of destination in themselves.

5. Federation Square was never intended to be preserved without change, but rather to become a part of the city – a kind of district or quarter. The spaces between Federation Square’s buildings were seen as contemporary laneways, and the richness of Melbourne’s civic tapestry allows for new buildings of different authorship to be introduced into such a context, provided it is done with sensitivity.

6. The proposed building should be evaluated without undue focus on Apple as an occupant.

7. The Apple tenancy is said to be a global flagship store with less focus on product and more emphasis as a showcase of present and future technology. This activity has significant popular interest. I believe it will draw significant numbers to the Square.

8. Although proprietary, the Apple fitout will provide a kind of benchmark connection between technology and modern life; this will in turn attract both locals and visitors to Federation Square, drawn by the almost unavoidable place information technology has assumed in our lives.

9. Federation Square is a place, not a building. The example of Trafalgar Square and that of the main square in Verona demonstrate that urban open spaces can be highly successful even where commercial activities are combined with cultural institutions, and where the main civic space is defined by a variety of buildings of different authorship, each reflecting its time of creation.

10. The sliding solar screens and other material selections can be designed to link the materiality and design language of the proposed building to Federation Square. This is a challenge well within the capacity of Foster + Partners.

11. I concur with the Minister’s preference for the earlier open space design for the landscape areas around the building.

12. I am confident that the appointed design team of Foster + Partners and Oculus, guided by the appropriate client representatives and perhaps some independent reviewers, can produce a replacement building worthy of the site.

13. I believe that the design proposals I have reviewed can, if developed with appropriate care, skill and architectural judgement, become an outstanding and worthy replacement for the Yarra Building which will offer great benefits to the people of Victoria.
Context of this Opinion

This opinion has been prepared in accordance with a brief from Federation Square Pty Ltd, represented by Maddocks Lawyers.

I have closely inspected the site from many vantage points commonly used by members of the public.
I have visited the site in varying climate conditions and with varying amounts of pedestrian movement.

I have relied upon the material supplied to me by Maddocks Lawyers, including the revised plans and other documentation referred to in the body of this work.

I have made all of the necessary enquiries which I believe are required to give this opinion.

Signed

________________________________________
Roger William Poole LFAIA RIBA MAPI AssocAIA
Director

Roger Poole Architects Pty Ltd
ROGER WILLIAM POOLE
B Arch LFAIA RIBA MRAPI AssocAIA
Director, Roger Poole Architects Pty Ltd

EDUCATION
/ University of Washington, Bachelor of Architecture (Honours)
/ Massachusetts Institute of Technology, PhD programme in City Planning and Urban Design

PROFESSIONAL ASSOCIATIONS
/ Life Fellow, Australian Institute of Architects
/ Member, Royal Institute of British Architects
/ Associate Member, American Institute of Architects
/ Member, Australian Planning Institute

ACADEMIC AWARDS
/ 1969-9 US Office of Education Doctoral Fellowship to MIT (Boston)
/ 1966 AIA Urban Design Fellowship to Massachusetts Institute of Technology
/ 1966 AIA Silver Medal - First in Class Final Year Architecture
/ 1965 Rockefeller Foundation Fellowship for Study in Japan

PROFESSIONAL COMMITTEES
/ Member, Infrastructure Committee, Victoria University
/ Former Board Member Chunky Move Ballet Company
/ Committee for Melbourne - Honorary Life Member
/ Committee for Melbourne - Former Executive Board Member
/ Committee for Melbourne - Co-Chair, Shaping Melbourne Task Force
/ Committee for Melbourne - Co-Chair, Transport Task Force
/ Property Council of Australia - Former Council Member
/ Chairman - RAIA Public Architecture Jury, 2007
/ Chairman - RAIA Heritage Architecture Jury, 2006
/ Former RAIA Victorian Chapter Vice President

LICENCES
/ Registered Architect - Victoria, Queensland.

OVERVIEW
Educated in Seattle and Boston, Roger Poole is an architect, urban designer and planner with over 45 years of professional and experience in architecture and urban design.

Roger Poole joined Bates Smart in 1974 becoming an Associate in 1974, an Associate Director in 1979, a Director in 1981 and Chairman from 1998 to 2015. Until July 2015, Roger Poole was the executive Chairman of Bates Smart Architects and was recognised as one of Australia’s leading architectural and urban designers.

In July 2015, Roger established Roger Poole Architects Pty Ltd as a specialist architectural and urban design practice providing independent architectural and urban design advice to clients and public bodies.

Roger Poole is a strong strategic and conceptual architect, and is committed to an innovative and enduring approach to architecture. Roger has worked on significant projects throughout Australia, in the UK, Germany and the USA as well as a number of countries in Asia. He travels annually to study the evolution of contemporary design practice.

Roger believes that buildings must not only be innovative but also carefully crafted to stand the test of time. His work has received extensive peer recognition, detailed in the attached list of architectural and industry awards. Roger has contributed, on a pro bono basis, to the work and governance of the Committee for Melbourne, the Australian Institute of Architects, the Property Council of Australia, and is the former Chair of one of Melbourne’s leading independent schools.

As a Life Member Australian Institute of Architects and a Life Member of the Committee for Melbourne, Roger remains actively involved in CFM policies on urban and community development. He is a Member of the Infrastructure and Planning Committee of the Council of Victoria University.

Roger has a life-long interest in the visual and performing arts. He is a former Board member of Chunky Move, Victoria’s leading contemporary dance company, and a supporter of the Melba Opera Trust.
PROJECT EXPERIENCE

HEALTH PROJECTS

/ New Bendigo Hospital, Bendigo, Victoria
/ The New Royal Children’s Hospital, Parkville, Melbourne
/ Dandenong Hospital Redevelopment Stage 3, Melbourne
/ Gandel House at Emmy Monash Aged Care, Caulfield
/ Alexandra Gardens Aged Care, South Yarra
/ Victorian Comprehensive Cancer Precinct -VCCC
/ The Alfred Centre Stages 1 and 2, Prahran
/ Parkville Precinct Strategic Plan, Parkville
/ Cabrini Medical Centre Stages 2 + 3, Malvern
/ Cabrini Hospital Redevelopment, Malvern

COMMERCIAL PROJECTS

/ 171 Collins Street, Melbourne
/ Royal Childrens Hospital
/ Chadstone Shopping Centre Office Tower, Chadstone, Melbourne
/ 447 Collins Street Design Competition, Melbourne
/ 735 Collins Street, Village Docklands, Melbourne
/ 464 Collins Street, Melbourne
/ Federation Square East, Melbourne
/ 161 Collins Street, Melbourne
/ 346 St Kilda Road, Melbourne
/ 114 Collins Street, Melbourne
/ 1 Spring Street, Melbourne
/ 85 Spring Street, Melbourne
/ Perth DFO Proposal, Perth
/ Media House, The Age Headquarters, Melbourne
/ 250 Spencer Street, Melbourne
/ CBW 181 William Street, Melbourne
/ CBW 550 Bourke Street, Melbourne
/ Freshwater Place Stage 2, Southbank
/ Freshwater Place Development, Southbank
/ 11-33 Exhibition Street, Melbourne
/ Victoria Harbour Precinct Master Plan, Docklands
/ Yarra Waters Waterfront Development Master Plan, Docklands
/ Southbank Riverside Promenade, Melbourne
/ 140 William Street Refurbishment (former BHP House)
/ BP Australia Headquarters Melbourne Central
/ Collins Place Project, Melbourne

RESIDENTIAL PROJECTS

/ The Eastbourne, East Melbourne
/ Classic East Melbourne, East Melbourne
/ 35 Spring Street, Melbourne
/ Capitol Grand, South Yarra
/ Conveso Concavo, Docklands
/ 424 St Kilda Road, Melbourne
/ 556 Collins Street, Melbourne
/ Salta, Victoria Park, Abbotsford
/ 25 Coventry Street, Southbank, Melbourne
/ 150 Clarendon Street, East Melbourne
/ Freshwater Place, Southbank, Melbourne
/ The Melbourne, St Kilda Road, Melbourne
/ 54/56 Queens Road, Melbourne
/ Yarra Waters Residential Redevelopment/Docklands
/ Constitution Hill Road, Sorrento
/ The ‘Breakers’, Lorne

INSTITUTIONAL AND SPECIALISED PROJECTS

/ Australian Embassy, Berlin
/ Federation Square, Melbourne
/ Monash University Clayton Urban Plan
/ University of Melbourne, Engineering Faculty, Parkville
/ Children’s Court of Victoria, Melbourne
/ Metropolitan Fire Brigade Headquarters, Melbourne
/ Necropolis Crematorium and Chapels
/ Parliament House Master Plan, Melbourne

HOSPITALITY PROJECTS

/ The Club Stand, Victoria Racing Club, Flemington Racecourse, Melbourne
/ Crown Queens Wharf Design Competition, Brisbane
/ Belford Street Hotel, St Kilda
/ Alexandra Club, Melbourne
/ Hilton, Adelaide
/ Crown Metropol, Southbank, Melbourne
/ Chadstone Shopping Centre Hotel, Chadstone
Federation Square Pty Ltd Yarra Building Proposals
Statement of Roger W Poole LFRAIA RIBA MAPI

/ Crown Promenade Conference Centre, Melbourne
/ Aspers, United Kingdom
/ W Hotel, 20-30 Bourke Street, Melbourne
/ Crown Promenade Hotel, Southbank, Melbourne
/ Crown Entertainment Complex, Southbank, Melbourne
/ Crown Towers Hotel, Southbank, Melbourne
/ 55 Southbank Boulevard, Melbourne
/ Regent Melbourne Hotel ( Sofitel), Melbourne

AWARDS 2018

35 Spring Street, Melbourne
/ The Frederick Romberg Award, National AIA Award for the best multi-residential project, 2018

Bendigo Hospital, Bendigo Victoria
/ The Sir Zelman Cowan Award, National AIA Award for the best public building, 2018

AWARDS

171 Collins Street, Melbourne
/ Urban Taskforce Awards, Sustainability Development Award, 2014
/ United Nations Association of Australia World Environment Day Awards, Hanson's Green Building Award, 2014
/ Asia Pacific Property Awards, Best Commercial High-Rise Development, 2014
/ Asia Pacific Property Awards, Best Office Development, 2014
/ Australian Property Institute's Pinnacle PR Environmental Development Award, 2013
/ Illuminating Engineers Society Excellence Award for foyer/atrium/lift lobby, 2013

Dandenong Mental Health, Melbourne
/ AIA (Vic) Public Architecture (New), 2014

Crown Mahogany Room, Melbourne
/ AIA (Vic) Commercial Architecture Sir Osborn McCutcheon Award, 2013
/ International Association of Lighting Designers (IALD) Awards 2013, Award of Excellence
/ Illuminating Engineering Society (NSW), Award for Lobby chandelier, 2012

Concavo Display Suite, Docklands
/ Australian Interior Design Awards, Commendation for Residential Decoration, 2012

The Royal Children's Hospital, Parkville
/ World Architecture Festival Awards
/ Health winner, 2012
/ Emirates Glass LEAF Awards International Interior Design Award winner, 2012
/ Interior Design Excellence Awards: Public Space winner; Overall Winner award, 2012
/ AIA (Vic) Awards: Victorian Architecture Medal winner, 2012
/ AIA (Vic) Awards: Wardell Award winner, 2012
/ AIA (Vic) Awards: Melbourne Prize winner, 2012
/ AIA (Vic) Awards: Interior Architecture Marion Mahoney Award commendation, 2012
/ Illuminating Engineering Society (NSW), Award for Atrium Lighting, 2012
/ Australian Property Institute Excellence in Property Awards, Investa Environmental Development Award, 2012
/ Australian Steel Institute Victorian Steel Awards, Steel Clad Structures winner, 2012
/ Melbourne Design Awards, Wayfinding winner, 2012
/ Design & Health International Academy Awards: International Interior Design Project winner, 2012
/ Design & Health International Academy Awards: Health Project over 40,000 sqm, 2012
/ Australian Interior Design Awards: Premier Award for Interior Design Excellence & Innovation, 2012
/ Australian Interior Design Awards: Public Design Award, 2012
/ Australian Interior Design Awards: Colour in Commercial Design Award, 2012
/ Australian Interior Design Awards: Best of State Commercial Design Award, 2012
/ National Infrastructure Awards: Project of the Year Award, 2012
/ Building Products News Sustainability Awards: Public Building & Urban Design Award, 2012
/ Building Products News Sustainability Awards: Best of the Best, 2012
Media House, Melbourne
/ Property Council of Australia/Rider Levett Bucknall Innovation & Excellence Awards: Australian Development of the Year, 2012
/ Property Council of Australia/Rider Levett Bucknall Innovation & Excellence Awards: Colliers International Award for Best Office Development, 2012
/ Property Council of Australia/Rider Levett Bucknall Innovation & Excellence Awards: Project Control Group Award for Best Workplace Project, 2012
/ Property Council of Australia Regional Awards (Vic): Victorian Development of the Year, 2012

Crown Metropol, Melbourne
/ AIA (Vic) Architecture Award, 2011
/ Australian Interior Design Awards, Hospitality Design (National), 2011
/ Belle Coco Republic Interior Design Awards, Best Hospitality Interior, 2011
/ Interior Design Excellence Awards (IDEA) Hospitality – Highly Commended, 2010

Freshwater Place, Southbank, Melbourne
/ Urban Development Institute of Australia National Awards for Excellence, Best High-Density Development, 2007
/ Urban Development Institute of Australia (Vic) Awards for Excellence, Best High-density Development and Best Master Planned Development, 2006

Federation Square, Melbourne
/ Australian Stone Architectural Awards, Best Civic Project, 2006
/ Property Council of Australia Award (Vic), Overall Winner, 2005
/ Urban Land Institute, Asia Pacific Award for Excellence, 2005
/ AILA Victoria & Tasmania Awards in Landscape Architecture, Overall Winner and Award for Design Excellence, 2003
+ Architecture + Cityscape Awards, Dubai, Winner, Urban Design Category, 2005
/ RAIA Victorian Chapter Awards, Victorian Architecture Medal, 2003
/ RAIA Victorian Chapter Awards, The Melbourne Prize, 2003
/ RAIA Victorian Chapter Awards, Urban Design Award, 2003
/ RAIA Victorian Chapter Awards, Institutional – New Architecture Award, 2003
/ Kenneth F Brown Award Asia Pacific Culture and Architecture Design Award (Hawaii), Honorable Mention, 2002
/ The Ian Potter Centre at Federation Square, Melbourne
/ NGV Australia at Federation Square, Interior Design Awards Australia: Australian Design Awards Interior Design Selection; Public/Institutional Interior Design Award, Design Excellence and Innovation Award, 2004
/ RAIA National Awards, Award for Interior Architecture, 2003
/ RAIA Victorian Chapter Awards, Interior Architecture Award, 2003
/ FX International Interior Design Awards (UK), Best Museum, 2003
/ Dulux Colour Awards, Category Winner, Public Spaces & Temporary Structures, 2003
/ The Labyrinth, Federation Square, Melbourne

Crown Promenade Hotel, Southbank, Melbourne
/ Property Council of Australia (Vic), Hotels category winner, 2006
/ RAIA (Vic), Commercial Architecture Award, 2004

The Melburnian, Melbourne
/ Property Council of Australia (Vic), Overall Winner, 2003
/ Urban Development Institute of Australia National Award for Excellence, Medium Density Development, 2003
/ Urban Development Institute of Australia (Vic) Award for Excellence, High Density Development, 2002
/ HIA Victorian Housing Awards, Category Winner, High Density, 2002
/ RAIA (Vic) Chapter Award for Residential New – Multiple, 2002
/ MBA (Vic) Excellence in Construction, Master Builder of the Year, 2002
APPENDIX H FEDERATION SQUARE – PROJECT CORE SUBMISSION OF PLANS
REPORT BY URBIS
URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director          Brendan Rogers
Associate Director Fiona Feeney and Andrew Lanarus
Project Code      MA9828
Report Number     Rep01
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1. INTRODUCTION

Subsequent to the approval of Project Core under an Incorporated Document in the Melbourne Planning Scheme a collaborative design development process has been undertaken with the City of Melbourne, the Office of the Victorian State Government Architect (including Jill Garner and Don Bates), and the Department of Environment, Land, Water and Planning.

This report provides:

- An overview of the design review and development process that has taken place
- A copy of the design principles that were prepared as part of the design review process
- A summary of the updated design, including a summary of the changes from the original design and how the design development reflected in the current design addresses these design principles.

The report should be read in conjunction with the following:

- Updated set of plans and elevations by Foster + Partners
- Updated Landscape report by Oculus
- Updated Sustainability report by Arcadis
- Wind analysis of revised design by Vipak.

The updated set of plans are submitted in accordance with Condition 4.6 of the Incorporated Document which states:

4.6. Modifications to plans

4.6.1. Prior to the commencement of any development, excluding any Site Preparation Works, modified plans must be submitted to the Minister for approval. The plans must be drawn to scale with dimensions and levels and three copies and one digital copy must be provided. The plans must be generally in accordance with the plans referred to in condition 4.5.1, but modified to show:

a. All setback dimensions to neighbouring existing buildings on plans.
b. Dimensions and areas of the outdoor performance spaces.
c. A schedule of existing and proposed development areas (in square metres of gross floor area) and public realm areas (in square metres).
d. Detailed roof plan.
e. Any design requirements as a result of the Disability Assessment/Audit approved under condition 4.21.

4.6.2. The development of the Land for the purposes of Project Part A as shown on the modified plans as approved by the Minister under clause 4.6.1 must not be altered or modified without the prior consent of the Minister.

There are a number of other conditions within the Incorporated document that will also need to be responded to prior to the commencement of development.
2. **PROPOSED PLANS JULY 2018**

The plans associated documents submitted for consideration include:

- **Book of Plans dated July 2018** which include the following:
  - Set of drawings including plans, sections and elevations showing Original Building design and Updated Building design
  - Façade Strategy
  - Overshadowing Study
  - Signage
  - Renders of proposed development
  - Additional Plans illustrating the new landscaping area provided, the existing building footprint vs proposed building footprint and dimensions of the new building to surrounding buildings.

- **Updated Oculus Landscape Report dated July 2018**

- **Wind Impact Assessment prepared by Vipac dated July 2018**

- **Sustainable Design Assessment prepared by Arcadis dated July 2018**

These plans represent an updated package that is consistent with the detail provided in the previously submitted documents which accompanied the original design proposal. The updated material responds to feedback that has been received from ongoing discussions with government and the workshops that have been held with representatives from the City of Melbourne, the Office of the Victorian Government Architect and the Department of Environment, Land, Water & Planning.

The modifications to the proposal are considered to further integrate the built form and landscape response into the existing Federation Square context. The key modifications are summarised as follows:

- The footprint of the building has reduced in size, whilst the upper level has increased in length to provide a greater sense of enclosure for the square. As such the building layout is now rectangular. It will continue to be significantly smaller than the Yarra Building which it proposes to replace. The siting of the building has shifted west slightly and will provide improved separation to the Deakin Edge building to the east. We note that basement level is unchanged from the current Yarra Building basement configuration.

- The ground level is proposed to have a high degree of transparency and visual permeability which will maximise views through the building from Federation Square to the Yarra River.

- The updated proposal will introduce a refined upper level design that will be perceived to be almost suspended above the lower level. The upper level façade will incorporate moveable exterior screens and a materiality which will introduce a higher degree of texture, yet still allow for views into and out of the building.

- The design of the public realm areas to the south have been reviewed, and a proportion of hard surfaces has been changed to a grass bank. This retains an area of paved steps and seating opportunities to the south balanced with planted area that responds to the river bank context.

**2.1. COMPARISON BETWEEN APPROVED CONCEPT PLANS AND PROPOSED DESIGN**

To assist with understanding the detail of the changes resulting from the design development that has occurred, we have prepared the following table which provides a summary of changes in a number of key metrics from the approved concept plans to the proposed building design.
Key building information | Approved Concept Plans (December 2017) | Proposed Design (July 2018)
--- | --- | ---
**Building Envelope Shape and Siting** | The building envelope was generally square and located within 3.3m of the Deakin Edge Building at the northern edge with a maximum setback of 16.5m from this building at Level 2 (towards the south). | The proposed building has been elongated to create a more rectangular form and shifted to the west which creates a larger separation to Deakin Edge (between 11.9m and 18.2m at Level 1 and 6.1m and 13.6m at Level 2). The roof form becomes more rectilinear and solar panels have been introduced.

**Building Footprint Area** | 426.1sqm | 363.5sqm

**New Landscape Area** | 527.2sqm | 593sqm

**Total height** | Roof level - 26.0m AHD (10.8m) | Roof level - 26.70m AHD (11.5m)

**Signage** | One signage zone at Level 2 window – western elevation 2mx2m zone. | One signage zone at Level 2 – western elevation – on western screen vs western window. 2mx2m zone.

**Façade Strategy and Shading** | Building form included the roof extending over the Level 2 terrace around the whole building, and the terrace cantilevered over Level 1. The roof and terrace acted as canopies providing some of the solar screening. Blinds were included for the windows to the north and west. | Level 2 of the building cantilevers over Level 1 on all sides. Metal screens are introduced on the north, west and east facades. These are fixed screen to the east and moveable on the north and west. These screens form part of the solar strategy.

---

### 2.2. OTHER CHANGES TO THE SCHEME

Key changes to the landscape concept include:

- Enlarged lawn areas to the south of the building with a clear set of steps down towards the south rather than scattered seating / greased areas.
- A reimagined entertainment space to the west of the store. This was previously located in the open space to the south of the store.
- Larger landscaping zone for planting to the east of the southern steps, at the Deakin Edge interface.
- Narrower steps from the southern central gathering / seating space down to the south-east direction.
- Overall, more landscaped / grassed areas for recreation, meeting and planting.

There is no discernible difference in the pedestrian wind environment between the previous scheme and that currently proposed.
3. DESIGN REVIEW PROCESS

The design review process has included engagement over the course of the past 5 months with the following key stakeholders, which formed a Steering Committee:

- City of Melbourne
- OVGA
- LAB Architecture
- Federation Square
- DELWP
- DEDJTR
- Apple
- Foster and Partners

A total of four Steering Committee Workshops have been held on the following dates:

- Apple Design Workshop 1 - 7 February 2018
- Apple Design Workshop 2 - 22 March 2018
- Apple Design Workshop 3 - 19 April 2018
- Apple Design Workshop 4 - 3 May 2018

An outcome of this design review process included the agreement by the Steering Committee on 7 February 2018 on a list of Principles to guide the design refinement process for the Apple Store.

The following principals were agreed to:

**Contextual design response**

- The architectural design concept should be further developed to respond to and acknowledge:
  - the scale, diversity and form of the Hoddle Grid and its relationship with the contrasting, more organic and less structured Fed Square network patterns and buildings;
  - the landscaped river corridor;
  - the existing buildings in Fed Square;
  - the emerging concept design for the Town Hall metro station (to be located on the north-west corner of Fed Square),

and

- make a civic contribution in terms of its architecture and relationship to the public realm;
- be conscious of the wider precinct networks – road, tram, pedestrian and cycling.

- The new building should be considered in terms of its contribution as a design legacy for Fed Square and central Melbourne: not as a generic response, nor as a stand-alone building but as part of an assembly of campus buildings.

**Design cues from Fed Square** The architectural design concept should be further developed to respond to and acknowledge design cues embedded in the existing place:

- The siting and alignment of the new building can reference the non-orthogonal layout of existing buildings within Fed Square, within the structural constraints of the deck.
• The new building must balance an appropriate level of containment and activation to the southern edge of Fed Square’s plaza, maintain an engaging edge to the plaza whilst creating an improved visual and physical connection with universal access between the plaza and the Yarra River.

• The form of the new building should interpret the architectural intent in the built form ‘type’ in Fed Square: buildings celebrate geometry, they have layered and varied facades, parapet roofs, indented screened balconies – so that the building is identifiable as being both of its place and a contemporary addition to the campus of buildings within the square.

• The rooftop should be viewed as a fifth elevation with a resolved design response with no projections or visible services.

• The palette of materials and finishes for the new building, whilst including sheer, transparent glass facades, should also reference the bespoke materiality of Fed Square and its layering and nuancing of materials, without being a literal or faux interpretation.

• Fed Square’s signature catenary lighting must be appropriately integrated with the new building.

• The new building must not result in any additional overshadowing impact when compared to the shadow impact of the existing Yarra building.

• The developed design must adequately resolve site specific organisational factors including orientation, natural light, maintenance and servicing.

**Environmentally Sustainable Design**

The design must be developed to:

• showcase exemplary ESD outcomes and aim to achieve a Six Star Green Star rating.

• consider the potential for any future reuse of the building and provide an adaptable building format to ensure a long term built legacy.
4. **CONSISTENCY WITH DESIGN PRINCIPLES**

The plans now submitted have been prepared with the guiding Design Principles at front of mind. The table below addresses how each of the agreed Principles has been considered:

<table>
<thead>
<tr>
<th>Design principle</th>
<th>Architectural Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Containment’ of the square</td>
<td>• Elongated mass</td>
</tr>
<tr>
<td></td>
<td>• Increased height</td>
</tr>
<tr>
<td></td>
<td>• Position of the building on the site, shifted to the west</td>
</tr>
<tr>
<td></td>
<td>• Contains whilst enhancing visual and physical connection between square and river</td>
</tr>
<tr>
<td>‘Scale’</td>
<td>• Apparent mass of the building increased (height, elongation), and more in keeping with context</td>
</tr>
<tr>
<td>Contextual ‘of its place’</td>
<td>• Continuation of the design legacy of Fed Square</td>
</tr>
<tr>
<td></td>
<td>• An interpretation of the Fed Square ‘type’</td>
</tr>
<tr>
<td></td>
<td>• Use of screens to provide layered facades, solar shading, privacy</td>
</tr>
<tr>
<td></td>
<td>• Reflecting the bespoke materiality of Fed Square without being literal</td>
</tr>
<tr>
<td></td>
<td>• Terraces sit within the building mass, behind screens (not projecting) providing a unified mass</td>
</tr>
<tr>
<td></td>
<td>• Raised volume allows ‘Carpet’ of Federation square to continue through</td>
</tr>
<tr>
<td></td>
<td>• Landscape design extends the original masterplan principle of universal access</td>
</tr>
</tbody>
</table>

The points above contribute to the overall contextuality within the ‘campus’ of buildings and address the containment and materiality.

| Sustainable design            | • Utilising existing infrastructure                                                       |
|                                | • Reduced energy loads through shading cantilevers and responsive facades                 |
|                                | • Extending the green river corridor and use of indigenous planting species               |
|                                | • Water conservation                                                                      |
|                                | • Limit irrigation with use of indigenous tree species                                   |
|                                | • Potential for solar energy generation                                                  |
| Connectivity                  | • Reduced building mass compared to existing Yarra better connect square to river corridor |
- Elevating the mass afford visual connection, transparency, Federation square to flow through
- Reinforce the existing pedestrian route between station and river/stadiums
- Enhances the pedestrian route for the arrive of the new Metro station
- Improving 'universal' access for the less able
- Providing elevated views to view the city

| ‘Public realm/Civic contribution’ | • Significant public realm contribution with new landscaped areas to the west, south and east including green landscape, indigenous planting, access for disabled, seating areas, elevated views and informal performance space
|                                 | • Emphasises relationship to square: main entrance off the main square, terrace on the north side enhances relationship between square and building interior/function; The building becomes part of the square through transparency of elevation
|                                 | • Elevated terrace provides a new visitor experience contribution
|                                 | • Activates the river edge of Princess walkway (currently a temporary staging area)
|                                 | • Activation of the south side of the square/ an ‘engaging edge’ – visibility of the interior and transparency, circulation - it becomes part of square |
5. **CONCLUSION**

It is considered that the submitted package of documents respond to the Design Principles developed by the Steering Committee and are consistent with the requirements of Condition 4.6.

We look forward to your consideration of this documentation.
DISCLAIMER

This report is dated 18 July 2018 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd’s (Urbis) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Apple (Instructing Party) for the purpose of Town Planning (Purpose) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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