

**NOTICE OF REFUSAL TO GRANT A  
PERMIT  
UNDER SECTION 102(1)(C) OF THE  
HERITAGE ACT 2017**

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**Permit Application No.:** P30209

**Owner:** 

**NAME OF PLACE/OBJECT:** FEDERATION SQUARE  
**HERITAGE REGISTER NUMBER:** PROV H2390  
**LOCATION OF PLACE/OBJECT:** 2-20 SWANSTON STREET MELBOURNE



**WHAT HAS BEEN REFUSED?**

- Dismantling and demolition of the existing Yarra Building above basement level;
- Construction of a replacement building including construction of two levels above plaza level and undertaking works associated with the existing below plaza levels; and
- Undertaking public realm upgrade works around the replacement building.

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**REASONS FOR REFUSAL:**

- If the application were approved, and the Yarra Building demolished and replaced with the proposed building, it would result in an unacceptable and irreversible detrimental impact on the cultural heritage significance of Federation Square.
- The demolition of the Yarra Building would result in the loss of significant original built form fabric. Only in exceptional circumstances would a permit be provided for the demolition of a heritage building. Where demolition has been approved by Heritage Victoria in the past it has usually been due to issues relating to contamination or structural integrity. These issues are not present in respect to the Yarra Building.
- The proposed development adversely affects the cultural heritage significance of the Federation Square and its setting as it:
  - presents as a stand-alone building;
  - is visually dominant in relation to the existing buildings;
  - will detract from the design language of the existing buildings and public square;
  - encroaches into the public square; and
  - diminishes the experience of enclosure within the public square.
- Refusal of the permit application will prevent the economic benefits of the proposed use and development being realised. However, while it is accepted that the Yarra Building does not meet the particular functional and operational requirements of an Apple Global Flagship Store, it has not been sufficiently demonstrated that the requirements of a more conventional retail or commercial outlet could not be met without having such a significant impact, or that the proposed development is required or necessary to ensure the economic viability or use of Federation Square as a whole.
- The negative impacts of the proposal are not outweighed by the benefits, including the economic benefits.

<p>Signature of the Executive Director, Heritage Victoria:</p> 	<p>Date:</p> <p>5.4.19</p>	
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