



LEVEL 12
120 COLLINS STREET
MELBOURNE VIC 3000

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

17 December 2019

Ms Ainsley Rotgans
Planner
Department of Environment, Land, Water and Planning
Level 8, 8 Nicholson Street
East Melbourne 3002

ADVERTISED PLAN

This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright

Dear Ainsley,

450 ELIZABETH STREET, MELBOURNE SECTION 50 AMENDMENT (PLANNING PERMIT NO. 2011/012691)

Urbis acts on behalf of 'The Harry Chua Family Trust' in relation to the current Application No. 2011/012691. Following our discussions, we seek to make a minor update to the description of the land use in accordance with Section 50 of the *Planning and Environment Act, 1987*.

Specifically, as a consequence of the change of land use definitions under Amendment VC159, the land use term 'Tavern' is no longer in use within the Melbourne Planning Scheme. Therefore, we seek a minor update to the description of the land use in the preamble of the permit from 'Tavern' to a 'Bar' use.

We are of the view this alteration is a relatively minor update to the description of the use to align with the current planning scheme use definitions. The 'Bar' use is the most closely aligned use to a 'Tavern' and would enable the sale and consumption of liquor within the premises.

We seek the preamble of Planning Permit 2011/012691 to be amended (updates underlined) as follows:

'Demolition of the existing building and construction of a new mixed-use multi-storey tower comprising dwellings and ground floor and first floor retail premises and bar (other than adult sex bookshop, department store, hotel, supermarket ~~and tavern~~) and the provision of associated car parking and allowing the 'sale of packaged liquor' (bottle shop).

Pursuant to the Capital City Zone Schedule 1 (CCZ1) a 'Bar' use is a Section 2 permit required use (replacing the previous 'Tavern' use, which was also a Section 2 use).

We consider that the 'Bar' use is an appropriate use of the lower levels of the building within a prime location in the Melbourne CBD, noting the proposed change of use to 'Bar' is to align with the change in planning scheme use definitions and no other changes are proposed to the previously lodged Section 72 Amendment.

Furthermore, we confirm no permit is required under Clause 52.27 as the site is within the Capital City Zone (CCZ1).

The proposal will contribute positively to the entertainment function of the Central City and provide activation to Elizabeth Street / A'Beckett Street and the continued growth of the '24 hour' city. Furthermore, the design response and nature of the use ensures there will be no unreasonable amenity impact on surrounding residential uses, as discussed within the original application submission.

**ADVERTISED
PLAN**

We kindly request you continue to assess the Section 72 application as preciously submitted, which seeks:

- To amend the permit preamble to allow for the land use of 'bar' and for the 'sale and consumption of liquor' within the proposed 'bar'.
- To amend the permit preamble to allow for the 'sale of packaged liquor' within the ground level bottle shop.
- To amend the permit preamble to allow for the 'erection and display of signage' at the lower levels of the building.
- Approval of the enclosed 'red line' plans.
- Approval of the enclosed signage drawings.
- Approval of the enclosed Ground Floor Plan and Level 1 plans which includes only minor internal modifications to incorporate two concierge desks within the lobby of the building and labelling to reflect the Level 1 bar / restaurant / function room use.

This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any provision.

We look forward to hearing further on the next steps to enable to application to progress.

Should you have any queries in relation to the above, please do not hesitate to contact the undersigned on 8663 4888 or ahoskin@urbis.com.au.

Yours sincerely,



Alison Hoskin
Senior Consultant