

Crown Tenancy Refurbishment 'The Henley'

Planning Permit Application PA2402843
8 Whiteman Street, Southbank
Crown Casino



Officer Assessment Report
Development Approvals & Design

© The State of Victoria Department of Transport and Planning 2024

Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.



Department
of Transport
and Planning

OFFICIAL



Contents

Executive Summary	2
Subject Site and Surrounds	3
Proposal	6
Application Process	6
Proposal Summary	6
Planning Provisions	9
Municipal Planning Strategy	9
Planning Policy Framework	9
Planning Controls	9
Referrals and Notice	12
Assessment	13
Recommendation	19

Executive Summary



Key Information	Details																		
Application No:	PA2402843																		
Received:	5 April 2024																		
Statutory Days	9																		
Applicant:	Crown Melbourne Ltd c/- Urbis Ltd																		
Planning Scheme:	Melbourne Planning Scheme																		
Land Address:	8 Whiteman Street, Southbank																		
Proposal:	Application for partial demolition works, construction of works and the erection and display of a internally illuminated business identification signage																		
Development Value:	\$6,000,000																		
Why is the Minister responsible?	<p>In accordance with the schedule to Clause 72.01-1 of the Melbourne Planning Scheme:</p> <p><i>The Minister for Planning is the responsible authority for administering and enforcing the scheme for:</i></p> <ul style="list-style-type: none"><i>The Melbourne Casino Area as delineated in Schedule 1 of the Casino Control Act 1991 as amended.</i>																		
	<table><thead><tr><th>Clause</th><th>Control</th><th>Trigger</th></tr></thead><tbody><tr><td>Zone:</td><td>Clause 37.04 Capital City Zone – Schedule 3 (CCZ3)</td><td>A permit is required to demolish or remove a building or works. A permit is required to construct a building or construct or carry out works. A permit is required to construct or put up for business identification signage.</td></tr><tr><td>Overlays:</td><td>Clause 43.02 Design and Development Overlay – Schedule 1 (DDO1)</td><td>A permit is required to construct a building or construct or carry out works.</td></tr><tr><td></td><td>Clause 43.02 Design and Development Overlay – Schedule 60 (DDO60)</td><td>N/A</td></tr><tr><td></td><td>Clause 45.09 Parking Overlay</td><td>N/A</td></tr><tr><td>Particular Provisions:</td><td>Clause 52.05 Signs</td><td>N/A</td></tr></tbody></table>	Clause	Control	Trigger	Zone:	Clause 37.04 Capital City Zone – Schedule 3 (CCZ3)	A permit is required to demolish or remove a building or works. A permit is required to construct a building or construct or carry out works. A permit is required to construct or put up for business identification signage.	Overlays:	Clause 43.02 Design and Development Overlay – Schedule 1 (DDO1)	A permit is required to construct a building or construct or carry out works.		Clause 43.02 Design and Development Overlay – Schedule 60 (DDO60)	N/A		Clause 45.09 Parking Overlay	N/A	Particular Provisions:	Clause 52.05 Signs	N/A
Clause	Control	Trigger																	
Zone:	Clause 37.04 Capital City Zone – Schedule 3 (CCZ3)	A permit is required to demolish or remove a building or works. A permit is required to construct a building or construct or carry out works. A permit is required to construct or put up for business identification signage.																	
Overlays:	Clause 43.02 Design and Development Overlay – Schedule 1 (DDO1)	A permit is required to construct a building or construct or carry out works.																	
	Clause 43.02 Design and Development Overlay – Schedule 60 (DDO60)	N/A																	
	Clause 45.09 Parking Overlay	N/A																	
Particular Provisions:	Clause 52.05 Signs	N/A																	
Cultural Heritage	The proposed works are located within an area of cultural sensitivity.																		
Referral Authorities:	DTP Urban Design Team (Informal referral) Melbourne City Council (Informal referral) Melbourne Water (Informal referral)																		
Public Notice:	Notice of the application was not required pursuant to the applicable planning controls																		
Delegates List:	Approval to determine under delegation received on 2 July 2024.																		
Recommendation	It is recommended that planning permit PA2402843 issue subject to conditions.																		

Subject Site and Surrounds



1. The subject site comprises a restaurant/bar tenancy within Crown Casino at 8 Whiteman Street, Southbank. The surrounding development comprises high and mid-rise buildings adjacent to Yarra River, consistent with the character of the Capital City and Southbank.
2. The subject tenancy has long been established and operated as a food and drink premises (Rosetta Ristorante), comprising an internal dining area with an outdoor dining terrace. Figure 1 shows the location of the entry to the tenancy from the Yarra River promenade, outlined in red, within Crown Casino (indicatively outlined in blue dashes).



Figure 1: Subject site and surrounds (Source: State of Victoria)

3. The existing food and drink tenancy façade predominately comprises vertically oriented scalloped/ curved glazing panels to all interfaces, with tenancy access available via the east and west interfaces.
4. The outdoor terrace features fixed canopy structures, internally illuminated business identification signage, a low-scale perimeter hedge and small tree plantings.



Figure 1: Existing frontage of the food and drink tenancy (Rosetta Ristorante) (Source: DTP Officer, 2024)

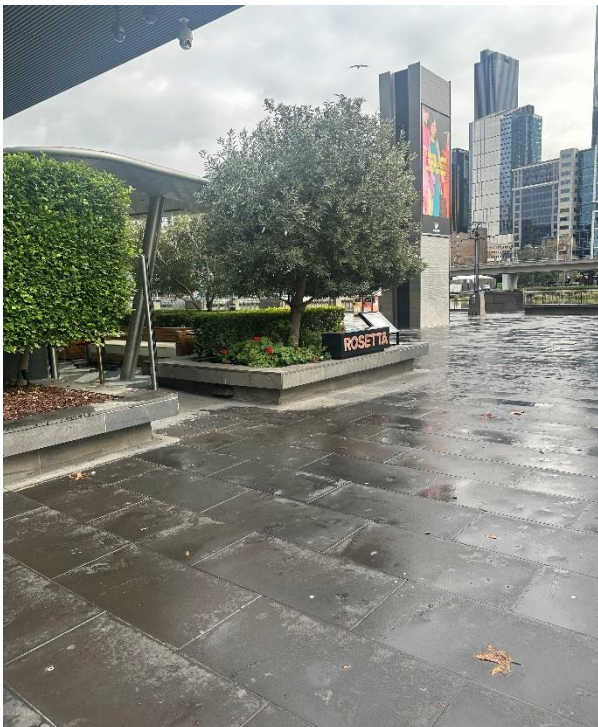


Figure 2: Eastern boundary of the existing food and drink tenancy (Source: DTP Officer, 2024)



Figure 3: Western boundary of the existing food and drink tenancy (Source: DTP Officer, 2024)



5. Immediately **north** of the tenancy is the Yarra Promenade, which is an open bluestone paved pedestrian thoroughfare interfacing directly with the Yarra River.
6. To the **east** of the existing food and drink tenancy is the Queens Bridge Street entry to the Yarra Promenade. The area immediately east of the tenancy is a largely open bluestone paved pedestrian area.
7. To the **west** of the food and drink tenancy is an open hard paved area which forms part of the broader Yarra Promenade area, however, also acts as an entry point to Crown Casino.
8. Immediately **south** is the Crown Casino Porte cochere, which is a semi-enclosed area facilitating drop-off/pick up for Crown patrons, accessible via Queens Bridge Street (*see figure 4 below*).



Figure 4: Southern boundary of the existing tenancy showing the Crown Porte cochere (Source: DTP Officer, 2024)



Application Process

9. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	5 April 2024
Further Information requested	2 May 2024
Further Information received	16 May 2024
Section 50 Amendment	On 4 July 2024 the proponent lodged a formal s50 request in relation to: <ul style="list-style-type: none">The removal of Crown Allotment 2121\PP3084D from the scope of the planning permit application. This was due to the proposed hydrant component of the application being confirmed to be exempt under Clause 62.02-1 (<i>buildings or works which provide for fire protection under relevant legislation</i>).Updated plans to show an increased density of potted planters.
Decision Plans	The Henley – Architectural Plans prepared by Kyriacou Architects dated 2 July 2024
Other Assessment Documents	8 Whiteman Street, Southbank – Crown (The Henley) - Planning Report – Ver.02 prepared by Urbis Pty Ltd dated May 2024. 8 Whiteman Street, Southbank – Crown (The Henley) - Planting Concept prepared by Greenevent dated April 2024. 8 Whiteman Street, Southbank – (The Henley) - Sustainable Design Assessment-Version 1 prepared by Frater dated 11 April 2024.

10. The subject of this report is the decision plans (as described above).

Proposal Summary

11. The proposal comprises partial demolition works, and construction of works associated with the redesign and refurbishment of an existing food and drink Crown tenancy, originally operating as Rosetta Ristorante, proposed to now operate as a new food and drink tenancy r, named 'The Henley'.

12. Proposed **demolition** works include:

External demolition works to:

- The existing northern, eastern, and western tenancy facades.
- All canopy structures, bluestone plinths, and planters within the existing outdoor dining terrace.
- The central portion of existing louvers on the northern façade.
- The westernmost end of the raised planter/service enclosure to the east of the tenancy within the public realm.
- It is noted that all proposed internal demolition works within the tenancy are exempt from requiring a planning permit.

13. Proposed **buildings and works** include (*see figures 5 & 6 below*):

- Full height clear glazing to all three interfaces, including operable sash windows to some of the glazing bays.

- The proposed northern glazed façade to include a central projection in the alignment increasing internal dining space and reducing outdoor terrace space.
- Steel pergola framing structure finished in a timber look aluminium cladding.
- Inclusion of fixed louvres integrated into the pergola framing structure, providing sun shading to terrace.
- Install new paving to outdoor dining terrace area.
- The proposed works will maintain existing Finished Floor Levels of the internal and external areas of the tenancy.



*Figure 5: Existing food and drink tenancy (Rosetta Ristorante) (eastern elevation),
Source: Architectural Plans.*



Figure 6: Proposed food and drink tenancy ('The Henley' (eastern elevation), Source: Architectural Plans.

14. Proposed **landscaping** to include:

- Perimeter of the outdoor terrace to be lined with integrated individually potted plantings, comprising a variety of low-scale species, whilst the planters integrated within the outdoor terrace area will accommodate similar low-scale species.

15. Proposed **signage zones** to include (please refer to building elevations within the architectural plans for further detail):

- East Elevation
 - Internally illuminated business ID signage zone – 650H x 2500W x 130D (Area = 1.625sqm)
 - Business ID signage zone – 1000W x 600H (0.6sqm)
- West Elevation
 - Internally illuminated business ID signage zone – 650H x 2500W x 130D (Area = 1.625sqm).
 - Business ID signage zone – 1000W x 600H (0.6sqm).
- South Elevation
 - Replacement of existing internally illuminated business ID sign ('Rosetta') with new food and drink tenancy ('The Henley') signage. The signage zone will remain as the same signage type, however will be smaller in size (i.e. 690H x 2950W).



Municipal Planning Strategy

16. Clause 2 of the Melbourne Planning Scheme comprises the Municipal Planning Strategy (MPS) which sets out the vision and strategic direction for the municipality and includes strategic framework plans to be read in conjunction with strategic directions in Clause 2.03.
17. The MPS identifies Southbank as an existing urban renewal area, stating that *existing urban renewal areas provide a new mix of uses and higher density of development complemented by excellent provision for walking, cycling and public transport services.*
18. Strategic directions within the MPS support development that compliments the preferred built form character of an area, stating that *in the built environment, inappropriate signs or a proliferation of signs may detract from the character and amenity of the place and create visual clutter.*
19. Furthermore Clause 2.04 encourages use and development that contributed positively to the activity, character, and image of the City, enhancing the night-time economy.

Planning Policy Framework

20. The Planning Policy Framework (PPF) provides the broad policy direction within the Victorian Planning Provisions. The planning principles set out under the PPF are to be used to guide decision making on planning proposals across the state. The following policies are considered relevant to this application;
 - Clause 11 – Settlement
 - Clause 11.03-6L-12 – Southbank
 - Clause 15 – Built Environment and Heritage
 - Clause 15.01-1S – Urban Design
 - Clause 15.01-1L-02 – Signs
 - Clause 17 – Economic Development
 - Clause 17.02-1S - Business
 - Clause 17.04-1R – Tourism in Metropolitan Melbourne

Planning Controls

Clause 37.04 – Capital City Zone – Schedule 3 (Southbank)

21. The purpose of CCZ3 includes, as relevant:
 - *To develop Southbank as an extension of the central city, providing for a mix of commercial and residential land uses that complement the capital city function of the locality.*
 - *To deliver local services and facilities within an approximate 400m walk from all residences.*
 - *To maintain and enhance the role of Southbank as a cultural and arts precinct.*
 - *To provide uses at ground floor and upper podium floors to promote a visual link with, and facilitate the passive surveillance of, the public realm.*
 - *To support commercial, retail and community uses along pedestrian corridors.*



22. Pursuant to Sub-clause 1.0 of Schedule 3 to Clause 37.04, a 'Retail Premises' (including a 'food and drink premises') is a Section 1 use and therefore does not require a planning permit.
23. Pursuant to Clause 37.04-4 a planning permit is required to:
 - Construct a building or construct or carry out works.
 - Demolish or remove a building or works.
24. Clause 37.04-5 notes that the CCZ is not in a sign category under Clause 52.05, but rather, the schedule to the zone prescribes permit requirements for signage.
25. Sub-clause 5.0 (Schedule 3) states that a permit is required to display advertising signage. Permit trigger/exemption detail for all proposed signage is detailed below :

Sign	Permit trigger/exemption
<p><i>East Elevation:</i></p> <ul style="list-style-type: none"> - Internally illuminated business identification signage zone – 650H x 2500W x 130D (Area = 1.625sqm) - Business Identification signage zone – 1000W x 600H (0.6sqm) 	Permit required as per Subclause 5.0 to the CCZ3.
<p><i>West Elevation</i></p> <ul style="list-style-type: none"> - Internally illuminated business identification signage zone – 650H x 2500W x 130D (Area = 1.625sqm) - Business Identification signage zone – 1000W x 600H (0.6sqm) 	Permit required as per Subclause 5.0 to the CCZ3.
<p><i>South Elevation</i></p> <ul style="list-style-type: none"> - Replacement of existing internally illuminated business identification sign with new tenancy signage. The signage zone maintains the same signage type, however the signage will be smaller in size (690H X 2950W). 	Exempt as per the ' <i>Renewal or replacement of an existing internally illuminated business identification sign</i> ' exemption at Subclause 5.0 to the CCZ3.

26.

Clause 43.02 – Design and Development Overlay – Schedule 1

27. The purpose of DDO1 includes, as relevant:
 - *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To identify areas which are affected by specific requirements relating to the design and built form of new development.*
28. Pursuant to Clause 43.02-2, a planning permit is required to construct a building or construct or carry out works.
29. There are no specific requirements set out in the DDO or Schedule 1 for signage.



Clause 43.02 – Design and Development Overlay – Schedule 60

30. Schedule 60 relates to 'Special Character Areas – Built Form (Southbank) and the subject site is located within Area 1 (River Environs).
31. Sub Clause 2.2 of Schedule 60 notes that a permit is not required for:
 - *Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.*
 - *Buildings and works to an existing building(s) which do not alter the height or setback of any part of an existing building or result in any additional habitable or occupiable floor area.*
32. Accordingly, the proposed scope of works do not require a permit under the DDO60 as they are confined to ground floor level as well do not alter height or setbacks of the existing building and are contained within the existing tenancy footprint.

Clause 45.09 – Parking Overlay – Schedule 1

33. Schedule 1 of the overlay relates to the 'Capital City Zone- Outside the Retail Core'.
34. As there is no increase in tenancy floor area or any change proposed to on-site car parking, no planning permit is required pursuant to the PO1.

General Provisions and Operational Provisions

35. Clause 65 comprises decision guidelines for the responsible authority to consider, as appropriate when deciding on an application.
36. Clause 71.02-3 outlines that planning and responsible authorities should endeavour to integrate a range of planning policies relevant to economic wellbeing, various social needs and proper management of resources and infrastructure.



Referrals

DTP – Urban Design Team

37. The application was informally referred to the team on 19 April 2024 who provided the following recommendations.
- *We note the adoption of moveable, cylindrical planters to the outdoor terraces. We recommend the adoption of more integrated planters to this location to clearly and more permanently demarcate public from private areas. We recommend the adoption of wide, rectangular planter boxes between arbour structures to ensure these read as an integrated architectural element rather than an ephemeral, moveable component.*
 - *We require further information pertaining to the extent, sizing and illumination of signage particularly regarding those in view from key public realm interfaces.*
 - *Ensure glazing to all public interfaces is transparent.*
 - *The retention of bluestone planters/plinths and the strategic integration of proposed new canopy and arbour structures.*
38. The recommendations/issues identified by the Urban Design Team have been noted and considered as part of the assessment below.

The City of Melbourne (CoM)

39. The application was informally referred to the council on 16 April 2024. A response was received 31 May 2024 stating that their in principle support for the proposal subject to:
- *The retention of the existing plinth and landscaping to the northern and part eastern and western elevations in lieu of the proposed potter planters.*
40. In addition, Council has recommended conditions relating to structure, lighting, and the advertising material of the proposed signage. Council's conditions have been included in the recommendation and are considered appropriate to protect the amenity of the surrounding area.
41. The proposed demolition of the existing plinth and landscaping is identified as an issue by the CoM has been noted and considered as part of the assessment below.

Melbourne Water

42. The application was informally referred to the Melbourne Water on 3 June 2024. This is as the subject site is intended to be affected by Planning Scheme Amendment C384 which proposes to introduce a new Land Subject to Inundation Schedule 3 (LSIO3).
43. Melbourne Water responded on 24 June 2024 stating that “*provided that the finished floor levels remain unchanged from the existing FFL and the number of persons allowed on the site (i.e. the population exposed to the flood hazard on the land) is not increased, Melbourne Water does not object to the proposal, subject to the following conditions*”:
- *The ground floor finished floor levels and access points as shown on the endorsed plans must not be altered unless with the prior written consent of Melbourne Water.*
44. It is noted that the proposed works will ensure existing FFL's of the internal and external are maintained at FFL 2.42m. Furthermore, the above recommended condition by Melbourne Water will be included on any planning permit granted.



Notice

Schedule 3 to the **Capital City Zone** states the following:

45. *An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of section 52(1)(a),(b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.*
46. *An application to demolish or remove a building or works is exempt from the notice requirements of section 52(1)(1), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.*
47. An application to erect or construct or carry out works for an advertising sign, is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Schedule 1 to the **Design and Development Overlay** also states:

48. An application for construction of a building or to construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.



Demolition & Refurbishment Works

Planning Policy Framework

49. The proposed partial demolition and external building works are largely limited within the confines of the existing food and drink tenancy footprint and is supported by relevant state and local policies.
50. The relevant state and local policy directives contained within the PPF generally seek to encourage active land uses at street level, with a focus on permeability and surveillance to enhance safety and amenity within the public realm (Clause 11.03-6L-12).
51. The proposal will improve the existing food and drink tenancy's interface with the Yarra Promenade and is anticipated to enhance pedestrian activity and contribute to the vitality of Melbourne and furthermore Southbank as a tourism attraction (Clause 17.04-1R).
52. The proposal will achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development (15.01-2S) (*please refer to the Sustainable Design Assessment prepared by Frater*).

Built Form

53. The zoning and overlay provisions have been considered in the application.
54. The proposal seeks to refurbish an existing food and drink tenancy that presents a direct interface with the Yarra Promenade which meets the purpose of the CCZ3 to support commercial, retail and community uses along pedestrian corridors.
55. The existing scalloped / curved glazing panels at the north, east and west food and drink tenancy facades are proposed to be replaced with larger, clear operable glazing panels, enabling the lower sections of glazing to slide open, enhancing visual permeability and general interaction between the internal and external areas of the tenancy. This adheres to the purpose of the CCZ3 to facilitate passive surveillance of the public realm.
56. The proposal responds to the decision guidelines in schedule 3 of the Capital City Zone through ensuring the provision of landscaping. This includes the perimeter of the outdoor terrace being lined with individually potted plantings, comprising a variety of low-scale species, whilst the planters integrated within the outdoor terrace will accommodate similar low-scale species.
57. In addition, the proposed new food and drink premise will provide for active street frontages and pedestrian engagement. This is through the incorporation of the proposed central glazed projection which will emphasise the northern interface as a key point of entry into the tenancy. Furthermore, the removal of the existing plinth will provide for direct connection between the outdoor terrace and the public realm without the requirement of finished floor level modification, Operable aluminium louvres above the outdoor terrace will also provide necessary weather protection.
58. The proposed food and drink tenancy will not impact the amenity of any adjacent sites as it is noted that the proposed buildings and works are limited to within the tenancy footprint. The site is additionally located approximately 15 metres away from the neighbouring 'Rockpool' tenancy. The proposal further encourages incorporates ESD initiatives and innovation including that all transparent glazing has been identified as being able to meet the energy efficiency requirements of the National Construction Code 2019 Amendment 1 (*please refer to the Sustainable Design Assessment prepared by Frater*) (Clause 15.01-1S).
59. In addition, the proposal is considered to align with the design objective of the DDO1 as below:

DDO1 Built Form Element	Proposal Response
Urban Structure	N/A – The application does not relate to a new development



<i>Site Layout</i>	<p>The proposed refurbishment will create openings in its northern edge to enable patrons to access the site via the Yarra Promenade interface.</p> <p>The existing outdoor terrace FFL is consistent with the FFL of the Yarra Promenade to ensure alignment between the public and private realms.</p>
<i>Building Mass</i>	N/A - the application does not relate to a new development.
<i>Building Program</i>	Noting the existing tenancy footprint is remaining unchanged, the grain of tenancies along the Yarra Promenade will also be appropriately maintained.
<i>Public Interfaces</i>	<p>The proposed façade replacement will increase the visual permeability of the northern, eastern, and western tenancy facades, therefore enhancing interaction between the tenancy itself and the public realm.</p> <p>The proposed timber-look pergola structure is intended to clearly delineate the tenancy extent.</p>
<i>Design Detail</i>	<p>The proposed façade replacement will comprise large clear glazing panels, which are operable (guillotine system) to enable the tenancy to transform to a partially open-sided space, when weather permits.</p> <p>The proposed palette of materials and finishes (<i>please refer to the External Materials Schedule within the architectural plans</i>) are complementary to public realm whilst also durable and low maintenance</p>

Pedestrian Accessibility and Safety

60. The existing food and drink tenancy has historically been accessed via entry points at the east and west interfaces (*see figures 2 & 3 above*), with the north interface closed-off with limited interaction to the Yarra Promenade due to the existing plinth and landscaping treatment.
61. It is noted that concerns have raised by the DTP – Urban Design Team and CoM regarding the removal of the bluestone plinths at the site which have been highlighted to be a core feature of the Southbank Precinct.
62. It is acknowledged that there is a degree of consistency throughout the precinct regarding the integration of the plinths along the Yarra Promenade. The proposed design of the food and drink tenancy however will allow for increased accessibility and a sense of address through the removal of the existing plinth and planter beds and replacement of a more permeable treatment to the terrace edge which will comprise of individually potted plantings. Furthermore, the three openings along the northern terrace edge are anticipated to facilitate direct patron access/egress via the Yarra Promenade, which is intended to improve accessibility and interaction to the pedestrian corridor (*see figure 7 below*).



Figure 7: 3D view of proposed northern façade/ central glazed projection of proposed 'The Henley' tenancy, Source: Planning Report, prepared by Urbis 2024.

63. Subsequently, due to Crown Casino's revolving door entry point located immediately west of 'The Henley', the existing food and drink tenancy reads as being detached from the other tenancies further west along the Promenade including the neighbouring 'Rockpool' tenancy which is separated by approximately 15 metres. From a pedestrian perspective, it is highlighted that the design language of The Henley can be interpreted independently within the broader context of the Promenade (see figure 8 below).



Figure 8: Separation between The Henley (left) and neighbouring Rockpool tenancy (right), Source: Google Maps, 2018.

64. In addition, further west along the Promenade, it is noted that the food and drink tenancy 'The Fish & Chippery by the Atlantic' tenancy at 8 Whiteman Street, Southbank sets out a precedent for how an alternative outdoor dining terrace edge design treatment may be successfully integrated and implemented within the broader Promenade context without diminishing the character of the area (see figure 9 below).



Figure 9: Separation between The Henley (left) and neighbouring Rockpool tenancy (right), Source: Google Maps, 2018.



65. Furthermore, as confirmed by the proponent, the proposed terrace design and edge treatment is aligned in with Crown Casino's broader strategy and aspirations to improve activation and connectivity between ground level tenancies and the Yarra Promenade. This is intended to contribute to the vitality of the pedestrian corridor through providing for improved CPTED (Crime Prevention Through Environmental Design) outcomes. In addition, to deliver improved placemaking and wayfinding through the provision of more clearly defined and legible entries for pedestrians.

Amenity

66. The proposal will seek to provide interfaces between the private and public realms that enhances personal safety and public realm amenity (Clause 11.03-6L-12).
67. It is also noted that on 16 May 2024 and 14 June 2024 the proponent provided an RFI response that consolidated several comments/concerns raised by the DTP Urban Design Team. A number of items and recommendations raised by the Team were adopted and the subsequent plans and reports updated to include:
- An increased density of pots to ensure the treatment presents as more solid and continuous barrier treatment along the terrace edges, further akin to a 'plinth'.
 - Increased proportion of grey coloured pots for improved visual integration with the prevailing bluestone characteristic along the Promenade.
 - Confirmation that the pots will be fixed to the ground, ensuring that the terrace edge treatment is permanent in nature as opposed to 'moveable'.
 - Extent and sizing of proposed signage confirmed on the plans as well as confirmation that all internally illuminated signage is to comply with *Australian Standard AS/NZS 4282:2019 Obtrusive Effects of Outdoor Lighting*.
 - Town Planning report updated to confirm that all interfaces will comprise of clear/transparent glazing.
68. In addition, the proposed works will not result in any adverse off-site amenity impacts as the tenancy refurbishment seeks to reinstate an existing use at ground floor level. Furthermore, the partial demolition and external building works are largely limited to within the confines of the existing tenancy and is ultimately considered minor in the context of the broader Crown Casino complex (Clause 15.01-1S).

Aboriginal Cultural Heritage Sensitivity

69. It is also recognised that the subject site is within an area of legislated Cultural Heritage Sensitivity. Pursuant to Section 46 Subsection 3 of the Aboriginal Heritage Regulations 2018, a Cultural Heritage Management Plan (CHMP) is not required where the works are associated with a purpose for which the land was being used before 28 May 2007. As the Crown Casino complex has been operating since 1994 and the proposal is limited to works within the existing tenancy footprint, a CHMP is not required (Clause 15.03-2S).

Signage

Planning Policy Framework

70. In considering the suitability of the proposed signage zones, it is important to note that the existing food and drink tenancy currently comprises internally illuminated business identification signage ('Rosetta') at the eastern, western, and southern elevations (*please refer to Drawing Nos. TP-DWG-AR-0510, 0512, 0850 and 0851*).
71. The objective of clause 15.01-1S (Urban design) is: *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*
72. Clause 15.01-1L-02 (Signs) comprises the following objectives:



- To allow for the reasonable identification and marketing of institutions, business and buildings and communication of messages.
- To protect the characteristics of significant buildings, streetscapes, residential areas.
- To protect the appearance and character of residential areas and other high amenity areas.
- To protect important vistas from obtrusive and insensitive signs.
- To encourage where appropriate, signs that make a positive contribution to the character of an area.

73. Specific to the Yarra River Environs, Clause 15.01-1L-02 has the following objective:

- To enhance the area's attraction for visitors by preserving the visual characteristics and high amenity or public spaces along the Yarra River corridor, the varies and interesting built form and intensively uses promenades.

74. Clause 15.01-1L-02 includes guidelines that set out preferred sizes and clearances for signs within the Capital City Zone. The proposed signage is most similar to the *Horizontal projection – Ground level* category. The table below outlines how the proposed signage scheme responds to the relevant guidelines for *Horizontal projection-Ground level* signage:

Policy Guidance	Proposal Response
<p><u><i>Horizontal projection – Ground level</i></u></p> <p><u><i>Recommended design</i></u></p> <p>Height: 0.5m max. Width: 2.5m max Depth: 0.3m max. Dimensions: 1.5sqm max Clearance (vertical) to pavement: 2.7m min. Location: Under verandah.</p>	<p>The two proposed internally illuminated business identification signs at the east and west elevations of the tenancy, are closely aligned with the recommended design elements as followed:</p> <ul style="list-style-type: none"> • Height: 0.65m • Width: 2.5m • Depth: 0.13m • Dimensions: 1.625 sqm • Clearance (vertical) to pavement: 3.6m • Location: under pergola <p>It is noted that the recommended design elements are not mandatory, however seek to ensure appropriate signage outcomes, to which the proposed tenancy signage achieves.</p> <p>Furthermore, the small business Identification (non-illuminated) that are proposed on the side entry doors will be discrete in their presentation given their size and location and are considered to be appropriate for a food and beverage tenancy within the Yarra Promenade.</p> <p>Finally, to south elevation, the proposed signage is to replace the existing internally illuminated “Rosetta” signage facing the Porte Cochere in a like-for-like manner in terms of signage type. The sign however will be substantially reduced in size. Accordingly, this sign is exempt from requiring a planning permit pursuant to Clause 5.0 of the CCZ3.</p>



70. It is considered that the proposed signage is appropriate for its location within an existing urban renewal area and will not unreasonably compromise the vision or strategic direction for Southbank or the municipality.
71. It is considered that the proposed signage will not detract from the character of the Yarra River promenade or its amenity subject to appropriate conditions on any permit to issue.
72. The proposed signage provides for a reasonable level of business identification within a pedestrian environment, contributing to the function and amenity of the Yarra River promenade. (Clauses 15.01-1S and 15.01-1L-02).
73. Having regard for Clause 15.01-1L-02, the signage is considered acceptable for the following reasons:
- The proposed signage will be limited to business identification purposes only.
 - The proposed signage is proportionately scaled to the respective food and drink tenancy interfaces to ensure visual clutter to the Yarra Promenade and surrounds is minimised.
 - The proposed signage integrates with the refurbished tenancy design and is similar to the existing Rosetta signage scheme.
 - The character of business identification signage associated with Crown Casino tenancies is mixed, and includes internally illuminated signage, and the dimensions of the proposed signs will not cause the signage to stand out relative to other signs within the casino precinct.
74. It is noted that the Melbourne Planning Scheme does not specify limits to brightness but refers to protecting the amenity of the public realm. Should a permit issue, conditions should be included ensuring compliance with Australian Standard AS/NZS 4282:2019 – *Obtrusive Effects of Outdoor lighting*. (Clause 15.01-1L-02).
75. Furthermore, the signage will adhere to the general design principles of the CoM's Public Lighting Strategy (2021) through ensuring that the required levels of illumination match the intensity of use by pedestrians. This is to further ensure safety within the public realm.

Capital City Zone – Schedule 3 and Clause 52.05 (Signs)

76. In keeping with the purpose of CCZ3, the proposed signage supports the food and drink premises use that compliments the mix of land uses envisaged for Southbank.
- Having regard for the decision guidelines at clause 52.05 (Signs), subject to appropriate conditions on any permit to issue, it is considered that the proposed signs: Are compatible with the existing and preferred character of the area;
 - Will not unreasonably contribute to excessive visual clutter or visual disorder;
 - Will not unreasonably impact the amenity or safety of the Yarra River Promenade; and
 - Will not unreasonably impact the cultural heritage values of the Yarra River.

Further, Melbourne City Council offered no objection to the proposed signage subject to conditions relating to the ongoing maintenance, light emission and ensuring that no flashing lights or animation is provided on the signs. Several of these conditions have been included in the recommendation as they are considered appropriate to address the current and future amenity of the area with respect to the signage. In addition, DTP officers have recommended the inclusion of a condition requiring the preparation of signage plans to detail the material, colour, wording and illumination of all signage. As a result, TP officers have not sought to include condition 4 of Council's recommended conditions. It is noted that this condition is a duplication of conditions 1 (Amended Plans) which will require further signage detail recommended by Council and condition 2 (Written consent to modify endorsed plans).



75. The proposal is generally consistent with the relevant planning policies and controls of the Melbourne Planning Scheme, including relevant clause 65 decision guidelines, and will support the ongoing development of Southbank's night-time economy.
76. Under delegation from the Minister for Planning, it is recommended that planning permit **PA2402843** be issued, subject to conditions, for partial demolition works, to construct a building or construct or carry out works and the erection and display of business identification signage and internally illuminated business identification signage at 8 Whiteman Street, Southbank.
77. Should recommended planning permit **PA2402843** issue, it is also recommended that the following documents be approved and endorsed under condition 2:
 - The Henley – Architectural Plans prepared by Kyriacou Architects dated 2 July 2024.
 - 8 Whiteman Street, Southbank – Crown (The Henley) - Planting Concept prepared by Greenevent dated April 2024.
 - 8 Whiteman Street, Southbank – (The Henley) - Sustainable Design Assessment- Version 1 prepared by Frater dated 11 April 2024.



Prepared and finalised by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



Reviewed by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



Signed by: [REDACTED]

