

Federation Square – Beer Deluxe

HERITAGE IMPACT STATEMENT

2-20 Swanston Street, Melbourne

July 2025


Prepared for

AUSTRALIAN VENUE
CO

Prepared by

LOVELL CHEN





ACKNOWLEDGEMENT OF COUNTRY

This report was prepared on the lands of the Wurundjeri people who have been custodians of this land for thousands of years. We acknowledge their stories, connection to land, water and culture which is embedded in Country. We pay our respects to their Elders past and present and acknowledge that this report includes a post-contact history that forms only a small part of the ongoing story.

Federation Square is located on the lands of the Wurundjeri people, who are, and have always been the custodians of this land. We pay our respects to the Elders past and present, and acknowledge the stories, traditions and cultures of all Aboriginal and Torres Strait Islander people.

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Project no.	Issue no.	Description	Issue date	Approval
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Cover image: The outdoor dining area of the Beer Deluxe at the Flinders Street forecourt

Source: Lovell Chen



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1.0 Introduction

This Heritage Impact Statement (HIS) has been prepared for the Australian Venue Co. to accompany a permit application to Heritage Victoria for the works to upgrade the existing Beer Deluxe tenancy within Federation Square, which is located at 2-20 Swanston Street, Melbourne (Figure 1). Federation Square is situated to the north of the Yarra River in Melbourne, on the land of the Wurundjeri People, who are acknowledged as the Traditional Custodians of Country at and near the subject site.

Generally, the works involve the replacement of existing furniture, planters, lighting and the installation of new signage at the tenancy entries, and upgrades to the interior of the tenancy. In addition, it is proposed to construct a retractable roof structure over part of the outdoor dining area within the extent of the Flinders Street Forecourt.

Reference has been made to the following documents in the preparation of this HIS:

- Town Planning Drawing Set drawing no. TP000, TP100-TP102, TP200-TP201, TP300-TP304, TP400-TP408 (inclusive), prepared by Studio Y, dated 7 July 2025
- Design Development Presentation page 1-39 (inclusive), prepared by Studio Y, dated 19 June 2025
- Federation Square Conservation Management Plan (CMP) prepared for Federation Square Pty Ltd by Lovell Chen in 2020
- Federation Square Statement of Design Principles prepared by Lovell Chen in 2020



Figure 1 Aerial of the Federation Square at 2-20 Swanston Street, Melbourne as indicated
Source: NearMap, captured on 18 April 2025

1.1 Background

1.1.1 Pre-application meeting

A pre-application meeting was held on site with Heritage Victoria on 28 April 2025. Subsequently, Heritage Victoria provided written comments which are reproduced below for reference:

- A permit application is required for the works (with the exception of internal works that are permit exempt) and public notice of the application will occur. It is expected that the application will include reference and interrogation of the existing relevant masterplans, guidelines, and Conservation Management Plan.
- The proposed new retractable shade structure does not raise initial concerns, subject to more detailed design, materiality and colour considerations.
- Removal of the astro turf is supported and there are likely to be a number of flooring options that will be considered suitable.
- The proposed minor structural change at the eastern section of the tenancy to remove some bifold doors in order to provide more seating is supported.
- The new tenancy signage and lighting raises no initial concern.
- The proposed modular play equipment raises no initial concern. Any equipment should aim for a muted colour palette and avoid bright primary colours.
- The application could provide detail regarding allowable parameters for proprietorial branding in the current lease arrangement.

1.1.2 MAP Co Consultation

Melbourne Arts Precinct Corporation (MAP Co) is responsible for connecting a single continuous art, civic, and cultural precinct stretching from Fed Square through Southbank. Design advice was sought from MAP Co to ensure the proposed works are broadly consistent with the overall design character and setting of the Federation Square. The proposal submitted along with this application is a revision that has been reviewed and generally supported by MAP Co.

2.0 Statutory Heritage Controls

2.1 Victorian Heritage Register (VHR)

Federation Square, located at 2-20 Swanton Street, Melbourne, is included in the Victorian Heritage Register (VHR), as place number H2390. The mapped extent of registration is shown in Figure 2 and is described as follows:

All of the place shown hatched on Diagram 2390 encompassing part of the land shown hatched on Diagram 2390, comprising all of Crown Allotment 2140, City of Melbourne, Parish of North Melbourne and Part of Crown Allotment 2035, City of Melbourne, Parish of North Melbourne and part of Crown Allotment 6, Section 19E, City of Melbourne, Parish of North Melbourne and part of the road reserves Casement No. 218507701 (Flinders Street road reserve) and Casement No. 218504542 (Swanston Street road reserve)

But excluding all of the following: All land within lot 2 on Title Plan 018290B (which comprises railway assets generally located below the level of the deck); The

balustrade along the southern edge of Princes Walk; and all strata below ground level along the alignment of Princes Walk.¹

The statement of significance for the place is reproduced below:

What is significant?

Federation Square, designed and constructed between 1996 and 2002, including footings and crash walls between the rail lines; decking over the rail lines; the passive air-conditioning system known as the Labyrinth; the catenary lighting system; landscape elements, including the paved Plaza incorporating the artwork Nearamnew, inscriptions in the bluestone steps and apron facing St Paul's Court, planters and Yellow Gum trees (*Eucalyptus leucoxylon* ssp. *megalocarpa* 'Rosea'); and buildings (exteriors and some interiors, notably the NGVA interiors).

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:

Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

Criterion D

Importance in demonstrating the principal characteristics of a class of cultural place.

Criterion E

Importance in exhibiting particular aesthetic characteristics.

Criterion F

Importance in demonstrating a high degree of creative or technical achievement at a particular period.

Criterion G

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.

Why is it significant?

Federation Square is of historical significance as Victoria's preeminent memorial to the Federation of Australia (1901). The principle of federation is embedded in the design and planning rationale for Federation Square. The precinct was conceived as an ensemble where no single entity or cultural institution was dominant, and where each component part would have its own identity within the ensemble. This aspiration is expressed in the facade treatments which are based on the 'Conway Tessellation', a single triangular element that can be applied in an infinite number

¹ Victorian Heritage Database, Federation Square. <https://vhd.heritagecouncil.vic.gov.au/places/201519>, accessed 26 June 2025.

of compositional sequences and at multiple scales to achieve variety (or difference) within a coherent whole. Federation is referenced in the Nearing artwork by Paul Carter which forms part of the Plaza, and inscriptions in the bluestone steps and apron facing St Paul's Court. Federation Square is also of historical significance to Victoria as a tangible expression of Melbourne's long and deeply held aspiration for a large public square for ceremonial, civic, and recreational purposes in the city. (Criterion A)

Federation Square is a notable example of a public square. While it is a mixed-use precinct, the primary function of the place (and a defining aspect of its identity) is as a public square. It is a fine example of its class and displays high quality characteristics including a large, hard-paved and centrally located open space connected by laneways and framed by built form. It is distinguished by the distinctive, coherent and finely resolved architectural language of the principal building's secondary skins which variously embody aspects of the design principles that underpin Federation Square; the design principles are also expressed in the interior of NGV Australia. The place is also highly valued by groups within the community, another typological characteristic of public squares. (Criterion D)

Federation Square is of significance to Victoria for its aesthetic and architectural qualities. The precinct is a visually distinctive arrangement of non-orthogonal forms that uses a design grammar of lines and fractal geometries to achieve a complex aesthetic of coherence and difference. It is the outcome of a theoretical approach to architectural production informed by LAB Architecture Studio's intellectual interests, including a rejection of classical (Euclidian) ordering systems and an engagement with the complexities of twenty-first century urban environments. 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 significant for its technical and creative achievements. It demonstrates a high degree of creative achievement specifically as related to the innovative architectural language adopted. This language, incorporating non-orthogonal geometries and embedded digital information systems, was innovative and beyond the ordinary for the period (late-1990s). The processes of design and construction (including computer-assisted drafting and 3D modelling techniques), the sustainability systems employed (notably the Labyrinth) and the structural solutions for the crash walls and decking over the railway lines variously demonstrate a high degree of technical achievement as conceived and delivered in the late-1990s. (Criterion F)

Federation Square is socially significant and is valued by communities and cultural groups for a range of cultural and experiential reasons. It is Victoria's preeminent civic space for formal and informal public gatherings and is regularly used in times of celebration, grief and protest. Federation Square is used and appreciated by communities of locality (the Victorian and/or Melbourne community); affected communities (including visitors to Melbourne); communities of identity (communities for whom the use of Federation Square is part of an annual cycle of events that enables these communities to reaffirm their identity in a prominent public setting); communities of interest (including communities that aim to affirm Federation Square's civic purpose); and communities of practice (including

communities who engage with the site's cultural institutions and sports enthusiasts) (Criterion G)²

2.2 Melbourne Planning Scheme

Federation Square is identified as HO1300 in the Schedule to the Heritage Overlay (HO) of the Melbourne Planning Scheme. The mapped extent of HO1300 is consistent with the VHR extent of registration.

In accordance with Clause 43.01-3 of the Melbourne Planning Scheme, no permit is required under the Heritage Overlay to develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

2.3 National Trust

Federation Square is also identified as place number B6873 in the register of the National Trust of Australia (Victoria), however, the National Trust classification does not impose a statutory requirement on the subject site.

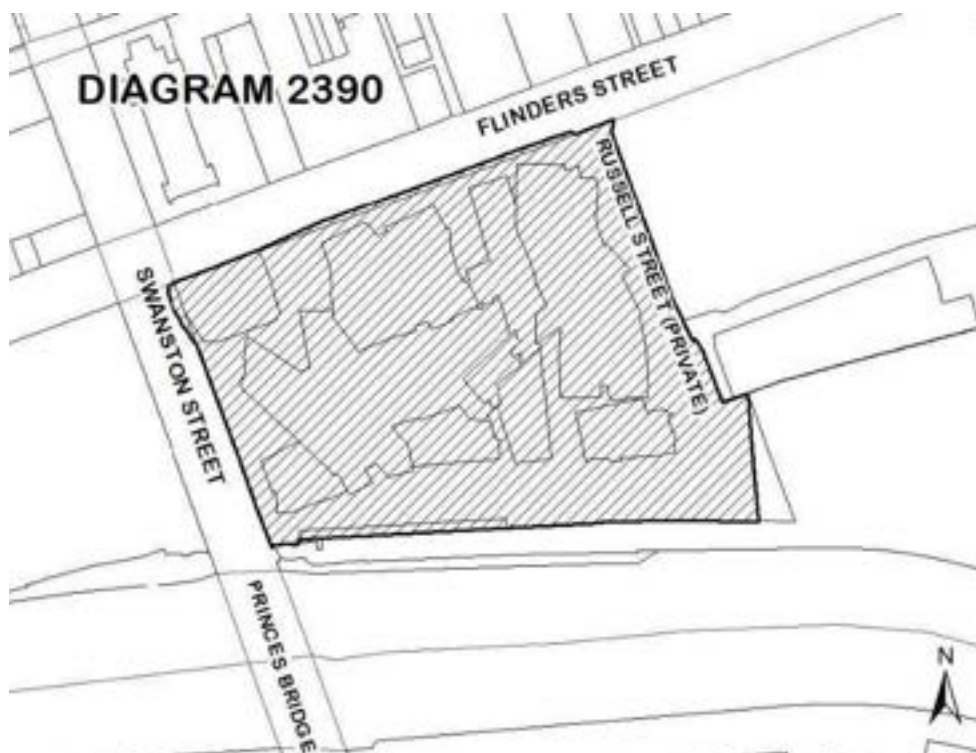


Figure 2 Extent of registration diagram 2390
Source: Victorian Heritage Database, accessed 26 June 2025

² Victorian Heritage Database, Federation Square. <https://vhd.heritagecouncil.vic.gov.au/places/201519>, accessed 26 June 2025.

3.0 Brief Description

Federation Square is bound by Flinders Street to the north, the Russell Street Extension to the east and Swanston Street to the west, while the Yarra River and the pedestrian walking paths are located to the southern boundary. The entirety of the complex is raised on a structural deck over an active rail corridor.

3.1 Federation Square

Federation Square was designed by LAB Architecture Studio and constructed between 1996 and 2002 (Figure 3). The complex consists of numerous public open spaces and buildings. The area of the complex in which the current Beer Deluxe tenancy is located is within and adjacent to the Atrium building, with a beer garden extending into the Flinders Street forecourt and beneath the existing canopy to the upper square/plaza. The internal tenancy occupies two levels, one meeting the ground level to Flinders Street, and the upper level extending out to the upper plaza area to the south. Internally, the tenancy is occupied by bar, kitchen and serving areas, bathrooms and venue seating.

3.1.1 Atrium

The Atrium building incorporates a large covered public thoroughfare, into and through the complex. A steel framed glazed frame covers the thoroughfare, which is lined internally at ground level by various tenancies and the entries to the NGVA and Deakin Edge to the southern end of the space (Figure 4).

The existing Beer Deluxe tenancy area within the atrium currently provides venue seating, incorporating freestanding banquet seating, tables, chairs, gas heaters and planters, accessed from glazed bifold and paired doors into the tenancy (Figure 5). Suspended tenancy signage is also located to the underside of the soffit, adjacent to the glazed tenancy frontage at the northern end of the tenancy's atrium space (Figure 6).

3.1.2 Flinders Street forecourt

To the west of the Atrium, the tenancy also extends into the Flinders Street Forecourt, which is framed by the Atrium to the east, the ACMI building to the west and a stair access to the upper plaza area to the south. The existing Beer Deluxe tenancy within the forecourt incorporates outdoor seating areas, with a roofed element to the west, umbrellas, heaters, screens, planters, and an enclosed bar pod (Figure 7). The seating areas are bisected by a ramped walkway which is demarcated by existing low level bluestone walls. During the winter months a temporary marquee is also installed within this area for weather protection.

3.1.3 Upper plaza

The tenancy extends into the eastern most portion of the upper plaza area. This incorporates an upper-level bar area and venue seating beneath the existing honeycomb canopy (Figure 8). As with the other seating areas within the venue, this area incorporates planter boxes, tables, chairs, heaters and the serving areas (Figure 9). Signage is applied to an existing column at the southern end of the tenancy (Figure 10).

3.2 Surroundings

In terms of the surrounding context, the subject site is located on the southern edge of the Hoddle Grid, within the broader CBD, and is surrounded by a variety of civic buildings and commercial development the majority of which are subject to heritage controls. To the immediate west of the subject site, is the

Flinders Street Railway Station Complex (VHR H1083), completed in 1910. The complex is of historical, aesthetic, architectural, technical and social significance to the State of Victoria.

To the immediate south of the subject site is Princes Walk and the Yarra River, with Princes Bridge (VHR H1447) providing a connection from St Kilda Road to Swanston Street and forming the southern gateway to the CBD. While to the immediate east of the subject site is the active rail corridor and, within Birrarung Marr, the former Princes Bridge Lecture Room (HO1379) which is of historical significance to the City of Melbourne and was purposefully constructed in 1916-17 for railway training.

To the immediate north of the subject site, is a group of heritage places that are of significance. These include the St Pauls Cathedral precinct (VHR H0018) and the former State Theatre (VHR H0438) at 150-162 Flinders Street. The Cathedral complex was constructed in the late nineteenth century by renowned architects, William Butterfield and Joseph Reed, and is of architectural, historic and scientific significance, while the former State Theatre was constructed in the late 1920s and is of architectural and historical significance. The group of nineteenth and early twentieth century commercial buildings (HO505) in between the St Pauls Cathedral precinct and the former State Theatre have formed part of the southern approach to the City from the late nineteenth century and are of historical and aesthetic significance to the City of Melbourne.



Figure 3 Street view of the Federation Square from Flinders Street, looking west



Figure 4 The Atrium, showing the glass and steel structure, with the Beer Deluxe tenancy beyond extending into the Flinders Street Forecourt

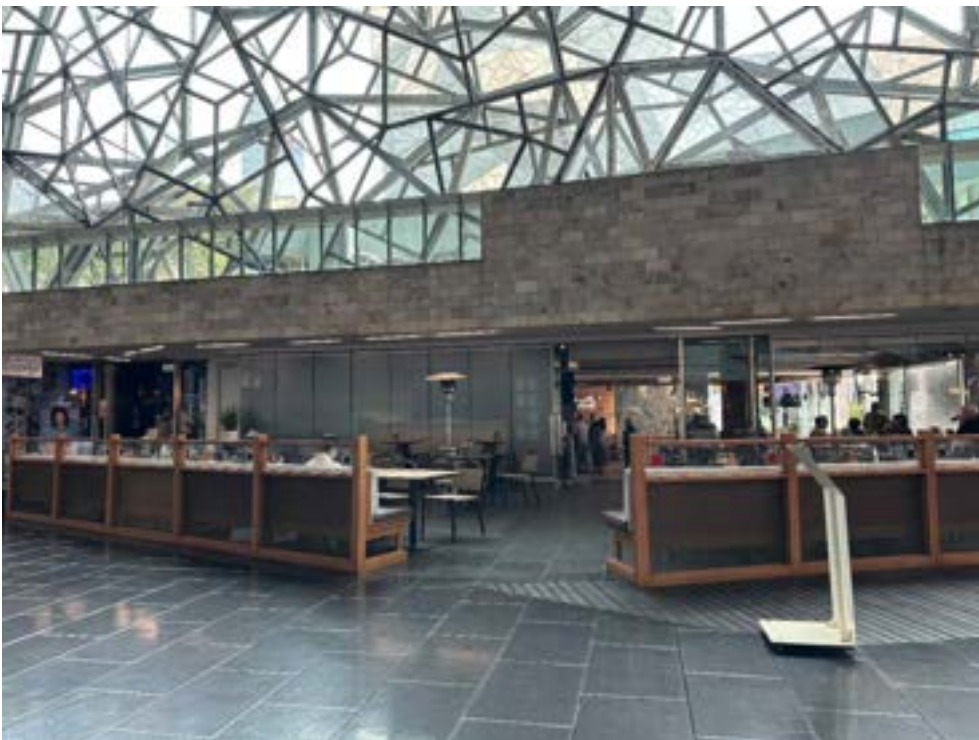


Figure 5 The existing seating area of the tenancy within the Atrium



Figure 6 Tenancy frontage within the Atrium, showing the existing suspended signage



Figure 7 The existing seating area of the tenancy within the Flinders Street forecourt, showing the roofed element to the right and signage to the left



Figure 8 The entrance to the upper level bar area on the left and the outdoor seating area of the tenancy on the right



Figure 9 The outdoor dining area of the tenancy at the upper square showing the existing honeycomb canopy



Figure 10 Existing signage and seating to the southern section of the tenancy area within the upper plaza

4.0 Proposed works

The proposed works seek to upgrade the existing Beer Deluxe tenancy to rebrand the tenancy as 'Good Nature'. The works involve furniture and lighting upgrades, installation of new digital screens and signs, and the construction of a retractable roof structure within the Flinders Street Forecourt. The proposed works will be located entirely within the existing tenancy boundary, including the Flinders Street forecourt, atrium and the upper square. The overall colour and material palette will incorporate muted and natural tones including galvanised steel, powdercoated metal in a eucalypt green and spotted gum timber.

It is also noted that internal works to the tenancy are proposed, however these works are identified as permit exempt and are therefore not described below.

4.1 Flinders Street Forecourt

It is proposed to remove the existing roofed element, pergola structure over the outdoor dining area, the signage and some planters from within the Flinders Street Forecourt. It is also proposed to remove the existing astro turf ground surface to reveal the existing bluestone pavers underneath.

A new lightweight pergola structure incorporating a retractable roof (in part) is proposed over the western portion of the seating area. The proposed structure will be of steel and will adopt a geometric design with multiple irregular angled roof forms reaching a maximum height of 3.676m. The roof structure will incorporate a variety of roofing to provide appropriate weather protection to the outdoor area, including fixed roofing, fixed timber battens, retractable roof and open areas. New digital screens will be installed around and under the new roof structure.

The existing seating area, with tables/chairs/umbrellas, the bar pod and the planter boxes will otherwise be retained and the furnishings upgraded.

The proposed signage will replace the existing signage and will incorporate the new illuminated tenancy name at the ramp entrance.

4.2 Atrium

It is proposed to remove part of the external wall and bifold door at the atrium near the café serving area for a new solid wall treatment. The new solid wall will be finished in concrete render with minimal vertical vegetation hanging against the wall. New banquette seating will be introduced to this area.

The existing moveable café banquet seating/barriers will be retained and upgraded. These barriers will incorporate timber and galvanised steel finishes to the outer side and leather upholstered seating to the inner side. Similar to the forecourt, the planters and other furniture at the Atrium seating area will be upgraded and replaced to match the rebranded tenancy's theme.

It is also proposed to replace the existing suspended sign within the Atrium with a new illuminated sign under the new tenancy name 'Good Nature'. Additional illuminated sign will also be installed to the new host station near the entrance.

4.3 Upper Square

It is proposed to remove the two existing Beer Deluxe signs to the tenancy area within the upper plaza and to replace these with illuminated signs under the new tenancy name. An illuminated sign will also be incorporated to the new host station to the upper square.

New strip lighting will be introduced to the existing posts supporting the honeycomb canopy. The strip lighting will be attached to the posts and the cabling will be run through the existing conduits within each post.

The edge of the tenancy is to be demarcated by a new arrangement of angular bench seating and planters, replacing the existing planters along the tenancy boundary. The seating will address the upper plaza, with planters located behind. There will be built in tables to the seating and lighting fixtures within the planters.

A digital screen is proposed to be installed on the wall adjacent to the entrance of the upper level bar area and all the existing planters and furniture will be upgraded to reflect the rebranded tenancy. In addition, a kids play area will also be introduced to the south-east corner of the tenancy space, located under the existing honeycomb canopy. The play area will adopt a neutral colour palette matching the rebranded tenancy colour tones.

5.0 Assessment of Heritage impacts

Section 101(2)(b) of the *Heritage Act 2017* requires the Executive Director, Heritage Victoria, when determining a permit application, to consider:

the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object.

5.1 Permit exemption

The VHR documentation includes a permit exemption policy and suite of site specific exemptions, in addition to the General Exemptions which also apply.

The relevant specific permit exemption, as included in the VHR documentation for Federation Square, is as follows:

Atrium (Tenancies Nos 3B, 15, 16, 17, 32 and 3D)

- Works to interiors of commercial tenancies, provided there is no impact on the exteriors, including the shared space of the Atrium.

Some of the proposed works meet the conditions of the general exemptions and/or site specific exemptions and accordingly do not require a permit. Those works within the current scope, which are considered permit exempt, are identified below and are not considered further in the following assessment:

- The proposed upgrades to the interior of the existing Beer Deluxe tenancy
- The proposed upgrades and replacement of the existing non-fixed furnishings including seating, tables, planters, and the banquet seating within the Atrium

5.2 Conservation Management Plan

5.2.1 Level of significance

Federation Square has been assessed as being of historical, architectural/aesthetic, technical and social significance. The historical significance relates to it being Victoria's preeminent memorial to the Federation of Australia and a notable example of a public square in Victoria. The architectural and technical significance relates to its visually distinctive arrangement of non-orthogonal forms that uses a design grammar of lines and fractal geometries and the way it adopted the innovative architectural language. It is also socially significant for its use as a civic space for formal and informal public gatherings and is regularly used in times of celebration, grief and protest.

The CMP identifies buildings, areas, elements and attributes that are intrinsic to the heritage significance of the place. The Atrium and the Plaza as one of the principal locations for public congregation and the spaceframes of the Atrium are specifically identified in the CMP and are relevant to this application. In particular, the following buildings, areas and elements are identified of significance (Figure 11 and Figure 12):

- The interior of the Atrium
- The spaceframe of the Atrium
- The landscape areas of the Beer Deluxe forecourt
- The staircases connecting Flinders Street to the Plaza (upper level) as part of the circulation network



Figure 11 The areas, elements, attributes and fabric that are intrinsic to the heritage significance of the place identified in the CMP at ground level (the tenancy is indicated by yellow lines)
Source: Federation Square Conservation Management Plan, Lovell Chen, 2020



Figure 12 The areas, elements, attributes and fabric that are intrinsic to the heritage significance of the place identified in the CMP at level 1 (the tenancy is indicated by yellow lines)
Source: Federation Square Conservation Management Plan, Lovell Chen, 2020

5.2.2 Conservation policy

The CMP includes a suite conservation policies in relation to managing change within Federation Square, with the relevant policies reproduced below:

- Policy 5 The approach to the conservation of Federation Square should accommodate the potential for change and evolution, consistent with the site's cultural heritage significance and the definitions of the Burra Charter.
- Policy 7 Advice from design professionals with a demonstrated appreciation of the Design Principles for Federation Square should be sought at the early stages of proposals with the potential to change the presentation of Federation Square.
- Policy 8 A systematic sequence should be followed to achieve consistent and considered design advice for works and interventions proposed for Federation Square that will, or have the potential to, affect elements, areas and fabric of intrinsic significance.

The proposed works are understood to have been the subject of reviewed and feedback from the Design Advisory Panel. The basis of the application is a revision that has adopted the advice from the Panel and are generally consistent with the Federation Square: Statement of Design Principles (2020) and the conservation policies from the CMP. The proposed works scope seeks to rebrand the existing Beer Deluxe to form a new tenancy: 'Good Nature'. Accordingly, the majority of the works adopt a cosmetic and minimal approach within the existing tenancy, and all built fabric associated with the external presentation of the tenancy will be retained and will not be altered.

5.3 Flinders Street Forecourt

It is understood that the landscape area of the Flinders Street forecourt is identified as significant area in the CMP. It is important to maintain the openness and circulation of the forecourt and retain the visual relationship between the flanking building forms and the void space of the forecourt. The proposed removal of signage and the existing roofed element are visible from the Flinders Street frontage, however, these elements form later additions within the tenancy space and make no contribution to the heritage significance of Federation Square. In addition, the proposed removal of existing planters is to replace these elements with new planters in a similar design, which will retain the overall landscape characteristic of the forecourt. While there will be some visual impact on the Flinders Street presentation of the forecourt, the removal of all these later additions associated with the tenancy will have no adverse impact on understanding the significance of the registered place.

A new lightweight steel pergola structure which will incorporate roofed components is proposed to the outdoor seating area, to replace the existing roofed element and remove the need to install a temporary marquee during the winter months. The new structure is required to provide weather protection to the outdoor seating and serving area within the Flinders Street Forecourt of the tenancy, which forms a large external area of seating. The proposed structure will incorporate metal posts, a geometric design, and will be a lightweight element to the forecourt area, which is sympathetic to the spaceframe structure of the Atrium and the incorporation of the 'Conway Tessellation' within the overall design of Federation Square.

The open space between the ACMI building and the Atrium will be maintained, as will the arrangement of the flanking building forms. The open nature of the pergola structure, which incorporates a variety of roofed elements, will allow the structure to sit in the forecourt space with a level of transparency that allows a continued understanding of the overall planning of the flanking buildings within the complex.

This approach ensures that the forecourt space is not fully enclosed or roofed and allows the original design intent to remain evident.

The pergola structure will incorporate new digital screens within the outdoor seating area. The new screens would be installed in similar locations to the existing screens, and one new screen will be added to the rear of the outdoor dining area. There will be limited visual impact on the existing view lines from Flinders Street, and the screens are elements which are removable and reversible without impacting on significant fabric.

The proposed upgrade to the existing business signage at the entrance to the tenancy within the Flinders Street Forecourt will be illuminated and rebranded as 'Good Nature', which is consistent with the rebranded sign throughout the tenancy. The signage will adopt a simpler presentation to the existing signage with only illuminated lettering applied to a muted backing panel and is of an appropriate scale and colour scheme to ensure it does not present as overwhelming or jarring within the context of the place.

It is also proposed to remove the existing astro turf finish within the tenancy. The original bluestone paving will be revealed and the overall presentation of the outdoor beer garden will be coherent. This will enhance the presentation and original design intent of the forecourt space.

Overall, the proposed works to the Flinders Street Forecourt are largely minor in nature, low in scale and will have no physical impact on the key elements of the Forecourt or the understanding of the design intent. The pergola structure, with its roofed components, will introduce a new element within the Forecourt, however it is viewed as an improvement on the existing roofing arrangements and has been specifically designed to reflect its context. There will be no impact arising from the works which would detract from, or adversely impact on, the assessed significance of Federation Square.

5.4 Atrium

The proposed works within the Atrium space is limited to the introduction of new signage and the modification of the existing café serving area to create more seating. The remainder of the works are associated with the existing furnishings and are therefore permit exempt.

The replacement of the existing suspended sign within the Atrium with a new sign will adopt a simpler presentation in a more muted tone, as associated with the branding of the new tenancy. The signage will be in the same location as the existing signage and will not impact on the overall presentation and significance of the Atrium. The new signage to the proposed host station will similarly adopt a muted and minimal expression.

The removal of an external serving area and bi-fold door is required to provide additional banquette seating within the atrium. These elements are not specifically identified as significant elements in the CMP and the removal of the wall and door would positively contribute to the openness of the atrium space. The proposed new concrete rendered wall is to be sensitively finished and will response texturally to one of the primary materials (i.e. sandstone) used within the registered place. It will form part of the internal partition wall within the existing tenancy and will not impact on the presentation of the Atrium space. The vertical vegetation to the new wall is to be suspended at the top of the wall, adopting a minimal presentation and matching the rebranded theme. The banquette seating in this space will be fixed and form part of the broader seating area within the existing tenancy space. These upgrades will not change the existing use of the space within the Atrium and will have no heritage impact on the registered place.

5.5 Upper Plaza

The proposed works within the upper plaza area will replace existing signage, boundary treatments and furnishings.

The replacement of the two existing signs will enable the rebranding of the tenancy, utilising areas where signage has previously been located. The extent of the signage will incorporate illuminated lettering only and will adopt a minimal presentation, without detracting from the significance of the upper plaza or the overall presentation of the registered place. The proposed display adjacent to the entrance to the bar area will be used to display information in relation to functions and will not be used for promotional purposes. This will be a simple digital display and will have no impact on the presentation of the upper plaza space as it is located in a recessed position adjacent to the entrance to the tenancy.

The proposed new strip lighting to the existing posts of the honeycomb canopy will be incorporated into the existing structure and will enhance the lighting levels at night within this area of the tenancy. The presentation of the canopy at night will also be enhanced by the lighting. The proposed lighting is minimal in scale and will also be viewed in the context of the existing catenary lighting within the upper square. The proposed strip lighting will not detract from the overall presentation of the registered place.

The proposed new seating and planters to the boundary of the tenancy area will replace existing planters and will not be fixed in place. These elements are removable and reversible in future without impacting on the fabric of the upper plaza and will continue the existing vegetated style of boundary treatment to the tenancy, while providing for seating and amenity facing on to the upper plaza.

Lastly, the proposed play area within the tenancy is to be placed within the space and will not result in a physical impact on the fabric of the upper plaza. The play area will be viewed in the context of the overall seating area and, while visible, will not detract from the presentation or functionality of the upper plaza area. The material palette will be in natural tones matching the rebranded tenancy colour palette.

Overall, the proposed works within the upper plaza area of the tenancy will not obstruct any existing views to, or have any physical impact on, significant building fabric, nor result in an adverse impact on an understanding of the plaza as the principal location for public congregation.

6.0 Other considerations

The following considerations are also considered to be relevant to the determination of the permit application.

6.1 Reasonable or economic use

Section 101(2)(b) of the *Heritage Act 2017* requires the Executive Director, when determining a permit application, to consider:

the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object.

The proposed upgrades to the existing Beer Deluxe tenancy are a reasonable proposition to support the ongoing use of the tenancy for the provision of hospitality services. The rebranding of the tenancy will

utilise a materials and colour palette that is muted and more suited to the broader context of Federation Square, and will improve the presentation of the tenancy.

The installation of the pergola structure, incorporating some roof structures, within the Flinders Street Forecourt, will enable the removal of the existing roofed element which does not respond to the architectural presentation of Federation Square. It will also remove the need to install a temporary marquee in the winter months, which is a beneficial outcome. In order to support the on-going use of the tenancy as a hospitality venue, the proposed upgrades are critical to provide a comfortable environment for customers under different weather conditions. The refusal of the application will critically impact the customer experience and ability for the venue to operate throughout the year.

6.2 Heritage significance of adjacent places

Section 101(3)(a) of the *Heritage Act 2017* requires the Executive Director, when determining a permit application, to consider:

the extent to which the application, if approved, would affect the cultural heritage significance of any adjacent or neighbouring property that is—

- (i) included in the Heritage Register; or
- (ii) subject to a heritage requirement or control in the relevant planning scheme

The extent of the proposed works is confined to the existing Beer Deluxe tenancy which is flanked by the Atrium and ACMI building. There will be no impact on the exterior building fabric of Federation Square, and no impact on the broader streetscape context or neighbouring buildings.

7.0 Conclusion

The proposed works are focussed on the rebranding and upgrade of an existing hospitality venue within Federation Square. The works do not seek to alter the existing significant building fabric and arrangement of the tenancy, or its location within the broader extent of Federation Square. The focus of change is to fabric which has been added to the tenancy as associated with the existing Beer Deluxe venue, and there will be no impact arising from changes to this fabric. The installation of a new pergola structure, which will incorporate some roofed elements, will present as an improvement on the existing roofing arrangement within the Flinders Street Forecourt and adopts a contemporary design more appropriate to its context. The proposed works will have no adverse impact on the significance of the registered place and are consistent with the current use of the space.