

PLANNING ASSESSMENT REPORT TO INDEPENDENT PANEL

AMENDMENT C271 MELBOURNE PLANNING SCHEME

9 JULY 2018
PREPARED FOR AUSVEST PTY LTD

URBIS

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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1. INTRODUCTION

1. This statement of evidence has been prepared regarding the property located at 392-406 Bourke Street, Melbourne (**the Site**) on behalf of Ausvest Holdings Pty Ltd (**Ausvest**).

1.1. THE SUBJECT SITE

2. The Site is located on the north-east corner of Bourke Street and Hardware Lane and is currently occupied by a four-level decked car park with shops located on the ground floor facing onto Bourke Street and the southern extent of Hardware Lane. The current car park structure rises to a height of approximately 10-12 metres above Hardware and Warburton Lanes.
3. The site has a frontage of 36.0 metres to Bourke Street, a frontage of 75.6 metres to Hardware Lane and a sideage to Warburton Lane of 33.5 metres with an overall site area of approximately 2816 sq. m. The site includes a laneway with a width of 2.76 metres, named Platypus Alley running north from the site into Little Bourke Street. The location of the site is illustrated on the following page.
4. The eastern boundary of the site adjoins Warburton Lane and features a concrete and brick wall with obscured glazing. The western edge of the site forms part of the Hardware Lane that comprises a north south pedestrian street. The northern part of this frontage features five small shop tenancies facing onto Hardware Lane with open parking decks above these tenancies.
5. Access to the car park is via the right-hand side of Hardware Lane which is otherwise closed to through traffic. Egress from the car park is directly to Bourke Street. Hardware Lane which is otherwise closed to through traffic.
6. It is understood that the car park structure was built circa 1960¹.

1.2. AMENDMENT C271 - MELBOURNE PLANNING SCHEME

7. Amendment C271 (the Amendment) to the Melbourne Planning Scheme has been prepared by the City of Melbourne who is the planning authority. The Amendment proposes to introduce new Heritage Overlays comprising two precincts clustered around Guilford Lane and Hardware Lane (HO 1205) and West Elizabeth Street (HO1204) and a further nine buildings in the general locality. The proposed Heritage Overlays are supported by an Incorporated Document providing a heritage inventory for each property located within the proposed new heritage precincts.
8. It is noted that the site is nominated as being a *contributory building* with the proposed Heritage Overlay applying to the eastern edge of the site where it abuts Warburton Lane.

1.3. GUIDE TO EXPERT EVIDENCE

9. I acknowledge that I have read and complied with the *Guide to Expert Evidence* prepared by Planning Panels Victoria. In accordance with this guide, I provide the following information.

1.3.1. Name and Address

Michael Bruce Barlow
Urbis Pty Ltd
Level 12, 120 Collins Street,
Melbourne VIC 3000

¹ City of Melbourne – CLUE Data 2016



 Subject Site



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Figure 1 – Site Location 392-406 Bourke Street, Melbourne

1.3.2. Qualifications and Experience

10. I am a Director of Urbis Pty Ltd. I am a qualified town planner and have practised as a town planner for over 35 years (including 31 as a consultant planner) and hold a Diploma of Applied Science (Town Planning) from Royal Melbourne Institute of Technology for which I qualified in 1981.
11. My experience includes:
- 2011 to present: Director of Planning, Urbis Pty Ltd
 - 2002 to 2010: Managing Director, Urbis Pty Ltd
 - 1990 – 2001: Director of Urbis Pty Ltd (and its predecessors including A.T. Cocks Con)
 - 1985 – 1990: Senior Planner, A.T. Cocks Consulting
 - 1982 – 1985: Planning Officer and Appeals Officer, City of Melbourne
 - 1981 – 1982: Planning Officer, Shire of Eltham
 - 1977 – 1980 Planning Officer, City of Doncaster and Templestowe
12. I advise on the development of cities; their principal activities and land uses and have extensive experience in strategic and development planning. I have been engaged on a wide range of projects throughout Australia, China and the Middle East. I have particular project experience involving major urban development projects across a range of localities and activities including:
- The analysis of drivers of change in cities and their impacts and influence on industry, employment and economic development, retail and activity centres, residential development strategies and policy, metropolitan growth and urban management.
 - The preparation of master plans for institutional and educational establishments, airports and new urban development.
 - A wide range of international urban development projects including the planning of the new port city serving Shanghai and major city and new town strategies for a number of cities within the Yangtze River corridor, China.
 - Leadership of the development of a comprehensive Framework Plan for the Emirate of Dubai. This project created a Vision to guide the economic development of the Emirate, an Urban Framework Plan and an Urban Management System for the government of Dubai.
 - Advice on new and specialist land uses and development concepts including the ongoing development of major Australian airports, the introduction and impacts of new retail concepts and standalone megaplex cinemas and the introduction of the casino into central Melbourne.
 - Major retail developments comprising central city centres, super-regional centres and mixed-use developments.
 - Major commercial and residential developments in the Melbourne central city area including the CBD, Docklands and Southbank and throughout metropolitan Melbourne.

I provide expert evidence at various forums including the Supreme Court of Victoria, Federal Court of Australia, Land and Environment Court (NSW), the Victorian Civil and Administrative Tribunal and independent planning panels regarding the planning implications and impacts of development.

1.3.3. Expertise to make the report

13. I have advised on and assessed the introduction of new planning controls across Victoria ranging from the introduction of the new format schemes, new urban development controls to site-specific development controls.

1.3.4. Instructions

14. On 15 June 2018, I was briefed by Planning and Property Partners, on behalf Ausvest Holdings Pty Ltd regarding proposed Amendment C271 to the Melbourne Planning Scheme with instructions to:

- *conduct an in-depth review of the material supplied to you in relation to the planning scheme amendment, including a site inspection, as necessary;*
- *Advise of any recommendations to the proposed planning scheme amendment material;*
- *consider and formulate your own opinions, within the limits of your expertise, with respect to the appropriateness of the proposal in relation to all relevant town planning considerations; and*
- *prepare a report which sets out the conclusions which you have reached, and clearly state the basis upon which you have arrived at that conclusion, including any facts you have relied upon or assumption you have made which form part of the reasoning by which you reach your conclusions.*

15. I confirm that I am the author of this report.

1.3.5. The Facts, Matters and Assumptions on which the Opinions are Expressed in this Report

16. In undertaking my assessment, I have familiarised myself with the site and I have had regard to the following documents:

- The Melbourne Planning Scheme and its current provisions relating to development within the central area and particularly those affecting the site at 392 – 406 Bourke Street.
- The detailed provisions of proposed Amendment C271 to the Melbourne Planning Scheme.
- The background reports accompanying the exhibition of Amendment C271.
- The submission made on behalf of Ausvest Holdings regarding the provisions of Amendment C271.
- Earlier studies of the heritage character of the buildings and places within the Melbourne CBD.
- Submissions made by Council regarding Amendment C271.
- Planning Practice Note 46 - Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments.

17. The matters addressed within this report fall within my planning expertise. I note in the body of my report where I have specifically relied on supporting documentation prepared by others to assist my assessment of a particular matter.

1.3.6. Declaration

18. I declare that in preparing the material contained in this report I have made all inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

1.3.7. Findings

19. In summary, my conclusions and findings are:

- As a matter of proper planning the proposed 'partial designation' of the existing parking structure (which is otherwise, understandably, considered to be non-contributory) is a mis-application of the proposed heritage overlay.
- The car parking structure (including the wall on Warburton Lane) is a later addition to the precinct (circa 1960) and does not contribute to the heritage character of the precinct.
- There is no need to apply a heritage control to achieve proper guidance for future development. The current suite of planning policies and development controls will appropriately guide any redevelopment of the subject site in a manner that respects the built form and heritage characteristics of Hardware Street and Warburton Lane.

- The imposition of the heritage overlay control will unnecessarily constrain the appropriate redevelopment of the site by either requiring the full or partial retention of the wall and structure or by limiting the optimum design and development response.

20. In summary, it is recommended that the heritage overlay should be removed from the site and the entire site be recorded as a non-contributory building.

2. CURRENT PLANNING CONTROLS

21. Development and heritage matters within the central city area are guided by a series of State and Local policies including:
- **Clause 15.01 Urban Environment** includes a series of urban design principles addressing (inter alia) public realm, landmarks views and vistas, heritage, light and shade etc.
 - **Clause 15.03 Heritage** seeks to ensure the conservation of places of heritage significance.
 - **Clause 21.06-1 Urban Design** includes a series of objectives to guide new development within the distinctive urban structure of Melbourne.
 - **Clause 21-12 Hoddle Grid** provides a series of objectives for housing, economic development, built environment and heritage and transport within the Hoddle Grid. It is noteworthy that Hardware Lane is already identified as a key precinct within the CBD (Figure 6: Hoddle Grid)
 - **Clause 22.01 Urban Design within the Capital City Zone** provides a series of detailed policies guiding new development that address matters including; building envelopes, building design, pedestrian permeability and connectivity, facades etc.
 - **Clause 22.04 Heritage Places within the Capital City Zone** includes the objective *to conserve and enhance all heritage places, and ensure that alterations or extensions to them are undertaken in accordance with accepted conservation standards.*
 - **Clause 22.20 CBD Lanes** identifies *the central city laneway network as a valued and vital part of the city's urban form that provides an insight into the city's built form evolution.* The policy provides for three classes of lane. Hardware Lane is identified as a Class 1 Lane.
22. The site is subject to a number of specific development controls and a suite of local policies and guidelines as set out below.
- **Capital City Zone – Schedule 1** where a permit is required for buildings and works and the demolition of existing buildings. A wide range of uses can be established without the need for a permit including cafes, shops, restaurants, bars residences and offices.
 - **Design and Development Overlay 1** that requires that the ground level of buildings fronting certain streets and locations must present an attractive pedestrian oriented frontage (e.g. retail or similar).
 - **Design and Development Overlay 2 - (Area A2)** this control provides detailed guidance on building height, shadowing controls, setbacks and a floor area ratio that apply to the western edge of the site to a depth of 12.77 metres from Hardware Lane. The controls specify:
 - A preferred Building Height of 15 metres
 - A preferred maximum Floor Area Ratio of 4:1
 - A series of design objectives, design elements, requirements and built form outcomes
 - **Design and Development Overlay 3** this control seeks to minimise conflict between pedestrians and vehicles on footpaths by limiting (or preventing) vehicle access from the main CBD streets including Bourke Street.
 - **Design and Development Overlay 10** this control applies to the majority of the central city and provides detailed guidance on building height, shadowing controls, setbacks and floor area ratios that apply to the site (excepting the western edge of the site to a depth of 12.7 metres from Hardware Lane). The controls specify:
 - A maximum Floor Area Ratio of 18:1
 - A series of design objectives, design elements, requirements and built form outcomes

3. PLANNING CONSIDERATIONS

3.1. OVERVIEW

23. The character of this locality centred on Hardware Lane has long been recognised as one of the distinctive areas of central Melbourne. The Hardware Lane context is different to many other through block north south lanes in the Melbourne CBD in that both sides of the land, particularly between Bourke and Lonsdale Streets, continue to feature relatively low-rise buildings along both sides of the street. The only two taller buildings are located at the north-west corner of Little Bourke and Hardware (7 storeys) and on the south-west corner of Lonsdale Street and Hardware Lane (11 storeys).
24. The low-rise scale of many of the buildings in the immediately surrounding area, small sites (excepting some more recent larger buildings from the 1970s onwards and the subject site) and a relatively intense pattern of laneways reflect a particular era of Melbourne's development.
25. Hardware Lane (excepting that part between Lonsdale and Little Lonsdale Streets) was closed to through traffic in the early 1980s and provided with a brick paved carriageway that removed the traditional kerbs and gutters providing a level surface for pedestrian traffic and outdoor dining. This was the first of a number of central city lanes that gave priority to pedestrians. The lane is a popular location for cafes and outdoor dining.
26. The specific character of Hardware Lane itself has long been recognised starting with the planning controls introduced with the *City of Melbourne (Central City) Interim Development Order 1982*. This IDO introduced mandatory height controls of 15 metres along each side of the street. Since that time subsequent planning controls for the central city have maintained a height limit over the properties adjoining Hardware Lane. Most recently Amendment C270 introduced new development controls for the central city. Hardware Lane and a number of other specific localities within the CBD were included in an updated Design and Development overlay control (DDO-2) that maintained a preferred height of 15 metres.
27. Hardware Lane, running between Bourke Street in the south and Little Lonsdale Street in the north, is also specifically identified as a key precinct in the Hoddle Grid local policy (Clause 21.12).
28. Amendment C271 to the Melbourne Planning Scheme proposes to introduce:
 - A new Heritage Overlay (HO 1204) over the properties located on the western side of Elizabeth Street generally between Bourke Street through to LaTrobe Street, nearby laneways and adjoining properties.
 - A new Heritage Overlay (HO 1205) over Hardware Lane, Guilford Lane, nearby smaller laneways and most properties adjoining these laneways. A number of modern buildings are excluded from the proposed control.
 - Seven new individual Heritage Overlays for particular buildings within the general locality of the Hardware Lane and the block directly south of Bourke Street.
 - Modifications to Clause 22.04 - Heritage Places within the Capital City Zone to incorporate the *Guilford and Hardware Laneways Heritage Study 2017: Statements of Significance* that will apply to the new precincts and individual buildings identified in the document.
29. The proposed Amendment seeks to include Warburton Lane (running south off Little Bourke Street) and the buildings abutting the lane. This includes that eastern part of the existing multideck car park within the Heritage Overlay.
30. The Amendment gives effect to the detailed findings of the *Guilford and Hardware Laneways Heritage Study*. The study describes Warburton Lane² as follows:

Warburton Lane retains a collection of Victorian and interwar buildings, including a three-storey Victorian factory and warehouse at nos 365-7 Little Bourke Street. Both this building

² Lovell Chen - Guilford and Hardware Laneways Heritage Study - Precinct Citation (May 2017) - page 26

and 369 Little Bourke Street incorporate timber buffers to their laneway elevations. The early scale, red brick materiality and the interwar appearance of the lane remains legible.

31. The study makes the following findings with regard to Warburton Lane and the subject site as follows:

Significant/Contributory - Contributory

Description - Large three storey late interwar warehouse with an elevation to Warburton Lane

Comment* - The main building with an address to Bourke Street is non-contributory and not included in the precinct. Contributory to Warburton Lane.

32. The proposed inclusion of the eastern part of the site within the Heritage Overlay with a contributory status places the existing structure an integral part of the Warburton Lane heritage, and imposes additional requirements for any future redevelopment of the multi-deck car park.
33. To understand the appropriateness of the proposed heritage control as it pertains to the site it is considered that regard should be had to the following matters:
- The actual heritage value of the existing car park structure and the wall adjoining Warburton Lane.
 - What additional value will the heritage control bring, that is are the outcomes sought by the imposition of the heritage control able to be (or already are) realised through existing planning policy and development controls?
 - Does the proposed heritage control potentially inhibit the appropriate redevelopment of the site?
34. I address these matters in the following section of my report.

3.2. THE HERITAGE IMPORTANCE OF THE SUBJECT SITE

35. The Hardware Lane area is one that clearly has distinct character influenced by manner in which Melbourne developed with this area being firstly a residential location that was progressively redeveloped from the 1850s onwards. The north south lanes provided access to the 'interiors' of the deep blocks that ran between the streets established with the Hoddle grid enabling separate sites and developments.
36. In 2006 the City of Melbourne undertook a heritage review of key precincts, both within and outside the central city. This included in an assessment of the Hardware and Guildford Lane precincts³. The assessment provided a background history for the *Hardware Street Heritage Precinct*⁴ that observed:

The 1900 MMWB Plan for Melbourne reveals only a few sites with a residential form in the Hardware Street Precinct, with most allotments now fully covered. The generally narrow frontage had remained. There were many separate premises with independent business activities.

By the 1960s the commercial uses of the area had waned and back-lane buildings were in a hiatus. ...

The north south orientation enables the potential for direct sun to the lanes for short periods each day, throughout of the year, in contrast to the gloom of the Guildford Lane Precinct. The frequency of lanes intersecting Little Bourke Street and the active frontages within them, combined with the reasonably consistent height of buildings, narrow width of individual frontages and the pedestrian scale of the narrow streets has lead to a precinct with a distinctive, active, pedestrian oriented character, unique in the city.

³ Meredith Gould - City of Melbourne Heritage Precincts Background History and Significance Assessment, February 2007

⁴ ibid - page 75

37. The Summary Statement of Significance⁵ arising from the review states:

The laneways of Melbourne's CBD served an essential role in the commercial and social life of the city from an early date. They are the fine grain pattern of living and working places in the city, adding variety at a human scale within the strictly ordered street grid. The Hardware Street precinct comprises late nineteenth and early twentieth manufacturing, wholesale and warehousing buildings, set in a group of mostly north south lanes of varying dimensions, all springing off Little Bourke Street between Elizabeth and Queen Street.

Small freeholds characterise the distinctive urban form, reflecting the city as a small business work-place in the late nineteenth and early twentieth centuries.

The principal period of development contributing to cultural significance is pre 1850 to the 1920s.

38. Given the distinctive historical, architectural and aesthetic significance of the precinct the proposed creation of a heritage overlay including those properties within the Hardware Lane precinct that form part of the heritage character is considered an appropriate action.
39. It is acknowledged that nearly 12 years have passed between this review and the more recent study by Lovell Chen, however the underlying structure of the Hardware Lane precinct has not changed during that period. The updated statement of significance reflects the minimal change in the underlying heritage context. It is now proposed to specifically include the eastern part of the existing multi-level car park as a contributory building on the basis of a 'contribution' to Warburton Lane.
40. The *Guildford and Hardware Laneways Heritage Study - Methodology Report (May 2017)*⁶ advised that rather than utilising the former heritage alphabetical grading system the relative level of heritage significance/value for each property was assessed using the 'significant', 'contributory' or 'non-contributory' categories. The report notes that:

The significant, contributory or non-contributory definitions are from a separate heritage study and review, undertaken by Lovell Chen for the City of Melbourne in 2015 and 2016. This study, which is documented in the Methodology Report for the City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance (September 2015), included the following definitions:

...

A contributory heritage place:

A 'contributory' heritage place is important for its contribution to a precinct. It is of historic, aesthetic, scientific, social or spiritual significance to the precinct. A 'contributory' heritage place may be valued by the community; a representative example of a place type, period or style; and/or combines with other visually or stylistically related places to demonstrate the historic development of a precinct. 'Contributory' places are typically externally intact, but may have visible changes which do not detract from the contribution to the precinct.

A non-contributory heritage place:

A 'non-contributory' place does not make a contribution to the heritage significance or historic character of the precinct.

41. Whilst the definition for a contributory heritage place is remarkably broad (to the point that it is possibly arguable that any building demonstrates the *historic development of a precinct* by virtue of its existence) it is difficult to understand how a relatively modern car park structure (or even a part) is a contributory heritage place for the following reasons:
- The structure is not of the interwar period.
 - The structure was built circa 1960 utilising a simple construction technique of reinforced concrete floors and columns with brick infill in the Warburton Lane boundary walls. This is quite dissimilar to the construction and appearance of the other buildings along Warburton

⁵ Meredith Gould - City of Melbourne Heritage Precincts Background History and Significance Assessment, February 2007 - page 77

⁶ Lovell Chen - Guildford and Hardware Laneways Heritage Study - Methodology Report (May 2017) - page 4

Place. On the Bourke Street and Hardware Lane edges the building presents open parking decks.

- The historical significance of the precinct is principally derived from the laneway pattern established in the early part of Melbourne's development through to the early 20th century (when Hardware Lane between Bourke and Little Bourke Streets was created). The buildings that survive from that era clearly contribute to the precinct - the subject building is not one.
- The multi-deck car park structure cannot be reasonably said to be of such merit, using the criteria for heritage assessments, to warrant identification and protection as a heritage place. The Heritage Study Statements of Significance⁷ specifically note *the main building with an address to Bourke Street is non-contributory and not included in the precinct*. Indeed, the building is the antithesis of what is considered important within the precinct.

42. In my opinion it could be said that the elevation to Warburton Lane 'complements' the other buildings in Warburton Lane through its similar scale. However, for the reasons stated above it is not a contributory element within the precinct.

3.3. THE ROLE OF CURRENT DEVELOPMENT CONTROLS

43. It is established that the introduction of the heritage control will appropriately identify and protect a number of buildings that form part of the history of the Hardware Lane precinct. In some locations a heritage overlay may be applied more broadly (e.g. suburban residential estates) notwithstanding that some of the buildings within the area are not of heritage significance or value. In these cases, the heritage overlay is used to guide new development of the non-contributory sites and ensure the new development *does not adversely affect the significance of the heritage places*⁸.
44. In this instance, it appears that the proposed application of the heritage overlay to part of the site may also be seeking to introduce a control that 'protects' the character of Warburton Lane and guide future development in the event the car park is redeveloped.
45. Planning Practice Note 46 - Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments requires the assessment of proposed changes to planning controls to address a number of key questions. One of the considerations⁹ asks; *Does the amendment repeat provisions already in the scheme? If so, what additional value will the amendment provide?*
46. Development within the central area of Melbourne is probably the most tightly controlled and scrutinised within the metropolitan area. This is understandable given the many competing requirements one of which is balancing Melbourne's heritage whilst building for the future.
47. At present the potential re-development of the site is subject to:
- **Buildings and Works approval under the Capital City Zone** with:
 - A requirement that an urban context analysis be undertaken that considers built form and character of adjacent and nearby buildings, the heritage character of adjacent and nearby heritage places and ground floor street frontages and visual impacts.
 - Extensive decision guidelines that require the responsible authority to consider the State and Local Policy Frameworks; The size and shape of the parcel of land to which the application relates, the siting of the proposed development and the area to be occupied by the development in relation to the size and shape of the land, adjoining land and adjoining development, the streetscape; The scale and height of the neighbouring buildings and the proposed development, the proximity to heritage places.

⁷ Melbourne Planning Scheme - Guildford and Hardware Laneways Heritage Study 2017: Statements of Significance - page 22

⁸ One of the purposes of Clause 43.01 - Heritage Overlay

⁹ DELWP - Planning Practice Note 46 - Strategic Assessment Guidelines, May 2017 - second column page 2

- **Design and Development Overlay 2 - (Area A2)** this control provides detailed guidance on building height, shadowing controls, setbacks and a floor area ratio that apply to the western edge of the site to a depth of 12.77 metres from Hardware Lane. The controls specify:
 - A preferred Building Height of 15 metres
 - A preferred maximum Floor Area Ratio of 4:1
 - A series of design objectives, design elements, requirements and built form outcomes
- **Design and Development Overlay 10** this control applies to the majority of the central city and provides detailed guidance on building height, shadowing controls, setbacks and floor area ratios that apply to the site (excepting the western edge of the site to a depth of 12.7 metres from Hardware Lane). The controls specify:
 - A maximum Floor Area Ratio of 18:1
 - A series of design objectives, design elements, requirements and built form outcomes
- The two Design and Development Overlay controls also require:
 - An urban context report that must:
 - explain the key planning, design and contextual considerations and influences on the proposed buildings and works.
 - describe the existing urban context of the area in which the proposed buildings and works are to be located.
 - explain how the proposed buildings and works relate to and respond to their urban context including:
 - a. Built form character of adjacent and nearby buildings.
 - b. Heritage character of adjacent and nearby heritage places.
 - identify the key opportunities and constraints supporting the design response.
 - explain the effect of the proposed buildings and works, including on:
 - a. microclimate, including sunlight, daylight and wind impacts on streets and other public spaces.
 - b. vistas.
 - Explain how the proposed buildings and works respond to each of the Design Objectives and the Built Form Outcomes of the Overlay control
 - Extensive decision guidelines that that require the responsible authority to consider, inter alia;
 - State and Local Policy Frameworks
 - Whether the development respects the built form scale and urban structure of the precinct.
 - Whether the development provides a high quality response.
 - Whether the cumulative effect of the development supports a high quality of pedestrian amenity in the public realm.
 - Whether the proposed street wall height responds appropriately to the prevalent parapet height of adjoining buildings, respects the scale of adjoining heritage places and provides a human scale. (My underlining)
- **Clause 21.06-1 Urban Design** includes a series of objectives to guide new development within the distinctive urban structure of Melbourne, including:
 - Protect Melbourne's distinctive physical character and in particular, maintain the importance of:
 - identified places and precincts of heritage significance
 - the network of lanes and arcades
 - the sense of place and identity in different areas of Melbourne.

- To ensure that the height and scale of development is appropriate to the identified preferred built form character of an area.
 - Ensure that the scale, bulk and quality of new development supports a high quality public realm.
 - Protect and enhance the character and function of laneways.
 - Ensure the design of buildings and public spaces enhances the public realm and the pedestrian environment.
 - Within heritage precincts and from adjoining areas protect buildings, streetscapes and precincts of cultural heritage significance from the visual intrusion of new built form both. (My underlining)
- **Clause 21-12 Hoddle Grid** provides a series of objectives for housing, economic development, built environment and heritage and transport within the Hoddle Grid. The objectives include:
 - Protect the scale of important heritage precincts, boulevards and other unique precincts that rely on a consistency of scale for their image, including the Retail Core, Chinatown, Hardware Lane, Flinders Lane, Bourke Hill, Parliament, the Melbourne Town Hall, and the churches on Flinders and Collins Streets.
 - Ensure high quality and robust public space design in arcade and laneway upgrades.
 - Link arcades and laneways in the Hoddle Grid.
 - Encourage arcade and laneway links between streets and public spaces.
 - Ensure development fronting streets creates a continuous building edge and integrated streetscape. (My underlining)
 - **Clause 22.01 Urban Design within the Capital City Zone** provides a series of detailed policies guiding new development that address matters including; building envelopes, building design, pedestrian permeability and connectivity, facades etc. including:
 - Building Design
 - Maintain the traditional and characteristic vertical rhythm of streetscapes.
 - Respect the height, scale, and proportions of adjoining heritage places.
 - Encourage the lower portion of buildings to align to the street pattern and to respect the continuity of the street wall.
 - Facades
 - Maintain the traditional and characteristic vertical rhythm of streetscapes.
 - Respect the height, scale, and proportions of adjoining heritage places.
 - Encourage the lower portion of buildings to align to the street pattern and to respect the continuity of the street wall. (My underlining)
 - **Clause 22.20 CBD Lanes** identifies the central city laneway network as a valued and vital part of the city's urban form that provides an insight into the city's built form evolution. The policy provides for three classes of lane. Hardware Lane is identified as a Class 1 Lane and Warburton Lane is a Class 3 lane. Policy for buildings and works adjoining lanes includes:
 - Maintain and enhance the intimate environment of lanes by ensuring that higher tower forms are set back from the predominate parapet height along the laneway to ensure a sense of openness that reinforces a human scale.
 - Encourage new development to respond to the fine grain pattern, vertical articulation and division of building frontages where this forms part of the established lane way character.
 - Encourage new development to provide highly articulated and well detailed facades that create visual interest, particularly at the lower levels.
 - Encourage development to orientate windows and balconies to overlook lane ways.
 - Require development along lanes to minimise adverse microclimate effects.

- Encourage small scale tenancies and spaces at ground level to promote activities such as retail, service and community facilities that contribute to the enjoyment of lane ways. (My underlining)

48. It is readily apparent that the existing comprehensive layers of policy and specific development controls will appropriately guide any redevelopment of the subject site in a manner that respects the built form and heritage characteristics of Hardware Street and Warburton Lane. Given this there is no need to include (or extend) the Heritage Overlay control on any part the subject site to 'protect' the existing and future character of Warburton Lane.

3.4. POTENTIAL IMPACTS OF THE HERITAGE OVERLAY ON THE REDEVELOPMENT OF THE SITE

49. It may appear that the application of a heritage grading of a small part of the building is minor matter of no importance. However, two factors elevate the importance of the matter, being:
- Proposed changes to Clause 22.04 - Heritage Places within the Capital City Zone.
 - The increasingly low number of larger sites capable of redevelopment in the CBD capable of providing commercial accommodation.
50. Amendment C258 to the Melbourne Planning Scheme proposes to introduce updated heritage controls including:
- Replacing the alphabetic grading system with the new heritage significance/value system described in paragraph 42 of this report.
 - Comprehensively revised content and controls of the two local heritage policies, Clause 22.04 (Heritage Places within the Capital City Zone) and Clause 22.05 (Heritage Places Outside the Capital City Zone). Both new policies have permit application requirements, and provisions relating to demolition, alterations, new buildings, additions, restoration and reconstruction, subdivision, vehicle accommodation, and services and ancillaries.
 - Introduce new incorporated documents comprising Heritage Precincts Statements of Significance for precincts both within and outside the central city.
51. The most significant proposed changes are within the local heritage policies. The exhibited Clause 22.04 (attached at Appendix A) includes:
- The introduction of performance standards by which heritage aspects of planning applications will be assessed.
 - Under consideration of demolition the proposed control states that:
Full demolition of significant or contributory buildings will not normally be permitted. Partial demolition will not normally be permitted in the case of significant buildings or the front or principal part of contributory buildings.
 ...
The poor condition of a significant or contributory building is not in itself justification for permitting demolition.
Before deciding on an application for full or partial demolition, the responsible authority will consider, as appropriate:
 - *The assessed significance of the building.*
 - *The character and appearance of the building or works and its contribution to the historic, social and architectural values, character and appearance of the heritage place.*
 - A definitions section in the clause where the term *Assessed Significance* is defined as:
The assessed significance of an individual heritage place or heritage precinct is identified in the relevant statement of significance, as contained in the place citation. This normally identifies what is significant, how it is significant, and why it is significant.

- It is noteworthy that one of the matters the responsible authority is directed to consider in the current version of Clause 22.04 is proposed to be removed. The current criterion requires consideration of:

Whether the demolition or removal is justified for the development of land or the alteration of, or addition to, a building.

52. The effect of these changes, if approved, will be to:

- Mandatorily require the current assessment of the heritage significance/value to be used in judging whether to permit demolition or alteration. It is not clear what would happen where it was subsequently found that the application of a particular significance/value was wrong. However, where there may be legitimate debate about the heritage significance of a heritage place that would be removed in future applications.
- Considerably strengthen the 'default' position of the retention of the heritage fabric or place above any other solution - given that the responsible authority is no longer enjoined to consider *whether the demolition or removal is justified for the development of land or the alteration of, or addition to, a building.*

53. The imposition of the heritage overlay on the site may then lead to the position that part of the building (being the wall and supporting structure) is required to be retained when the site is redeveloped. Such an outcome would preclude the creation of a more responsive design that was more in keeping with the heritage character of Warburton Lane, potentially limit the integration with Warburton Lane (including creation of openings onto Warburton Lane) and constrain the overall flexibility in creating a new piece of the city.

54. The site, whilst located in a relatively low-rise part of the central city, is large (2,816 sq.m) and capable of accommodating a tower form above a podium structure that integrates with the low-rise/laneway typology. A tower form (and the podium levels) could be capable of accommodating new employment floor spaces within the central city where such opportunities are rapidly diminishing.

55. The imposition of the proposed Heritage Overlay together with the other existing development controls being the setback from and the sunlight access requirements for Hardware Lane will potentially create a very constrained site. If the existing wall or the structure is required to be retained for the full extent of the heritage overlay (approx. 7.25 metres depth) it is likely that the area available for a taller development will be reduced to less than 22 metres width - a sub-optimal floor plate width for modern employment accommodation.

3.5. CONCLUSION

56. Clause 10.1 of the planning scheme provides guidance for planning authorities as follows:

Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social well-being affected by land use and development.

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. (My underlining)

57. It is considered that as a matter of proper planning the proposed 'partial designation' of the existing parking structure (which is otherwise, understandably, considered to be non-contributory) is a mis-application of the proposed heritage overlay. I say this for the following reasons:

- The car parking structure (including the wall on Warburton Lane) is a later addition to the precinct (circa 1960) and does not contribute to the heritage character of the precinct.
- There is no need to apply a heritage control to achieve proper guidance for future development. The current suite of planning policies and development controls will

appropriately guide any redevelopment of the subject site in a manner that respects the built form and heritage characteristics of Hardware Street and Warburton Lane.

- The imposition of the heritage overlay control will unnecessarily constrain the appropriate redevelopment of the site by either requiring the full or partial retention of the wall and structure or by limiting the optimum design and development response.

58. In summary, it is recommended that the heritage overlay should be removed from the site and the entire site be recorded as a non-contributory building.

APPENDIX A COPY OF PROPOSED CLAUSE 22.04 – AMENDMENT C258

22.04 HERITAGE PLACES WITHIN THE CAPITAL CITY ZONE

--/201-
Proposed C258

This policy applies to places included in the Heritage Overlay within the Capital City Zone, excluding land within Schedule 5 to the Capital City Zone (City North).

22.04-1 Policy Basis

--/201-
Proposed C258

Melbourne's Municipal Strategic Statement identifies heritage as a defining characteristic of the municipality, and a major part of Melbourne's attraction. Heritage places enhance the city's appeal as a place in which to live, work, invest and visit.

The heritage of the Capital City Zone encompasses heritage precincts, individual heritage places within and outside heritage precincts, and historic streets and lanes. These places date from the mid-nineteenth century through to more recent times, and are variously of heritage value for their historic, aesthetic, social, spiritual and scientific significance.

The places reflect the significance of the CCZ as the cultural, administrative and economic centre of the state. The places are fundamental to the depth of historic character of the CCZ, as it developed on, and extended from, the Hoddle Grid.

This policy provides guidance on conserving and enhancing the heritage places of the CCZ. It encourages the preservation and restoration of heritage places, and development which is compatible and in keeping with the heritage values. The policy recognises that heritage places are living and working places; and that the CCZ will continue to attract business and investment with related development subject to the heritage policy objectives.

This policy should be read in conjunction with Statements of Significance listed as incorporated into this Scheme.

22.04-2 Policy Objectives

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Proposed C258

- To conserve and enhance Melbourne's heritage places.
- To conserve fabric of historic, aesthetic, social, spiritual and scientific heritage value, which contributes to the significance, character and appearance of heritage places.
- To recognise the assessed significance of heritage places and streetscapes, as adopted by Council, as the basis for consideration of development and works. Further information may be considered, including in relation to streetscapes, where there is limited information in the existing citation or Council documentation.
- To ensure new development is respectful of the character and appearance of heritage places.
- To encourage high quality contextual design for new development, and generally avoid replication of historic forms and details.
- To ensure new development is informed by the conservation principles, processes and practices of the Australia ICOMOS Burra Charter.
- To enhance the presentation and appearance of heritage places through restoration and, where evidence exists, reconstruction of original or contributory elements.
- To protect significant views and vistas to heritage places.
- To promote the protection of Aboriginal cultural heritage.

22.04-3 Permit Application Requirements

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Proposed C258

The following, where relevant, may be required to be lodged with a permit application.

- Where major or consequential development is proposed to significant heritage places, the responsible authority may require preparation of a Conservation Management Plan (CMP).
- For all applications involving significant or contributory heritage places, other than minor works, the responsible authority may require preparation of a Heritage Impact Statement (HIS). In a heritage precinct, the HIS should address impacts on adjoining significant or contributory buildings and the immediate heritage context, in addition to impacts on the subject place.
- Where works are associated with significant vegetation (as listed in the Schedule to the Heritage Overlay or vegetation of assessed significance), an arboricultural report should be prepared. The report should, where relevant, address landscape significance, arboricultural condition, impacts on the vegetation and impacts on the heritage precinct.
- For development in heritage precincts, the responsible authority may require sight lines, and heights of existing and adjoining buildings, as necessary, to determine the impact of the proposed works.

22.04-4 Performance Standards for Assessing Planning Applications

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Proposed C258

The performance standards set out below outline the criteria by which heritage aspects of planning applications will be assessed. Definitions of words used in these performance standards are included at the end of this policy.

Variation from the performance standards requires a readily understandable reasoned explanation of how the policy objectives are addressed.

22.04-5 Demolition

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Proposed C258

Full demolition of significant or contributory buildings will not normally be permitted. Partial demolition will not normally be permitted in the case of significant buildings or the front or principal part of contributory buildings.

The poor condition of a significant or contributory building is not in itself justification for permitting demolition.

A demolition permit should not be granted until the proposed replacement building or works have been approved.

Where approval is granted for full demolition of a significant building, a recording program including, but not limited to, archival photographic recording and/or measured drawings may be required prior to demolition, to the satisfaction of the Responsible Authority.

Demolition of front fences and outbuildings which contribute to the significance of the heritage place will not normally be permitted.

Before deciding on an application for full or partial demolition, the responsible authority will consider, as appropriate:

- The assessed significance of the building.
- The character and appearance of the building or works and its contribution to the historic, social and architectural values, character and appearance of the heritage place.
- The significance of the fabric or part of the building, and the degree to which it contributes to the perception of the three-dimensional form and depth of the building.
- Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of the building.

22.04-6 Alterations

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Proposed C258

External fabric which contributes to the significance of the heritage place, on any part of a significant building, and on any visible part of a contributory building, should be preserved.

Sandblasting of render, masonry or timber surfaces and painting of previously unpainted surfaces will not normally be permitted.

Before deciding on an application to alter the fabric of a significant or contributory building, the responsible authority will consider, as appropriate:

- The assessed significance of the building.
- The degree to which the works would detract from the significance, character and appearance of the building and heritage place.
- Its structural condition.
- The character and appearance of the proposed replacement materials.
- The degree to which the works can be reversed without an unacceptable loss of significance.

Removal of paint from originally unpainted masonry surfaces is encouraged.

The introduction of awnings and verandahs to ground floor façades and shopfronts may be permitted where:

- The works reconstruct an original awning or verandah, based on evidence of the original form, detailing and materials; or
- The awning is an appropriate contextual design response, compatibly placed in relation to the building, and can be removed without an unacceptable loss of significance.

22.04-7 New Buildings

--/201-
Proposed C258

New buildings should not detract from the assessed significance of the heritage place.

New buildings should:

- Be respectful of the heritage place and in keeping with:
 - Identified 'key attributes' of the heritage precinct.
 - Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.
 - Prevailing streetscape height and scale.
- Not obscure views of the front or principal part of adjoining significant or contributory buildings.
- Not dominate or visually disrupt the appreciation of the heritage place by:
 - maintaining a façade height which is consistent with that of adjoining significant or contributory buildings, whichever is the lesser, and
 - setting back higher rear building components.
- Not adopt a façade height which is significantly lower than prevailing heights in the streetscape.
- Be positioned in line with the prevailing building line in the streetscape.
- Not build over or extend into the air space above the front or principal part of an adjoining significant or contributory building.

- Where abutting a lane, be respectful of the scale and form of historic elements of heritage places abutting the lane.

The design of new buildings should:

- Adopt high quality and respectful contextual design.
- Adopt an interpretive design approach to other details such as verandahs, fences and shopfronts.

22.04-8 Additions

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Proposed C258

Additions to buildings in a heritage precinct should be respectful of and in keeping with:

- Identified 'key attributes' of the heritage precinct.
- Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.
- Character and appearance of adjoining significant and contributory buildings.

Additions should not build over or extend into the air space above the front or principal part of a significant or contributory building.

Where abutting a lane, additions should be respectful of the scale and form of historic development to the lane.

Additions to significant or contributory buildings should:

- Be respectful of the building's character and appearance, scale, materials, style and architectural expression.
- Not dominate or visually disrupt the appreciation of the building as it presents to the streetscape.
- Maintain the perception of the three-dimensional form and depth of the building by setting back the addition behind the front or principal part of the building, and from visible secondary elevation(s).
- Retain significant roof form within the setback from the building façade.
- Not obscure views of façades or elevations associated with the front or principal part of the building.
- Be distinguishable from the original fabric of the building.
- Not employ external column/structural supports through the front or principal part of the building.

The design of additions should:

- Adopt high quality and respectful contextual design.
- Avoid a direct reproduction of historic elements.
- Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.

22.04-9 Restoration and Reconstruction

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Proposed C258

Where there is evidence of what a building originally looked like, renovation of any part of a significant building, or any visible part of a contributory building, should form part of an authentic restoration or reconstruction process, or should not preclude such a process at a future date (evidence of what a building used to look like might include other parts of the building or early photographs and plans).

22.04-10 Subdivision

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Proposed C258

Subdivision of a heritage place should:

- Reflect the pattern of development in the streetscape or precinct, whichever is most relevant to the place.
- Maintain an appropriate setting to the significant or contributory building.
- Not provide for future development which will visually disrupt the setting and impact on the presentation of the significant or contributory building.

Subdivision of airspace above heritage buildings, to provide for future development, is discouraged.

22.04-11 Relocation

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Proposed C258

A proposal to relocate a significant or contributory building or structure may be permitted where the existing location of the heritage place is not part of its significance.

22.04-12 Vehicle Accommodation and Access

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Proposed C258

The introduction of on-site car parking, garages and carports, and vehicle crossovers may be permitted where:

- On grade car parking is located to the rear of the property, or to the side setback where this is an established streetscape characteristic.
- The new vehicle crossover is no wider than three metres, and crossovers are common elements of the streetscape.
- For a significant or contributory building, the new garage or carport is placed behind the main building line (excluding verandahs, porches, bay windows or similar projecting features), and:
 - the height is below that of the main roof form of the building;
 - it will not conceal an original contributory element of the building (other than a plain side wall); and
 - the form, details and materials are respectful of the building, but do not replicate details of the building.
- Ramps to basement or sub-basement car parking are located to the rear of the property, or to a side street or side lane boundary, where they would not visually disrupt the setting of the significant or contributory building, or impact on the streetscape character.

22.04-13 Fences and Gates

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Proposed C258

New or replacement fences or gates to the front or principal part of a significant or contributory building may be permitted where:

- the works reconstruct an original fence or gate, based on evidence of the original form, detailing and materials; or
- the new fence is an appropriate contextual design response, where the details and materials are interpretive.

New fences and gates should also:

- not conceal views of the building; and
- be a maximum height of 1.2 metres if solid, or 1.5 metres if more than 50% transparent.

22.04-14 Services and Ancillaries

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Proposed C258

The installation of services and ancillaries, in particular those that will reduce greenhouse gas emissions or water consumption such as solar panels, solar hot water services or water storage tanks, may be permitted on any visible part of significant or contributory buildings where it can be demonstrated there is no feasible alternative and the services and ancillaries will not detract from the character and appearance of the building or heritage place. Items affixed to roofs, such as solar panels, should align with the profile of the roof.

Services and ancillaries should be installed in a manner whereby they can be removed without damaging significant fabric.

For new buildings, services and ancillaries should be concealed or incorporated into the design of the building.

22.04-15 Street Fabric and Infrastructure

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Proposed C258

Street furniture, including shelters, seats, rubbish bins, bicycle racks, drinking fountains and the like, should be designed and sited to avoid:

- impacts on views to significant or contributory places and contributory elements; and
- physical impacts on bluestone kerbs, channels and gutters, and other historic street infrastructure.

22.04-16 Signage

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Proposed C258

New signage associated with heritage places should:

- Minimise visual clutter.
- Not conceal architectural features or details which contribute to the significance of the heritage place.
- Not damage the fabric of the heritage place.
- Be in keeping with historical signage in terms of size and proportion in relation to the heritage place.
- Be readily removable.

Advertising signs may be placed in locations where they were traditionally placed.

The historical use of signage may be justification for new or replacement signage.

Existing signage that is deemed to have heritage value should be retained, and not altered or obscured, including historic painted signage.

22.04-17 Grading of heritage places

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Proposed C258

The grading (significant, contributory or non-contributory) of properties within the Capital City Zone is identified in the incorporated document *Heritage Inventory 2016*. Significant streetscapes are also identified in the incorporated document. Other streetscapes may also be significant and other information may be considered in determining the significance of a streetscape where limited information is provided in the existing citation or Council documentation.

‘Significant’ heritage place:

A ‘significant’ heritage place is individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the municipality. A ‘significant’ heritage place may be highly valued by the community; is typically externally intact; and/or has notable features associated with the place type, use,

period, method of construction, siting or setting. When located in a heritage precinct a 'significant' heritage place can make an important contribution to the precinct.

'Contributory' heritage place:

A 'contributory' heritage place is important for its contribution to a heritage precinct. It is of historic, aesthetic, scientific, social or spiritual significance to the heritage precinct. A 'contributory' heritage place may be valued by the community; a representative example of a place type, period or style; and/or combines with other visually or stylistically related places to demonstrate the historic development of a heritage precinct. 'Contributory' places are typically externally intact, but may have visible changes which do not detract from the contribution to the heritage precinct.

'Non-contributory' place:

A 'non-contributory' place does not make a contribution to the heritage significance or historic character of the heritage precinct.

22.04-18 Definitions

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Proposed C258

Term	Definition
Alteration	An alteration is to modify the fabric of a heritage place, without undertaking building works such as an addition.
Assessed significance	The assessed significance of an individual heritage place or heritage precinct is identified in the relevant statement of significance, as contained in the place citation. This normally identifies what is significant, how it is significant, and why it is significant.
Concealed/partly concealed	Concealed means not visible from any part of the street serving the front or principal part of the building, as defined under 'visible'. Partly concealed means that a limited amount of the addition or higher rear part may be visible, provided it does not dominate the appearance of the building's façade and the streetscape.
Conservation	Conservation means all the processes of looking after a place to retain its heritage significance. It may include one or more of maintenance, preservation, restoration, reconstruction, adaptation and interpretation.
Context	Context means the setting of a heritage place, as defined under 'setting', including the immediate landholding, adjoining significant or contributory places, and the surrounding area.
Contextual design	A contextual design for new buildings and additions to existing buildings is one which adopts an interpretive design approach, derived through analysis of the subject property and its heritage context. Such an approach allows new development to comfortably and harmoniously integrate with the site and its streetscape character. The approach can include respectful contemporary architecture.
Cultural significance	Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.
Development	Development includes: <ul style="list-style-type: none"> • construction or exterior alteration of a building • demolition or removal of a building or works • construction or carrying out of works • subdivision or consolidation of land, including buildings or

Term	Definition
	airspace <ul style="list-style-type: none"> • placing or relocation of a building or works on land • construction or putting up for display of signs or hoardings
Enhance	Enhance means to improve the presentation and appearance of a heritage place through restoration, reconstruction or removal of unsympathetic or intrusive elements.
Fabric	Fabric means all the physical material of the heritage place.
Front or principal part of a building	The front or principal part of a building is generally considered to be the front two rooms, with roof; or that part of the building associated with the primary roof form, whichever is the greater. For most non-residential buildings, the front part is generally considered to be one full structural bay in depth or 8 metres, including the roof.
Heritage place	A heritage place has identified heritage value and can include a site, area or space, building or other works, structure, group of buildings, precinct, archaeological site, landscape, garden or tree.
Heritage precinct (as referred to in this policy)	A heritage precinct is an area which has been identified as having heritage significance. It is identified as such in the Schedule to the Heritage Overlay, and mapped in the Planning Scheme Heritage Overlay Maps.
Individual heritage place (as referred to in this policy)	An individual heritage place is equivalent to a significant heritage place. It may be graded significant within a heritage precinct. It may also have an individual Heritage Overlay control, and be located within or outside a heritage precinct.
Key attributes	The key attributes or important characteristics of a heritage precinct are identified in the precinct statement of significance.
Lane	Includes reference to public or private lanes, and ROWs.
Maintenance	Maintenance means the continuous protective care of a place, and its setting, and is distinguished from repair which involves restoration or reconstruction.
Massing	Massing means the arrangement of a building's bulk and its articulation into parts.
Preservation	Preservation is maintaining the fabric of a place in its existing state and retarding deterioration.
Reconstruction	Reconstruction means returning a place to a known earlier state, and is distinguished from restoration by the introduction of new material.
Respectful and interpretive	When used in relation to design, respectful and interpretive refers to design that honestly admits its modernity while relating to the historic or architecturally significant character of its context. Respectful means a modern design approach to new buildings, additions and alterations to buildings, in which historic building size, form, proportions and details are referenced but not directly copied, and sympathetic colours and materials are used. Interpretive means a looser and simplified modern interpretation of historic building form, details and materials.
Restoration	Restoration means returning a place to a known earlier state by removing accretions or later additions, or by reassembling existing

Term	Definition
	elements. It is distinguished from reconstruction through not introducing new material.
Services and ancillaries	Services and ancillaries include, but are not limited to, satellite dishes, shade canopies and sails, solar panels, water storage tanks, disabled access ramps and handrails, air conditioners, cooling or heating systems and hot water services.
Setting	Setting means the immediate and extended environment of a place that is part of or contributes to its significance.
Streetscape	A streetscape is a collection of buildings along a street frontage. When referred to in relation to a precinct, a streetscape typically contains a majority of buildings which are graded significant or contributory.
Significant streetscape (as referred to in this policy)	Significant streetscapes are collections of buildings outstanding either because they are a particularly well preserved group from a similar period or style, or because they are highly significant buildings in their own right.
Use	Use means the functions of a place, including the activities and traditional and customary practices which may occur at the place or are dependent on the place.
Visible	Visible means anything that can be seen from a street (other than a lane, unless the lane is classified as significant) or public park.

22.04-19 Reference Documents

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Proposed C258

Central Activities District Conservation Study 1985
 Harbour, Railways, Industrial Conservation
 South Melbourne Conservation Study 1985
 Central City (Hoddle Grid) Heritage Review 2011
 Bourke Hill Precinct Heritage Review Amendment C240 2015
 City North Heritage Review, RBA Architects 2013
 C258 Heritage Precincts Statements of Significance 2017



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