



**Expert Witness Statement – Heritage  
Melbourne Amendment C258  
The Walk Arcade, 309-325 Bourke Street, Melbourne**



**Figure 1.** 309-325 Bourke Street, Melbourne (May 2017)

Prepared for and under the instruction of **Best Hooper Lawyers** for **Bardsville Pty Ltd** by:

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**27 July 2018**

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## 1. INTRODUCTION

### 1.1 Name and address of expert

Jim Gard'ner, Director, GJM Heritage Level 3, 124 Exhibition Street, Melbourne, VIC 3000

### 1.2 Expert's qualifications and experience

I hold a Bachelor of Building Science and an honours degree in Architecture from Victoria University of Wellington (New Zealand), and a post-graduate diploma in building conservation from the Architectural Association of London. I am registered with the Architects' Registration Board of Victoria (registration number 16044) and am a member of the Australian Institute of Architects, the Victorian Planning & Environmental Law Association and Australia ICOMOS (International Council on Monuments and Sites).

I have practiced as an architect on heritage buildings and new design projects in New Zealand and the United Kingdom and have specialised in heritage conservation since 1997. I have worked as project architect on commercial projects in the World Heritage Listed City of Bath and as a Historic Buildings Architect at English Heritage and have provided technical and regulatory advice on a diverse range of heritage places including Stonehenge, Bolsover Castle, Derbyshire and the Wellington Arch in London. At the National Trust of Australia (Victoria) I led the classification of heritage places on the National Trust Register and the development of responses to heritage and planning permit applications.

In my role as the Director, Strategy and Policy and then Executive Director at Heritage Victoria I developed and implemented heritage policy and guidance to assist in the interpretation of the provisions of the *Heritage Act 1995* including in relation to: the assessment of 'reasonable or economic use' under s73(1)(b) of the Heritage Act; Victoria's Framework of Historical Themes; The Victorian Heritage Register Criteria and Threshold Guidelines; and the Victorian Government Cultural Heritage Asset Management Principles. I previously Chaired the Royal Exhibition Building and Carlton Gardens World Heritage Steering Committee and have been a member of the Heritage Chairs and Officials of Australia and New Zealand. From 2012-15 I held the position of Executive Director, Statutory Planning and Heritage in the Victorian State Government where I administered the *Environment Effects Act 1978* (Vic) and advised the Minister for Planning on planning scheme amendments and permit decision making under the *Planning and Environment Act 1987* (Vic).

As an independent heritage consultant I have advised on heritage assessments, heritage management, and works to heritage places including private dwellings, places of worship, institutional and commercial buildings, and industrial properties. I continue to advise local and State Governments on statutory heritage approvals and strategic heritage matters and have undertaken place specific assessments and large-scale area heritage studies.

### 1.3 Statement identifying the Expert's areas of expertise to make this report

I am expert in the assessment of cultural heritage significance of historic heritage places, the administration of legislation to regulate and manage historic heritage places and objects, and in providing advice and preparing documentation to support conservation of, and modification to, heritage places.

I am an expert in the assessment of cultural heritage significance of places in both the Melbourne metropolitan area and throughout Victoria, with reference to current heritage assessment criteria established by the Heritage Council of Victoria and *Planning Practice Note 1: Applying the Heritage Overlay* (January 2018) and within the context of *Victoria's Framework of Historical Themes* (2010).

I have provided expert evidence to VCAT, Planning Panels Victoria and the Heritage Council of Victoria under the instruction of private property owners and local government.

## 1.4 Statement identifying any other significant contributors to the report

This report was prepared with the assistance of Ros Coleman, GJM Heritage. The views expressed in this report are my own. I have relied on historical research undertaken by Lovell Chen that is provided in the Heritage Impact Statement (HIS) for the 'The Walk Arcade, 309-325 Bourke Street, Melbourne' (January 2018) and have assumed that the historical information is accurate. Ms Coleman has also provided additional research at my direction.

## 1.5 Instructions

I have been instructed by Best Hooper Lawyers for Bardsville Pty Ltd to provide expert evidence on the appropriateness of Melbourne Planning Scheme Amendment C258 as it applies to property known as The Walk Arcade at 309-325 Bourke Street, Melbourne 3000 (the subject land).

Specifically, I have been requested to provide an opinion on whether or not the entire site (addressed in Planning Maps Online as 309-325 Bourke Street, Melbourne) warrants the proposed 'Significant' grading within the amended Incorporated Document *Heritage Places Inventory 2017* (as corrected for re-exhibition, November 2017).

## 1.6 Site Inspections

I inspected the subject land in October 2016 and May 2017 to inform verbal advice provided in relation to this property over that period. In the preparation of this evidence, I visited the subject land on 16 May 2018. The subject land has been inspected internally and from the public realm. All photographs were taken by GJM Heritage unless otherwise stated.

## 1.7 Documents relied upon

I have considered the documents listed below in preparing this evidence:

- Amendment Documentation for Melbourne Planning Scheme Amendment C258 (retrieved from Planning Schemes Online on 3 July 2018), namely:
  - Explanatory Report
  - Clause 22.04 – Heritage Places Within the Capital City Zone
  - Schedule to Clause 43.01 – Heritage Overlay
  - Schedule to Clause 81.01 - Table of Documents Incorporated in this Scheme
  - Incorporated Document entitled Amendment C258: *Heritage Places Inventory 2017* (Corrected for re-exhibition, November 2017)
  - Incorporated Document entitled Amendment C258: Heritage Precincts Statements of Significance 2017
- Report to the Future Melbourne (Planning) Committee (20 February 2018)
- City of Melbourne Incorporated Document *Heritage Places Inventory* (June 2016)
- Clause 22.04 – Heritage Places Within the Capital City Zone (existing)
- Clause 43.01 – Heritage Overlay (existing)
- Lovell Chen Review comprising 'City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance' (Lovell Chen, December 2015), 'Methodology Report: City of Melbourne Heritage Gradings Review' (Lovell Chen, October 2015) and 'Methodology Report: City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance' (Lovell Chen, September 2015 (updated May 2016))
- Lovell Chen Heritage Grading Conversion Excel Spreadsheet
- Heritage Impact Statement – The Walk Arcade, 309-325 Bourke Street, Melbourne (Lovell Chen, January 2018)
- *Central Activities District Conservation Study* (Graeme Butler, 1985)

- *Central City Heritage Study Review* (Philip Goad, Miles Lewis, Alan Mayne, Bryce Raworth and Jeff Turnbull, 1993)
- Planning Property Report for the subject land (17 July 2018)
- Planning Practice Note 1: *Applying the Heritage Overlay* (January 2018) (PPN1)
- Planning Panels Victoria: Guide to Expert Evidence

## **1.8 Statement identifying the role the Expert had in preparing or overseeing the exhibited report(s)**

In late 2016 GJM Heritage was engaged by First Urban to provide verbal heritage advice in relation to the redevelopment of the subject land. GJM Heritage was provided with plans entitled 'Mixed-Use Retail & Hotel Existing Permit Scheme Development Concept Package 4' prepared by The Buchan Group and dated October 2016 and 'Development Concept Package 16' prepared by The Buchan Group and dated 6 April 2017. This ad hoc verbal advice continued until May 2017 at which point GJM Heritage provided no further advice to First Urban or Buchan Group.

In late 2017 Steadfast Capital engaged Lovell Chen to provide further heritage advice and prepare a HIS for the proposed development, which has been subsequently provided to me for information to the extent that it relates to the historical development of the site.

## **1.9 Facts, matters and assumptions upon which statement proceeds**

In the preparation of this report, it is assumed that all documents referred to above, including the exhibited amendment documents, are current and correct in the information they contain at the time of completion of this report.

I also note that a planning permit application (PA1800336) in relation to the subject land was made to the Minister for Planning on 9 February 2018, however I have not turned my mind to this matter and I have not considered any of the associated material beyond the historical information contained within the Lovell Chen HIS.

## **1.10 Any questions falling outside the Expert's expertise**

No questions in relation to the heritage matters that have been raised that fall outside my expertise. I have not had specific regard to the economic and social impacts of this amendment, as the assessment of these impacts falls outside my area of expertise.

## **1.11 Summary Opinion**

It is my view that:

- The conversion of the City of Melbourne's current 'A' through 'E' letter grading system as described in the *Heritage Places Inventory* (June 2016) to the proposed 'Significant', 'Contributory' and 'Non-contributory' designation in the amended *Heritage Places Inventory 2017* (and defined in amended Clauses 22.04 and 22.05) is consistent with the guidance provided within PPN1 and, notwithstanding anomalies such as identified on the subject land and elsewhere, should be implemented.
- An assessment of the component buildings on larger sites made up of a number of buildings – such as the subject land - should occur to inform the regrading. It would assist property owners, statutory decision makers and other stakeholders if the discrete or individual buildings that make up a larger site or complex - such as the subject land – are provided with separate gradings ('Significant', 'Contributory' or 'Non-contributory') within the *Heritage Places Inventory 2017*. I note that this approach has been taken in relation to Melbourne University, RMIT, Melbourne Zoo and the Victoria Market.

- The historical and current uses of the building on the subject land reflect the heritage values articulated in the Statement of Significance for HO509 – Post Office Precinct. However, not all the extant buildings demonstrate these values nor aesthetic and architectural significance to a degree that warrants the application of a ‘Significant’ grading over the whole of the subject land.
- It is my view that the following gradings should be applied to the buildings that occupy the subject land:
  - Edments Building (309-311 Bourke Street) Non-contributory
  - Diamond House (313-317 Bourke Street) Significant
  - Infill building (319-321 Bourke Street) Non-contributory
  - Public Benefit Bootery Building (323-325 Bourke Street) Significant
  - Arco House (internal to the site) Non-contributory
  - Book Buildings (288-290 Little Collins Street) Contributory
  - York House (292-298 Little Collins Street) Contributory
  - Allan’s Building (Sonora House) (300-302 Little Collins Street) Contributory
- Having regard to the above, it is my view that the proposed entry within the *Heritage Places Inventory 2017* for the subject land should be amended as follows:

Street	Number	Building Grading	Significant Streetscape
Bourke Street	Diamond House, 313-317 (part of 309-325)	Significant	-
Bourke Street	Public Benefit Bootery Building 323-325 (part of 309-325)	Significant	-
Bourke Street	309-325, remaining buildings not identified elsewhere in this Inventory	-	-
Little Collins Street	Book Buildings, 288-302 (part of 309-325 Bourke Street)	Contributory	-
Little Collins Street	York House, 288-302 (part of 309-325 Bourke Street)	Contributory	-
Little Collins Street	Allan’s Building (Sonora House), 288-302 (part of 309-325 Bourke Street)	Contributory	-

- The proposed lack of grading (i.e ‘Non-contributory’) within the proposed *Heritage Places Inventory 2017* of the following buildings within HO509 (but that do not form part of the subject land) appears to an anomaly and should be reviewed prior to the adoption of Amendment C258:
  - 274-276 Bourke Street
  - 341-347 Bourke Street (western building).

It is my view that both these buildings should be graded ‘Contributory’ within the context of HO509.

- Amendment C258 represents the appropriate forum to resolve the grading of component buildings that make up The Walk Arcade and this consideration does not need to await the conclusion of the *Hoddle Grid Heritage Review*, which may or may not reassess the heritage significance of the buildings on the subject land.

**1.12 Statement identifying if the evidence is incomplete or inaccurate in any respect**

To the best of my knowledge, nothing of significance has been omitted from this statement of evidence and is otherwise to the best of my knowledge completed and correct.

## 2. 309-325 Bourke Street, Melbourne

### 2.1 The Subject Land

The subject land is a large regular urban lot located on the south side of the Bourke Street Mall and extending to the depth of the city block to Little Collins Street. It is currently occupied by eight discrete buildings that are all addressed as 309-325 Bourke Street on Planning Maps Online and have, at least in part, been combined to form 'The Walk Arcade' retail complex.

The subject land is bound by Bourke Street Mall to the north, Little Collins Street to the south, The Causeway to the west and Union Lane to the east. The buildings that make up The Walk Arcade were historically separate from each other and comprise:

Building Name	Street Address
Edments Store	309-311 Bourke Street
Diamond House	313-317 Bourke Street
Infill building	319-321 Bourke Street
Public Benefit Bootery Building	323-325 Bourke Street
The Book Buildings	288-290 Little Collins Street
York House	292-298 Little Collins Street
Allan's Building (also known as Sonora House)	300-302 Little Collins Street
Arco House (internal to the site)	No street address

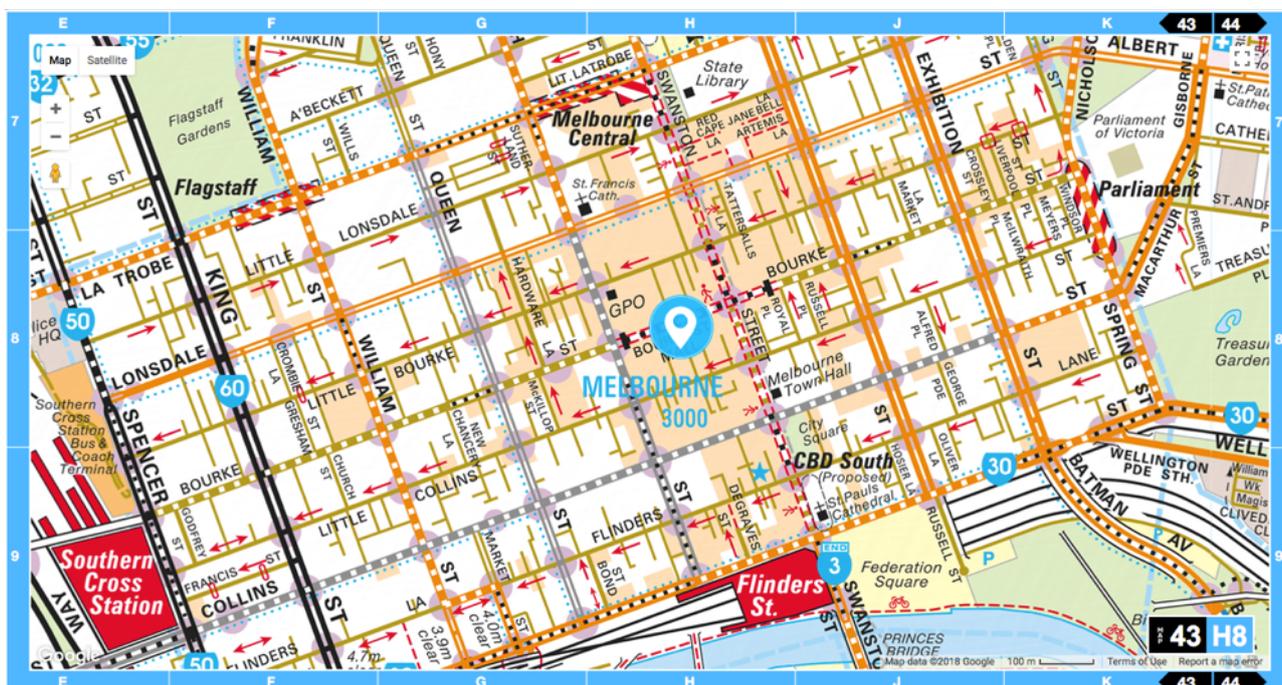


Figure 2. Map of Melbourne's CBD – The Walk Arcade shown with blue drop pin (©Melway, retrieved 13 July 2018)



**Figure 3.** Aerial Photograph – the subject land is outlined in red (©nearmap, 2 July 2017)

**Key:** 1 – Edments Store; 2 – Diamond House; 3 – single storey infill; 4 – Public Benefit Bootery; 5 – The Book Buildings; 6 – York House; 7 – Allan’s Building (Sonora House); 8 – Arco House

## 2.2 Context

The subject land is located in the heart of Melbourne’s retail core. It is surrounded by major department stores and commercial buildings predominantly dating from the late nineteenth and early twentieth century, commonly with retail at the ground floor and offices on upper levels.

The opposite side of Bourke Street is dominated by the former Melbourne General Post Office (now H&M) (1867-87, A E Johnson with William Wardell), Myer Department Store (1933, HW and FB Tompkins) and David Jones (former Buckley and Nunn) (1912, Bates Peebles & Smart), all of which are included in the Victorian Heritage Register (VHR). The northern side of Little Collins Street is occupied by a mix of smaller buildings of three to eight-storeys in height that date from the late nineteenth to mid-twentieth century. Immediately opposite the subject land on Little Collins Street is the lower (four-storey) section of the 14 storey late-twentieth century postmodern style office at 258-274 Collins Street that now houses the St Collins Lane retail arcade.

Immediately west of the subject land, adjoining The Causeway and facing Bourke Street Mall, is the nine-storey Interwar-period Deva House and south of this facing Little Collins Street is an eight-storey Interwar building with notable curved corner facade. The David Jones Store (1930-38, Harry A. Norris) occupies the whole of the site east of Union Lane.



Figure 4. North side of Bourke Street looking west



Figure 5. North side of Bourke Street looking east



Figure 6. South side of Bourke Street looking west

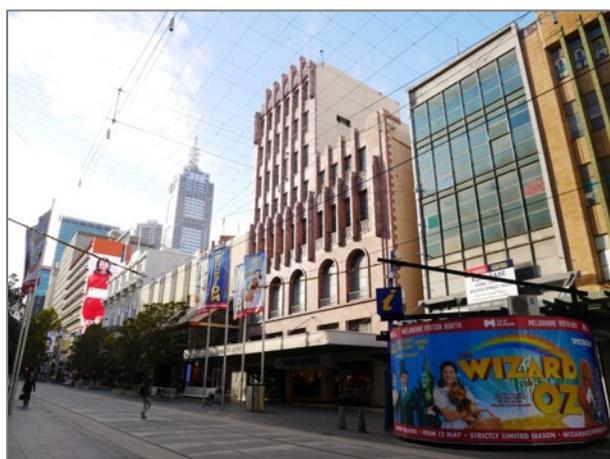


Figure 7. South side of Bourke Street looking east



Figure 8. North side of Little Collins Street looking west



Figure 9. North side of Little Collins Street looking east



**Figure 10.** South side of Little Collins Street looking west



**Figure 11.** South side of Little Collins Street looking east

## 2.3 History

*The following history is adapted from the Lovell Chen HIS.*

The subject land was originally sold in the first Crown Land sales in Melbourne held in June 1837. John Pascoe Fawcner was one of the first owners of the three allotments on which the subject property is located<sup>1</sup>. The De Gruchy and Leigh Isometric plan Melbourne of 1866 shows one and two-storey buildings on the site, including buildings fronting the laneways between Bourke and Little Collins Street.

The 1895 Melbourne Metropolitan Board of Works (MMBW) Detail Plan No. 1012 (Figure 12) shows the layout of the site in the late nineteenth century. The subject land at this stage was bound by Union Lane to the east and Gray's Lane to the west, with Oakby Alley, a small lane off Little Collins Street, providing access to buildings and structures within the centre of the site. At this time, Bath's Hotel and commercial buildings were located along the Bourke Street frontage, while the Reform Hotel, the Blue Post Hotel and other commercial buildings were located along Little Collins Street.

The majority of the extant buildings on the subject land were constructed in the early twentieth century through to the Interwar period. The Mahlstedt fire insurance plan of Melbourne (Version 5, Map 11: Figure 13) provides details of the building envelopes after 1935, and prior to the opening of The Walk Arcade in October 1980. At this time Coles Place (formerly Oakby Alley), separated The Book Buildings (288-290 Little Collins Street) from York House (292-298 Little Collins Street), which had rear access off this lane. Dunklings Diamond House (315-317 Bourke Street) and Arco House (internal to the site), were also accessed from Coles Place.

Amendments to the 1948 Mahlstedt plan (Figure 14) show the changes to the site following its conversion to The Walk Arcade in 1980<sup>2</sup>. Although the extant buildings were retained, Coles Place was infilled and some external walls at ground level (including to York House and Dunklings Diamond House) were demolished to create The Walk Arcade and associated retail outlets.

Alterations to the ground floor shopfronts and the erection of awnings to all buildings along the Bourke Street, Little Collins Street and The Causeway frontages were undertaken in the late twentieth century.

<sup>1</sup> Parish Plan, Melbourne North, M314 (10), Central Plan Office, Land Victoria.

<sup>2</sup> *Sydney Morning Herald*, 16 February 2018 (<https://www.smh.com.au/business/companies/bourke-street-s-walk-arcade-to-be-redeveloped-20180215-p4z0fk.html>)

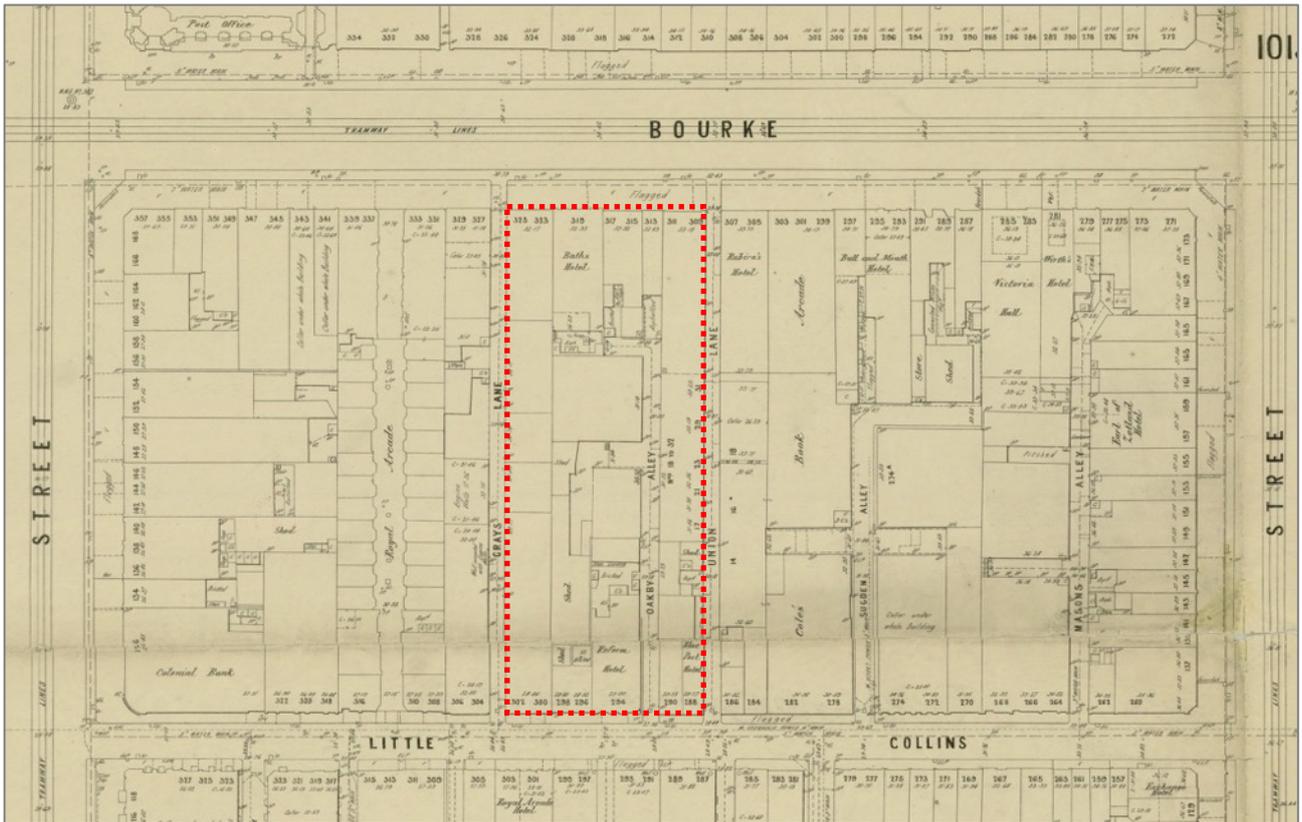


Figure 12. MMBW Detail Plan No. 1012, 1895 (State Library of Victoria)

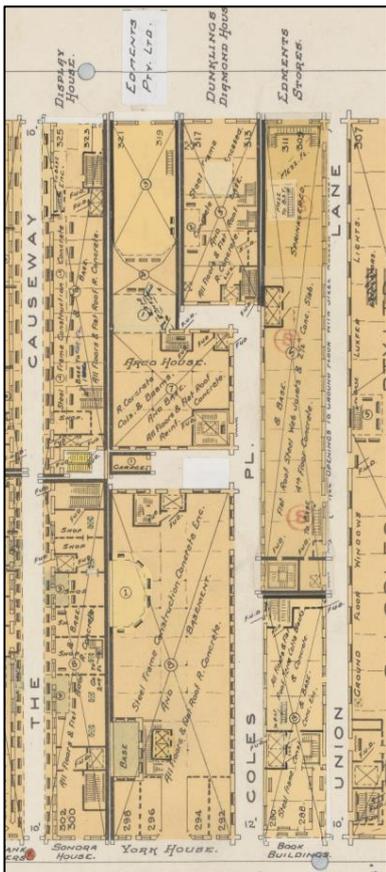


Figure 13. Mahlstedt plan of Melbourne, 1925 (with updates) (SLV)

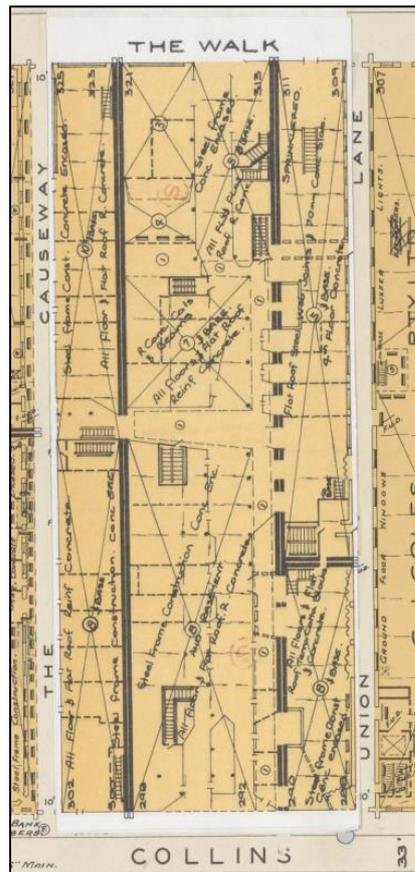
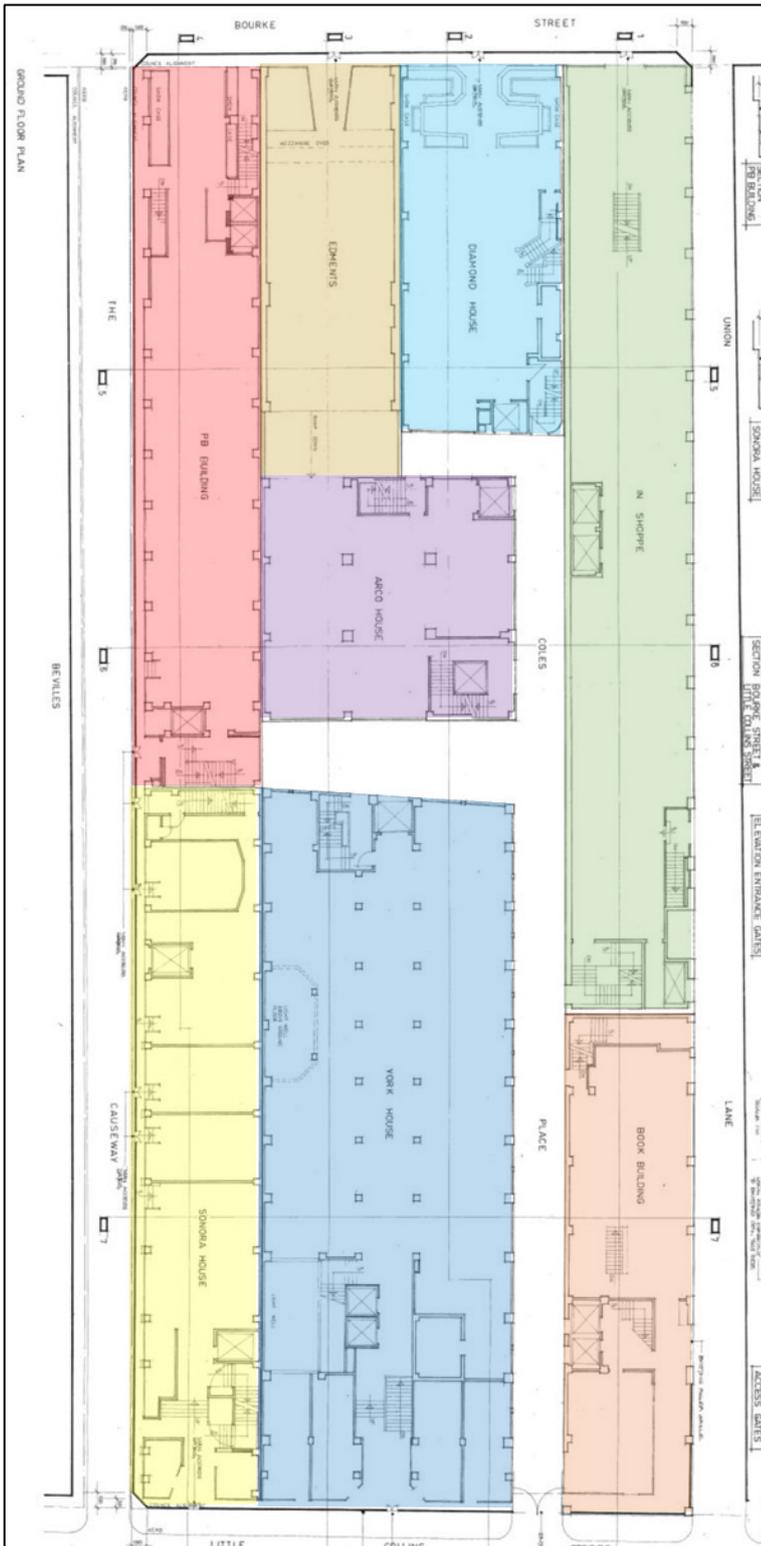


Figure 14. Mahlstedt plan of Melbourne, 1948 (with updates from the 1980s) (SLV)



**Figure 15.** Plan of the subject land showing the footprints of the buildings as they were in 1979 prior to the construction of The Walk Arcade (adapted from Lovell Chen HIS). Note: Coles Place no longer exists.

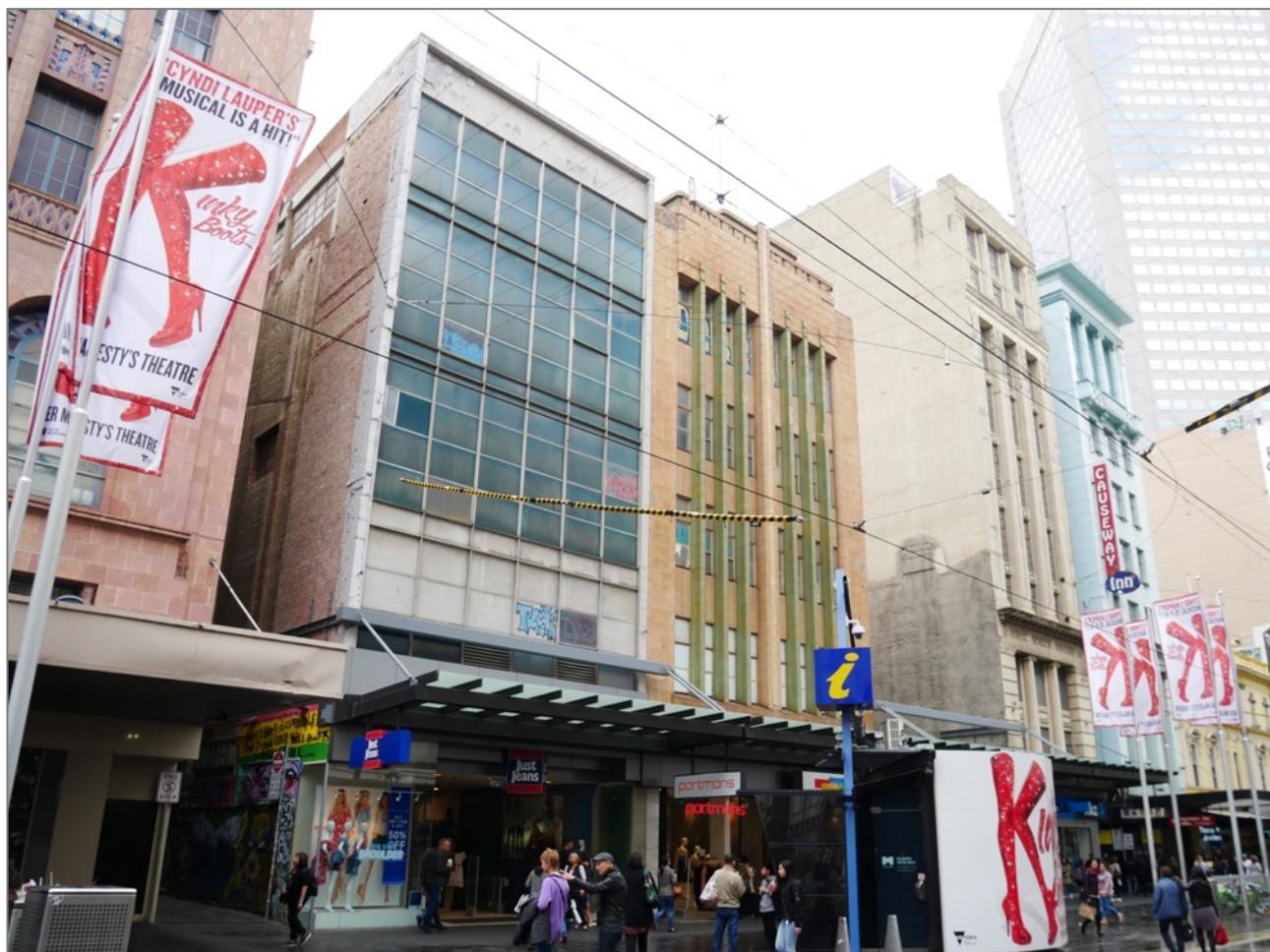
**Key:** Green – Edments Store; Light Blue – Diamond House; Brown – former Edments Store (now single storey infill); Red – Public Benefit Bootery; Pink – The Book Buildings; Light Blue – York House; Yellow – Allan’s Building (Sonora House); Purple – Arco House

## 2.4 Building Descriptions

The subject land comprises eight buildings constructed over a period from the late nineteenth century to the 1980s. A plan of the block bound by Bourke and Little Collins Streets, The Causeway and Union Lane dating immediately prior to the construction of The Walk Arcade shows the approximate extent of the extant buildings on the subject land (Figure 15).

As part of the combining of the ground floors of the buildings to create The Walk Arcade a metal framed cantilevered canopy was added to the full length of the Bourke Street frontages and a partially glazed canopy with fascia board was applied to the Little Bourke Street facades to unify this frontage. All shop fronts have been heavily altered since the c.1980.

The individual building histories below are informed by the Lovell Chen HIS. Historical images and architectural drawings are reproduced from that report (with original sources cited) unless otherwise stated. All contemporary images are by GJM Heritage.



**Figure 16.** Bourke Street buildings (from left) Edments Building (no. 309-311), Diamond House (no. 313-317), 1980s infill building (no. 319-321), Public Benefit Bootery (no. 323-325) (Oct 2016)



**Figures 17 & 18.** Little Collins Street Buildings (from left) Allen's Building (Sonora House) (no.300-302), York House (no. 292-298) and The Book Buildings (no. 288-290) (Oct 2016)

#### 2.4.1 Edments Building – 309-311 Bourke Street

The existing building at 309-311 Bourke Street is a heavily altered nineteenth century building that was refaced with a mid-twentieth century curtain wall to Bourke Street. It retains its red common brick wall to Union Lane.

Alfred Edments occupied the site at 309 Bourke Street as early as 1898<sup>3</sup>. He purchased the premises in 1904 following the death of the previous owner, Robert Craig<sup>4</sup>. The site at this time was described as 'having a frontage of 28 feet 2 1/2 inches (8.6m) by a depth of 102 feet, 10 inches (31.3m) along Union-lane, on which are erected two-storied brick buildings, numbered 309 and 311'<sup>5</sup>. Edments died in July 1909 and the property was passed to the estate of the deceased. It, however, continued to be occupied by Edments Ltd<sup>6</sup>.

Edments' will, dated November 1909, describes the building in Bourke Street at the time:

*Portion of the shop and warehouse of three stories built of brick and known as no. 309 and 311 Bourke Street, Melbourne. There is no wall on the south as the floors are continued on to another building. There is no basement and no divisions in the floors, the building, with the exception of the floors, being simply a shell. The ground floor was used by deceased as a shop and the upper floors as a warehouse.<sup>7</sup>*

<sup>3</sup> *The Age*, 27 September 1898, p. 8

<sup>4</sup> *The Age*, 18 August 1904, p.6.

<sup>5</sup> *ibid.*

<sup>6</sup> *The Argus*, 4 November 1938, p.11.

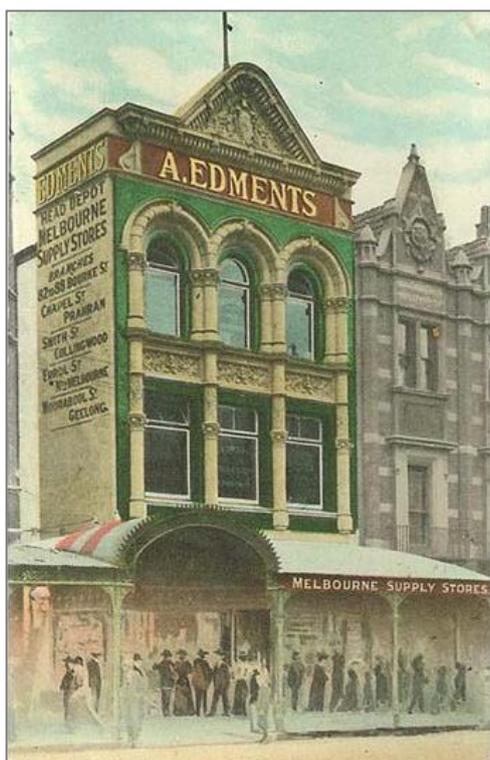
<sup>7</sup> Will and codicil of Alfred Edments, VPRS 28/P3 Unit 68, Public Record Office Victoria

The building, as it existed in the early twentieth century, is also shown in a c. 1908 photograph (Figure 19). It was, at this time, an ornate, three-storey, symmetrical commercial brick building, with a prominent triangular pediment and corniced parapet below which the words 'A. Edments' were displayed. A photograph taken in the 1920s of Bourke Street demonstrates that an additional floor was constructed, replacing the pediment (Figure 20).

In November 1938, the building was offered for sale at auction under the instructions of the trustees of the estate of the late Alfred Edments and was subject to a lease to Edments Ltd until January 1942. The property was passed in at £95,000 for private sale and was described as 'four floors and a basement, and the land has a frontage of 28ft 2in (8.6m) by a depth of 207ft 11in (63.4m) along Union lane, between Elizabeth and Swanston streets'<sup>8</sup>. An article in the Argus of the following year indicates that Edments Ltd ultimately purchased the property for approximately £100,000<sup>9</sup>.

In March 1956, plans were drawn up for an additional storey and a new facade for the building (Figure 21). This new facade involved a curtain wall system of aluminium mullions and double-glazed windows with 'Edments' displayed on the concrete parapet at the top of the building with flag poles rising above the parapet<sup>10</sup> (Figure 22).

The Edments Building has been extensively altered and is unrecognisable from its early twentieth century form. It has recent shopfront glazing and a glazed canopy to Bourke Street dating from c.1980. The upper levels are currently unoccupied.



**Figure 19.** Edments Store c.1908  
([www.shawfactor.com](http://www.shawfactor.com), 28 Sep 2015)



**Figure 20.** Edments Store (centre) in 1927  
(Fire Services Museum)

<sup>8</sup> *The Argus*, 4 November 1938, p.9.

<sup>9</sup> *The Argus*, 10 June 1939, p.6.

<sup>10</sup> Proposed new fourth floor and facade Edments Ltd, Bourke St, Melbourne, Building Application Plans, VPRS 11200/P7 Unit 1287, Public Record Office Victoria

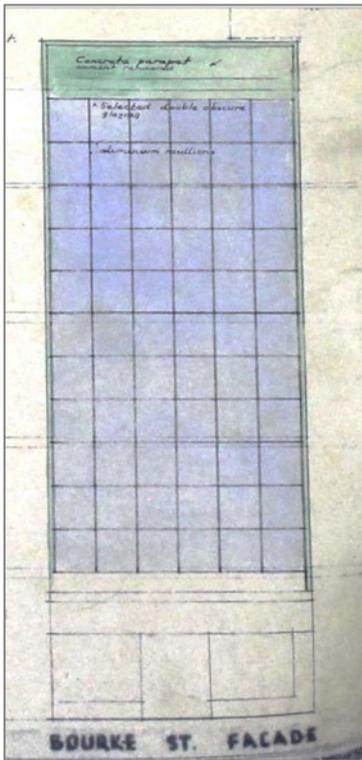


Figure 21. Proposed new fourth floor and façade Edments Ltd, 1956 (VPRS 11200/P7 Unit 1287, PROV)



Figure 22. Bourke Street showing Edments at the, right of image following the replacement of the façade, 1962 (SLV)



Figure 23. Edments Building (May 2018)

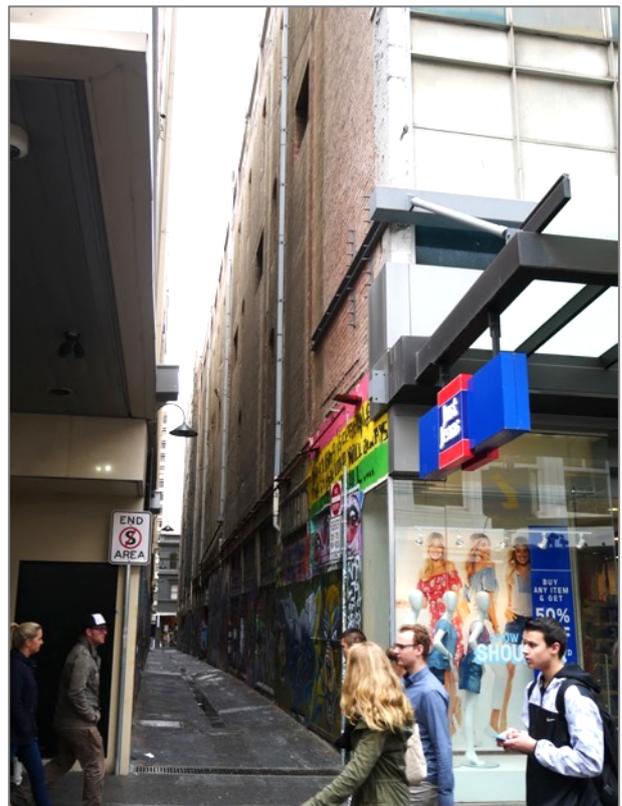


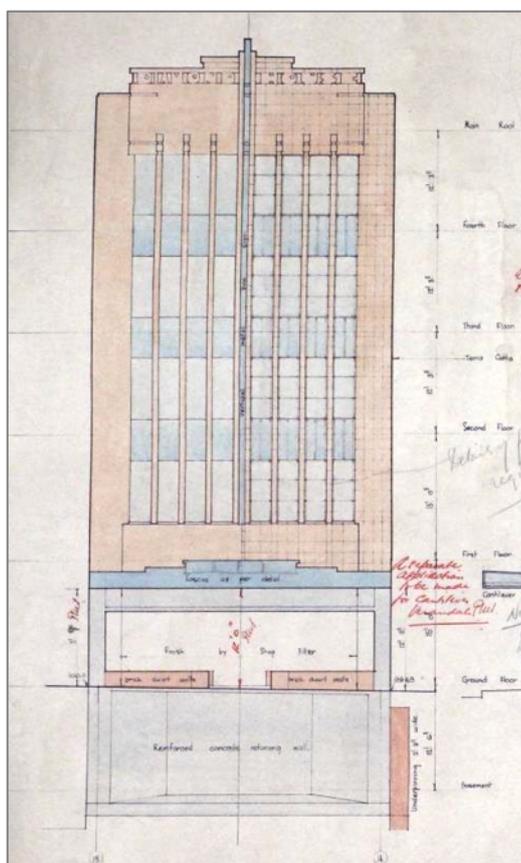
Figure 24. Union Lane from Bourke Street and side wall of Edments Building (Oct 2016)

## 2.4.2 Diamond House – 313-317 Bourke Street

The existing five-storey building at 313-317 Bourke Street replaced the three-storey Edwardian-era Dunkling's Jewellers building visible to the right of the Edments Building in Figure 20. This Moderne-style building is clad with buff-coloured architectural faience (glazed terracotta). The metal framed glazing is divided vertically by a central fin and green coloured faience with projecting mullions. The parapet includes moulded lettering: 'Diamond House'.

In 1936, Whelan the Wrecker was engaged to demolish the previous Edwardian Freestyle building on the site. In its place, a new five-storey jewellery store with basement was erected. This new building, 'Diamond House', was designed by architects HW and FB Tompkins of 247 Collins Street. EA Watts was the builder<sup>11</sup>. The whole building was then occupied by Dunkling's<sup>12</sup>.

A late 1950s photograph (Figure 26) shows Diamond House with a projecting vertical electric sign and clock, and a cantilevered awning with 'Diamond House Dunklings' illuminated neon signs. These original elements, have subsequently been removed. The original shopfront has also been removed replaced and a glazed canopy to Bourke Street dating from c.1980 replaced the canopy visible in Figure 26. Above the canopy the Bourke Street façade is highly intact. The upper levels of Diamond House are currently unoccupied.



**Figure 25.** Dunklings Bourke Street Elevation, 1936  
VPRS 11200/P1 Unit 1940, PROV



**Figure 26.** Diamond House, c. 1957 (SLV)

<sup>11</sup> *The Argus*, 22 February 1936, p. 26.

<sup>12</sup> Sands and MacDougall Directory, 1936.

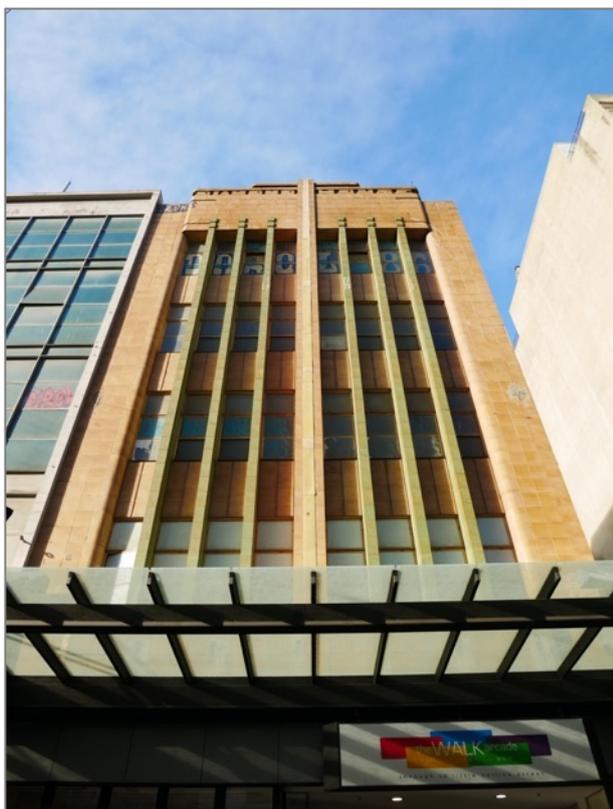


Figure 27. Diamond House (May 2018)

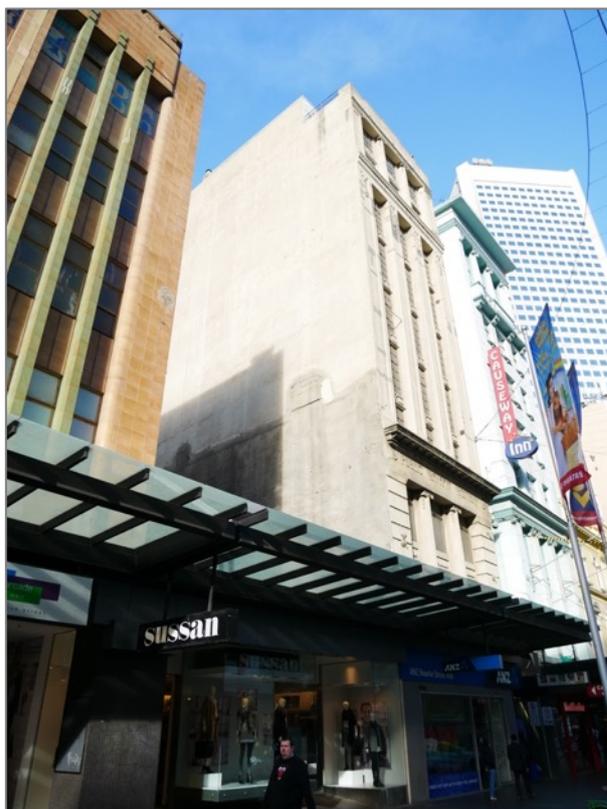


Figure 28. Infill building (May 2018)

#### 2.4.3 Infill Building – 319-321 Bourke Street

The Baths Hotel dating from c.1875-76 once occupied the site of the single-storey infill building at 319-321 Bourke Street<sup>13</sup>. The building can be seen in photographs of Bourke Street dated 1927 (Figure 20). In 1911, the owner and licensee of the Hotel applied to surrender the licence, with the property to be used for mercantile purposes<sup>14</sup>. This is reflected in the Sands and MacDougall directories, which list the Baths Hotel at 319-321 Bourke St in 1911 and Farhood, jewellers, in 1912<sup>15</sup>. Dumbrells Jewellers took over the occupancy of the site in c.1924 and remained there until September 1950 when Edments Ltd bought the store<sup>16</sup>. Prouds Jewellers occupied the building into the 1960s.

The previous building on the site was demolished in the late twentieth century and a single-storey infill building constructed in its place in c.1980. This building forms part of the ground level of The Walk Arcade and the glazed canopy extends across the front of the buildings on the subject land.

#### 2.4.4 Public Benefit Bootery – 323-325 Bourke Street

In 1924, the Public Benefit Bootery was erected at 323-325 Bourke Street to replace an earlier building on the site. This nine-storey building was designed for Spry Brothers by architects Grainger, Little and Barrow of

<sup>13</sup> Sands and MacDougall Directory, 1873-76.

<sup>14</sup> *The Age*, 14 September 1911, p.10.

<sup>15</sup> Sands and MacDougall Directory, 1911-12.

<sup>16</sup> *Advertiser*, 23 September 1950, p.8.

Collins Street and was constructed by Walt Cooper<sup>17</sup>. The new building was described in the Melbourne Rate Books in 1926 as a 'concrete warehouse, 10 floors'<sup>18</sup>. A special advertisement in the Argus of 1924 announced that the site was:

*A great opportunity for city business people. Space is now available in the new Public Benefit Bootery Buildings, 323-325 Bourke street, for shops, offices, &c., and showrooms, with window display in the new Arcade. This building is right in the heart of the retail trade.*<sup>19</sup>

This ten-storey steel frame and concrete building, designed in an Interwar Renaissance Revival style, incorporates recessed multipaned metal framed glazing divided into three bays by engaged columns at the lower and upper levels and pilasters to the central section. Ornate cornices demarcate the base of the building (lower three levels) and the upper two levels. The cornices return along the west elevation to The Causeway for the depth of one bay. The remainder of the west elevation is largely utilitarian and features regularly spaced multipaned metal framed windows.

In height, massing and architectural expression The Public Benefit Bootery complements the adjacent Deva building designed by Harry A. Norris and also constructed by Walt Cooper. Both buildings present as a prominent pair in the streetscape, flanking the entrance to The Causeway.

The original shopfront and glazed canopy have been replaced. Above canopy level the Bourke Street façade is highly intact. The upper levels of the Public Benefit Bootery are currently unoccupied.

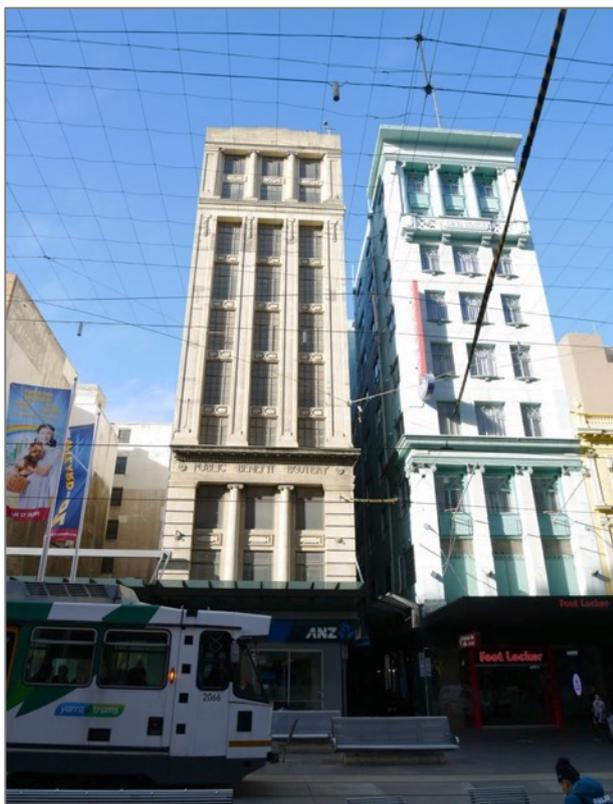


**Figure 29.** South side of Bourke Street showing (from left) Dumbrell Jewellers, Public Benefit Bootery, Deva Building and the Royal Arcade, c. 1930s (SLV).

<sup>17</sup> Proposed building Bourke Street for Messrs Spry Brothers, Building Application Plans, VPRS 11200/P1 Unit 616, Public Record Office Victoria; *Central Activities District Conservation Study*, Graeme Butler, 1984.

<sup>18</sup> Melbourne rate books, La Trobe Ward, 1926, rate no. 85, VPRS 5708/P9 Volume 62, Public Record Office Victoria.

<sup>19</sup> *The Argus*, 3 September 1924, p.18.



**Figure 30.** The Public Benefit Bootery (left) and the Deva Building (right) (May 2018)



**Figure 31.** The Causeway from Bourke Street (May 2018)

#### 2.4.5 The Book Buildings – 288-290 Little Collins Street

The lower four floors and basement of the Book Buildings at 288-290 Little Collins Street were constructed in c. 1913 as the Methodist Book Depot (owned by the Methodist Church of Victoria). The Methodist Book Depot housed tea and guild rooms for the Methodist Women's Association as well as watchmakers, jewellers, engravers, and a number of other manufacturers and wholesalers<sup>20</sup>.

In 1935, it was proposed to add an additional four floors to the building. This work was overseen by architects, Stapley and Hall, who prepared the plans for the site (Figures 32 & 33). An article announcing these works described the original building as 'one of the first steel-frame structures erected in Melbourne'<sup>21</sup>. The 1936 and 1937 entries in the Sands and MacDougall directories reflect these works. In 1936 tenants are listed at basement, first, second and third floor. In 1937, tenants are listed across seven floors<sup>22</sup>.

The mid-1930s addition is a utilitarian rendered structure rising above the original red brick and render building. The Little Collins Street façade of the addition has horizontal bands of metal framed glazing divided into three bays by mullions that follow the line of the piers of the original building.

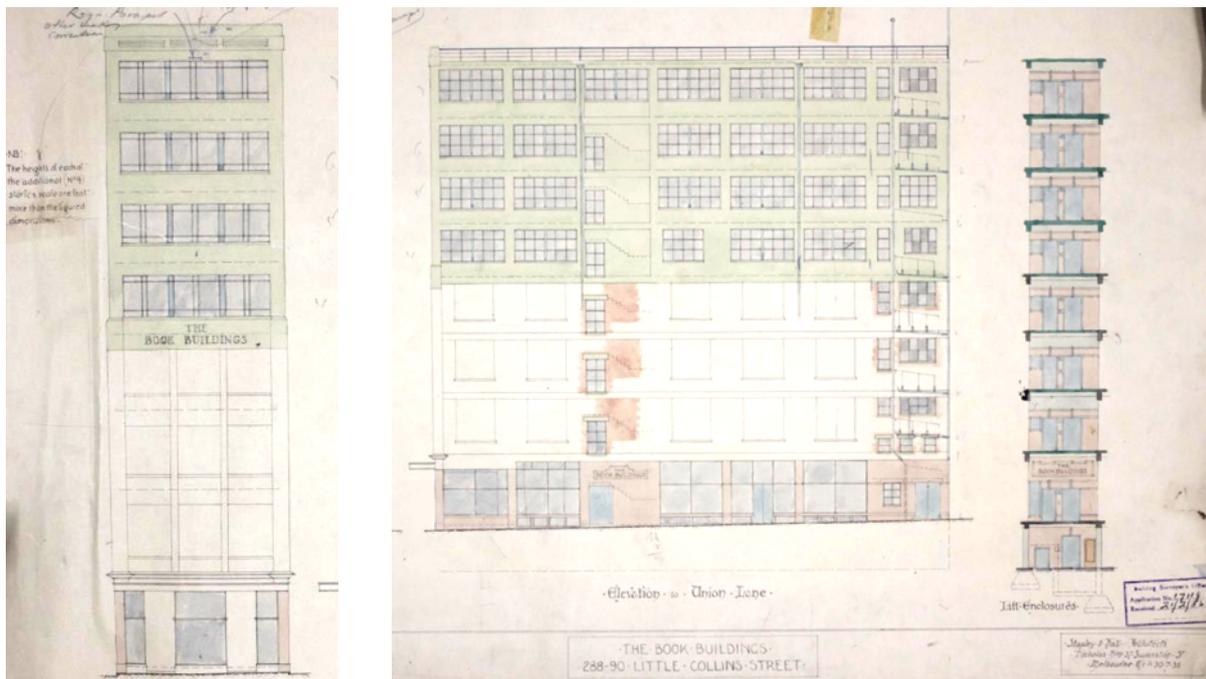
Louvres have replaced windows at the first-floor level and other windows to the east elevation have been infilled. The ground floor of the building has been heavily modified to incorporate a loading bay with a splayed corner to Union Lane and a new shopfront, which required major structural works to support the building above (Figure 37).

<sup>20</sup> Sands and MacDougall Directory, 1913-1922.

<sup>21</sup> *The Argus*, 5 December 1935, p.4.

<sup>22</sup> Sands and MacDougall Directory, 1936-37.

The partially glazed canopy and fascia panel advertising The Walk Arcade was added in the late twentieth century. The Book Buildings is the least intact of those addressing Little Collins Street with only the second and third floors remaining substantially intact to its Edwardian form.



**Figures 32 & 33.** South (Little Collins Street) elevation of the proposed additions to the Book Buildings (left); East (Union Lane) elevation showing the extent of the original c.1913 building. VPRS 11200 P1 Unit 1945, PROV.



**Figure 34.** Book Buildings, Little Collins Street and Union Lane elevations (May 2017)



**Figure 35.** Book Buildings, west (formerly Coles Lane) and Little Collins Street elevations (May 2018)



**Figure 36.** Book Buildings ground floor showing retail tenancy and loading dock (May 2018)



**Figure 37.** Interior of first floor (now plant room) showing the structure added to support building (May 2018)

#### 2.4.6 York House – 292-296 Little Collins Street

York House at 292-296 Little Collins Street was constructed in c. 1923 for J and H Marks to a design by architects Ballantyne and Hare. The building was originally designed to be six levels with a basement, however the design was revised with a further two levels added to the roof prior to construction. This is reflected in the Melbourne rate books, which describe the new building for the first time in 1924 as ‘concrete offices and shops, 8 floors’<sup>23</sup>.

The eastern elevation of the building faces what was Coles Lane, and the cornicing and ornamentation to the Little Collins Street elevation returns for a depth of one bay to this elevation.

The later glazed canopy partially conceals the metal framed arched shopfront windows at first floor level. The building is largely intact above canopy level, however a number of windows are boarded over and the original ground floor shopfronts and main entrance to the arcade beyond have been removed and heavily altered.

<sup>23</sup> Melbourne Rate Books, La Trobe Ward, 1924, rate no. 586, VPRS 5708/P9 Volume 60. PROV



Figure 38. Little Collins Street elevation 1922  
VPRS 11200/P1 Unit 493, PROV.



Figure 39. Little Collins Street and east (former Coles Lane)  
elevations (May 2018)



Figure 40. The Walk Arcade canopy and entrance from Little Collins Street (May 2018)

#### 2.4.7 Allan's Building – 300-302 Little Collins Street

The Allan's Building at 300-302 Little Collins Street is a narrow (two bay wide) building, constructed in 1924. It was first listed in the Sands and MacDougall directories in 1925, with Allan and Co. Pty Ltd, music instruments and gramophones, listed as occupants<sup>24</sup>. In 1934, Allan and Co. Pty Ltd sold the building for £61,250 to a city businessman in trust for a company which was formed to control the building. It was described as a 'concrete building of seven stories and a basement' with a frontage of 28ft 3 1/2in (8.6m) to Little Collins Street with a depth of about 156ft 6in (47.7m)<sup>25</sup>.

The building is largely intact to its upper levels, however some glazing has been replaced with louvres, and the ground floor has been significantly altered. The west elevation to The Causeway includes an 'Allans' sign to the first return bay, while the remainder of the elevation is utilitarian and incorporates regularly spaced metal framed windows.



**Figure 41.** Allan's Building, Little Collins Street elevation (2018)



**Figure 42.** Allan's Building, ground floor and The (May Causeway) entrance (May 2018)

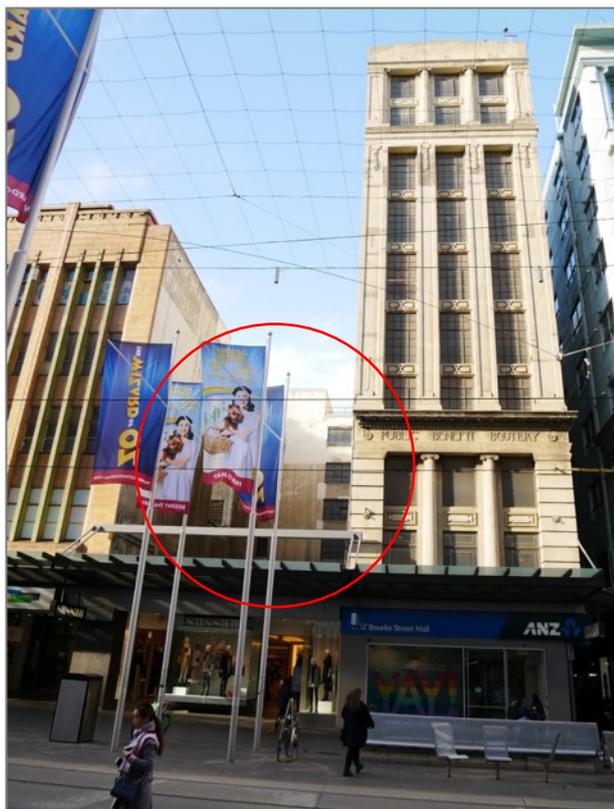
#### 2.4.8 Arco House

Arco House is located in the centre of the subject land and was originally accessed from Coles Lane. It is a reinforced concrete building of seven-storeys plus basement constructed in 1927 to a design of H Stanley Harris for Arthur Cocks and Co Ltd<sup>26</sup>. With the incorporation of the lane within The Walk Arcade, Arco House has no street presentation; it is only visible from Bourke Street to the rear of the single-storey infill building and presents as a plain utilitarian structure with metal framed glazing.

<sup>24</sup> Sands and MacDougall Directory, 1925.

<sup>25</sup> *The Argus*, 14 May 1934, p.8.

<sup>26</sup> *The Daily News*, 8 December 1927, p.8.



**Figure 43.** View from Bourke Street – Arco House circled (May 2018)



**Figure 44.** Detailed view of Arco House (using a long zoom lens) (May 2018)

#### 2.4.9 The Walk Arcade

The Walk Arcade was created in 1980 through the amalgamation of the ground floor of the buildings on the subject land to a design by architects Bonaldi, Forbes and Fitzhardinge<sup>27</sup>. It runs between Bourke Street to the north and Little Collins Street to the south. It houses small retail outlets and food and beverage tenancies. The Lovell Chen HIS identifies that it has been upgraded in the early twenty first century.

#### 2.4.10 The Causeway

The Causeway, originally known as Gray's Lane, runs along the western boundary of the subject land. This bluestone paved pedestrian laneway links Bourke Street and Little Collins Street and is used for café seating and access to The Causeway Inn and other businesses. It has a glazed roof along the northern part of its length.

#### 2.4.11 Union Lane

Union Lane is an asphalt paved vehicle and pedestrian laneway running along the eastern boundary of the subject land. Linking Bourke Street and Little Collins Street it is known for its street art.

#### 2.4.12 Coles Lane (former)

The form of Coles Lane (former Oakby Alley) exists above ground floor level off Little Collins Street between York House to the west and The Book Buildings to the east.

<sup>27</sup> Lovell Chen HIS



Figure 45. Entrance to The Walk Arcade from Bourke Street Mall (May 2018)



Figure 46. Interior of the Walk Arcade (May 2018)



Figure 47. Interior of the Walk Arcade (Oct 2016)



Figure 48. Interior of the Walk Arcade (May 2018)



Figure 49. Interior of the Walk Arcade link to The Causeway



Figure 50. The Causeway from Bourke Street Mall (May 2018)



Figure 51. The Causeway from Little Bourke Street (May 2017)



Figure 52. Union Lane from Little Bourke Street (May 2017)

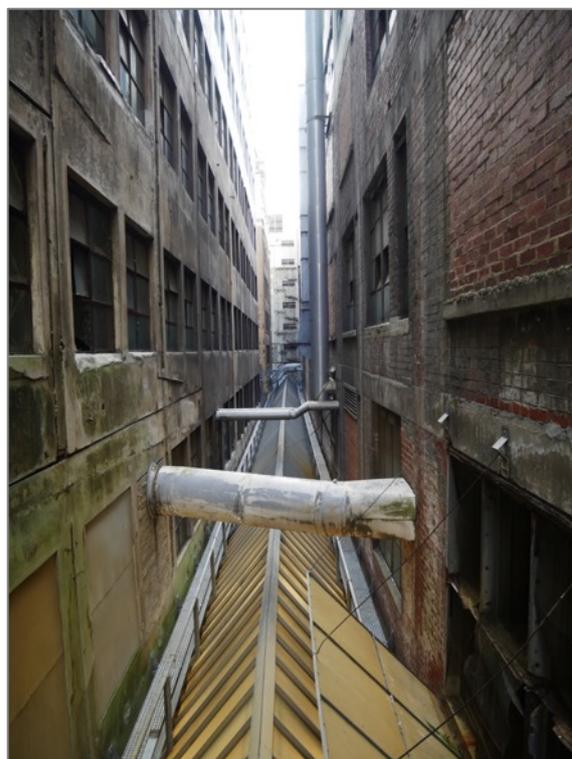


Figure 53. Former Coles Lane (May 2017)

### 3. EXISTING PLANNING AND HERITAGE CONTROLS

#### 3.1 Planning Controls

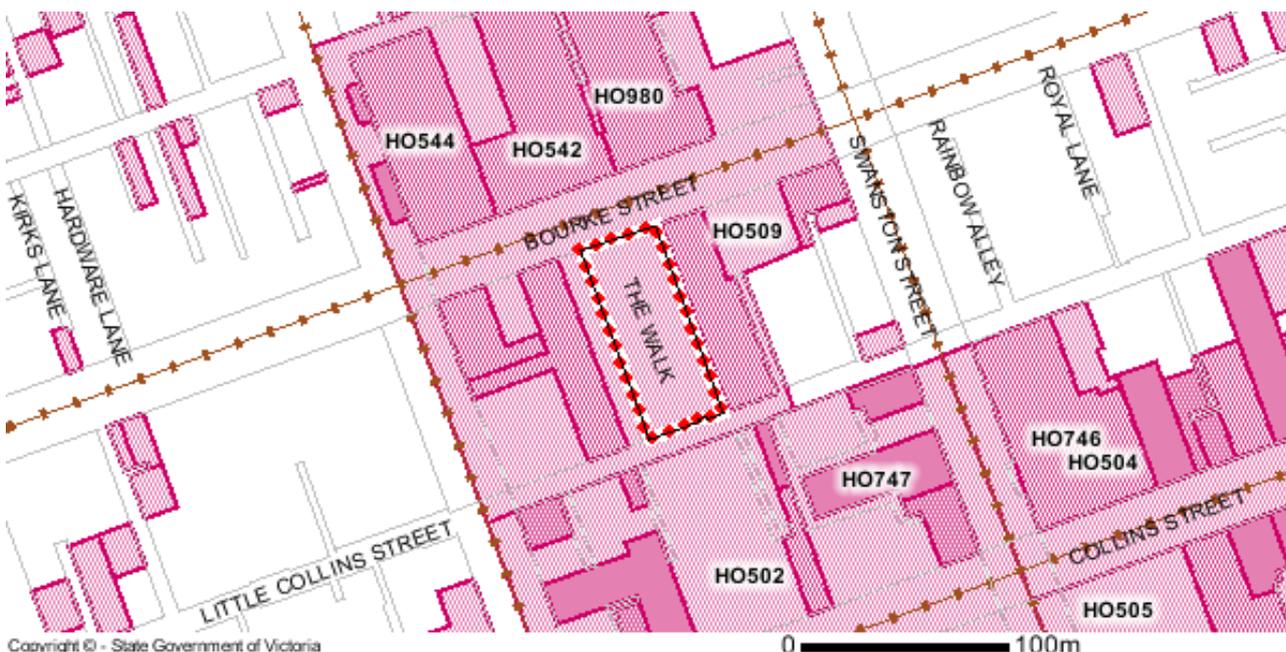
The subject land is located within the Capital City Zone – Schedule 2 of the Melbourne Planning Scheme and is subject a number of Design and Development Overlay (DDO) controls.



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 Figure 54. Zone Map – The Walk Arcade outlined in red (Planning Maps Online, retrieved 17 July 2018)

#### 3.2 Heritage Overlay

The subject land is included within HO509 – Post Office Precinct (HO509), which triggers ‘external paint controls’ but not ‘internal alteration controls’ or ‘tree controls’. HO509 includes a number of highly significant heritage places within Melbourne’s Central Business District.



Copyright © - State Government of Victoria  
 Figure 55. Heritage Overlay Map – The Walk Arcade outlined in red (Planning Maps Online, retrieved 17 July 2018)

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are Not exempt under Clause 43.01-3?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO509	Post Office Precinct	Yes	No	No	No	No	No	-	No

**Figure 56.** Extract from the Schedule to the Heritage Overlay (Melbourne Planning Scheme, retrieved 13 July 2018)

The Statement of Significance for the HO509 is currently included within Clause 22.04 – Heritage Places Within the Capital City Zone of the Melbourne Planning Scheme; it reads (buildings on the subject land emphasised):

### **Statement of Significance**

*For the immigrant community of Victorian Melbourne, dependant on the mail for news of all kinds, the General Post Office (GPO) was an important social institution. The present building reflects this social standing in its imposing architecture and occupation of a prominent corner site. The present building replaced an earlier structure of 1841 and was constructed in three stages between 1859 and 1907. The importance of the post office ensured a variety of other commercial attractions in the vicinity, many of them of retail character. The confluence of omnibus and tramway facilities assisted this.*

*Overall, this precinct has maintained its place as a major retail centre for the metropolis, surviving the challenges of such suburban centres as Smith and Chapel Streets and Chadstone. In the inter-war period, such establishments as Buckley and Nunn redeveloped their properties, the Myer Emporium put on its present face, and London Stores, the Leviathan **Public Benefit Bootery**, G J Coles and **Dunklings** all developed as substantial variety and specialist stores.*

*Important 19th century buildings such as the Royal Arcade and the GPO are now intermingled with the commercial gothic and art-deco characteristics of the 20th century shops and emporia to create a precinct characterised by glamour and variety. The precinct also contains sub-areas of great cultural value, such as the post office steps and arcades and Myer’s windows (especially when decorated at Christmas time). The precinct’s status as a meeting place has been recognised and enhanced by the establishment of the Bourke Street Mall.*

### **Key Attributes**

- *The traditional character of the precinct as a major retail centre.*
- *The scale, form and appearance of the buildings constructed before the Second World War and of the surviving 19th century buildings.*

A large proportion of the land within HO509 is also subject to individual Heritage Overlays or is included on the VHR. Those included on the VHR are Myer Emporium, Money Order Post Office and Savings Bank, the Elizabeth Street Underground Public Toilets, the Melbourne GPO, Royal Arcade and the David Jones buildings. These and the other buildings within HO509 are discussed in more depth under comparative analysis in Section 5.3 of this report.

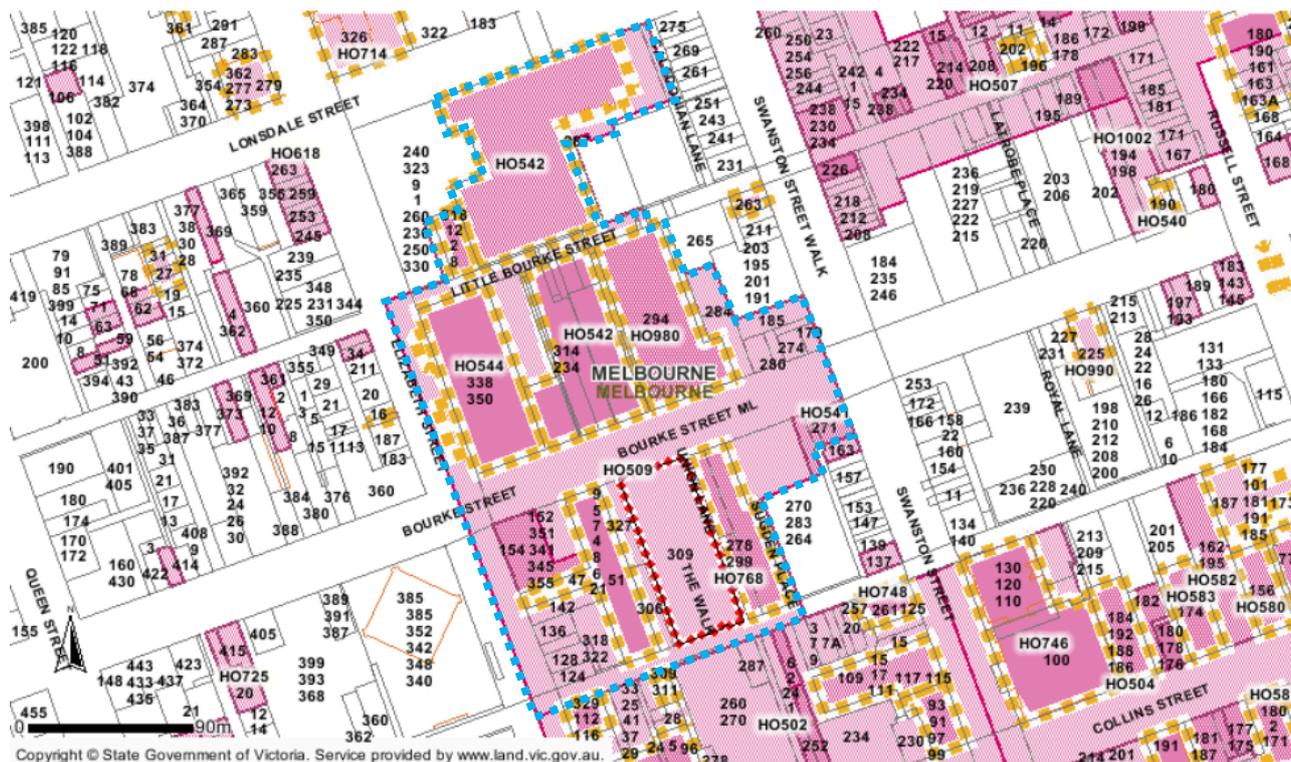


Figure 57. Map of HO9 (outlined in Blue) with The Walk Arcade outlined in Red and VHR places outlined in Yellow (Planning Maps Online, retrieved 17 July 2018).

### 3.3 Existing Building Gradings

All the buildings on the subject land are located within the extent of HO509. Both the Public Benefit Bootery Building and Diamond House (referred to as Dunklings) are specifically mentioned in the Statement of Significance for HO509.

The current version of the incorporated document, *Heritage Places Inventory* (June 2016) does not identify any of the buildings on the subject land nor their streetscape value (if any). A number of the buildings, however, were graded as part of the *Central Activities District Conservation Study* prepared by Graeme Butler in 1985 (the 1985 study), which is identified as a Reference Document in Clause 22.04. In 1993 Philip Goad, Miles Lewis, Alan Mayne, Bryce Raworth and Jeff Turnbull prepared the *Central City Heritage Study Review* (the 1993 review), which included a review of the building gradings. It is noted that this document is not specifically listed as a Reference Document in Clause 22.04.

The building and streetscape gradings for each of the buildings from the 1985 study and 1993 review are identified in the table below:

Table 1. Existing Building and Streetscape Gradings of Buildings on the Subject Land\*

Building name	Address	1985 Building Grading	Streetscape Grading	1993 Building grading
Edments Store	309-311 Bourke Street	Ungraded	Ungraded	Ungraded
Diamond House	313-317 Bourke Street	C (façade only)	Not identified	C (upper façade only)
Single-storey infill	319-321 Bourke Street	Ungraded	Ungraded	Ungraded
Public Benefit Bootery	323-325 Bourke Street	C (upper façade only)	1	C
The Book Buildings	288-290 Little Collins Street	D	2	B
York House	292-298 Little Collins Street	D	2	C



Allan's Building	300-302 Little Collins Street	D	2	C
Arco House	Internal to the site	Ungraded	Ungraded	Ungraded

\* Adapted from the Lovell Chen HIS

The 'A' to 'E' building gradings are defined in the *Heritage Places Inventory* (June 2016) as follows:

**'A' Graded Buildings**

*These buildings are of national or state importance, and are irreplaceable parts of Australia's built form heritage. Many will be either already included on or recommended for the Victorian Heritage Register or the Register of the National Estate.*

**'B' Graded Buildings**

*These buildings are of regional or metropolitan significance, and stand as important milestones in the architectural development of the metropolis. Many will be either already included on or recommended for inclusion on the Register of the National Estate.*

**'C' Graded Buildings**

*These buildings demonstrate the historical or social development of the local area and/ or make an important aesthetic or scientific contribution. These buildings comprise a variety of styles and buildings types. Architecturally they are substantially intact, but where altered, it is reversible. In some instances, buildings of high individual historic, scientific or social significance may have a greater degree of alteration.*

**'D' Graded Buildings**

*These buildings are representative of the historical, scientific, architectural or social development of the local area. They are often reasonably intact representatives of particular periods, styles or building types. In many instances alterations will be reversible. They may also be altered examples which stand within a group of similar period, style or type or a street which retains much of its original character. Where they stand in a row or street, the collective group will provide a setting which reinforces the value of the individual buildings.*

**'E' Graded Buildings**

*These buildings have generally been substantially altered and stand in relative isolation from other buildings of similar periods. Because of this they are not considered to make an essential contribution to the character of the area, although retention and restoration may still be beneficial.*

The *Heritage Places Inventory* (June 2016) defines the 'Level 1', 'Level 2' and 'Level 3' streetscape gradings as follows:

**Level 1 Streetscape**

*These 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.*

**Level 2 Streetscape**

*These streetscapes are of significance either because they still retain the predominant character and scale of a similar period or style, or because they contain individually significant buildings.*

**Level 3 Streetscape**

*These streetscapes may contain significant buildings, but they will be from diverse periods or styles, and of low individual significance or integrity.*

## 4. MELBOURNE PLANNING SCHEME AMENDMENT C258

### 4.1 Summary

Melbourne Planning Scheme Amendment C258 seeks to implement the recommendations of the Lovell Chen Review and the 'West Melbourne Heritage Review 2016' by Graeme Butler & Associates. It seeks to amend the content 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) and to modify the Schedule to Clause 43.01 Heritage Overlay and associated planning scheme maps (5HO, 7HO and 8HO) to introduce 20 new heritage places. It also proposes to revise the descriptions of five existing heritage places in West Melbourne.

Of relevance to the subject land, the amendment replaces the existing Incorporated Document – *Heritage Places Inventory June 2016*, which grades heritage places using the 'A' to 'E' heritage grading system with *Melbourne Planning Scheme, Heritage Places Inventory 2017* which grades all heritage places 'Significant' or 'Contributory'. 'Non-Contributory' are generally not identified in the proposed *Heritage Places Inventory 2017*.

In addition, Melbourne C258 proposes to amend the Schedule to Clause 81.01 (Incorporated Documents) to introduce two new Incorporated Documents:

- *Melbourne Planning Scheme Amendment C258: Heritage Precinct Statements of Significance 2017* which comprises the Statements of Significance currently included within Clause 22.04 (Heritage Places Within the Capital City Zone) and additional Statements of Significance for the six largest existing heritage precincts outside the Capital City Zone.
- *West Melbourne Heritage Review 2016: Statements of Significance*.

### 4.2 Heritage Policies Review

The component of the Lovell Chen Review dealing with the review of existing Heritage Policies has not been considered in its entirety for the preparation of this evidence. I have limited my consideration to the amended definitions of heritage gradings (i.e. 'Significant', 'Contributory' and 'Non-contributory') and to the Statement of Significance for HO509.

The Statement of Significance for HO509 remains unchanged in the proposed Incorporated Document entitled *Amendment C258: Heritage Precincts Statements of Significance 2017* from the version currently included within Clause 22.04.

### 4.3 Heritage Gradings Review

The component of the Lovell Chen Review dealing with the review of existing heritage gradings has adopted the following methodology for the translation of the 'A' to 'E' gradings to the 'Significant', 'Contributory' or 'Non-Contributory' system (as relevant to the subject land):

#### ***'Significant' places***

*As noted, all A and B grade properties in precincts in and outside the CCZ were recommended for a direct transfer to the new significant grading. This reflects their existing highly graded status. The recommended new definition for significant places uses 'higher level' language and descriptors to emphasise the importance of these places, while conversely the definition of contributory is more inclusive and wide-ranging and deliberately set below significant*

...

*In the CCZ, some 77 places in precincts which were previously graded C or D have been recommended to be categorised as significant. These included buildings of early construction dates; intact rows of commercial/retail buildings; historic hotels; and developments from the interwar and post-war*

*period. It also included buildings which had previously been identified as ‘Notable Buildings’, and Modernist commercial buildings which are widely recognised for their heritage value.*

***‘Contributory’ places***

*This definition places emphasis on a contributory place being part of a larger place or collection of related place types, as typically occurs with a heritage precinct. As noted, the great majority of existing C and D grade properties remained in this category. This reflects their contributory heritage value to the relevant precinct; their being a representative example of a place type, period or style; and their visual or stylistic connection to, or relationship with, similar or like places in the precinct. Contributory places combine to demonstrate the historic development of a precinct.*

The review documentation acknowledges that field work to inform the heritage gradings review was undertaken ‘to a limited extent, where the desktop sources did not provide sufficient information on a property to enable a review’.

It is my view that the conversion of the current ‘A’ through ‘E’ letter grading system as described in the *Heritage Places Inventory* (June 2016) to the proposed ‘Significant’, ‘Contributory’ and ‘Non-contributory’ designation is consistent with the guidance provided within PPN1 and will assist in creating a clearer and simpler heritage regime in the City of Melbourne that reflects current heritage practice.

I have not considered the streetscape value of the subject land as the *Heritage Places Inventory 2017* does not propose to identify the subject land as forming part of a ‘Significant streetscape’.

## 5. ANALYSIS OF MELBOURNE AMENDMENT C258

The following is an analysis of Amendment C258 in the context of the subject land. Specifically, the analysis considers:

- the proposed grading of the subject land
- assessment of the subject land against the Statement of Significance for HO509
- a comparative analysis of other buildings within HO509
- the definitions of 'Significant', 'Contributory' and 'Non-contributory'
- how other larger sites comprising multiple buildings are dealt with in the *Heritage Places Inventory 2017*.

### 5.1 Heritage Places Inventory 2017

The subject land, a single block addressed as 309-325 Bourke Street, is identified as 'Significant' within an ungraded streetscape in the *Heritage Places Inventory 2017* proposed within Amendment C258. No differentiation is made between any of the eight buildings on the site in the Incorporated Document.

While the grading of the Book Buildings as 'B' in the 1993 study would – on the face of it – suggest a 'Significant' grading for this building through the application of the Heritage Gradings Review methodology, this building is materially less intact than other buildings within the subject land including the Diamond Building, the Public Benefit Bootery Building, the Allan's Building and York House all of which are graded 'C' in the 1993 review.

Only the Diamond Building and the Public Benefit Bootery Building that were discussed within Lovell Chen's Heritage Grading Conversion Excel Spreadsheet and were recommended for 'upgrading'. These two buildings are also specifically identified in the Statement of Significance for HO509. The application of a blanket 'Significant' grading to the whole of the subject land on the basis of two of the eight buildings that make up The Walk Arcade suggests that a deeper analysis and finer grained approach to grading is necessary to more accurately reflect the heritage values of these buildings.

### 5.2 Statement of Significance

The Statement of Significance for HO509 begins by articulating the importance of the Melbourne General Post Office (GPO) as a major social institution that, along with the convergence of tram routes, helped establish this as an important commercial precinct in the nineteenth century. It goes on to recognise the Post Office Precinct as a major retail centre for the metropolis. The buildings on the subject land demonstrate the historical function of the precinct.

The Public Benefit Bootery Building and Diamond House (referred to under its proprietors' name Dunklings) are specifically referenced in the Statement of Significance as are buildings demonstrating Commercial Gothic and Art Deco characteristics. The key attributes identified in the Statement of Significance are:

- *The traditional character of the precinct as a major retail centre.*
- *The scale, form and appearance of the buildings constructed before the Second World War and of the surviving 19th century buildings.*

While the buildings on the subject land reflect the retail uses articulated in the Statement of Significance, not all the extant buildings demonstrate these values through their built fabric to a degree that warrants the application of a 'Significant' grading.

In my view, only the pre-Second World War Buildings (Diamond House, the Public Benefit Bootery Building, The Book Buildings, York House and the Allan's Building) demonstrate the values identified in the Statement of Significance. The Edments Building, although originally dating to the late nineteenth century has been

substantially altered through its refacing in the mid-1950s and does not retain enough legible early fabric to be considered to demonstrate heritage values identified in the Statement of Significance.

### 5.3 Comparative Analysis

As noted above, the proposed grading of all buildings on the subject land as ‘Significant’ appears to be inconsistent with the intactness and architectural integrity evident today and with earlier gradings applied to these buildings. To assist an understanding of the relative heritage value and contribution each building on the subject land makes to HO509, I have prepared a brief comparative analysis of the precinct.

**Table 2. Comparative Analysis with other properties within HO509**

Name	Address	HO	VHR	Grading Current	Grading Proposed	Photo
David Jones Store (former Coles)	299-307 Bourke St & 276-86 Little Collins St	HO768 HO509	H2154	VHR	VHR	
Underground Public Toilets	Elizabeth St	HO936 HO509	H2110	VHR	VHR	
GPO	188-218 Elizabeth St & 323-337 Little Bourke St	HO544 HO509	H0903	VHR	VHR	

<p>Myer Melbourne (former Myer Emporium)</p>	<p>314-336 Bourke St &amp; 275-321 Lonsdale St</p>	<p>HO542 HO509</p>	<p>H2100</p>	<p>VHR</p>	<p>VHR</p>	
<p>David Jones (former Buckley &amp; Nunn</p>	<p>294-312 Bourke St &amp; 285-95 Little Bourke St</p>	<p>HO980 HO509</p>	<p>H2153</p>	<p>VHR</p>	<p>VHR</p>	
<p>Former Money Order Post Office &amp; Savings Bank</p>	<p>318 Little Bourke St</p>	<p>HO697 HO509</p>	<p>H0623</p>	<p>VHR</p>	<p>VHR</p>	

Royal Arcade	331-339 Bourke Street, 308-316 Little Collins St &	HO543 HO509	H0023	VHR	VHR	
	179 Swanston St	HO509		Not graded	Non-contributory	
	185 Swanston St	HO509		Not graded	Non-contributory	
The Leviathan Clothing Store	271-281 Bourke St	HO541 HO509		B	Significant	

	274-278 Bourke St	HO509		C	Not Graded?	
	280 Bourke St	HO509		C	Significant	
	284 Bourke St	HO509		B	Significant	



	283-97 Bourke St	HO509		Not graded	Non-contributory	
	327 Bourke St	HO509		C	Significant	
	341-347 Bourke St	HO509		D	Not Graded?	

London Stores Ltd	349-357 Bourke St	HO545 HO509		C	Significant	
	306 Little Collins St	HO509		C	Significant	
	318-322 Little Collins St	HO509		Not graded	Non-contributory	

Hoddle House	330 Little Collins St/124-126 Elizabeth St	HO509		D	Contributory	
	128 Elizabeth St	HO509		Not graded	Non-contributory	
	134 Elizabeth St	HO509		Not graded	Non-contributory	



	136-140 Elizabeth St	HO509		D	Significant	
	142 Elizabeth St	HO509		D	Significant	

Note: all photos taken by GJM in July 2018 except those for VHR places retrieved from the Victorian Heritage Database (VHD)

In the context of the buildings on the subject land, it is my view that Diamond House and the Public Benefit Bootery Building are aesthetically and architecturally comparable with those buildings proposed to be regraded to 'Significant' through the Heritage Grading Review and demonstrate a similar level of intactness. Deva House at 327 Bourke Street provides a particularly useful comparison with the Public Benefit Bootery Building.

It is my view that the Book Buildings, York House and the Allan's Building on Little Collins Street do not demonstrate the same aesthetic or architectural merit as many of the buildings proposed to be graded 'Significant' and are generally less intact. Hoddle House at the intersection of Little Collins and Elizabeth Streets represents a better comparable example of an Interwar-period multistory commercial building and is appropriately proposed to be graded 'Contributory' within HO509. It is my view that the Book Buildings (particularly the Edwardian-era lower four floors), York House and the Allan's Building should therefore be graded 'Contributory' within HO509.

The remaining buildings on the subject land (the Edments Building, Arco House and the c.1980 single-storey infill building) reflect the characteristics of the buildings proposed to be ungraded (i.e. 'Non-contributory') within HO509 and should also be included within this category.

### 5.3.1 Anomalies Identified

Although falling outside the instructions received in regard to this matter, I have, through undertaking the comparative analysis, identified two anomalies that I believe important for the Panel to address.

These are:

1. 274-276 Bourke Street is a three-storey building dating from the turn of the twentieth century that was previously graded 'C' but does not appear within the proposed *Heritage Places Inventory 2017*. This building has an elaborately detailed Classical Revival façade and is highly intact at its upper two levels. It is my view that in the context of HO509 274-276 Bourke Street should be graded 'Contributory' within the *Heritage Places Inventory 2017*.
2. 341-347 Bourke Street is occupied by two four-storey buildings, an Edwardian-era commercial building to the west and a post-Second World War commercial building to the east. The Edwardian building is highly intact above ground floor level but is not identified within the proposed *Heritage Places Inventory 2017*. 341-347 forms part of a larger cadastral block addressed as 341-355 Bourke Street and 152-154 Elizabeth Street on Planning Maps Online. The majority of the cadastral block is occupied by The London Stores Ltd building which is subject to an individual Heritage Overlay (HO545). However, HO545 does not include the land on which 341-347 Bourke Street is located, and therefore it would be considered 'Non-contributory' without it being specifically identified in the *Heritage Places Inventory 2017*. It is therefore my view that in the context of HO509 341-347 Bourke Street should be graded 'Contributory' within the *Heritage Places Inventory 2017*.

### 5.4 Definitions of 'Significant', 'Contributory' and 'Non-contributory'

Amendment C258 proposes to introduce new definitions of 'Significant', 'Contributory' and 'Non-Contributory' within Clauses 22.04 and 22.05 of the Melbourne Planning Scheme and the Incorporated Document *Heritage Places Inventory 2017*.

The ability of the Melbourne Planning Scheme to identify an individual property within both a Heritage Overlay precinct and as an individual place renders the need for grading 'Significant' buildings within a precinct less necessary. Having said that, the whole of the subject land has been identified as 'Significant' within the context of HO509.

The revised grading definitions for buildings are:

***'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.*

The key difference between the definition of a 'Significant' heritage place and a 'Contributory' heritage place is that the former is considered as meeting the local significance threshold in its own right, whereas the latter is important for its contribution to the wider precinct. The definition of a 'Significant' heritage place goes on to note that 'When located in a heritage precinct a 'significant' heritage place can make an important contribution to the precinct'. The definition of 'Significant' heritage places sets a demonstrably higher threshold than that identified for 'Contributory' buildings describing the former as being of 'historic, aesthetic, scientific, social or spiritual significance to the municipality' rather than to the heritage precinct. It goes on to state that 'Significant' buildings may also have 'notable features associated with the place type, use, period, method of construction, siting or setting'.

It can then be inferred that for a building to be graded 'Significant' within a precinct it must also meet the threshold for inclusion on the Heritage Overlay in its own right. If it does not meet this threshold then it is properly considered 'Contributory' to the precinct.

Of the eight buildings within the subject land it is only Diamond House and the Public Benefit Bootery that, in my view, demonstrate the higher threshold of 'Significant' due to their highly resolved architectural expression, aesthetic significance and level of integrity. The buildings fronting Little Collins Street (The Book Buildings, York House and the Allans Building) clearly contribute to the aesthetic and historical significance of the precinct but do not, in my view demonstrate this at a municipal level. The remaining buildings on the subject land (Edments Building, the c.1980 infill building and Arco House) do not demonstrate the identified heritage significance or historic character of HO509.

Having considered the other buildings within HO509 and the proposed definitions provided in Clause 22.04 and the *Heritage Places Inventory 2017*, it is my opinion that the buildings on the subject land warrant the following gradings:

• Edments Building (309-311 Bourke Street)	Non-contributory
• Diamond House (313-317 Bourke Street)	Significant
• Infill building (319-321 Bourke Street)	Non-contributory
• Public Benefit Building (323-325 Bourke Street)	Significant
• Arco House (internal to the site)	Non-contributory
• The Book Building (288-290 Little Collins Street)	Contributory
• York House (292-298 Little Collins Street)	Contributory
• Allans Building (Sonora House) (300-302 Little Collins Street)	Contributory

## 5.5 Other Larger Sites within the Heritage Places Inventory 2017

The subject land, while once having comprised 10 (or more) separate cadastral blocks each with a discrete street address,<sup>28</sup> is now consolidated into a single cadastral block addressed as 309-325 Bourke Street. This makes the identification of the individual buildings within the complex more difficult, and appears to have led to the recommendation to grade the entire site as 'Significant'.

I believe that it would assist property owners, statutory decision makers and other stakeholders if the discrete or individual buildings that make up larger sites or complexes are provided with separate gradings (i.e. 'Significant', 'Contributory' or no grading [thereby being 'Non-contributory']) within the *Heritage Places Inventory 2017*.

<sup>28</sup> MMBW Detail Plan No. 1012, 1895

### 5.5.1 City of Melbourne

This approach has been taken within the exhibited amendment in at least four cases: Melbourne University, RMIT, Melbourne Zoo and the Victoria Market (refer to Annexure A for an extract of the relevant sections of the *Heritage Places Inventory 2017* covering these four heritage places / complexes). The methodology applied to these places can easily be applied to the subject land to add clarity and certainty to the identification of ‘Significant’, ‘Contributory’ and ‘Non-Contributory’ elements within HO509.

It is therefore my view that the *Heritage Places Inventory 2017* should be amended to identify the following buildings that make up the subject land at 309-325 Bourke Street:

**Table 3. Recommended Entry in the *Heritage Places Inventory 2017* for The Walk Arcade**

Street	Number	Building Grading	Significant Streetscape
Bourke Street	Diamond House, 313-317 (part of 309-325)	Significant	-
Bourke Street	Public Benefit Bootery Building 323-325 (part of 309-325)	Significant	-
Bourke Street	309-325, remaining buildings not identified elsewhere in this Inventory	-	-
Little Collins Street	Book Buildings, 288-302 (part of 309-325 Bourke Street)	Contributory	-
Little Collins Street	York House, 288-302 (part of 309-325 Bourke Street)	Contributory	-
Little Collins Street	Allan’s Building (Sonora House), 288-302 (part of 309-325 Bourke Street)	Contributory	-

While I note that some of the sites treated in this way within the *Heritage Places Inventory 2017* are larger institutional complexes there is no reason why this approach should not be applied to complex commercial sites such as The Walk Arcade.

Similar approaches are used by other municipalities in their equivalent heritage grading documents to the *Heritage Places Inventory 2017* including the City of Yarra and the City of Boroondara.

### 5.5.2 City of Yarra

The City of Yarra records its heritage gradings within the incorporated document entitled ‘City of Yarra Review of Heritage Overlay Areas 2007, Appendix 8, Revised February 2018’ (Appendix 8). In some circumstances the City of Yarra differentiates within this document between ‘Individually Significant’, ‘Contributory’ and ‘Not-contributory’ elements within the same cadastral block and street address. An example of this is HO87 – Former Clifton Sawmills and Box Factory Chimney. In this case two entries are included within Appendix 8 against the same property address to clearly identify which elements within the site addressed as 19-27 Grant Street, Clifton Hill are ‘Individually Significant’ and which are ‘Not-contributory’.

HO87							
HO87	Grant	Street	19-27	Clifton Hill	Units, site of former Clifton Sawmills and Box Factory (see also Chimney, former)	287345	Not contributory
HO87	Grant	Street	19-27	Clifton Hill	Clifton Sawmills and Box Factory Chimney, former	287345	Individually significant

**Figure 58. Extract of Appendix 8 for HO87 - Former Clifton Sawmills and Box Factory Chimney**

The City of Yarra also use this method to differentiate parts of sites that share the same address within larger precinct Heritage Overlays, for instance within HO319 – Elm Grove Precinct, Richmond. The entry for 47 Mary Street, Richmond within Appendix 8 notes that the grading only applies to parts of that site with the former factory/warehouse graded ‘Contributory’ to HO319 and the later units graded ‘Not-contributory’.

HO319	Mary	Street	47 (part)	Richmond	Factory/warehouse, later units	283635	Contributory
HO319	Mary	Street	47 (part)	Richmond	Units	283640	Not contributory

**Figure 58.** Extract of Appendix 8 for 47 Mary Street within HO319 – Elm Grove Precinct, Richmond

### 5.5.3 City of Boroondara

Rather than using a written schedule as the City of Melbourne and the City of Yarra does, the City of Boroondara publishes a grading map. An example of how this is used on a single cadastral block to differentiate between ‘Significant’, ‘Contributory’ and ‘Non-contributory’ is the mapping of Christ Church at 2 Denham Street which falls entirely within the extent of HO220 – West Hawthorn Precinct.

The Christ Church complex comprises the Church (1853), Sunday School (now known as Wood Hall) (c1871), Soldiers’ Memorial Hall (1923), Vicarage (c1933) and Cottage and associated outbuilding (c1940s).



**Figure 59.** Aerial of the Christ Church complex showing component buildings – dotted red line shows extent of cadastral block for 2 Denham Street (©nearmap, April 2018)

While the whole of the Christ Church complex is subject to HO220 the City of Boroondara Schedule of Gradings Map (updated 12 July 2018) breaks the site into four mapped areas: the ‘Significant’ church, the ‘Contributory’ Sunday school and cottage, the ‘Contributory’ vicarage and the ‘Non-contributory’ garden area and tennis court.

This approach while differing from that used in the City of Melbourne’s *Heritage Places Inventory 2017* and the City of Yarra’s Appendix 8 provides clarity in relation to which parts of complex site are graded ‘Significant’, ‘Contributory’ and ‘Non-contributory’.



Figure 60. Part of City of Boroondara Schedule of Gradings Map (updated 12 July 2018) showing the Christ Church complex – 2 Denham Street, Hawthorn outlined in red (©City of Boroondara)

- Key:     Pink shaded land            ‘Significant’
- Green shaded land           ‘Contributory’
- Grey shaded land            ‘Non-contributory’

It is my view that the entry in *Heritage Places Inventory 2017* for The Walk Arcade, 309-325 Bourke Street should be amended as per Table 3 to more appropriately record and communicate the heritage gradings of the buildings on the subject land.

## 6. Council Response to the Submission in relation to The Walk Arcade

Mr Simon Martyn of Fulcrum Planning made a submission to Melbourne Amendment C258 objecting to the proposed ‘Significant’ grading of the subject land and the individual gradings of the various buildings. The following Council officer response was considered by the Future Melbourne Committee of Melbourne City Council at its meeting of 20 February 2018:

### **Gradings Conversion response**

*All of the properties noted in this submission are known as the Walk Arcade, 309-325 Bourke Street, Melbourne which is in the Post Office Precinct Heritage Overlay HO509. Because this is identified as the one property in Councils address system, it is listed just once in the exhibited C258 Heritage Inventory as 309-325 Bourke Street, significant.*

*Having one property address, the whole property has been converted to significant, even though there are multiple buildings with different gradings on the property. It must be noted that this was a gradings conversion, not a full heritage assessment of the property and the converted gradings are an interim measure until a full heritage assessment occurs. Under a full heritage assessment of the property, the heritage grading of all properties of the site would be reassessed and it may be found that this site should be a precinct rather than an individual heritage place. Council is currently undergoing the Hoddle Grid Heritage Review for all land in the Hoddle Grid and the heritage of all buildings on this property will be reassessed as part of this review.*

### **Site Specific Submission response**

*As part of the gradings conversion, two of the buildings in this property were upgraded from their existing grading of C to significant:*

- *313-317 Bourke Street (Diamond House) - C upgraded to significant*
- *323-325 Bourke Street (Public Bootery Building) – C upgraded to significant*

*The existing grading of all other buildings in the site are as follows:*

- *309-311 Bourke Street (Edment’s Stores) – Ungraded*
- *319-321 Bourke Street (unnamed), Coles Place building (Arco House), - ungraded*
- *288-290 Little Collins Street (The Book Buildings, B graded*
- *292-296 Lt Collins Street (York House), C graded*
- *300-302 Lt Collins Street (Allans’ building, also known as Sonara House), C*

The Future Melbourne Committee accepted the officer recommendation that no change be made to the Amendment C258 documents and that the submission be referred to Panel.

While I accept that the eight buildings that make up The Walk Arcade are identified as a single property in the City of Melbourne’s address system, this does not negate the appropriateness of defining the individual gradings of each building as has occurred in earlier heritage studies for the subject land and for the other heritage places discussed in Section 5.5 above. Likewise, although I applaud the City of Melbourne for commissioning the *Hoddle Grid Heritage Review* and its aim to create a more holistic appreciation of heritage values within the CBD, there is no reason to await the conclusion of this study to clearly articulate the significance of the component buildings that make up The Walk Arcade.

It is also my view that The Walk Arcade does not constitute a heritage precinct in its own right as implied by the officer statement above given that the values of the heritage buildings within the arcade reflect the values of the Post Office Precinct. In my opinion, there is no reason to consider creating The Walk Arcade as a precinct within a precinct as suggested by Council officers.

While the *Hoddle Grid Heritage Review* may (or may not) undertake a finer-grained assessment of the component elements of the subject land, there is no clear information around when and how this is to occur.

In my view the gradings of these buildings should be resolved at this point to provide clarity to owners and statutory decision makers including the City of Melbourne and the Minister for Planning.

In regard to the gradings described in the 'Site Specific Submission response' I agree with the assessment that Diamond House and the Public Benefit Bootery should be graded 'Significant'. The response in relation to the remainder of the buildings on the subject land is highly ambiguous as it restates the gradings from the 1993 Review without assigning a 'Significant', 'Contributory' or 'Non-contributory' grading as the 2015 Heritage Gradings Review was intended. By omitting The Book Buildings, York House and the Allans Building from those proposed to be upgraded to 'Significant' I infer that the Heritage Gradings Review has translated their gradings to 'Contributory', however this is unclear and should be resolved as part of this Planning Scheme Amendment process.

As has been made clear through numerous Planning Panel reports, the significance of the property should be the primary consideration in any planning scheme amendment which alters the heritage controls affecting the property. It is important that the correct decision be taken at the point of amendment to avoid unnecessary argument in relation to future development applications.

As noted by the Panel for Stonnington C270 (at p16):

*The importance of "getting it right" at the Amendment stage when the HO (and citation) are considered was emphasised in several submissions because it is in this process, rather than at the permit stage, that the nature of the significance of the place is established and recognised in the planning scheme. For example, Mr Belmar referred to 52 Fitzroy Street PL v Port Phillip CC [1999] where the Tribunal observed: ... the heritage significance of the building has largely been determined by the planning scheme amendment process and while there can remain debate about the particular significance of the building...the Tribunal would need be cautious about finding that the particular building is of no significance, given it is not the planning authority.*

I can see no reason why such consideration should await the conclusion of the *Hoddle Grid Heritage Review*, and it is therefore my opinion that it is appropriate that the heritage grading of the eight buildings that occupy the subject land be clarified now as this is the appropriate, and timely, forum to resolve this matter.



## **7. Declaration**

I have made all the 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.

A handwritten signature in blue ink, appearing to read 'Jim Gardner', with a long horizontal stroke extending to the right.

**Jim Gardner**

**Director, GJM Heritage**

## ANNEXURE A: Examples of the grading of individual buildings within larger sites within the proposed *Heritage Places Inventory 2017*

Street	Number	Building Grading	Significant Streetscape
<b>MELBOURNE</b>			
Bowen Street	Building - 4 RMIT	Significant	-
Bowen Street	Buildings - 2, 3, 5, 6&7RMIT	Significant	-
La Trobe Street	RMIT Building 3, 124	Contributory	Significant
La Trobe Street	RMIT Building 4, 124	Significant	Significant
La Trobe Street	RMIT Building 6, 124	Contributory	Significant
La Trobe Street	RMIT Building 7, 124	Significant	Significant
La Trobe Street	RMIT Building 28, 124	Contributory	Significant
...			
Peel Street	Sheds A-F	Significant	Significant
Peel Street	Shed J	Contributory	Significant
Peel Street	Sheds K-M	Significant	Significant
<b>PARKVILLE</b>			
Elliott Avenue	Aboriginal Scarred Tree (Melbourne zoo)	Significant	-
Elliott Avenue	Carousel (Melbourne Zoo)	Significant	-
Elliott Avenue	Royal Melbourne Zoological Gardens	Significant	-
...			
The University of Melbourne	1888 Building, Part of Former Melbourne Teachers College	Significant	Significant
The University of Melbourne	Agriculture and Forestry Building	Significant	-
The University of Melbourne	Baldwin Spencer Building (Old Zoology)	Significant	-
The University of Melbourne	Beaurepaire Centre	Significant	Significant
The University of Melbourne	Behan Building, Trinity College	Significant	Significant
The University of Melbourne	Botany Building (excluding North Wing)	Significant	Significant
The University of Melbourne	Chemistry Building (excluding East Wing)	Significant	-
The University of Melbourne	Clarke Building, Trinity College	Significant	Significant
The University of Melbourne	Colonial Bank Door	Significant	Significant
The University of Melbourne	Conservatorium of Music & Melba Hall	Significant	Significant
The University of Melbourne	Cricket Pavilion & Scoreboard	Significant	Significant

The University of Melbourne	Former Bank Façade (Old Commerce Bldg)	Significant	-
The University of Melbourne	Former National Museum (Student Union Bldg)	Significant	-
The University of Melbourne	Gatekeepers Cottage (excluding 1962 extension)	Significant	Significant
The University of Melbourne	Grainger Museum	Significant	Significant
The University of Melbourne	Janet Clarke Hall	Significant	Significant
The University of Melbourne	Law School Building & Old Quadrangle	Significant	Significant
The University of Melbourne	Main Entrance Gates (Gate 6), Pillars & Fence	Significant	Significant
The University of Melbourne	Natural Philosophy Bldg	Significant	Significant
The University of Melbourne	Newman College	Significant	Significant
The University of Melbourne	Northern Market Reserve Wall	Significant	Significant
The University of Melbourne	Old Arts Building	Significant	Significant
The University of Melbourne	Old Engineering Building (1899 section only)	Significant	-
The University of Melbourne	Old Geology Building (Northern section only)	Significant	-
The University of Melbourne	Old Pathology Building (excluding the physics annex)	Significant	-
The University of Melbourne	Old Physics Conference Room & Gallery	Significant	Significant
The University of Melbourne	Ormond College	Significant	Significant
The University of Melbourne	Part of Former Melbourne Teachers College	Significant	Significant
The University of Melbourne	Queens College Main Wings	Significant	Significant
The University of Melbourne	Richard Berry Building	Significant	-
The University of Melbourne	Squash Courts, Trinity College	Significant	Significant
The University of Melbourne	Systems Garden Tower	Significant	Significant
The University of Melbourne	Trinity Chapel & College	Significant	Significant
The University of Melbourne	Underground Car Park	Significant	Significant
The University of Melbourne	University House	Significant	-
The University of Melbourne	Vice Chancellor's House	Significant	Significant
The University of Melbourne	Walter Boas Building (Former CSIRO Science Bldg)	Significant	-
The University of Melbourne	Wilson Hall	Significant	Significant

