



**A REVIEW OF THE LOCAL HERITAGE PLANNING POLICIES
IN THE MELBOURNE PLANNING SCHEME**

JULY 2014



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INTRODUCTION

The City of Melbourne Heritage Strategy 2013 Implementation Plan has a priority action (Action 2.8) to review and update Melbourne Planning Scheme local policies Clause 22.04 Heritage Places within the Capital City Zone and Clause 22.05 Heritage Places outside the Capital City Zone.

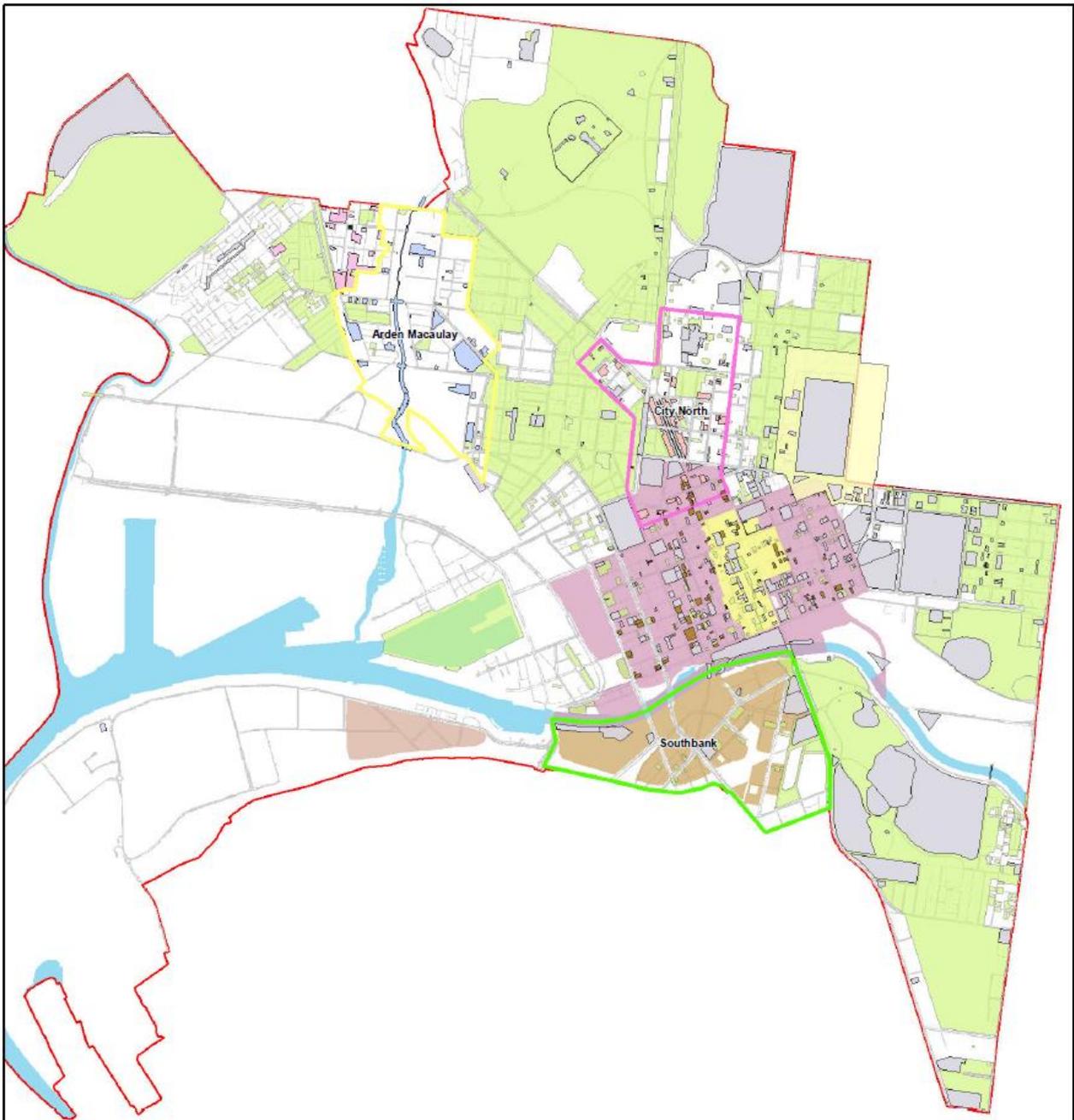
This review *A Review of The Local Heritage Planning Policies in the Melbourne Planning Scheme* identifies the issues with the content, useability and operation of the local heritage planning policies and recommends options for updating these policies in the Melbourne Planning Scheme.

The review has also assessed the existing tools for specifying heritage value (the A-D place gradings and 1-3 streetscape levels) and the lack of statements of significance in some heritage precincts. These relate to Actions 2.9 and 2.10 in the Heritage Strategy 2013.

The aim of this review is to assist Council to plan its approach to updating and improving these policies and provisions.

The Review was developed with targeted consultation with users of the Policies and with representatives from peak bodies including Heritage Victoria, National Trust of Victoria and the Melbourne Heritage Action Group.

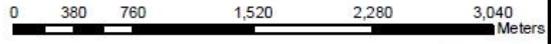
The proposed public and stakeholder consultation on the Review will run for 4 weeks. Following a report to the October 2014 Future Melbourne Committee, further stakeholder consultation will be undertaken in the course of implementing each of the recommendations of the Review. This will include working with the community in developing statements of significance for those precincts outside the Capital City Zone that do not have them.



HERITAGE OVERLAYS

Legend

- | | |
|--------------------------------|------------------------------|
| Heritage Overlay Proposed C186 | Victorian Heritage Register |
| Urban Renewal Area | World Heritage Environs Area |
| Arden Macaulay | Heritage Overlay |
| City North | Capital City Zone |
| Southbank | Capital City Zone 4 |
| Heritage Overlay Proposed C198 | Capital City Zone 3 |
| Heritage Overlay Proposed C207 | Capital City Zone 2 |
| Heritage Overlay Proposed C215 | Capital City Zone 1 |



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RECOMMENDATIONS OF THE REVIEW

1 Clause 22.04 Heritage Places within the Capital City Zone

The following changes are recommended for Clause 22.04:

1. Include any additional guidance in the Capital City Zone not adequately addressed in the Burra Charter.
2. Include more guidance for alterations to facades for commercial buildings, signage and restoration of heritage elements.
3. Include guidelines for the preparation and use of Conservation Management Plans (CMP).
4. Include a separate incorporated document for the Statements of Significance.

2 Clause 22.05 Heritage Places outside of the Capital City Zone

The following changes are recommended for Clause 22.05:

5. Investigate the Level 1 streetscapes where concealment measures should be addressed in the policy.
6. Include the full range of building typologies including outbuildings (stables), inter-war, post-war, industrial and commercial buildings.
7. Include further guidance for corner sites (oblique view lines) and development on laneways.
8. Review currency of external reference documents and incorporate the relevant ones into the planning scheme.

3 Review Gradings

9. The current A-D gradings need to be phased out. Adopt a conversion from the current grading into the new system of contributory/significant grading system.

4 Statements of Significance

10. Work with the community to develop Statements of Significance for the seven heritage precincts outside the Capital City Zone that don't have these and introduce these into the Melbourne Planning Scheme.

1.0 BACKGROUND

The City of Melbourne has been at the forefront of heritage planning in Metropolitan Melbourne. In 1982 it enabled the first implementation of heritage controls with an Interim Development Order covering the Central City, and in 1983 the Metropolitan Planning Scheme was amended to incorporate its provisions. Conservation Studies for various areas within the city followed. The city has benefited from this commitment to heritage conservation and is renowned as one of the world's great Victorian-era cities.

Approximately 7000 properties within the municipality are covered by a Heritage Overlay. The Heritage Overlay identifies our individually significant buildings, heritage precincts, public parks, gardens, and infrastructure.

Under the Planning and Environment Act 1987, one of the objectives of planning in Victoria is: “*to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*”. The State Planning Policy Framework identifies the need to protect places of heritage significance.

Over the last 30 years, the City of Melbourne has documented the city's heritage assets through over 30 studies (see Attachment 2). Whilst the more recent studies have been adopted and incorporated into the planning scheme others were only adopted by Council for use as background information.

Since 2010 the City of Melbourne has undertaken the following location specific reviews of the heritage buildings and places and has implemented, or is in the process of implementing, these through amendments to the Melbourne Planning Scheme:

- Central City (Hoddle Grid) Heritage Review Amendment C186 - gazetted;
- Arden-Macaulay Heritage Review Amendment C207 - adopted by Council awaiting the Minister's approval;
- City North Heritage Review Amendment C198 - considered by a panel; and
- Kensington Heritage Review Amendment C215 - to be considered by a panel at the end of July 2014.

It is timely to bring the planning scheme heritage local policies, introduced to the new format planning scheme in 1999, up-to-date with current heritage planning practice.

This review has been informed by the comments of past planning panels, comments on the City of Melbourne Heritage Strategy, the Victorian Government Review of Heritage Provisions in Planning Schemes (2007) and a preliminary round of consultation with key users of the heritage policies and peak heritage bodies including Heritage Victoria, National Trust of Victoria and the Melbourne Heritage Action Group.

2.0 THE ROLE OF THE PLANNING SCHEME HERITAGE POLICIES

The City Of Melbourne has two heritage local policies, Clause 22.04 Heritage Places within the Capital City Zone and Clause 22.05 Heritage Places outside the Capital City Zone. The purpose of these local heritage policies is to provide guidance in exercising discretion in decision-making for properties covered by a Heritage Overlay (please see Attachment 3 for more details on the regulatory framework).

Both local heritage policies were based on existing policies in the Melbourne Planning Scheme. Clause 22.04 is based on the objectives and precinct policies in the former Capital City Policy, the CBD Urban Conservation Studies and the Melbourne Strategy Plan (1985). It was adapted to include conservation analysis and management plans in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance and include consideration of the impact on aboriginal cultural heritage values. Clause 22.05 was based on 'Urban Conservation in the City of Melbourne 1985', the Melbourne Strategy Plan 1985, the Melbourne Residential 1R2 Zone and the City Plan.

This review evaluates the operation of the local heritage policies to ensure that they meet current standards and to address any identified shortfalls. It has been informed by previous consultations regarding heritage in the City of Melbourne, key reports on heritage planning, recent heritage related Planning Panel hearings, consultation with internal and external users of the policy and consultation with representatives of peak heritage organisations.

2.1 City of Melbourne Heritage Strategy 2013

The City of Melbourne's Heritage Strategy 2013 is Council's plan to protect our city's heritage buildings, places and objects over the next 15 years. The Heritage Strategy maps out how we will work with key partners, the community, the State government and heritage groups, to ensure our story continues to be well understood, celebrated and protected. It includes a program of actions to be undertaken over the next four years.

The Strategy identified the following actions in relation to the local heritage policies in the Melbourne Planning Scheme:

- Review the heritage controls in the residential zones of the city, targeting resolution of gaps and inconsistencies in the existing control;
- Review and update Melbourne Planning Scheme local policies (22.04), Heritage Places within the Capital City Zone and (22.05) Heritage Places outside the Capital City Zone. Consider principles for adaptation, re-use and creative interpretation in the review;
- Undertake a review of the City of Melbourne's heritage places grading system and update in accordance with the Department of Planning and Community Development's "Applying the Heritage Overlay, September 2012" practice note.

2.2 Victorian Government Review of heritage provisions in planning schemes (2007)

In 2007 an Advisory Committee appointed by the Minister for Planning inquired into the heritage provisions of planning schemes. The Review of Heritage Provisions in Planning Schemes – Advisory Committee Report "*The Way forward for Heritage*" which included extensive consultation with local government and heritage practitioners is the most comprehensive review of heritage planning in the State since the introduction of the New Format Planning Scheme in 1999. The following recommendations of that committee are relevant here:

That designers need to have clear guidance on the significant aspects of heritage precincts through statements of significance with detailed citations (p.4);

That the City of Melbourne's grading system tended to "result in the "lower" grade places being dismissed as being of marginal significance" (p.37);

That local heritage policy should provide adequate guidance on the conservation of the heritage significance of industrial and other complex sites (p.73); and

Statements of Significance should indicate whether significance relates only to views from the public realm, or whether views from other vantage points are also relevant (p.97).

Heritage policies, citations and previous studies should be periodically reviewed (p.189).

2.3 Planning Panel Reports on various heritage amendments

The Panel in reviewing the new format planning scheme (1997) noted that a number of the conservation studies upon which the Heritage Overlay was applied were *"quite old...(and) Their rigour and accuracy should be reviewed as part of the Council's program for monitoring and review of its planning scheme."*

The Panel also acknowledged that at the time, they did not review the statements of significance but noted that *"statements of significance should also be prepared for all heritage places"*.

Recent panel reports on Melbourne Planning Scheme heritage amendments have commented on the City of Melbourne's grading system and heritage policies.

Amendment C186 (Central City Hoddle Grid) includes a number of previously assessed sites and recommended inclusion of 98 properties within the Central City. In 2011, the Panel for Amendment C186 criticised Council's reliance upon the A-D grading system as being *"an out dated approach to heritage management"*. The Panel in its recommendation suggested Council undertake a general review of the grading system as part of developing a standardised approach to building listings.

"The panel does not believe that the grading system used in the 2011 Review and imposed by the City is at all useful...It...does not reflect the current approach to heritage conservation in Australia."(p18)

The panel also raised concerns about the use of reference documents in the policy:

"The transparency of the planning system is in no way assisted by the retention as a reference documentthat does not apply to the relevant part of the municipality." (p.20)

Amendment C207 (Arden Macaulay Heritage) reassessed areas within the Arden Macaulay Structure Plan area and included industrial heritage not previously recognised. In 2013 the Panel for Amendment C207 Arden-Macaulay Heritage recommended that Council undertake a review of its heritage grading system as a priority.

In 2012 the for Panel for Amendment C196 City North Zoning and Built Form considered that in the Capital City Zone context, *"the sections in Clause 22.05 which deal with the concealment of higher rear parts, as well as façade height and setbacks are problematic..."*(p.65).

2.4 Victorian Government direction on best practice

The Department of Transport, Planning and Local Infrastructure (DTPLI) Practice Note 01 – Applying the Heritage Overlay (Revised September 2012) guides the use of the Heritage Overlay, the selection of places to

include in the Heritage Overlay, identification of recognised heritage criteria and content of Statements of Significance. The Practice Note recommends that the A-D grading should not be used.

“The thresholds to be applied in the assessment of significance shall be ‘State Significance’ and ‘Local Significance’. ‘Local Significance’ includes those places that are important to a particular community or locality. Letter gradings (for example, “A”, “B”, “C”) should not be used.” (Applying the Heritage Overlay, Practice Note, revised September 2012:2)

2.5 Comments from the preliminary consultation

The main comments coming from targeted consultation with users of the local policies and peak bodies (including Heritage Victoria, National Trust of Victoria and the Melbourne Heritage Action Group) are:

The policy’s reliance upon the Burra Charter is not producing satisfactory outcomes for the City and more direction should be provided in the policy;

Updated Statements of Significance should be prepared to meet current standards;

More guidance is required in relation to the submission of Conservation Management Plan;

The policy should provide more guidance for alterations and additions to heritage places including infill development, individually significant buildings, minor alterations and restoration.

3.0 DEFINING HERITAGE SIGNIFICANCE

The City of Melbourne policies and reference documents include streetscape and laneway levels to define the heritage significance and preferred approaches to alterations and additions to heritage places.

3.1 Grading heritage places

Clauses 22.04 and 22.05 use the City of Melbourne A-D grading system to classify levels of heritage significance. This also once included E and F grading but these were reviewed in 1999 (Allom Lovell & Associates) for properties outside the Capital City Zone, and were either upgraded and included in the planning scheme with an A-D grading, or removed.

'A' graded 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 inclusion on the Victorian Heritage Register or the Register of the National Estate.

'B' graded 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. 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 building 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 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.

3.2 Grading heritage streetscapes

In addition to grading for buildings, the City of Melbourne has streetscape/laneway grading of levels 1-3. Clause 22.05 refers to grading to determine how applications should be assessed. The policy specifies that thresholds and acceptable measures for new additions depend on their grading.

Level 1 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 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 streetscapes may contain significant buildings, but they will be from diverse periods or styles, and of low individual significance or integrity.

3.3 The new approach to defining heritage significance

This grading system is problematic. Successive studies since the 1980s have resulted in inconsistent grading across the municipality. Numerous reviews have resulted in some properties having multiple grades at various times. The grades within the Capital City Zone are contained within reference documents.

This approach, which had also been taken by municipalities across Victoria, is now being phased out. The DTPLI Practice Note for “Applying the Heritage Overlay - Practice Note 01 (Revised September 2012)” recommends that significance be categorised as either “State Significance” or “Local Significance”. Under this system places should be divided into the categories of non-contributory, contributory to the heritage significance of a precinct, and places worthy of individual significance.

The A-D grading for heritage places has been applied across all City of Melbourne local area heritage reviews done prior to 2011. Since 2011 however, the City of Melbourne Heritage Reviews of the Central City, Arden-Macaulay, City North and Kensington areas has included both an A-D grading and an assessment consistent with Practice Note 01.

The definition of heritage significance is:

- State heritage value - worthy of listing on the Victorian Heritage Register;
- Individually significant within a municipality - worthy of application of the Heritage Overlay; and
- Contributory to the heritage significance of a precinct – worthy of inclusion in a Heritage Overlay area.

The A-D gradings and 1-3 streetscape levels need to be translated into these new definitions of heritage significance. This will include reconciling the different definitions of gradings in some earlier studies. Generally the principles of the translation would be as follows:

City Of Melbourne Grades	Practice Note 01 levels of significance
A	State Significance
B	Individually Significant
C Possibly some D	Individually Significant
D Possibly some C	Contributory
Ungraded	Non-contributory

4.0 CLAUSE 22.04 – HERITAGE PLACES WITHIN THE CAPITAL CITY ZONE

Generally Clause 22.04 – Heritage within a Capital City Zone policy (see Attachment 4) provides for:

- proposals for alterations, additions or demolition of individually significant places to accord with the principles of the Burra Charter;
- proposals for alterations, works or demolition be accompanied by a conservation analysis and management plan prepared in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (the Burra Charter);
- not supporting demolition or alteration of any part of a heritage place unless it can be demonstrated that the action will contribute to the long-term conservation of the significant fabric of the heritage place;
- giving regard to buildings listed A, B, C and D in the individual conservation studies, and their significance as described by their individual Building Identification; and
- inclusion of the Statement of Significance for each heritage precinct.

4.1 The Reliance on the Burra Charter

The Burra Charter, sets out conservation principles for maintenance, restoration, reconstruction, adaption and interpretation of places of cultural significance.

The policy is heavily reliant upon discretion in applying the principles of the Burra Charter. The principles of the Burra Charter are to conserve and retain as much of the cultural significance of a place and to take a cautious approach to change. The Charter is designed to apply to all types of places of cultural significance including natural, indigenous and historic places with cultural values (Australian ICOMOS 2013, the Burra Charter: *The Australia ICOMOS Charter for Places of Cultural Significance*; www://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf).

The guidance provided is necessarily very general and does not specifically address heritage in the Capital City context. Heritage Victoria uses the Burra Charter and acknowledges the benefit it offers for exercise of discretion in decision making. The current policy reflects this approach and supports the flexibility within the Capital City development context in decision making.

The feedback from the targeted consultation was that “accepted conservation standards” on which the Burra Charter relies are being challenged at the Victorian Civil and Administrative Tribunal. Some of the related emerging trends that have been identified in the Capital City Zone are:

- properties adjacent to heritage places purchasing air rights from the heritage property;
- the emerging acceptance of new additions being highly visible and not being recessive to the heritage place and in particular rooftop additions which are dominant and highly visible; and
- the increasing approval of “facadism” to heritage places in the Central City.

Based on these trends the revised policy may need to provide guidance on a preferred approach to alterations and additions. However there is acceptance that the Burra Charter as the adopted charter for heritage conservation in Australia is the most comprehensive and effective policy position for protecting heritage places

in the Capital City. The heritage policy is not intended as a built form control. There are other tools within the planning scheme which are more effective in regulating building heights, bulk and setbacks.

4.2 The use of reference documents

While reference to external documents is common in heritage policies, the policy needs to acknowledge that documents such as Building Information Forms (BIF) are being replaced by electronic data bases.

Referencing separate documents such as *Urban Conservation in the City of Melbourne* which may be difficult to obtain is no longer accepted practice as it is not a transparent means of directing discretion.

Best practice is to either incorporate documents into the Melbourne Planning Scheme or to include the relevant sections into the provisions.

4.3 Conservation Management Plans

The policy requires the inclusion of a Conservation Management Plan (CMP) for alterations, works and demolition of an individual heritage building but provides no guidance as to when a CMP should be required.

The consultation revealed that suitably qualified and independent professionals were not being engaged and the CMPs submitted did not adequately address the principles of the Burra Charter.

4.4 Heritage precincts, demolition and infill development

The Policy includes the Statements of Significance for the precincts, it is suggested that the Statements of Significance be removed from the policy and adopted as a separate Incorporated Document.

4.5 Minor alterations and additions

The policy could be improved by providing guidance to the preferred outcomes and considerations for minor alterations and additions to a heritage place. Guidance for acceptable alterations to facades (particularly commercial buildings) including new openings, windows, doors and balconies would be useful for buildings within the Capital City Zone.

4.6 Individually significant buildings

The policy relies upon the Burra Charter when assessing new additions and alterations to buildings identified as individually significant. It is generally accepted that this approach is acceptable for the Capital City Zone, however feedback received indicates that there is an interest for more policy guidance.

4.7 Restoration

There was interest in the policy providing greater guidance and encouragement in identifying the restoration of heritage elements, for example parapets, altered window frames, entry doors, verandahs, shopfronts, and curtain wall facades.

5.0 CLAUSE 22.05 – HERITAGE PLACES OUTSIDE THE CAPITAL CITY ZONE

As Clause 22.05 has a comprehensive set of provisions the issues identified are generally of a technical nature, reflecting the fact that the policy was last reviewed in 1999 and has not been aligned with the subsequent changes to planning scheme and heritage conventions.

Clause 22.05 has provisions about the demolition and renovation of graded buildings and designing new buildings and works or additions to existing buildings in detail (see Attachment 5).

The policy requires regard to *the buildings listed in the individual conservation studies and their significance as described by their individual Building Identification Sheets. The Building Identification Sheet includes information on the age, style, notable features, integrity and condition of the building.* The demolition policy has regard to the grading of the building being: A, B, C or D.

5.1 Alterations and additions

In considering the renovation of graded buildings the policy states that “Guidelines on what should be preserved are in *Urban Conservation in the City of Melbourne*” rather than being incorporated into the planning scheme. In the section on designing new buildings and works or additions to existing buildings the policy refers to gradings and streetscape levels, this will be required to be reviewed in the updated policies.

5.2 Consideration of “concealment” for new additions

The current policy utilises the grading of buildings and streetscapes to determine how much of a new addition may be visible. There is concern that very intact Level 1 streetscapes with high heritage integrity will be compromised with the change to the new “grading” system. Level 1 streetscapes may be identified as distinctive precincts where concealment measures can be addressed in the local policy. This needs to be investigated.

5.3 Reference documents

While references to external documents such as Building Identification Forms are common in heritage policies, the policy needs to acknowledge that Building Identification Forms are being replaced by electronic data bases. Referencing a separate document such as *Urban Conservation in the City of Melbourne* which is not an incorporated document is no longer accepted practice as it is not a transparent means of directing discretion. This document should be reviewed and the relevant aspects included in the policy.

5.4 Statements of Significance for the heritage precincts

The Statement of Significance is a key tool for managing heritage places. The ‘how’, ‘what’ and ‘why’ of the significance of a place is crucial in making decisions about development proposals affecting a heritage place. A Precinct Statement of Significance is required for heritage protection of buildings within a precinct, to determine the main characteristics of the precinct to which the new building must respond.

Outside the Capital City Zone there are seven heritage precincts without Statements of Significance. These precincts rely upon the gradings and Building Identification Forms which are not an adequate substitute for a Statement of Significance.

Statements of Significance will need to be prepared for these seven precincts. There is a wealth of local history knowledge in the community which can be drawn on in the development of these statements. The City

of Melbourne will work with the community in developing statements of significance for those precincts outside the Capital City zone that do not have them.

5.5 Building era and typology

The current policy was prepared at a time when the primary focus of heritage protection was Victorian and Edwardian residential housing. Users of the policy have therefore found that it does not address other types of buildings and places, in particular for outbuildings (stables), inter-war, post-war, industrial and commercial buildings.

6.0 THE HERITAGE PRECINCTS AND POLICY REVIEW 2001-2007

In December 2004 City of Melbourne completed a review of the heritage policies in the Melbourne Planning Scheme called “*Heritage Precincts and Policy Review Project 2004*”. This review addressed the shortcomings of the existing heritage controls. The recommendations were not fully implemented. The review however resulted in:

1. draft Statements of Significance for each precinct;
2. a proposed new local policy for all heritage precincts;
3. separate policies for properties with individual heritage overlays; and
4. changes to the heritage overlays and heritage precinct boundaries.

The City of Melbourne commissioned a peer review of the 2004 Review in 2006. This raised the following concerns:

1. the Statements of Significance should not be incorporated in a local planning policy;
2. that the proposed changes to the heritage precinct boundaries were needed review;
3. that elements of the local policies were too prescriptive; and
4. that the proposed Statements of Significance needed review.

Since 2006 there have been significant changes to the City of Melbourne’s strategic planning perspective including a new Municipal Strategic Statement (MSS), Council’s adoption of its Heritage Strategy in 2013 and changes to State planning policies including a revised practice note for applying heritage overlays.



**ATTACHMENT 1 - PRACTICE NOTE APPLYING THE
HERITAGE
OVERLAY**

Applying the Heritage Overlay

This practice note provides guidance about the use of the Heritage Overlay.

What places should be included in the Heritage Overlay?

- Any place that has been listed on the Australian Heritage Council's now closed *Register of the National Estate*.
- Any place that has been referred by the Heritage Council for consideration for an amendment to the planning scheme.
- Places listed on the *National Trust Register of the National Trust of Australia (Victoria)*, provided the significance of the place can be shown to justify the application of the overlay.
- Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Places listed on the former *Register of the National Estate* or on the *National Trust Register of the National Trust of Australia (Victoria)* do not have statutory protection unless they are protected in the planning scheme.

The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place

shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria.

What are recognised heritage criteria?

The following recognised heritage criteria shall be used for the assessment of the heritage values of the heritage place. These model criteria have been broadly adopted by heritage jurisdictions across Australia and should be used for all new heritage assessment work.

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).



Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The adoption of the above criteria does not diminish heritage assessment work undertaken before 2012 using older versions of criteria.

The thresholds to be applied in the assessment of significance shall be 'State Significance' and 'Local Significance'. 'Local Significance' includes those places that are important to a particular community or locality. Letter gradings (for example, "A", "B", "C") should not be used.

In order to apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those that have previously been included in a heritage register or overlay. Places identified to be of potential State significance should undergo limited analysis on a broader (Statewide) comparative basis.

Places of significance for historical or social reasons

Planning is about managing the environment and changes to it. An appropriate test for a potential heritage place to pass in order to apply the Heritage Overlay is that it has 'something' to be managed. This 'something' is usually tangible but it may, for example, be an absence of built form or the presence of some other special characteristic. If such things are present, there will be something to manage and the Heritage Overlay may be applied. If not, a commemorative plaque is an appropriate way of signifying the importance of the place to the local community.

Group, thematic and serial listings

Places that share a common history and/or significance but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place. Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay Schedule and a single Heritage Overlay number.

This approach has been taken to the listing of Chicory Kilns on Phillip Island in the Bass Coast Planning Scheme. The kilns are dispersed across the island but share a common significance. Group listing of the kilns also draws attention to the fact that the kilns are not just important on an individual basis, but are collectively significant as a group.

The group approach has also been used for the former Rosella Factory Complex in the Yarra Planning Scheme. This important factory complex had become fragmented through replacement development making it hard to justify a precinct listing. The group listing, with a single Heritage Overlay number, has meant that the extent and significance of the complex can still be appreciated.

Writing statements of significance

For every heritage place (that is, a precinct or individual place) a statement of significance should be prepared using the three-part format of 'What is significant?'; 'How is it significant?' and 'Why is it significant?'.

What is significant? - This section should be brief, usually no more than one paragraph or a series of dot points. There should be no doubt about the elements of the place that are under discussion. The paragraph should identify features or elements that are significant about the place, for example, house, outbuildings, garden, plantings, ruins, archaeological sites, interiors as a guide to future decision makers. Mention could also be made of elements that are not significant.

How is it significant? - A sentence should be included to the effect that the place is important because of its historical significance, its rarity, its research potential, its representativeness, its



aesthetic significance, its technical significance and/or its associative significance. These descriptors are shown in brackets at the end of the heritage criteria listed above. The sentence should indicate the threshold for which the place is considered important.

Why is it significant? - This should elaborate on the criteria that makes the place significant. A separate point or paragraph should be used for each criterion satisfied. The relevant criterion should be inserted in brackets after each point or paragraph. Each point or paragraph may include the threshold for which the place is considered important.

Saving and displaying statements of significance

All statements of significance should be securely stored in the Department of Planning and Community Development's HERMES heritage database.

Where a place (either a precinct or individual place) is included in the Heritage Overlay, the statement of significance for that place should be publicly viewable through the Department of Planning and Community Development's Victorian Heritage Database.

Additional resources may be required

When introducing the Heritage Overlay, a council should consider the resources required to administer the heritage controls and to provide assistance and advice to affected property owners. This might include providing community access to a heritage adviser or other technical or financial assistance.

Drafting the Heritage Overlay schedule

What is a heritage place?

A heritage place could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land. It cannot include movable or portable objects such as machinery within a factory or furniture within a house.

What is the planning scheme map reference number?

In column one of the schedule, the Planning Scheme Map Reference prefix should read HO1, HO2, HO3 and so on. Each heritage place in the schedule will have its own identifying number. The planning scheme maps should also record these numbers as a cross reference between the maps and the schedule.

Street numbers and location descriptions

Street numbers and locality addresses should be included for properties wherever possible. Where a street address is not available, plan of subdivision details (for example, Lot 1 of PS12345) should be used. Avoid using Crown Allotment details, Certificate of Title details or obscure location descriptions if possible.

How should the Heritage Overlay schedule be arranged?

There are two preferred options for arranging the schedule. Heritage places may be grouped according to their suburb, town or location and then arranged alphabetically by street address within each grouping. Alternatively, all places may be listed alphabetically by their street address irrespective of their location. Use the method which most assists users of the planning scheme to find the relevant property by a simple search through the schedule.

Applying external painting controls

External painting controls over particular heritage places can be applied in the schedule by including a 'yes' in the External Paint Controls Apply? column.

Applying internal alterations controls

Internal alteration controls over specified buildings can be applied in the schedule by including a 'yes' in the Internal Alteration Controls Apply? column. This provision should be applied sparingly and on a selective basis to special interiors of high significance. The statement of significance for the heritage place should explain what is significant about the interior and why it is important.

Applying tree controls

The schedule can apply tree controls over heritage places. The tree controls could apply to



the whole of a heritage place (for example, over a house site or an area) or a tree or group of trees could be specifically nominated as the heritage place. Tree controls are applied by including a 'yes' in the Tree Controls Apply? column.

The control is designed to protect trees that are of intrinsic significance (such as trees that are included on the National Trust Register or trees that contribute to the significance of a heritage place (for example, trees that contribute to the significance of a garden or area). The control is not meant to protect trees for their amenity value. See Practice note 7 – *Vegetation Protection in Urban Areas* for alternative methods of vegetation protection.

How should places on the Victorian Heritage Register be treated in the schedule?

Under Clause 43.01-3, places on the *Victorian Heritage Register* are subject to the requirements of the *Heritage Act 1995* and not the planning provisions of the Heritage Overlay. Places included on the *Victorian Heritage Register* should be listed in the schedule.

A dash should be recorded in columns three (external paint controls), four (internal alteration controls), five (tree controls) and six (outbuildings and fences) to avoid any possible confusion as to whether planning provisions apply to these properties. In column seven ('Included on the *Victorian Heritage Register* ...') the reference number of the property on the *Victorian Heritage Register* should be included as an aid to users of the planning scheme.

Allowing a prohibited use of a heritage place

It is possible to make a prohibited use permissible at specific places by including a 'yes' in the Prohibited uses may be permitted? column.

This provision should not be applied to significant areas because it might result in the *de facto* rezoning of a large area. The provision should only be applied to specific places. For example, the provision might be used for a redundant church, warehouse or other large building complex where it is considered that the normally

available range of permissible uses is insufficient to provide for the future conservation of the building. Currently this provision applies in the metropolitan area of Melbourne to places that are included on the *Victorian Heritage Register*.

Aboriginal heritage places

Scarred trees, stone arrangements and other places significant for their Aboriginal associations can be identified by including a 'yes' in the Aboriginal Heritage Place? column. As with any place listed in the Schedule to the Heritage Overlay, supporting justification is expected to apply this provision.

The standard permit requirements of Clause 43.01-1 of the Heritage Overlay apply to Aboriginal heritage places included in the schedule. Clause 43.01-6 reminds a responsible authority that the requirements of the *Aboriginal Heritage Act 2006* apply to these places.

How are heritage precincts and areas treated?

Significant precincts and areas should be identified in the schedule as well as being mapped.

How are individual buildings, trees or properties of significance located within significant areas treated?

The provisions applying to individual buildings and structures are the same as the provisions applying to areas, so there is no need to separately schedule and map a significant building, feature or property located within a significant area.

The only instance where an individual property within a significant area should be scheduled and mapped is where it is proposed that a different requirement should apply. For example, external painting controls may be justified for an individual building of significance but not over the heritage precinct surrounding the building.

Alternatively, tree controls may be justified for a specific tree or property within a significant precinct but not over the whole precinct. In such situations the individual property or tree should be both scheduled and mapped.

Significant buildings or structures within a significant precinct can be identified through a local planning policy.



How is a building, tree or feature on a large parcel of land listed and mapped?

The Heritage Overlay applies to both the listed heritage item and its associated land (refer Clause 43.01 - Scope). It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any new development does not adversely affect the setting or context of the significant feature. In most situations, the extent of the provision will be the whole of the property (for example, a suburban dwelling and its allotment).

However, there will be occasions when the area to which the provision applies should be reduced so that it does not apply to the whole of the property. Examples might include:

- a homestead on a large pastoral property where only the buildings and their immediate surroundings are important but not the remainder of the property
- a significant specimen tree on an otherwise unimportant property
- a horse-trough, fountain or monument in a road reservation
- a grandstand or shelter in a large but otherwise unimportant public park.

Where a heritage place does not encompass the whole of the property, care should be taken to accurately show the area to which the provision applies. For instance, if a homestead is affected by the Heritage Overlay but not the whole of the farm, a polygon should be allocated to the area of affected buildings and associated land. The wording to describe the Heritage Place in the schedule should be specific to identify the area covered by the overlay. (See the example of Heritage Place HO4 in the attached schedule.)

Mapping Heritage places

All heritage places must be both scheduled and mapped.

In each case, care should be taken to ensure that there is an accurate correlation between the Heritage Overlay schedule and the Heritage Overlay map.

If there is a discrepancy between the schedule and the map, the description of the place given in the schedule to the Heritage Overlay, supported by the statement of significance, should be the predominant means of identifying the areas to which the overlay applies.

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Schedule to the Heritage Overlay

The requirements of this overlay apply to both the heritage place and its associated land.

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 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO1	House 1 Albert Street, Belmont	Yes	No	No	No	No	No		No
HO2	Athol House 57 Albert Street, Belmont	-	-	-	-	-	Yes		No
HO3	Jones Foundry 4 William Street, Breakwater		Yes	No	No	No	No		No
HO4	Moreton Bay Fig Tree 26 Bryant Street, Ceres The heritage place is the Moreton Bay Fig Tree and land beneath the canopy edge of the tree for a distance of five metres from the canopy edge.	No	No	Yes	No	No	No		No
HO5	House 13 Albert Street, Geelong	Yes	No	No	Yes	No	No		No
HO6	Bay Villa 122 Middle Street, Geelong	Yes	Yes	No	No	No	No		No
HO7	Barwon River Bridge Station Street, Geelong	-	-	-	-	Yes Ref No H789	No		No
HO8	William Street Precinct William Street, Geelong	Yes	No	No	No	No	No		No
HO9	Mount Rothwell Stone Arrangement Mount Rothwell Station Little River-Ripley, Little River	No	No	No	No	No	No		Yes

ATTACHMENT 2 - RELEVANT STATUTORY DOCUMENTS

- UNESCO World Heritage Register - Royal Exhibition Building and Carlton Gardens
- Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Victorian Heritage Act 1995
- Victorian Heritage Register
- Aboriginal Heritage Act 2006
- Melbourne Planning Scheme

Previous studies

- *Historic Buildings Preservation Council – Melbourne CBD Study* (1976)
- *Historical and Architectural Study of the CBD Melbourne, Area bounded by Flinders, King, William and LaTrobe Streets*, for the Historic Buildings Preservation Council of Victoria (1976)
- *The Melbourne CAD Conservation Study*, 1985 by Butler, G.
- *Parkville Historic Area Study*, published in 1979. Prepared by Jacobs, Lewis, Vines, format update by Meredith Gould Architects, Conservation Architects, in 1993
- *East Melbourne & Jolimont Conservation Study*, prepared by Meredith Gould Architects, Conservation Architects, published 1985
- *Carlton, North Carlton and Princes Hill Conservation Study*, prepared by Nigel Lewis and Associates, published in 1985 with later update (sometimes also referred to and published under the title Carlton Conservation Study)
- *North & West Melbourne Conservation Study* 1985 and subsequent additions up to 1993, undertaken by Graeme Butler
- *Parkville Conservation Study* 1985
- *Flemington & Kensington Conservation Study* 1985, prepared by Graeme Butler
- *South Yarra Conservation Study* 1985, prepared by Meredith Gould, Architects, Conservation Architects
- *South Melbourne Conservation Study 1985 and 1998*. (The 1985 Study was undertaken by the City of South Melbourne), prepared by Allom Lovell Sanderson
- *Harbour, Railway, Industrial Conservation Study* 1985, also known as the Gap Study prepared by Meredith Gould Architects, Conservation Architects
- *Central Activities District Conservation Study*, 1985, prepared by Graeme Butler
- *Little Bourke Precinct Conservation Study* 1989, prepared by Graeme Butler
- *Central Activities District Review*, 1993, prepared by Phillip Goad et.al.
- *Melbourne, The City's History and Development*, prepared by Lewis et.al., 1994
- *Central City Shopfront Assessment*, prepared by Bryce Raworth, Heritage Consultant
- *East Melbourne, Twentieth Century Buildings*, prepared by Bryce Raworth, Heritage Consultant

- *Flagstaff Gardens – Conservation Analysis*, prepared by John Patrick Pty Ltd, Allom Lovell & Associates, Hansen Partnership (1999)
- *City of Melbourne Heritage Review (Review of E and D gradings) Building Identification Form 1999*, Allom Lovell & Associates (1999)
- *City of Melbourne – Heritage Overlay Boundary Review*, prepared by Andrew Ward 2000
- *Verandah Policy for Errol and Lygon Street Shopping Precincts*
- *Central Activity District Heritage Shopfronts – CAD Shopfront Survey 2000* prepared by RBA Architects for the National Trust (2000)
- *Review of heritage overlay listings in the CBD, Raworth (2000-2002)*
- *City of Melbourne Planning Scheme Heritage Review 2000-2002* prepared by Allom Lovell (2002)
- *Heritage Precincts & Local Policy Project prepared by Gould (2004)*
- *Heritage Assessment- Arden-Macaulay Structure Plan Area*, prepared by Gould (2010)
- *Heritage Assessment – City North Structure Plan Area*, prepared by Gould (2011)
- *Central City(Hoddle Grid) Heritage Review 2011 prepared by Graeme Butler 2011*
- *Arden-Macaulay Heritage Review*, prepared by Graeme Butler 2012
- *City North Heritage Review*, prepared by RBA Architects 2012
- *Kensington Heritage Review*, prepared by Graeme Butler 2013

References

- City of Melbourne Council Plan 2013-2017
- Heritage value, pressures and emerging trends accessed 23 May 2014
http://www.pc.gov.au/_data/assets/pdf_file/0006/92373/04-chapter2.pdf
- Melbourne Planning Scheme Clause 22.04 Heritage Places within the Capital City Zone
http://planningschemes.dpcd.vic.gov.au/schemes/melbourne/ordinance/22_lpp04_melb.pdf
- Melbourne Planning Scheme Clause 22.05 Heritage Places outside the Capital City Zone
http://planningschemes.dpcd.vic.gov.au/schemes/melbourne/ordinance/22_lpp05_melb.pdf
- Panel report – Melbourne Planning Scheme – Amendment C186 (11 July 2012)
- Panel report – Melbourne Planning Scheme – Amendment C207 (21 January 2014)
- Panel report – Melbourne Planning Scheme – Amendment C196 (18 October 2013)
- Review of heritage provisions in Planning Schemes, Advisory Committee Report (August 2007)
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance

ATTACHMENT 3 – REGULATORY FRAMEWORK

Regulatory Framework

There are a range of mechanisms which come into play in the protection of heritage fabric.

UNESCO – World Heritage Register

The world heritage register protects cultural and natural heritage assets that are considered to have international significance. The Royal Exhibition Building and Carlton Gardens within the City Of Melbourne was inscribed on the United National Educational, Scientific and Cultural Organisation (UNESCO) World Heritage List on 1 July 2004 and is the first post-contact cultural site with World Heritage status in Australia.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) – National Heritage List

Places deemed to have National heritage significance may be included in the National Heritage List and protected by the Australian government under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Within the City Of Melbourne there are seven listed places of national significance, this includes: Flemington Racecourse, High Court of Australia (former) (listed 11 July 2007), Orica House (formerly the ICI Building), Melbourne Cricket Ground, Newman College, Royal Exhibition Building and Carlton Gardens, and Sidney Myer Music Bowl.

Victorian Heritage Act 1995 and the Victorian Heritage Register

Under the Victorian Heritage Act 1995, the State government protects heritage places that are deemed to be of State significance. Places deemed of State significance are placed on the Victorian Heritage Register and protection of these places is the responsibility of Heritage Victoria. The City of Melbourne being the capital city of Victoria since the 1850s and the national capital, between 1901 and 1927, contains approximately 200 State registered heritage places.

Planning and Environment Act 1987

The Planning and Environment Act 1987 establishes the framework for planning in Victoria. Under the Planning and Environment Act 1987, one of the objectives of planning in Victoria is: *“to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”*.

Melbourne Planning Scheme - State Planning Policy Framework

The purpose of the planning scheme is to further the objectives of planning in Victoria.

The State Planning Policy Framework (Clause 15.03) identifies the strategies to conserve heritage by:

Identifying, assessing and documenting places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme;

Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity;

To provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance.

Melbourne Planning Scheme - Local Planning Policy Framework

Municipal Strategic Statement

The Municipal Strategic Statement (MSS) in the Melbourne Planning Scheme identifies local strategies in implementing the State planning objectives.

The MSS identifies the significance of the city's cultural heritage in contributing to the attractiveness and identity of the city.

The MSS highlights the key built environment and heritage outcomes sought for each local area. The MSS also identifies the role of sympathetic infill redevelopment and extensions that complement the architecture, scale, character and generally low scale nature of nominated heritage streetscapes.

It also highlights the protection of view lines from Spring and Nicholson Streets to the World Heritage Listed Royal Exhibition Building (including key elements drum, dome, lantern and flagpole) and Carlton Gardens. The MSS also identifies the importance of the Queen Victoria Market as a heritage asset of State significance.

Local Planning Policy

There are two local heritage policies. The purpose of local heritage policies is to provide guidance in exercising discretion in decision-making for properties covered by a Heritage Overlay.

Heritage Overlay

The Heritage Overlay identifies places and precincts which are of heritage significance. The purpose of the Heritage Overlay (Clause 43.01) is to conserve and enhance heritage places, to ensure that development does not adversely affect the significance of heritage places. Under the Heritage Overlay a permit is required for buildings and works on land covered by a Heritage Overlay.

ATTACHMENT 4 - HERITAGE PLACES WITHIN THE CAPITAL CITY ZONE

22.04 HERITAGE PLACES WITHIN THE CAPITAL CITY ZONE

25/07/2013
C186(Part 1)

This policy applies to the Capital City Zone.

Policy Basis

The heritage of the Capital City Zone area, comprising individual buildings, precincts, significant trees, and aboriginal archaeological sites, is a significant part of Melbourne's attraction as a place in which to live, visit, do business and invest. It is also important for cultural and sociological reasons, providing a distinctive historical character and a sense of continuity. Much of Melbourne's charm is provided by its older buildings, which, while not always of high individual significance, together provide cultural significance or interest, and should be retained in their three dimensional form, not as two dimensional facades as has sometimes occurred.

The identification, assessment, and citation of heritage places have been undertaken over decades, as part of an ongoing heritage conservation process and their recognition and protection have been a crucial component of planning in Melbourne since 1982.

Objectives

- To conserve and enhance all heritage places, and ensure that any alterations or extensions to them are undertaken in accordance with accepted conservation standards.
- To consider the impact of development on buildings listed in the Central Activities District Conservation Study and the South Melbourne Conservation Study.
- To promote the identification, protection and management of aboriginal cultural heritage values.
- To conserve and enhance the character and appearance of precincts identified as heritage places by ensuring that any new development complements their character, scale, form and appearance.

Policy

The following matters shall be taken into account when considering applications for buildings, works or demolition to heritage places as identified in the Heritage Overlay:

- Proposals for alterations, works or demolition of an individual heritage building or works involving or affecting heritage trees should be accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter).
- The demolition or alteration of any part of a heritage place should not be supported unless it can be demonstrated that that action will contribute to the long-term conservation of the significant fabric of the heritage place.
- The impact of proposed developments on aboriginal cultural heritage values, as indicated in an archaeologist's report, for any site known to contain aboriginal archaeological relics.
- The recommendations for individual buildings, sites and areas contained in the Central City Heritage Study Review 1993 except for the buildings detailed in the incorporated document titled Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013, in which case the Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013 will apply.
- All development affecting a heritage precinct should enhance the character of the precinct as described by the following statements of significance.
- Regard shall be given to buildings listed A, B, C and D in the individual conservation studies, and their significance as described by their individual Building Identification Sheet.

Statements of Significance and Key Attributes for Heritage Areas within the Heritage Overlay

Bank Place Precinct

Statement of Significance

The character of the intimate space within Bank Place is created by the architectural variety of the comparatively small, individual buildings that enclose it. They vary in style from the English domestic of the Mitre Tavern (1865), through to the Victorian facades of Stalbridge Chambers and the romanesque revival of Nahun Barnett's Bank Houses. The Savage Club, 12 Bank Place, was erected as a townhouse in the 1880s and is now on the Victorian Heritage Register. With its narrow entrances, flanked at the northern end by the impressive and ornately detailed Stalbridge Chambers on one side and on the other by a significant row of two-storey shops, representing the oldest legal offices in what was once Chancery Lane, it provides a pleasant and intimate space in the heart of the City. The area extends across Little Collins Street to include the Normanby Chambers, another sophisticated facade featuring Italian and English Renaissance design, another office long associated with the legal fraternity, and forming an architectural focus for Bank Place.

Key Attributes

- The intimate scale and character of Bank Place, as well as its strong social and traditionally pedestrian role.
- Architecturally interesting building facades and detailing throughout.

Bourke Hill Precinct

Statement of Significance

This precinct derives much importance from its association with Parliament House, which was built progressively from 1856. This 19th century complex dominates the Bourke Street vista from as far away as William Street, and is emphasised by the sympathetic scale of the buildings on either side of the Bourke Street Hill. The precinct also includes such stylish and prominent buildings facing Spring Street as the Princess Theatre (1886) and the Hotel Windsor (1883). These contribute to the high level of amenity of Spring Street and its gardens. The buildings on either side of Bourke Street reflect the variety of social activities that have taken place in this area since the mid-19th century. The scale of the City's buildings prior to the boom era of the 1880s is seen in the simple design and low scale of the two-storey Crossley's Building (1884-1853).

The area also comprises part of the entertainment precinct of the central city, and buildings such as the Salvation Army Temple (1890) reflect the interest of social reformers in the nearby 'back slums' epitomised by the nearby former Gordon House (1883-1884). A philanthropic venture built by a syndicate headed by the actor-manager and politician George Coppin, it was named after the martyr of Khartoum and was an ambitious venture intended to provide family accommodation for the respectable poor. However, the venture was not successful in achieving its purpose and Gordon House later became a shelter for homeless men and now a hotel. It survives as a unique social document in the narrow confines of Little Bourke Street, and is complemented by the low-scale of surrounding red brick buildings.

The juxtaposition of the Parliament, the former deprived areas of Little Bourke Street and the style of Bourke Street gives the precinct an unrivalled historic texture and overall the theatres, hotels, cafes and quality bookshops contribute to the relaxed and elegant character of the eastern end of the city.

Key Attributes

- Low-scale Victorian buildings.

- The visual dominance of the parliamentary buildings on the Bourke Hill skyline, and the vista along Bourke Street to Parliament House.

Bourke West Precinct

Statement of Significance

Architecturally diverse but coherent in scale and picturesque setting, this precinct contains highly expressive elements of the late 19th and early 20th century city. Apart from containing a rare and interesting mix of diverse functions and building types, this precinct includes a range of government services located in the western quarter of the City. Some buildings such as Unity Hall (1916), Hudsons's Stores (1876-77) and the Old Tramways Building (1891) have important historical associations with transport and the Spencer Street railway yards. The comparatively low levels of even the tallest buildings contrast well with the single-storey structures on the southern side of Bourke Street, enabling the taller structures to be seen from their original perspective.

Key Attributes

- A group of architecturally diverse 19th and early 20th century buildings that are consistent in scale and associated with public services and warehousing.
- The dominance of the Tramways Building on the south side of Bourke Street and the Mail Exchange building on the north side.
- The amenity of the garden around St Augustine's Church.

Collins East Precinct

Statement of Significance

Collins Street has often been identified as Melbourne's leading street. This is due, in part, to the pleasant amenity and distinctive character of its eastern end. Its relative elevation and proximity to the Government Reserve and points of access to the City provided for its development as an elite locale. Initially a prestige residential area, the Melbourne Club re-established itself here in 1857 and by the 1860s the medical profession had begun to congregate. By the turn of the century it was firmly established as a professional and artistic centre of Melbourne, with part of its fame due to its tree plantations in the French boulevard manner (hence the 'Paris end'), which date from 1875.

A number of significant buildings come together in this precinct to form a series of prominent streetscapes. These include, at the western end, the Town Hall, Athenaeum, and Assembly Hall through to the Scots and Independent Churches, with the Regent Theatre through to the redeveloped T&G building opposite. The eastern end includes the early 19th century residential and artists' studio buildings at the foot of No. One Collins, with the predominantly 20th century intact run to the north featuring Alcaston, Anzac Portland and Chanonry Houses, and Victor Horsley Chambers plus the nearby Melbourne Club.

At all times until the post 1939-45 war period, redevelopment took place in a quiet and restrained manner with an emphasis on dignity, harmony and compatibility with the intimate scale and pedestrian qualities of the street. These qualities are still embodied in significant remnant buildings and other artifacts, despite the intrusion of large developments. The qualities of the street are also embodied in the social functions of the buildings which include elite smaller scale residential, religious, social, quality retailing and professional activities.

Key Attributes

- The buildings remaining from before the Second World War.
- The boulevard quality of this end of Collins Street with street tree plantations and street furniture.

- A consistent height, scale, character and appearance of the remaining 19th and early 20th century buildings.
- The historic garden of the Melbourne Club.

Flinders Gate Precinct

Statement of Significance

This precinct comprises the City's southern face, a major access point at Princes Bridge, and the specialised commercial district of Flinders Street. The area has been a gateway to the City from the south ever since the first Prince's Bridge (1841) and Melbourne's first railway were constructed, and Flinders and Spencer Street stations were linked by a viaduct in 1879. A grand new Princes Bridge (1886) confirmed the trend to redevelopment in the latter decades of the 19th century. The present Flinders Street Station (1906-10) also dates from this period. Proximity to the centre of Victoria's railway system explains the location and the size of the Commercial Travellers' Club (1899) in Flinders Street.

It was here, at Melbourne's southern gate, that the Anglican community chose to build their grand new St Paul's Cathedral (1880-91), replacing an earlier church on the same site. The choice was a logical one as many of them lived in the southern and eastern suburbs. More commercial motives saw the construction in Flinders Street of large retail emporia such as the former Mutual Store (1891) and Ball and Welch (1899).

This precinct offers evidence of all these changes, and also includes two of Melbourne's earliest and best known hotels, the Duke of Wellington (1850) and Young and Jackson's Princes Bridge Hotel (1854). An important feature of Flinders Street's southern face of buildings is their uniform height facing the station, Federation Square and the Yarra River.

Key Attributes

- The traditional gateway to the central city from the south and an area associated with retailing.
- Major 19th and early 20th century buildings including Flinders Street Station, St Paul's Cathedral and Princes Bridge.

Flinders Lane Precinct

Statement of Significance

Proximity to the Yarra River, Queens Wharf and the Customs House marked Flinders Lane as an appropriate location for the establishment of wholesaling businesses in the 19th century. Up until the 1870s and 1880s, Melbourne was the centre of the colonial re-export trade. Overseas cargoes were received, re-packed and distributed to the southern colonies and New Zealand. This trade created a demand for functional warehouses offering large areas of space close to the ground without any need for external display. This generation of buildings were plain brick or stone, up to three storeys in height, and limited to one commercial occupant.

The international exhibition of 1880-81 helped change this. International agents were introduced into the commercial economy, together with a system of indented goods sent direct from manufacturer to retailer. As this system took hold and the southern face of the city became more accessible to rail and road (with the development of Flinders and Spencer Street stations, and the construction of the new Princes Bridge), it became uneconomic to maintain large areas of warehouse space in Flinders Lane. The new wholesaler was able to store his goods elsewhere, requiring only a rented office and sample room in the city proper. However, clothing manufacturers and designers did find the larger floor areas to their liking and a number of 'Rag Trade' activities were established in the area.

An intense period of building between 1900 and 1930 resulted in taller buildings incorporating large showcase windows to both ground and basement floors, characteristically separated by a floor line approximately 1 metre from the ground. The new buildings of the 1970s and 1980s

were even taller, more architecturally pretentious, and presented a display to the street. Flinders Lane retains buildings from all three eras, and presents a striking physical display of the changing pattern of trading activity in Melbourne.

Key Attributes

- The scale and character of the six and seven-storey office and warehouse buildings constructed in Flinders Lane before the Second World War and the predominant building forms and materials of the precinct.
- The traditional association with 'Rag Trade' activities, other creative professions, or dwellings.
- The large showcase windows at the ground and basement floors of the warehouse offices constructed before the Second World War.

Little Bourke Precinct

Statement of Significance

Chinese immigrants settled in Little Bourke Street as early as the mid 1850s. Chinese occupation in the city centre then extended north and west, creating a distinct enclave. The buildings that they occupied were not distinctively 'Chinese' in their appearance but were rather the typical small brick shops, dwellings, warehouses and factories of the less affluent areas of Victorian Melbourne (indeed the area was not known as 'Chinatown' until the 1970s).

A number of architecturally distinctive, community-oriented buildings were constructed in the heart of the precinct on Little Bourke Street. These included the Num Pon Soon Chinese Club House (1861) and the premises of leading Chinese merchant Sum Kum Lee (1888). However, the most obvious features of Chinatown were the Chinese themselves, their characteristic trades, and the often run-down general character of their quarter of the City. In the late 19th century, the overwhelmingly Anglo-Celtic community stigmatised both the Chinese and their portion of the city for an association with vice but, for many Chinese, Little Bourke Street was a centre of trade and community life. Today, Chinatown's shops, restaurants and distinctive character are popular with many Melburnians and tourists as well as the Chinese community.

The precinct is bordered on its northern boundary by taller strip development fronting Lonsdale Street. Many Victorian and Edwardian buildings survive in this location and they provide an important contextual link between the 'back streets and lanes' of the heart of the precinct and the more public areas of the City. Since the Second World War, Lonsdale Street has become a centre for Melbourne's Greek community, further enhancing the cultural diversity of this cosmopolitan precinct.

Key Attributes

- The small low-scale Victorian and Edwardian buildings densely located along Little Bourke Street and the adjoining laneways.
- The traditional association with the Chinese community expressed through uses and signage.
- The focus for Greek commercial, entertainment, professional and cultural activities on the southern side of Lonsdale Street.
- The Swanston Street, Russell Street and Exhibition Street entry points to Chinatown.
- The prominence of Sum Kum Lee (112-114 Little Bourke Street) and Num Pon Soon (200-202 Little Bourke Street) within Little Bourke Street.
- The amenity of Little Bourke Street and the adjoining laneways for pedestrian use.
- The attractiveness of the precinct for tourism and recreation.

Post Office Precinct

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.

The Block Precinct

Statement of Significance

Within this precinct may be found not only the heart of Victorian Melbourne's most fashionable retail area but also the beginnings of its 'Chicago end' along Swanston Street. 'Doing the Block', a term coined to describe the popular pastime amongst Melbourne's middle classes of promenading outside the plush retail and accessory stores, reached its height in the boom years of the 1880s. The tradition of arcaded shopping was borrowed from nearby Royal Arcade and became a marked feature of this precinct. Block Arcade (1891-93), Centreway Arcade (1913), Block Court (1930), Manchester Unity Arcade (1932), and the Century Arcade (1938-40) testify to the continued popularity of this form.

The precinct contains a great number of significant and architecturally impressive buildings dating from the boom years of the 19th century through to the period immediately prior to the 1939-45 war. The Elizabeth Street end is dominated by the smaller buildings of the earlier period whereas along Swanston Street may be found the Manchester Unity Building, the Capitol Theatre and the Century Arcade, all based on precedents found in Chicago at the time, and pushed to the maximum height limit of 132 feet that existed in Melbourne until the construction of the ICI building in 1958.

Key Attributes

- The historic character of the precinct as a retail area, characterised by a large number of buildings from the late Victorian and early 20th century periods and by the network of arcade shopping.
- The comfortable pedestrian movement within the precinct.
- The commercial and retail buildings of the Victorian and 1900-1940 periods.

The Market Precinct

Statement of Significance

The Queen Victoria Market is one of the great 19th century markets of Australia and the only such market built by the Melbourne City Council to survive. The complex of enclosed food halls, open sheds, shops and stores illustrate a complete mode of commercial transaction, which is today substantially similar to the pattern in 1878 when the main fruit and vegetable market was opened. The Market was the principle market of fresh fruit and vegetable produce in Victoria from 1878 to 1975 and had a profound effect on the whole system of growing, selling and distribution in the state. As a retail market, it has been an important meeting place for a large component of Melbourne's population and remains a vital link with a part of Melbourne's domestic life.

Key Attributes

- The historic character of the precinct as a retail area.
- The generally simple, low-scale and remarkably intact example of a utilitarian form from the period of its construction. Taken as a whole, the Market and its component buildings are substantially intact in its 1923 form.
- The visual dominance of the Queen Victoria Market in the surrounding area.

Little Lon Precinct

Statement of Significance

The precinct is locally significant, historically, socially and aesthetically to the City of Melbourne. The building group, which epitomises the much publicised and interpreted 'Little Lon' district and its colourful past, represents three key development phases in the City's history, the immediate post golden era boom of the late 1850s and early 1860s, the development boom of the 1880s leading to the great Depression of the 1890s, and the Edwardian-era recovery with development of local manufacturing that also saw the establishment of a greater Chinatown in the street.

The building group commences with the gold rush era Exploration Hotel and develop through the 19th century with the associated boarding and row houses at 120-122 Little Lonsdale Street and the Leitrim Hotel, itself erected on an old hotel site. The next phase of building is from the Edwardian era with factory warehouse construction that was to serve the Chinese cabinet making and furniture trade.

Key Attributes

- A single and strong architectural expression derived from classical revival architecture that emerged in the Colony during the 1860s and is seen here extending into the Edwardian-era.
- Contributory elements include external walls and finishes, parapeted form, mouldings, fenestration, joinery two and three-storey scale, and roof form, along with any new material added in sympathy to the original fabric it replaced.
- The architecturally significant Leitrim Hotel displays a strong boom-era dynamism in its façade ornament.

Policy Reference

Urban Conservation in the City of Melbourne 1985

Central Activities District Conservation Study 1985

Harbour, Railways, Industrial Conservation

South Melbourne Conservation Study 1985

Central City (Hoddle Grid) Heritage Review 2011



ATTACHMENT 5 – HERITAGE PLACES OUTSIDE THE CAPITAL CITY ZONE

22.05 HERITAGE PLACES OUTSIDE THE CAPITAL CITY ZONE

07/04/2008
C92

This policy applies to all places within the Heritage Overlay Area excluding the Capital City Zone and the Docklands Zone.

Policy Basis

The Municipal Strategic Statement identifies that Melbourne has a high-quality, rich and diverse urban environment. Heritage is an extremely significant component of Melbourne's attractiveness, its character and its distinction, and therefore its appeal as a place to live, work and visit. This policy is the mechanism to conserve and enhance places and areas of architectural, social or historic significance and aboriginal archaeological sites and to encourage development which is in harmony with the existing character and appearance of designated heritage places and areas. This policy is consistent with policy document *Urban Conservation in the City of Melbourne*, which has been in operation since 1985 and has contributed to the conservation of the character of places of heritage significance.

Objectives

To conserve all parts of buildings of historic, social or architectural interest which contribute to the significance, character and appearance of the building, streetscape or area.

To ensure that new development, and the construction or external alteration of buildings, make a positive contribution to the built form and amenity of the area and are respectful to the architectural, social or historic character and appearance of the streetscape and the area.

To promote the identification, protection and management of aboriginal cultural heritage values.

Policy

The following matters will be taken into account when considering planning applications for Heritage Places within the Heritage Overlay.

Performance Standards for Assessing Planning Applications

The performance standards outline the criteria by which the heritage aspects of planning applications will be assessed. Definitions of words used in these performance standards and an explanation of building and streetscape gradings are included at the end of this policy.

In considering applications under the Heritage Overlay, regard should be given to the buildings listed in the individual conservation studies and their significance as described by their individual Building Identification Sheets. The Building Identification Sheet includes information on the age, style, notable features, integrity and condition of the building.

Demolition

Demolishing or removing original parts of buildings, as well as complete buildings, will not normally be permitted in the case of 'A' and 'B', the front part of 'C' and many 'D' graded buildings. The front part of a building is generally considered to be the front two rooms in depth.

Before deciding on an application for demolition of a graded building the responsible authority will consider as appropriate:

The degree of its significance.

The character and appearance of the building or works and its contribution to the architectural, social or historic character and appearance of the streetscape and the area.

Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of that building.

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

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

Renovating Graded Buildings

Intact significant external fabric on any part of an outstanding building, and on any visible part of a contributory building, should be preserved. Guidelines on what should be preserved are included in *Urban Conservation in the City of Melbourne*.

In considering a planning application to remove or alter any fabric, consideration will be given to:

The degree of its significance.

Its contribution to the significance, character and appearance of a building or a streetscape.

Its structural condition.

The character and appearance of proposed replacement materials.

The contribution of the features of the building to its historic or social significance.

Where there is evidence of what a building originally looked like, renovation of any part of an outstanding building, or any visible part of a contributory building, should form part of an authentic restoration or reconstruction process, or should not preclude it 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.

Where there is no evidence of what a building originally looked like, renovations should preferably be respectful of an interpretive modern design, rather than "guesswork" reconstruction or any other form of reproduction design.

Sandblasting and Painting of Previously Unpainted Surfaces

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

Designing New Buildings and Works or Additions to Existing Buildings

Form

The external shape of a new building, and of an addition to an existing building, should be respectful in a Level 1 or 2 streetscape, or interpretive in a Level 3 streetscape.

Facade Pattern and Colours

The facade pattern and colours of a new building, and of an addition or alteration to an existing building, should be respectful where visible in a Level 1 streetscape, and interpretive elsewhere.

Materials

The surface materials of a new building, and of an addition or alteration to an existing building, should always be respectful.

Details

The details (including verandahs, ornaments, windows and doors, fences, shopfronts and advertisements) of a new building, and of an addition or alteration to an existing building, should preferably be interpretive, that is, a simplified modern interpretation of the historic form rather than a direct reproduction.

Concealment Of Higher Rear Parts (Including Additions)



Higher rear parts of a new building, and of an addition to an existing graded building, should be concealed in a Level 1 streetscape, and partly concealed in a Level 2 and 3 streetscape. Also, additions to outstanding buildings ('A' and 'B' graded buildings anywhere in the municipality) should always be concealed. In most instances, setting back a second-storey addition to a single-storey building, at least 8 metres behind the front facade will achieve concealment.

Facade Height and Setback (New Buildings)

The facade height and position should not dominate an adjoining outstanding building in any streetscape, or an adjoining contributory building in a Level 1 or 2 streetscape. Generally, this means that the building should neither exceed in height, nor be positioned forward of, the specified adjoining building. Conversely, the height of the facade should not be significantly lower than typical heights in the streetscape. The facade should also not be set back significantly behind typical building lines in the streetscape.

Building Height

The height of a building should respect the character and scale of adjoining buildings and the streetscape. New buildings or additions within residential areas consisting of predominantly single and two-storey terrace houses should be respectful and interpretive.

Archaeological Sites

Proposed development must not impact adversely on the aboriginal cultural heritage values, as indicated in an archaeologist's report, for any site known to contain aboriginal archaeological relics.

Sites of Historic or Social Significance

An assessment of a planning application should take into account all aspects of the significance of the place. Consideration should be given to the degree to which the existing fabric demonstrates the historic and social significance of the place, and how the proposal will affect this significance. Particular care should be taken in the assessment of cases where the diminished architectural condition of the place is outweighed by its historic or social value.

Definitions of Words Used in the Performance Standards

Concealed means not visible from any part of the street serving the front 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 facade and the streetscape.

Conservation means looking after a place to retain its heritage significance. It may include maintenance, preservation, restoration, reconstruction and adaptation to accommodate new uses.

Context means:

The surrounding area as a whole

Adjoining or nearby significant buildings or works

In the case of additions or alterations, significant parts of the subject building.

Contributory building means a 'C' grade building anywhere in the municipality, or a 'D' grade building in a Level 1 or Level 2 streetscape.

Cultural significance means aesthetic, historic, scientific or social value for past, present and future generations.

Enhancement means:

Encouraging removal of buildings or objects that detract from an area's character and appearance.

Allowing replacement of buildings or objects that do not contribute to an area's character and significance by a building of a sympathetic new design.

Allowing new works specifically designed to enhance an area's character and appearance.

Fabric means all the physical material of the place.

Outstanding building means a grade A or B building anywhere in the municipality.

Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

Reconstruction means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the fabric. This is not to be confused with either 'recreation' or 'conjectural reconstruction'.

Respectful and interpretive refer to design that honestly admits its modernity while relating to the historic or architecturally significant character of its context. 'Respectful' means a design approach in which historic building size, form, proportions, colours and materials are adopted, but modern interpretations are used instead of copies of historic detailing and decorative work. 'Interpretive' means a looser reference to historic size, form, proportions, colours, detailing and decoration, but still requires use of historic or closely equivalent materials.

Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or later additions or by reassembling existing components without the introduction of new material.

Significant means of historic, architectural or social value for past, present or future generations. All graded buildings are significant. 'Significant parts' of a graded building means parts which contribute to the historic, architectural or social value of the building. The Building Identification Forms within *City of Melbourne Conservation Schedule* highlight many of the significant parts of each building.

Visible means anything that can be seen from any part of the street serving the front of the building including:

Side elevations that are readily visible from the front street.

Anything that can be seen from a side or rear laneway, if the laneway itself is classified as a Level 1 or 2 streetscape.

Grading of Buildings and Streetscape Levels

Every building of cultural significance has been assessed and graded according to its importance. Streetscapes, that is complete collections of buildings along a street frontage, have also been graded for planning control purposes. The individual buildings are grade A to D, the streetscapes from Level 1 to 3, both in descending order of significance. The grade of every building and streetscape is identified in the incorporated document *Heritage Places Inventory 2000*.

'A' Buildings

'A' 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 inclusion on the Victorian Heritage Register or the Register of the National Estate.

'B' Buildings

'B' 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' Buildings

'C' 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 building 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' buildings

'D' 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.

Level 1 Streetscapes

Level 1 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 Streetscapes

Level 2 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 Streetscapes

Level 3 streetscapes may contain significant buildings, but they will be from diverse periods or styles, and of low individual significance or integrity.

Policy Reference

Urban Conservation in the City of Melbourne 1985

East Melbourne & Jolimont Conservation Study 1985

Parkville Conservation Study 1985

North & West Melbourne Conservation Study 1985, & 1993

Flemington & Kensington Conservation Study 1985

Carlton, North Carlton and Princes Hill Conservation Study 1994 & 1985

South Yarra Conservation Study 1985

South Melbourne Conservation Study 1985 & 1998

Harbour, Railway, Industrial Conservation Study 1985