

INDEPENDENT PLANNING PANEL

APPOINTED BY THE MINISTER FOR PLANNING

PLANNING PANELS VICTORIA

IN THE MATTER OF *AMENDMENT C405* TO THE MELBOURNE PLANNING
SCHEME

CARLTON AND PUNT ROAD OVAL

HERITAGE REVIEWS

PART A SUBMISSION OF THE PLANNING AUTHORITY

DATE: 26 SEPTEMBER 2022

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I. OVERVIEW

1. Melbourne City Council (**Council**) is the Planning Authority for Amendment C405 (**Amendment**) to the Melbourne Planning Scheme (**Scheme**).
2. This Part A submission is made in accordance with direction 8 of the Panel's Directions dated 12 September 2022. Consistent with Direction 8, this Part A submission will:
 - (a) address the background to the Amendment, including a chronology of events;
 - (b) address the strategic context and assessment;
 - (c) include a table showing places or precincts where the Heritage Overlay is proposed to be applied, and include Hercon criteria, HO reference numbers and identify any submissions with specific issues;
 - (d) confirm the referral of any late submissions to the Panel;
 - (e) identify the issues raised in submissions, presented as: common issues that apply across multiple places or precincts; and precincts and individual places;
 - (f) provide a complete set of proposed changes to the Amendment in response to submissions, including the reasons for the proposed change (in response to submissions or otherwise);
 - (g) include word versions of any updated Amendment documents, including updated Statements of Significance;
 - (h) include discussion of any relevant planning scheme amendments that may impact on the Amendment, including but not limited to Amendments C396, C421, C387;
 - (i) include tracked change versions of the HO1 Statement of Significance and the HO2 Statement of Significance (in Word); and
 - (j) include a copy of the Authorisation of the Amendment, including a summary of the conditions of authorisation and how the conditions have been met.
3. In addition to this Part A submission, at the hearing listed to commence on Monday 3 October 2022, Council will:
 - (a) call evidence from the following witnesses:
 - (i) Ms Kate Gray as it relates to Carlton heritage; and

- (ii) Dr Christina Dyson as it relates to Punt Road Oval,
 - (b) present its Part B submission, where Council will present its response to submissions, the expert evidence called and present its final position on the Amendment; and
 - (c) prior to the close of the hearing, present a Part C closing submission.
- 4. It is noted that, consistent with the Directions of the Panel, Council's Part A submission will be taken as read by the Panel at the Hearing.

II. THE NATURE OF THE AMENDMENT

- 5. The Amendment is an important step in Council's overall program to protect heritage in the municipality, and meet Council's specific commitments to review heritage in the mixed use and residential areas of the city, to address gaps and inconsistencies in the existing controls.¹
- 6. Heritage is central to Melbourne's identity and distinctiveness and gives the city a competitive advantage over other capital cities as a place to live, work and visit.
- 7. The suburb of Carlton is one of Melbourne's oldest and most cherished neighbourhoods. Originally an extension to the Hoddle Grid lined with grand terrace rows, Carlton later became a diverse home to recently arrived immigrants, social housing, educational facilities with a range of both world-class heritage and contemporary architecture.
- 8. A large portion of Carlton is already protected under HO1, the largest and oldest Heritage Overlay in the City of Melbourne (see Figure 1 where HO1 is highlighted in light pink within the study area outlined in red). A number of site specific heritage overlays are also contained within the study area. Initial studies of Carlton were commenced in 1984 and identified almost exclusively Victorian and Edwardian era architecture.

¹ Heritage Strategy 2013, page 18.

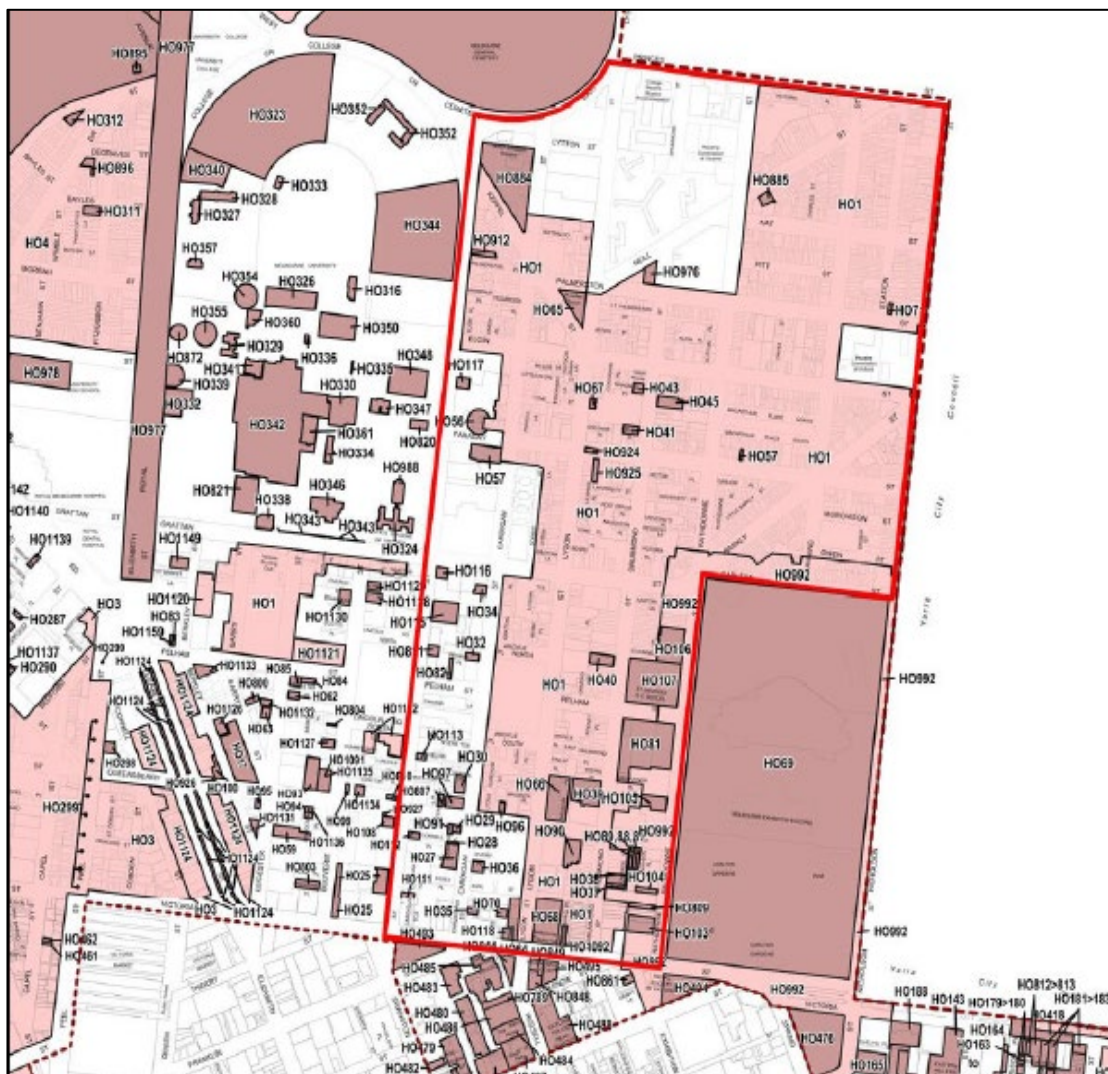


Figure 1: Map of existing Heritage Overlays within the study area (outlined in red).

Carlton Heritage Review, Lovell Chen, November 2021(Carlton Heritage Review)

9. The Carlton Heritage Review has studied the appropriateness of heritage controls within the study area in addition to considering interwar, postwar and postmodern buildings. Together, the totality of these places reflect the unique, diverse urban character of Carlton.
10. The Review commenced in 2018 and was prepared by Lovell Chen Heritage Consultants. The City of Melbourne commissioned Lovell Chen to review existing precincts and individual heritage places, recommend places to be added or removed from the schedule to the Heritage Overlay (HO), and develop new citations where required. In addition to identifying additional buildings that require protection, a central aim of the Review was to research and document Carlton's rich history and patterns of development.

11. A Thematic Environmental History was also developed as part of the Review. The Thematic Environmental History details Carlton's historical themes through material gathered, including through consultation with Traditional Custodians. This material was used to document the development and evolution of the study area, and enhance the understanding of the significance of places within the study area.²
12. The Thematic Environmental History explored local historical themes that had been explored in previous studies and identified new themes, including the importance of universities to the suburb, Carlton's multicultural history, and Carlton in the 1970s and 1980s³.
13. The Carlton Heritage Review recommended that:
 - (a) seven (7) new places be including within the Heritage Overlay;
 - (b) two (2) new serial listings (including 12 buildings) be included within the Heritage Overlay;
 - (c) the existing HO1 Carlton Precinct be expanded to include one (1) existing place and one (1) new place;
 - (d) three (3) small precincts be created from existing Heritage Overlays and one new place;
 - (e) 59 existing heritage places have their level of significance updated;
 - (f) seven (7) places be removed from the schedule to the Heritage Overlay⁴; and
 - (g) Statements of Significance be introduced for twenty (20) existing individual Heritage Overlays.
14. The Amendment is required to implement the recommendations of the Carlton Heritage Review, including to provide permanent controls for the places identified as warranting heritage protection to ensure that their value is appropriately recognised and protected.

² Carlton Heritage Review 2021, page 10.

³ Carlton Heritage Review 2021, page 10.

⁴ On the basis that four of these places have been demolished, and three were identified as anomalies requiring correction.

Punt Road Oval

15. The Amendment also includes the reinstatement of heritage protection for Punt Road Oval (East Melbourne) on a permanent basis.
16. Heritage protection for the Punt Road Oval was inadvertently deleted from the Heritage Places Inventory when a new heritage category (previously referred to as heritage grading) was introduced through Amendment C258. Prescribed Amendment C414 restored the former heritage grading for this place within East Melbourne Jolimont Precinct (HO2).
17. The Amendment proposes to apply a Significant building category and an individual HO to Punt Road Oval.
18. The Amendment is supported by *The Punt Road Oval (Richmond Cricket Ground) Heritage Review, October 2021* (**Punt Road Heritage Review**) being a heritage review of Punt Road Oval, East Melbourne.

What the Amendment does?

Carlton - Overview

19. The Amendment implements the findings of the Carlton Heritage Review by:
 - (a) Applying individual Heritage Overlays to seven (7) individual places and introducing new Statements of Significance for each heritage place.
 - (b) Applying two (2) serial listing Heritage Overlays to multiple sites and introducing new Statements of Significance for each heritage place.
 - (c) Amending three (3) existing Heritage Overlays by converting them into three (3) heritage precincts and introducing new Statements of Significance for each heritage place.
 - (d) Introducing Statements of Significance for twenty (20) existing individual heritage overlays.
 - (e) Deleting seven (7) existing individual Heritage Overlays.
 - (f) Amending the existing incorporated document titled Heritage Places Inventory February 2020 Part A (Amended May 2021) and Heritage Places Inventory February Part B to reflect a heritage category change for 59 properties (in addition to the new properties outlined above).

- (g) Amending the boundary and Statement of Significance for the HO1 Carlton Precinct Heritage Overlay.
- (h) Amending the existing Heritage Overlay maps for nine (9) properties to correct mapping anomalies.

Punt Road Oval - Overview

- 20. The Amendment implements the findings of the Punt Road Heritage Review by:
 - (a) Deleting part of HO2 East Melbourne & Jolimont Precinct.
 - (b) Applying one (1) new individual Heritage Overlay.
 - (c) Introducing one (1) Statement of Significance for the Punt Road Oval (Richmond Cricket Ground).

Carlton

- 21. In detail, the Amendment makes the following changes on a permanent basis:
 - (a) Amends Clause 22.05 (Heritage Places outside the Capital City Zone) to add the Carlton Heritage Review November 2021 as a Reference Document within Part A of the policy.
 - (b) Amends the Schedule to Clause 43.01 (Heritage Overlay) by:
 - i. Including seven (7) new individual Heritage Overlays and Statements of Significance:
 - HO1390 - Building 94, Royal Melbourne Institute of Technology (RMIT) (23-37 Cardigan Street, Carlton).
 - HO1391 - Royal Women's Hospital Carpark (96 Grattan Street, Carlton).
 - HO1392 - Earth Sciences Building, University of Melbourne (253-283 Elgin Street, Carlton).
 - HO1393 - Building 71, Royal Melbourne Institute of Technology (RMIT) (33-89 Lygon Street, Carlton – Building 71 only).
 - HO1394 - Cross Street Co-operative Housing (422-432 Cardigan Street, Carlton).

- HO1395 - Commercial/office building (221 Drummond Street, Carlton).
 - HO1396 - Townhouses (129-141 Canning Street, Carlton).
- ii. Including two (2) new serial listing Heritage Overlays and Statements of Significance:
- HO1397 – Ministry of Housing Infill Public Housing (78 Kay Street, 43-45 Kay Street, 75-79 Kay Street, 136 Canning Street, 56-58 Station Street, 60-62 Station Street, 76 Station Street, 80 Station Street, 51 Station Street, 53 Station Street, Carlton).
 - HO1398 – RMIT Buildings 51,56 and 57; Building 51 (80-92 Victoria Street, Carlton), Building 56 (33-89 Lygon Street, Building 56 only fronting Queensberry Street) and Building 57 (33-89 Lygon Street, Building 57 only fronting Lygon Street), Royal Melbourne Institute of Technology (RMIT).
- iii. Revising three (3) existing individual Heritage Overlays to form new heritage precincts and introduce Statements of Significance for each place:
- HO64 – 1-31 Lygon Street with new precinct name ‘Former Carlton Union Hotels Precinct’.
 - HO81 – 5-21 Pelham Street with new precinct name ‘Former Children’s Hospital Precinct’.
 - HO97 – 128-140 Queensberry Street with new expanded precinct named ‘Hotel Lincoln and Environs Precinct’
- iv. Deleting seven (7) existing individual Heritage Overlays:
- HO28 – 71 Cardigan Street, Carlton (due to incorrect mapping).
 - HO34 – 245-257 Cardigan Street, Carlton (incorporate into HO1).
 - HO70 – 16-22 Orr Street, Carlton (due to demolition).
 - HO96 – 106-108 Queensberry Street, Carlton (due to demolition).
 - HO807- 144-146 Queensberry Street, Carlton (incorporate into HO97).

- HO811 – 630 Swanston Street, Carlton (due to demolition).
 - HO117 – 784-786 Swanston Street and 253-275 Elgin Street, Carlton (due to demolition)
- v. Revising the addresses of seven (7) existing individual heritage places:
- HO27 – 51-65 Cardigan Street, Carlton to Terrace Row, George’s Terrace, Clare House 51-71 Cardigan Street, Carlton.
 - HO71 – 22-24 Palmerston Street, Carlton to Hotel and Residences 18-24 Palmerston Street, Carlton.
 - HO82 – 96 Pelham Street, Carlton to Factory / Warehouse 96-106 Pelham Street, Carlton.
 - HO90 – 59 Queensberry Street, Carlton to Former Catholic Apostolic Church 53-63 Queensberry St Carlton.
 - HO111 – 466 Swanston Street, Carlton to Pair of Shops and Residences 462- 468 Swanston Street, Carlton.
 - HO57 – from Kathleen Syme Education Centre (Former Primary School No.112) 251 Faraday Street, Carlton to Kathleen Syme Education Centre (Former Primary School No.112) 249-263 Faraday Street, Carlton.
 - HO68 – from Trades Hall 2 Lygon Street & 172 Victoria Street, Carlton to Trades Hall 2-40 Lygon Street, Carlton.
- vi. Amending the Heritage Precincts Statements of Significance February 2020 by changing the date to November 2021 and removing the HO1 Carlton Precinct Statement of Significance.
- vii. Introducing a revised HO1 Carlton Precinct Statement of Significance November 2021 incorporated document.
- viii. Introducing separate Statements of Significance for the following twenty (20) existing individual Heritage Overlay places:
- HO35 – 18-22 Cardigan Street, Carlton.
 - HO36 – 50-56 Cardigan Street, Carlton.
 - HO27 – 51-71 Cardigan Street, Carlton.

- HO29 – 83-87 Cardigan Street, Carlton.
- HO30 – 101-111 Cardigan Street, Carlton.
- HO32 – 199-201 Cardigan Street, Carlton.
- HO56 – 272-278 Faraday Street, Carlton.
- HO71 – 18-24 Palmerston Street, Carlton.
- HO82 – 96-106 Pelham Street, Carlton.
- HO87 – 19 Queensberry Street, Carlton.
- HO90 – 59 Queensberry Street, Carlton.
- HO91 – 133-135 Queensberry Street, Carlton.
- HO103 – 25-27 Rathdowne Street, Carlton.
- HO809 – 29-31 Rathdowne Street, Carlton.
- HO104 – 49 Rathdowne Street, Carlton.
- HO111 – 466 Swanston Street, Carlton.
- HO112 – 508-512 Swanston Street, Carlton.
- HO113 – 554-556 Swanston Street, Carlton.
- HO116 – 676-682 Swanston Street, Carlton.
- HO118 – 68-72 Victoria Street, Carlton.

(c) Amending Melbourne Planning Scheme Maps 5HO and 8HO by:

- i. Introducing seven (7) new individual Heritage Overlays, two (2) new serial listing Heritage Overlays, and deleting seven (7) individual Heritage Overlays to reflect the changes as described above.
- ii. Amending the boundary of three (3) existing individual Heritage Overlays:
 - Extending HO35 to include 22 Cardigan Street, Carlton.
 - Extending HO71 to include 18 Palmerston Street and 20 Palmerston Street, Carlton (delete from HO1).

- Extending HO97 to apply to 144-146 Queensberry Street (delete HO807) and to apply to 148-150 Queensberry Street (currently no Heritage Overlay).
- iii. Amending boundaries due to mapping errors relating to nine (9) existing individual Heritage Overlays:
- HO32 - 199 Cardigan Street and 201 Cardigan Street to reflect the existing titles.
 - HO57 – applies to Kathleen Syme Education Centre at 249-263 Faraday Street. Currently also incorrectly applied to 112 Faraday Street. Delete HO57 and apply HO1 to 112 Faraday.
 - HO56 – 272-278 Faraday Street to reflect the existing title.
 - HO82 – 96 Pelham Street to reflect the existing title.
 - HO97 - 138 Queensberry Street and 140 Queensberry Street to reflect the existing titles.
 - HO90 – 53-63 Queensberry Street to reflect the existing title.
 - HO103 – applies to 25-27 Rathdowne Street. Currently incorrectly applied at 23 Rathdowne Street. Delete HO103 from 23 Rathdowne Street and apply HO992.
 - HO809 – applies to 29-31 Rathdowne Street. Currently incorrectly applied at 35 Rathdowne Street. Remove HO809 from 35 Rathdowne Street and apply HO992.
 - HO118 – 68-72 Victoria Street to remove 9 Lygon Street.
- iv. Amending the HO1 Carlton Precinct Heritage Overlay boundary to cover three (3) additional places:
- 245-257 Cardigan Street (delete existing HO34)
 - 251-257 Cardigan Street - currently no Heritage Overlay.
 - 138-142 Bouverie Street (Lincoln Square) - currently no Heritage Overlay.
- v. Amending the Schedule to Clause 72.04 (Incorporated Documents) by:

- Introducing thirty-two (32) Statements of Significance.
- Amending the *Heritage Precincts Statements of Significance February 2020* by changing the date to November 2021 and removing the Carlton Precinct Statement of Significance.
- Introducing a revised *HO1 Carlton Precinct Statement of Significance November 2021*.
- Amending the *Heritage Places Inventory February 2020 Part A* (Amended May 2021) to:
 - Change the date amended to November 2021.
 - Change the heritage category of 83 places in the manner described in Attachment 1 to the Explanatory Report.
 - Correct addressing and other anomalies in the manner described in Attachment 1 to the Explanatory Report.
 - Amending the incorporated document titled *Heritage Places Inventory February 2020 Part B* by changing the date to November 2021 and to remove 24 properties in the manner described in Attachment 1 to the Explanatory Report.
- Amending the Schedule to Clause 72.08 Background Documents by adding the *Carlton Heritage Review November 2021* as a Background Document.

Punt Road Oval

- (d) The Amendment implements the recommendations of the *Punt Road Oval (Richmond Cricket Ground) Heritage Review October 2021* by making the following changes on a permanent basis:
 - (i) Amends Clause 22.05 (Heritage Places outside the Capital City Zone) to add the *Punt Road Oval (Richmond Cricket Ground) Heritage Review October 2021* as a Reference Document at Part A of the policy.
 - (ii) Amends the Schedule to Clause 43.01 (Heritage Overlay) by including one (1) new individual Heritage Overlay (HO1400 Punt Road Oval (Richmond Cricket Ground)) and Statement of Significance.

- (iii) Amends Melbourne Planning Scheme Map 9HO by deleting the part of HO2 East Melbourne & Jolimont Precinct that currently applies to Punt Road Oval and a small section of Yarra Park to the southeast and applying HO1400 to Punt Road Oval and a small section of Yarra Park to the southeast.
- (iv) Amends the Schedule to Clause 72.04 (Incorporated Documents) by:
 - introducing a Statement of Significance for Punt Road Oval (Richmond Cricket Ground).
 - Amending the incorporated document titled Heritage Places Inventory February 2020 Part A (Amended May 2021) to change the date amended to November 2021 to include the Punt Road Oval (Richmond Cricket Ground) with a building category of “Significant” and a streetscape category of “-“.
- (v) Amends the Schedule to Clause 72.08 Background Documents by adding the *Punt Road Oval (Richmond Cricket Ground) Heritage Review, October 2021* as a Background Document.

III. BACKGROUND TO THE AMENDMENT

A. PREVIOUS HERITAGE REVIEWS

- 22. Council has engaged in extensive and pioneering heritage planning practices since the 1970s. More than 30 studies have been completed to document the municipality’s heritage since the first heritage controls were introduced into planning schemes in Victoria.
- 23. By the mid-1980s, Council had completed assessments of heritage across the residential areas of the municipality. Urban Conservations Studies were prepared and translated into planning controls during that time. These planning controls continue to be revisited.
- 24. Council has previously reviewed heritage protection for places in Carlton through the *Carlton, North Carlton, and Princes Hill Conservation Study* in 1984 (**1984 Study**) by the City of Melbourne. The 1984 Study comprises:
 - (a) The original *Carlton, North Carlton and Princes Hill Conservation Study* prepared by Nigel Lewis and Associates in 1984. The study area focussed on the suburb of Carlton, bound by Park Street to the north, Nicholson Street to the east, Victoria Street to

the South, and Royal Parade to the East (see figure 2 below). The main product of the study was the recording of every building found to have historic or architectural significance in the study area in the Schedule of Building Gradings and Streetscape Levels.

- (b) *The Lygon Street Action Plan Study*, which separately reviewed the Lygon Street area of Carlton. It includes development guidelines that have been included in the 1984 Study in their amended form.
- (c) Building Identification Forms for assessed buildings in the Study Area.
- (d) A and B Grade Building Citations in a second volume to the Study.

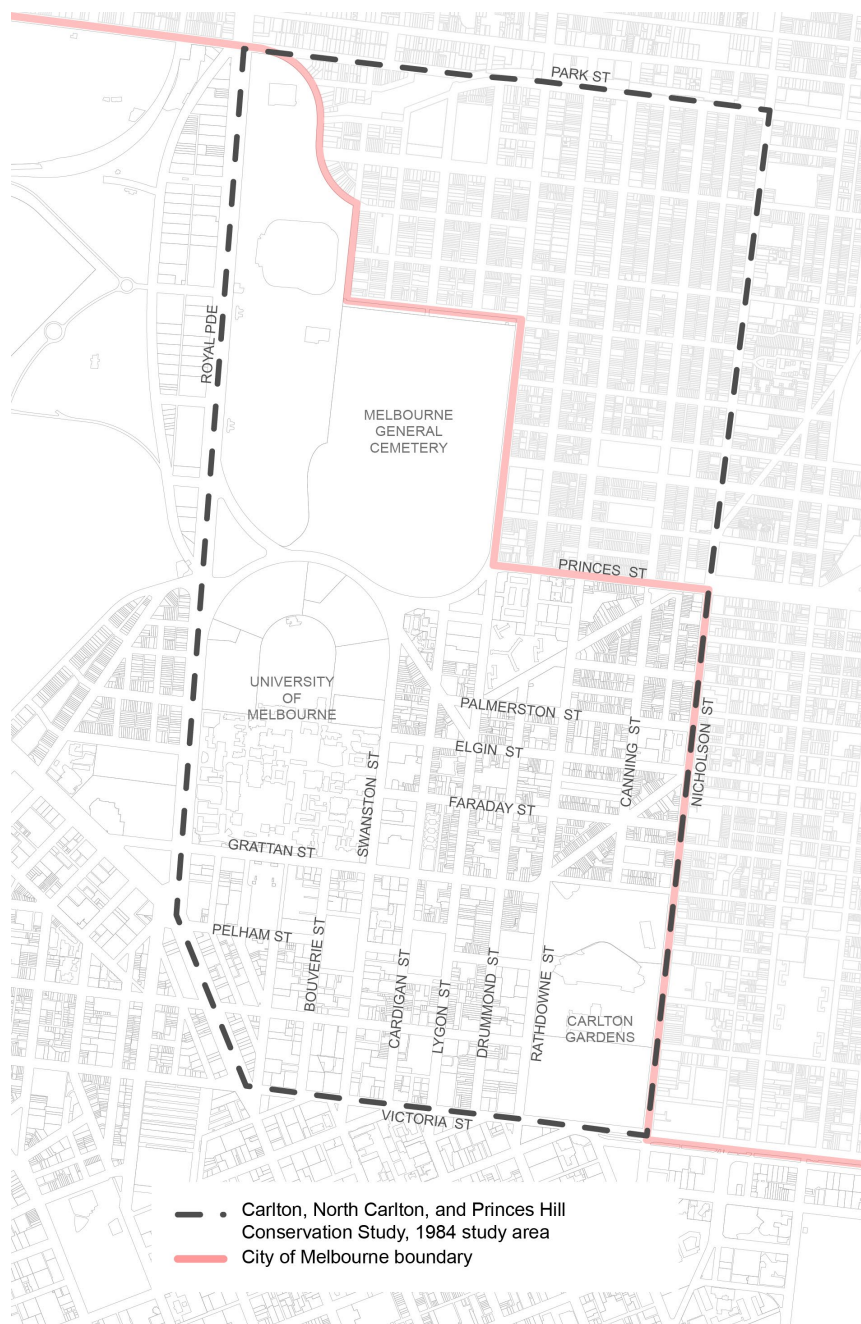


Figure 2: Carlton, North Carlton and Princes Hill Conservation Study, 1984 study area

25. More recently, Council reviewed heritage protection for places in the south-western area of Carlton (south of Grattan Street and West of Swanston Street) that falls within the City North urban renewal area. This was included in the study area for the *City North Heritage Review* prepared by RBA Architects and Conservation Consultants in 2013 (see figure 3 below). The City North Heritage Review reviewed the heritage protection of places listed in the Schedule to the Heritage Overlay, reassessed places previously considered but not included in the Schedule to the Heritage Overlay, and identified new places for inclusion. Amendment C198 which implemented the City North Heritage Review was gazetted on 15 October 2015.

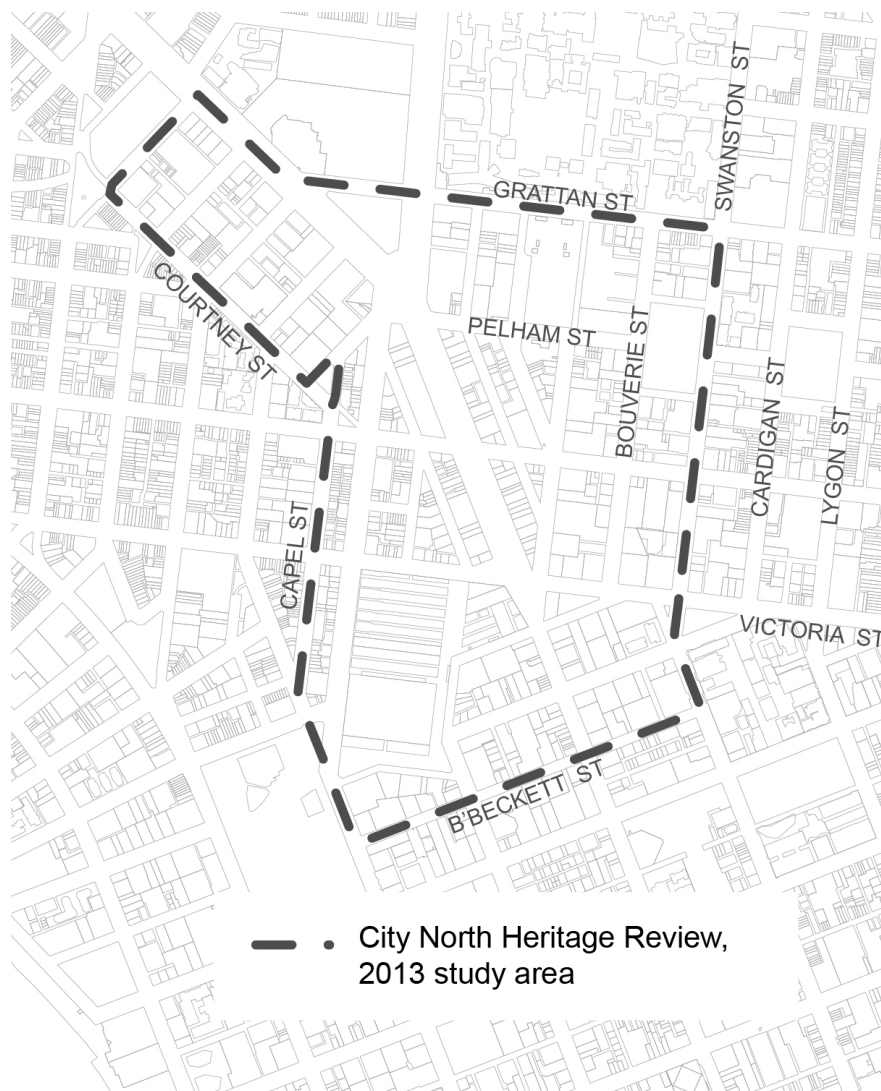


Figure 3: City North Heritage Review, 2013 study area

26. Council has previously assessed Punt Road Oval through the *East Melbourne and Jolimont Conservation Study* in 1985 (**Punt Road Oval Study**) which listed the 'Richmond Cricket Ground and Pavilion' with a C grading. Figure 4 below shows the study area. The Punt Road Oval Study comprises:

- (a) The original *East Melbourne and Jolimont Conservation Study* prepared in 1983 by Meredith Gould as part of the Council wide program of conservation studies. This study consolidated the results of three earlier studies prepared in 1975, 1978 and 1979. Council decided to add many buildings of lower significance that had been omitted from the earlier studies.
- (b) The *Outer Area Gap Conservation Study* which was prepared by Meredith Gould in 1985. This study identified significant buildings in the residual areas outside the Central Activities District which had not been covered by the neighbourhood conservation studies.
- (c) Council has committed to commencing an East Melbourne / Jolimont heritage review in the 2022-23 financial year.

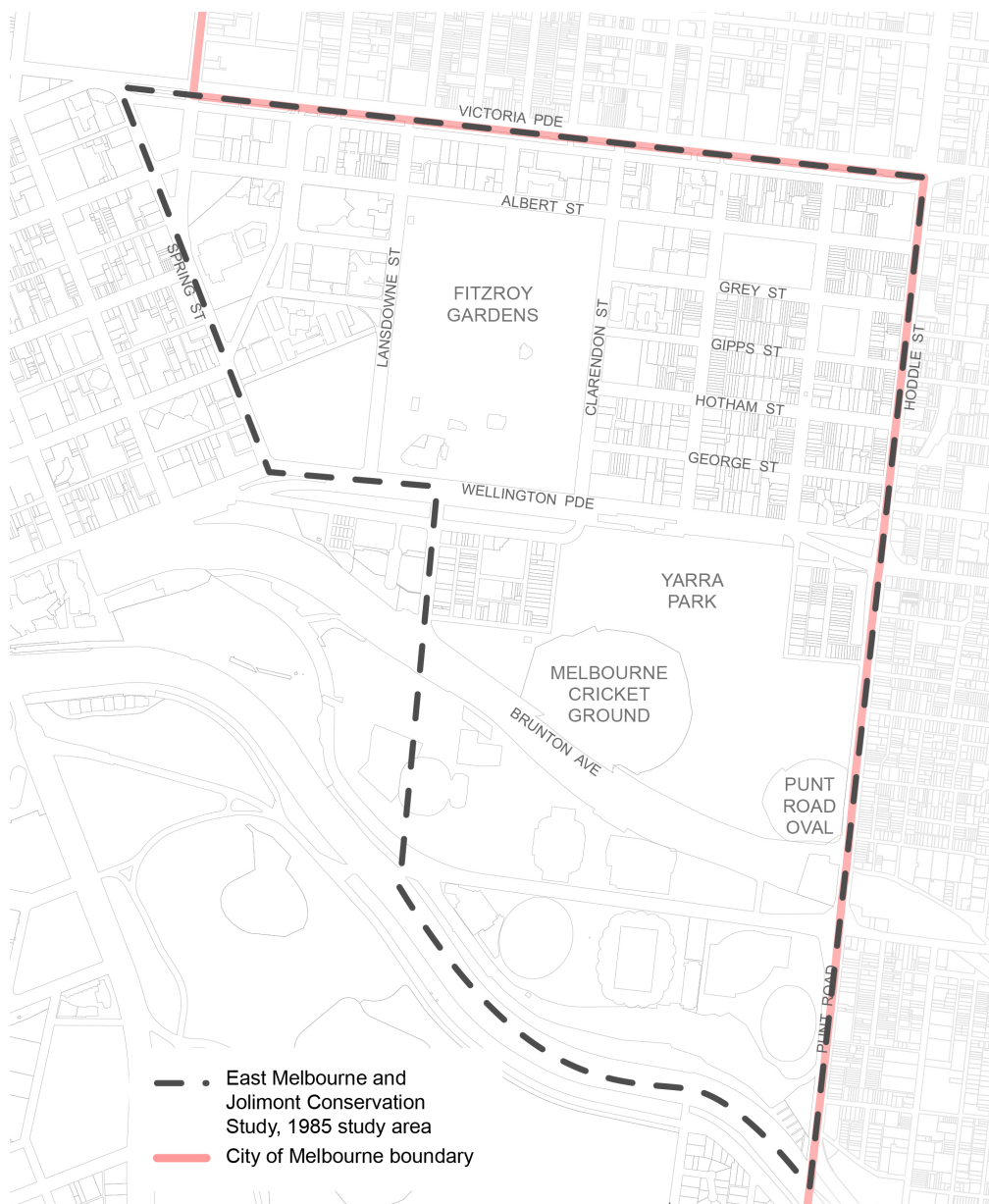


Figure 4: East Melbourne and Jolimont Conservation Study, 1985 study area

B. CITY OF MELBOURNE HERITAGE STRATEGY 2013 (**Heritage Strategy**)

27. In 2013, Council released its Heritage Strategy, setting out a plan to protect heritage in the municipality over the following 15 years. The Heritage Strategy articulates Council's role in understanding the value of heritage, identifying places to be conserved and sustaining heritage through protection.⁵ The Heritage Strategy references Council's Thematic History – A History of the City of Melbourne's Urban Environment 2012 and summarises its 15 themes.⁶ Two of the four strands of the Heritage Strategy involve "Knowing the City's heritage" and "Protecting the City's heritage".
28. Under the Knowing strand, the Strategy identifies as an action to "investigate, identify, assess and document gaps in the record of places of cultural heritage significance"⁷.
29. Under the Protecting strand, the Strategy includes the following⁸:

Goal

To protect and value all heritage places and put in place policies to support decision making around heritage conservation.

...

Actions

2.2 ***progressively undertake a review of heritage in the high growth and urban renewal areas and in the mixed use areas of the city.***

2.3 ***Review the heritage controls in the residential zones of the city, targeting resolution of gaps and inconsistencies in the existing controls.***

(emphasis added)

30. The Appendix 1 – *Implementation Plan* to the Strategy lists Actions 2.2 and 2.3 (above) consecutively as the first and second of the First Priority Actions"⁹. The Second Priority Actions identified in Appendix 1 include to "develop statements of significance drawing from themes identified in the Thematic History: a History of the City of Melbourne's Urban Environment 2012 for all heritage precincts, individually significant buildings and places across the municipality"¹⁰.

⁵ Heritage Strategy 2013, page 6.

⁶ *ibid*, pages 12-13.

⁷ *ibid*, page 16.

⁸ *ibid*, page 18.

⁹ *ibid*, page 28.

¹⁰ *ibid*, page 29.

31. The Heritage Strategy has resulted in a program of progressive heritage reviews being systematically undertaken by Council.
32. The map below in Figure 5 illustrates where heritage reviews have been previously undertaken and areas in which recent and upcoming heritage reviews are progressing.

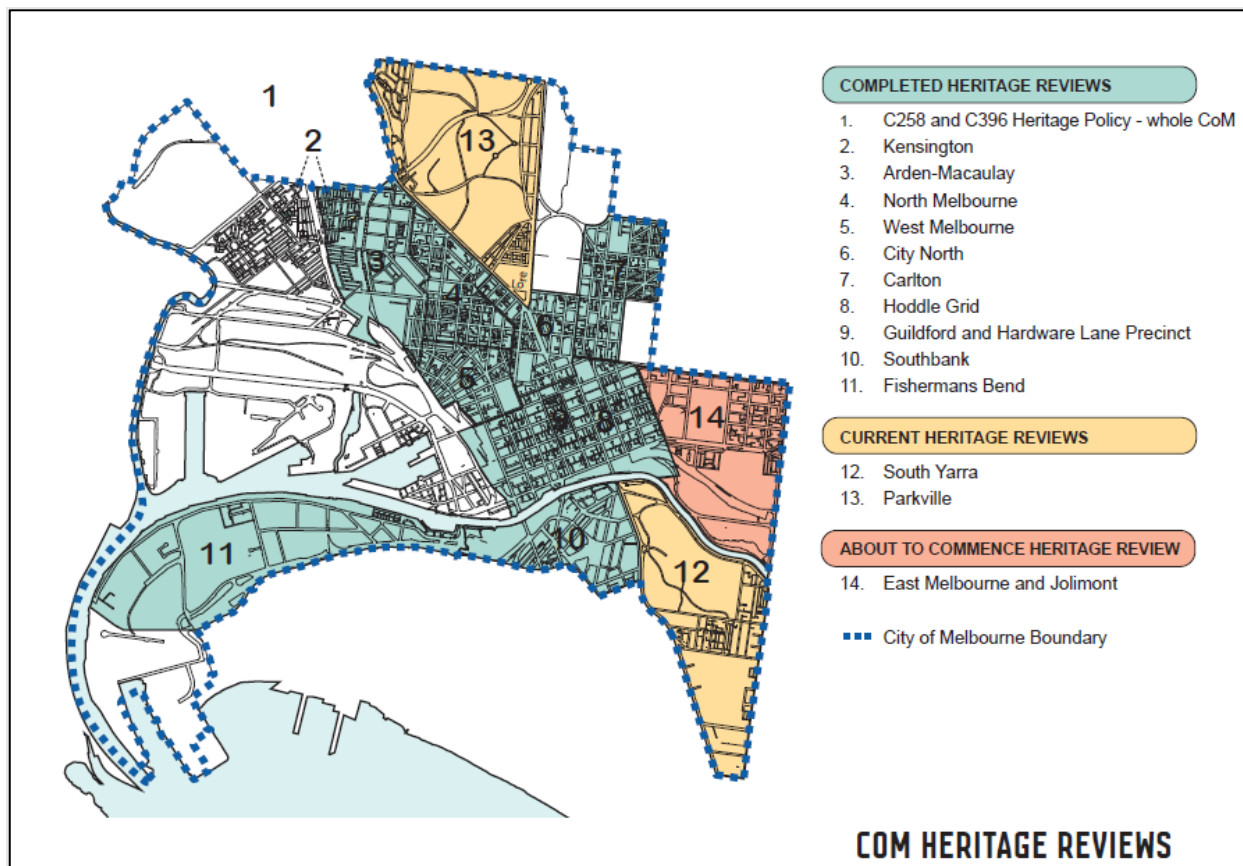


Figure 5: Status of Planned Heritage Reviews since 2012.

33. Once these reviews have been completed, Council will consider other areas to be reviewed, in accordance with the Implementation Plan of the Heritage Strategy.

C. AMENDMENTS RELEVANT TO AMENDMENT C405

AMENDMENT C258 - CITY OF MELBOURNE HERITAGE POLICIES REVIEW AND HERITAGE GRADINGS CONVERSION (**Amendment C258**)

34. On 10 July 2020, Amendment C258 was gazetted.
35. Amendment C258 converted the previous A-D grading system to a significant/contributory/non-contributory category system and revised the previous heritage policies in Clauses 22.04 and 22.05. Amendment C258 converted the gradings of approximately 7,000 heritage places.

36. As a result of commitments made by Council to the Amendment C258 Panel to address methodological issues with some places, there were approximately 400 C- and D-graded buildings which were excluded from Amendment C258. In approving Amendment C258, the Minister advised Council that he expected Council to request authorisation to prepare a further amendment to finalise the conversion process. This was later progressed through Amendment C396 as described below.
37. Amendment C258 introduced the *Heritage Places Inventory February 2020 Part A* which listed the majority of heritage buildings in the municipality and their corresponding heritage categories. It also introduced the *Heritage Places Inventory February 2020 Part B* which retained the listings for buildings that had not yet been converted to the new heritage category system.
38. Amendment C258 introduced updated heritage policies at Clauses 22.04 (Heritage Places In the Capital City Zone) and 22.05 (Heritage Places Outside the Capital City Zone) and retained the previous heritage policies at Part B of these clauses to apply to buildings graded under the old system.

AMENDMENT C414 – HERITAGE PLACES INVENTORY CORRECTION (Amendment C414)

39. On 11 November 2021, Amendment C414 was gazetted.
40. Amendment C414 corrected obvious errors in the Incorporated Document, *Heritage Places Inventory February 2020 Part B* by restoring the grading for the 'Richmond Cricket Ground & Pavilion' also known as Punt Road Oval in East Melbourne, which was omitted from Amendment C258.

AMENDMENT C404 – CARLTON HERITAGE REVIEW - INTERIM CONTROLS (Amendment C404)

41. On 19 November 2021, Council requested that the Minister for Planning, prepare approve and adopt Amendment C404 under 20(4) of the *Planning and Environment Act 1987*.
42. Amendment C404 proposes to implement the Carlton Heritage Review by providing interim Heritage Overlays for 53 places (excluding Punt Road Oval) while permanent controls are progressed through the Amendment.
43. The Minister for Planning is yet to make a decision regarding Amendment C404.

AMENDMENT C427 – INTERIM CONTROLS FOR PUNT ROAD OVAL
(Amendment C427)

44. Amendment C427 was submitted to the Minister for Planning on 28 March 2022, seeking interim protection for the application of the Significant grading for the Punt Road Oval.
45. The Request for Ministerial Intervention:
 - (a) noted the proposed redevelopment to be facilitated via Amendment C421 (see below) explaining that consultation had been undertaken with the Richmond Football Club;
 - (b) stated that the purpose of updating the heritage controls through Amendment C427melb is not to stop the redevelopment of the site, but to ensure that its heritage values are appropriately considered in the design of the redevelopment. In that way, the redevelopment can meet the needs of the Richmond Football Club while the heritage values of the Site are appropriately considered and will also balance public interest and result in high-quality planning outcomes; and
 - (c) noted that the Heritage Impact Statement prepared by Lovell Chen to support the proposed redevelopment identifies that it is appropriate that the site be identified with a building category of Significant, consistent with the review by Context/GML.
46. In light of the Minister's determination in Amendment C396 (see below), the Department of Environment, Land, Water and Planning (**DELWP**) has advised a decision on Amendment C427 will not be made as an alternative approach has been taken to continue to apply the C grading to the Punt Road Oval by retaining the listing in the Part B inventory through Amendment C414 as described above.

AMENDMENT C421 – PUNT ROAD OVAL REDEVELOPMENT (**Amendment C421**)

47. Amendment C421 was gazetted on 30 June 2022.
48. Amendment C421 introduces a new Special Controls Overlay and incorporated document to facilitate the Punt Road Oval Redevelopment.
49. Amendment C421 was prepared by the Minister for Planning, the Planning Authority for the Amendment, at the request of the Richmond Football Club.

50. Specifically, Amendment C421:
- (a) Amended the Schedule to Clause 45.12 Specific Controls Overlay (**SCO**) of the Scheme to apply a new SCO33 over subject site and insert the Incorporated Document titled 'Punt Road Oval Redevelopment – Part Crown Allotment 2114 at East Melbourne City of Melbourne Parish of Melbourne North, June 2022'.
 - (b) Amended Planning Scheme Map No 9SCO to apply SCO33 to the subject site.
 - (c) Amended the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) of the Scheme to insert the Incorporated Document titled *Punt Road Oval Redevelopment – Part Crown Allotment 2114 at East Melbourne City of Melbourne Parish of Melbourne North, June 2022*.
51. Key elements of the proposal include:
- (a) Demolition of the Jack Dyer stand, at-grade car parking, administrative buildings, and removal of trees in Yarra Park.
 - (b) The Punt Road Oval reoriented and expanded to match the size of the MCG.
 - (c) Construction of a partially submerged three-level car park with new landscaped terrace above.
 - (d) Construction of a new 2-4 storey building containing a grandstand as well as internal areas for training and facilities.
52. Notwithstanding the approval of Amendment C421, in Council's submission it is appropriate to continue to pursue permanent heritage protection for Punt Road Oval, including the Jack Dyer Stand, through this Amendment.
53. This approach is consistent with Council's approach to heritage protection in a number of recent amendments. Heritage controls have been routinely pursued by Council, even in circumstances in which demolition approvals have been granted. This approach has been taken in light of the potential for approved redevelopment proposals not proceed as planned, in which case the heritage value of the place ought properly be taken into consideration in any future planning application.
54. It is noted that in the case of Punt Road Oval, the heritage significance of the place has been assessed as extending beyond the Jack Dyer Stand and accordingly the heritage overlay will still have work to do in the event the Jack Dyer Stand is demolished as proposed by Amendment C421.

AMENDMENT C396 – HERITAGE GRADING CORRECTIONS (**Amendment C396**)

55. On 7 July 2022, Amendment C396 was gazetted.
56. Amendment C396 finalised the conversion of the outstanding places from Amendment C258 that required further review or were incorrectly converted, including C-graded buildings in precincts in City North, D-graded places in individual Heritage Overlays and buildings that were not identified or were listed incorrectly in the Amendment C258 Heritage Places Inventory.
57. Punt Road Oval was inadvertently excluded from Amendment C396. Amendment C396 had proposed to introduce a consolidated Heritage Places Inventory and a single set of heritage policies in Clauses 22.04 and 22.05. However, because Punt Road Oval had been inadvertently excluded from the proposed Amendment C396, the Gazetted Amendment C396 retained the *Heritage Places Inventory February 2020 Part B (Amended June 2022)* with one entry only for Punt Road Oval (listed as 'Richmond Cricket Ground & Pavilion').
58. Amendment C396 implemented the *Amendment C396 Heritage Category Conversion Review* (Lovell Chen and Anita Brady Heritage, July 2021). The *Amendment C396 Heritage Category Conversion Review* was undertaken by the same heritage consultancy as the *Carlton Heritage Review*, Lovell Chen¹¹.
59. Amendment C396 made changes that affected 32 properties within the Carlton Heritage Review study area. These changes are summarised as follows:
 - (a) converting heritage gradings from the previous A-D grading system to the significant/contributory/non-contributory category system;
 - (b) making associated changes to correct addresses used in the Heritage Overlay schedule and correct mapping anomalies for Heritage Overlays that include these properties, and
 - (c) introducing a statement of significance for one place, 29-31 Rathdowne Street¹², which was sourced from the Carlton Heritage Review.

¹¹ It is also noted that Ms Brady worked at Lovell Chen from 2001 to 2017 including on the Carlton Heritage Review.

¹² Amendment C396 included a full heritage review of D-graded places in Individual Heritage Overlays and introduced statements of significance for D-graded places in Individual Heritage Overlays assessed as Significant. One D-graded place in an Individual Heritage Overlay in the Carlton Heritage Review study area was assessed as Significant in Amendment C396: 29-31 Rathdowne Street.

60. Changes now approved through Amendment C396 were also included in the exhibited Amendment to make it clear that they had been considered and confirmed in the context of the Carlton Heritage Review, and to ensure that they were implemented in the event that Amendment C396 did not proceed.
61. Changes are now required to the Amendment to reflect the gazettal of Amendment C396 to remove duplication between the amendments. Some places affected by both amendments have additional changes proposed in the Amendment. These changes that were not proposed as part of Amendment C396 should be retained in the Amendment. These are discussed further in section XIII below.

AMENDMENT C387 – HODDLE GRID HERITAGE REVIEW (Amendment C387)

62. Amendment C387 was gazetted on 9 September 2022.
63. Amendment C387 implements the findings of the Hoddle Grid Heritage Review 2020 on a permanent basis by:
 - (a) Applying the Heritage Overlay to 121 individual places.
 - (b) Revising the boundary of four (4) existing individual Heritage Overlays.
 - (c) Applying the Heritage Overlay to five (5) precincts including extending one (1) precinct.
 - (d) Deleting seven (7) existing interim individual Heritage Overlays.
 - (e) Making minor updates to Clause 22.04 (Heritage Places within the Capital City Zone) to change the document references.
 - (f) Introducing separate Statements of Significance for all places and precincts.
64. Amendment C387 updates parts of the Scheme that are also proposed to be changed through the Amendment. These include amendments to:
 - (a) The Schedule to Clause 43.01 (Heritage Overlay), to include the new listings described above.
 - (b) Planning Scheme Maps to reflect the changes described above.
 - (c) The Schedule to Clause 72.04 (Incorporated Documents) by introducing Statements of Significance for the new places.

- (d) The Schedule to Clause 72.08 (Background Documents) by including the Hoddle Grid Heritage Review July 2020, GML and GJM (Updated March 2022) and Guildford and Hardware Laneways Heritage Study 2017, Lovell Chen (Updated October 2018).
 - (e) The existing incorporated document titled *Heritage Places Inventory March 2022* by adding or amending the gradings for properties to be included in Heritage Overlays in this amendment on a permanent basis and changing the date it was amended to August 2022.
 - (f) The incorporated document titled Heritage Precincts Statements of Significance February 2020 by deleting the 'Little Lon Precinct' Statement of Significance.
65. Consequential changes will be required to the Amendment to reflect the gazettal of Amendment C387.

AMENDMENT C409 – PLANNING POLICY FRAMEWORK (PPF) TRANSLATION (**Amendment C409**)

66. Amendment C409 was gazetted on 21 September 2022.
67. The Minister for Planning approved Amendment C409 for the PPF Translation Scheme under 20(4) of the *Planning and Environment Act 1987*. The PPF translation involves translating the LPPF content in the planning schemes into the new integrated PPF and Municipal Planning Strategy (**MPS**), consistent with the structure introduced by Amendment VC148 in July 2018. Amendment C409 is required to implement the PPF translation.
68. Given the only very recent gazettal of Amendment C409, in the order of two business days prior to the required circulation of this Part A submission, Council will include consideration of the new heritage policy framework within its Part B submissions.

D. METHODOLOGY, STEPS AND TIMING OF CARLTON HERITAGE REVIEW 2021

69. Council committed to preparing a Carlton Heritage Review in its Council Plan dated 2017 - 2021 in accordance with the actions in the *Heritage Strategy*.
70. The Carlton Heritage Review considered the following places within the study area:
- (a) with and without existing Heritage Overlays, including Aboriginal heritage and places of shared values;

- (b) private and public housing; public buildings and infrastructure;
 - (c) commercial, manufacturing, ecclesiastical, educational, artistic, cultural and recreational places; and
 - (d) landscapes including public squares¹³.
71. The Carlton Heritage Review recognised that parts of Carlton are experiencing growth and development pressure, and it is therefore important to have greater clarity and understanding of the heritage significance and values of the area.
 72. The Carlton Heritage Review considered whether:
 - (a) the existing heritage controls are sufficiently comprehensive and reflective of contemporary heritage values;
 - (b) there are additional heritage places that are of sufficient significance so as to warrant the application of the heritage overlay; and
 - (c) the boundary of the large Carlton Precinct affected by HO1 is still appropriate.
 73. The study area for the Carlton Heritage Review (see Figure 6 over the page) includes the majority of the suburb of Carlton bound by: Princes Street to the north; Nicholson Street to the west; Swanston Street to the east; and Victoria Street to the south. It excludes the main Parkville campus of the University of Melbourne; the part of Carlton which was reviewed in the recent City North Heritage Review; and the Royal Exhibition Building and Carlton Gardens.
 74. The Thematic Environmental History prepared to support the Carlton Heritage Review addresses the whole of Carlton.
 75. Community engagement was conducted at initial stages of the Carlton Heritage Review and included a range of activities to identify areas of cultural and historical significance for diverse groups of people who live in the area.
 76. Traditional Custodians were also consulted to understand the historical and contemporary experience of Aboriginal people living and working in Carlton, with this new information documented in the Thematic Environmental History and throughout the individual place citations in the Carlton Heritage Review.

¹³ Carlton Heritage Review 2021, page 5.

77. The Carlton Heritage Review explains the extensive methodology employed and ultimately contains a number of recommendations for heritage protection which are reflected in the Amendment.

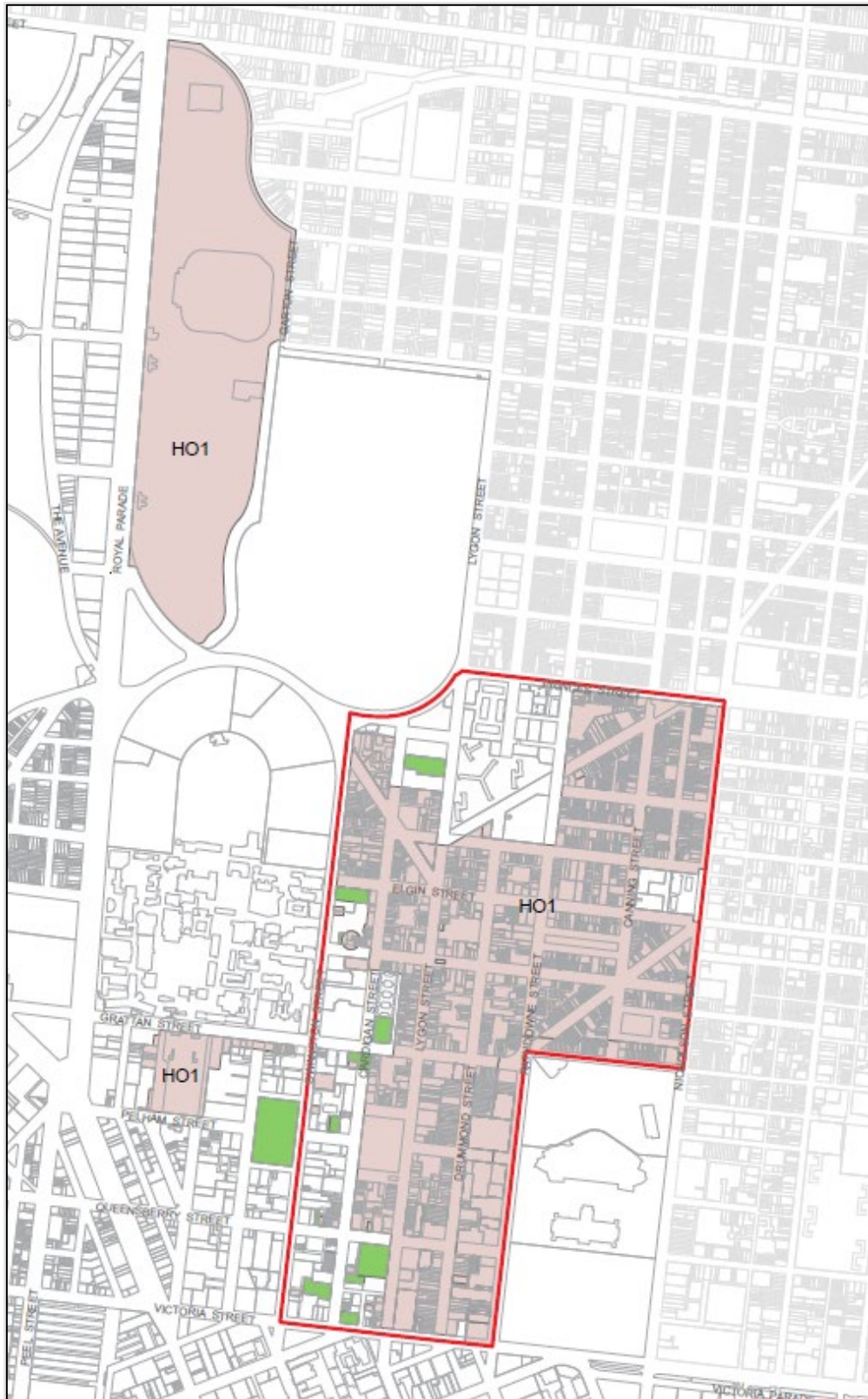


Figure 6 Map showing the Carlton Heritage Review Study Area outlined in red. Existing HOs in Carlton are shaded pink (including the existing HO Precinct that extends beyond the study area) and places recommended for HOs are shaded green (including Lincoln Square which was included as it was considered alongside other public squares).

78. To confirm the appropriateness of the significance attributed to some of the places proposed for heritage protection, Council also engaged Built Heritage to undertake a peer review (**Built Heritage Peer Review**) of post-World War II industrial and commercial places to confirm they reached the threshold of significance identified by the Carlton Heritage Review. A copy of the Built Heritage Peer Review is in [Attachment 1](#).
79. The places reviewed were:
- (a) Cardigan House Carpark/Consulting Suites, 96 Grattan Street, Carlton (Mockridge, Stahle & Mitchell, 1971-74);
 - (b) University of Melbourne Earth Sciences Building, 253-275 Elgin Street, Carlton (Eggleston, Macdonald & Secomb, 1973-77);
 - (c) Office Building, 221 Drummond Street, Carlton, (Ashton & Raggatt Pty Ltd, 1986);
 - (d) RMIT Buildings 51, 56 and 57, located respectively at 80-92 Victoria Street (1971-72), 115 Queensberry Street (1973-74) and 53 Lygon Street (1980-82), Carlton (R S Demaine, Russell, Trundle, Armstrong & Orton); and
 - (e) RMIT Building 94, 23-27 Cardigan Street, Carlton (Allan Powell with PINK, 1994-96).
80. The Built Heritage Peer Review concluded that:¹⁴
- (a) the four individual buildings, and the group of three buildings, all reach the threshold for local significance and are therefore considered to be appropriate candidates for inclusion in the heritage overlay;
 - (b) the citations were well researched and well written, subject to some minor additions to the content suggested by the author;
 - (c) the places reviewed have an even stronger basis for local significance than the citation suggest.
81. No changes were made to the Amendment documentation following the Built Heritage Peer Review.

¹⁴ Built Heritage Peer Review, p. 4

E. METHODOLOGY, STEPS AND TIMING OF PUNT ROAD OVAL HERITAGE REVIEW 2021

82. The Punt Road Oval Heritage Review was prepared in 2021 for Punt Road Oval (Richmond Cricket Ground), Punt Road, East Melbourne by Context, now GML Heritage. The Review also considered Punt Road Oval (Richmond Cricket Ground) within the context of HO2 East Melbourne & Jolimont Precinct.
83. The study area is contiguous with the property boundary for Punt Road Oval (Richmond Cricket Ground), as shown in Figure 7 below.
84. The Punt Road Oval Heritage Review details the extensive methodology employed by Context, and ultimately recommends the Punt Road Oval (Richmond Cricket Ground) and a small section of Yarra Park to the southeast be afforded heritage protection.
85. The *Punt Road Oval Heritage Review* commenced in June 2021 and concluded in July 2021. The review identified the place as one of potential significance for Aboriginal people so Council then engaged the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation to review the citation. Context revised the citation to incorporate feedback from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation in September 2021. The *Punt Road Oval Heritage Review* included a recommendation to add a “Yes” in the column “Aboriginal heritage place” in the Schedule to Clause 43.01 (Heritage Overlay) in recognition of the Aboriginal history and significance of the Punt Road Oval (Richmond Cricket Ground).
86. The Amendment as presented to the Future Melbourne Committee (see below) and submitted to DELWP for authorisation adopted the recommendations of the Punt Road Oval Heritage Review, 2021 including that a “Yes” be added to the column “Aboriginal heritage place” in the Schedule to Clause 43.01 (Heritage Overlay)¹⁵.

¹⁵ All recommendations were adopted except in relation to the recommendation to amend the name on the Heritage Overlay Map (Map No. 09ho) to ‘*Punt Road Oval (Richmond Cricket Ground)*’. This recommendation was not adopted on the basis that the place label on planning scheme Map No. 09ho does not affect how the heritage controls are applied. Further, planning scheme maps are produced by DELWP. Place labels are determined by DELWP and are generally derived from the VicPlan database.



Figure 7: Study Area for the Punt Road Oval Heritage Review outlined in red.

IV. AUTHORISATION AND REQUEST FOR INTERIM CONTROLS

87. At its meeting on 16 November 2021, the Future Melbourne Committee resolved as follows:

- *Notes the Carlton Heritage Review 2021 (Attachment 2 of the report from management) and endorses the recommendations (Attachment 3) for interim and permanent heritage controls to be implemented through Planning Scheme Amendments C404 (Attachment 4) and C405 (Attachment 5).*
- *Notes the Punt Road Oval (Richmond Cricket Ground) Heritage Review, October 2021 (Attachment 7) and endorses the recommendations (Attachment 6) for permanent heritage controls to be implemented through Planning Scheme Amendment C405 (Attachment 5).*
- *Requests the Minister for Planning prepare and approve Planning Scheme Amendment C404 (Attachment 4) pursuant to section 20(4) of the Planning and Environment Act 1987.*
- *Seeks Authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C405 (Attachment 5) in accordance with the Planning and Environment Act 1987.*

- *Authorises management to ensure appropriate heritage protection is maintained for Punt Road Oval on an interim basis while Amendment C405 is processed.*
- *Authorises the General Manager Strategy, Planning and Climate Change to make any further administrative or minor editorial changes to Planning Scheme Amendment C404 and C405 as required.*

88. On 19 November 2021, Amendment C404 was submitted to the Minister for Planning for approval seeking interim heritage protection.
89. On 19 November 2021, Council sought authorisation to prepare and exhibit the Amendment.

F. LETTER OF AUTHORISATION AND CONDITIONS

90. On 14 January 2022, the Minister for Planning granted authorisation for the Amendment (under delegation) subject to the following conditions:

Prior to identifying Punt Road Oval as an ‘Aboriginal heritage place’ in the schedule to the Heritage Overlay:

- (a) *Undertake further consultation with the Registered Aboriginal Party; and*
- (b) *Determine whether the Punt Road Oval is included on the Victorian Aboriginal Heritage Register and subject to the requirements of the Aboriginal Heritage Act 2006, consistent with Clause 43.01-10 which provides that ‘A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the Aboriginal Heritage Act 2006’; and*
- (c) *Make any consequential changes to the amendment in consultation with DELWP officers.*

91. Council acknowledges the appropriateness of undertaking consultation with the Registered Aboriginal Party before including a “Yes” in the column “Aboriginal heritage place” in the Schedule to Clause 43.01 (Heritage Overlay).
92. Council officers received advice from the First Peoples – State Relations unit of the Department of Premier & Cabinet that Punt Road Oval is included in the Victorian Aboriginal Heritage Register (VAHR 7822 – 2504). On 20 January 2022, upon receiving advice that the Punt Road Oval is included on the VAHR, Council wrote to the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation (the Registered Aboriginal Party)¹⁶ seeking their feedback.

¹⁶ On 1 July 2021, the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation became the Registered Aboriginal Party for part of the land within the City of Melbourne including Punt Road Oval.

93. On 8 February 2022, Council wrote to DELWP to advise that it had not been able to properly consult with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation. Council detailed its future intent to consult with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, and if they (Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation) supported identifying the Punt Road Oval as an Aboriginal heritage place in the Melbourne Planning Scheme, this would be progressed via a future planning scheme amendment. Such an amendment could properly be implementation via the East Melbourne Heritage Review, scheduled to commence in the 2022-23 financial year.
94. Council officers responded to the Ministerial Authorisation by letter dated 8 February 2022, detailing Council's attempts to consult with the Wurrung Cultural Heritage Aboriginal Corporation and advising that in light of Council inability to satisfy the conditions of authorisation, Council had determined to modify the Amendment so as not to identify Punt Road Oval as an Aboriginal heritage place in the schedule to the HO.
95. On 18 February 2022, the Minister for Planning issued Council with correspondence acknowledging Council's response to the condition of Authorisation
96. Copies of both DELWP letters are provided in [Attachment 2](#).

V. EXHIBITION OF THE AMENDMENT

97. The Amendment was exhibited between 24 February and 31 March 2022 comprising the following documents:
- (a) Notice of Preparation.
 - (b) Explanatory Report.
 - (c) Instruction sheet.
 - (d) Amended versions of the following:
 - (i) Heritage Places Outside the Capital City Zone (Clause 22.05).
 - (ii) the Schedule to Heritage Overlay (Clause 43.01s).
 - (iii) the Schedule to Incorporated Documents (Clause 72.04s).
 - (iv) the Schedule to Background documents (Clause 72.08s).
 - (e) Amended Heritage Overlay Maps.

- (f) Amended Heritage Places Inventory February 2020 Part A (Amended November 2021).
- (g) Amended Heritage Places Inventory February 2020 Part B (Amended November 2021).
- (h) Statements of Significance for 35 places¹⁷ in Carlton including an amended HO1 Carlton Precinct Statement of Significance, November 2021.
- (i) Punt Road Oval (Richmond Cricket Ground) Statement of Significance (Punt Road, East Melbourne), November 2021.
- (j) Carlton Heritage Review (Lovell Chen, November 2021).
- (k) Punt Road Oval Heritage Review, (Context, October 2021).

98. Public notification of the Amendment included:

- (a) mailing out the statutory notice and a letter with information about the Amendment on 22 February 2022 to:
 - (i) owners and occupiers of land affected by the Amendment;
 - (ii) targeted stakeholders, including:
 - Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation
 - Carlton Residents Association
 - Carlton Community History Group
 - East Melbourne Group
 - East Melbourne Historical Society
 - Development Victoria
 - Rail Projects Victoria
 - Melbourne Water Corporation
 - Heritage Victoria
 - Museums Victoria (attn: Melbourne Museum)

¹⁷ The *Heritage Precincts Statement of Significance November 2021* was included in this list as the Amendment proposes to remove HO1 Carlton Precinct from this document and include the Statement of Significance for this precinct in a separate Incorporated Document, as recommended by DELWP.

- National Trust
 - Royal Historical Society of Victoria
- (iii) prescribed Ministers under Section 19(1)(c) of the *Act*;
- (b) publishing a public notice in *The Age* on 23 February 2022 and *Government Gazette* on 24 February 2022; and
- (c) making an electronic copy of the Amendment and supporting information available for public viewing online on the Participate Melbourne website and on the Department’s Planning Documents on Exhibition.
99. Public information sessions were held in person at the Kathleen Syme Community Centre and Library on 8 March and virtually via Zoom on 17 March 2022.
100. Officers briefed the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation on 16 March 2022 in relation to both the Carlton Heritage Review and the Punt Road Oval Heritage Review¹⁸.

VI. SUBMISSIONS

A. SUBMISSIONS RECEIVED DURING EXHIBITION

101. In response to the exhibition of the Amendment, Council received eight (8) submissions. Matters raised in submissions included:
- (a) support for the Amendment, with recommended changes including individual protection for places within precincts, and including additional criteria for some places;
 - (b) support subject to changes to the Statement of Significance for a place, and the inclusion of an Incorporated Plan;
 - (c) recommended changes to the grading, citations and Statement of Significance for some places;
 - (d) objection to the Amendment and the inclusion of a number of places under the same ownership;
 - (e) general opposition to additional heritage protection in Carlton; and

¹⁸ This included a discussion of the proposed approach to undertake in depth consultation with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation as part of the East Melbourne Heritage Review, including with regard to whether the “Yes” should be included in the column “Aboriginal heritage place” in the Schedule to Clause 43.01 (Heritage Overlay) for the entry for HO1400 Punt Road Oval (Richmond Cricket Ground).

- (f) advice that a portion of land affected by the Amendment is managed by the Department of Transport.

B. INFORMAL NOTIFICATION AND ADDITIONAL SUBMISSIONS

- 102. The issues raised in submissions were considered by Council officers and, where relevant, Lovell Chen and GML Heritage. Following consideration, a number of changes were contemplated, including changes to building categories and changes to Statements of Significance for some places.
- 103. Arising from a review of the CRA's submission, Lovell Chen recommended the heritage categorisation of the following properties be updated, as follows:
 - (a) 153 Drummond Street, Carlton – update heritage places inventory to identify property with a 'contributory' status.
 - (b) 38 Dorrit Street, Carlton – update heritage places inventory to identify property with a 'contributory' status.
 - (c) 27-31 Lygon Street, Carlton – inclusion of Criterion G in the Statement of Significance for the John Curtin Hotel.
- 104. Council issued an informal notice to the property owners and occupiers of 153 Drummond Street, 27-21 Lygon Street and 38 Dorrit Street, Carlton on 23 June 2022 providing them with an opportunity to make a submission regarding the Amendment.
- 105. No submissions were received from any owners or occupiers from these properties.
- 106. Simultaneously, the Department of Transport (**DoT**) were also advised of the Amendment after it arose that land affected by the Amendment along Brunton Avenue and Punt Road, including land within the Punt Road Oval fence line, is road reserve and is land managed by the DoT.
- 107. On 28 July 2022 a late submission was received from the DoT (Submission 9) outlining that it does not object to the application of the Heritage Overlay, but rather, requests zoning changes.
- 108. On 13 August 2022, a further late submission was received (Submission 10) addressed directly to the Future Melbourne Committee. This submission relates to three properties and raises concerns about the effect of heritage protection on the future development opportunities for these sites, and the potential to provide affordable housing in these locations.

109. Council notes the Direction 8(e) of the Panel requested Council's Part A submission include identification of issues identified in submissions, inter alia, as common issues that apply across multiple places or precincts. Due to the relatively limited number of submissions, and the tendency of submissions to focus on the heritage significance of individual properties Council has been unable to usefully identify common themes beyond that of the appropriate heritage significance attributed to places within the study area.

VII. REQUEST FOR PANEL APPOINTMENT AND RECEIPT OF FURTHER LATE SUBMISSIONS

110. On Tuesday 16 August 2022, the Amendment were presented to the Future Melbourne Committee, and it was resolved:

That the Future Melbourne Committee:

- 1.1. Considers the submissions received following the exhibition of Carlton Heritage Review and Punt Road Oval Amendment C405 (the Amendment) and notes management's responses on all submissions, as set out in Attachment 2 of the report from management.*
- 1.2. Requests the Minister for Planning appoint a Panel to consider all submissions and refers all submissions to the appointed Panel in accordance with section 23 of the Planning and Environment Act 1987.*
- 1.3. Considers the submission from Katie Roberts made directly to this Committee and requests that the Panel, if and when appointed, also considers this submission.*
- 1.4. Notes that the form of the Amendment to be referred to the Panel will be generally in accordance with the Amendment as exhibited, except those parts of the Amendment which include proposed revisions, as set out in Attachment 3 of the report from management*
- 1.5. Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the Amendment*

111. On 18 August 2022, Council formally requested that a Panel be appointed to consider the submissions received in response to the Amendment.
112. On 7 September 2022, one additional late submission (submission 11) was received from Queensberry Street Pty Ltd.
113. On 8 September 2022 a further late submission (submission 12) was received.
114. Both submissions 11 and 12 objected to the application of the Heritage Overlay to the same property being 148-150 Queensberry Street, Carlton.

115. On 9 September 2022, the at the Directions Hearing for the Amendment Council advised it had accepted late submissions 11 and 12 and would formally referred them to the Panel for its consideration.

116. A combined total of 12 submissions were therefore received in relation to the Amendment. All submissions (including all late submissions) have been referred to the Panel.

VIII. CHRONOLOGY OF EVENTS

117. A detailed chronology of events is set out at [Attachment 3](#).

IX. STRATEGIC CONTEXT AND ASSESSMENT

118. A strategic assessment of the Amendment is detailed in the Explanatory Report exhibited with the Amendment.

119. This section sets out the response of the Amendment to the relevant Ministerial directions, State policies, expressed through the Planning Policy Framework (**PPF**) and the Planning Practice Note, *Practice Note 1 – Applying the Heritage Overlay, August 2018 (PPN01)*.

A. MINISTERIAL DIRECTION

120. Council submits that the Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning & Environment Act 1987*.

121. The proposed ordinance and map changes have been prepared in accordance with the relevant requirements of the 9 April 2017 Ministerial Direction. The statements of significance are proposed as an incorporated document consistent with PPN01.

122. The Amendment is consistent with Minister’s Direction 9 – Metropolitan Planning Strategy under Section 12(2) of the *Planning & Environment Act 1987*, by implementing the relevant aspects of Plan Melbourne 2017- 2050 objectives and outcomes at the municipal level. The Amendment is consistent with the key principles and the accompanying directions and policies, in particular:

Outcome 4 - Melbourne is a distinctive and liveable city with quality design and amenity.

123. Ministerial Direction No. 11 seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. Compliance with

Ministerial Direction 11 forms part of the Explanatory Report that was prepared for the Amendment. This assessment is adopted for the purpose of Council's submissions. Council submits the Amendment is consistent with Ministerial Direction 11 – Strategic Assessment of Amendments.

B. PLANNING POLICY FRAMEWORK (PPF)

124. Council submits that the Amendment is consistent with State Planning Policy Framework including:

- (a) Clause 15 (Built Environment and Heritage) which provides that *'planning should protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value'*.
- (b) Clause 15.01-1R (Urban design- Metropolitan Melbourne) which seeks *'to create a distinctive and liveable city with quality design and amenity.'*

125. Clause 15.03-1S (Heritage conservation) which seeks *'to ensure the conservation of places of heritage significance.'* Relevant strategies include:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of heritage place.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings where their use has become redundant.*
- *Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.*

126. Relevant policy guidelines include *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.*

C. PLAN MELBOURNE 2017-2050

127. The Amendment is supported by the principles and outcomes of *Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Plan Melbourne).*

128. Plan Melbourne outlines: principles that underpin a long-term vision for Melbourne; outcomes to drive Melbourne as a competitive, liveable and sustainable city; directions

which set out how these outcomes can be achieved; and policies which outline how each outcome will be approached, delivered and achieved.

129. Plan Melbourne comprises nine principles, seven outcomes, 32 directions and 90 policies to deliver on the vision for Melbourne as ‘a global city of opportunity and choice’. The Amendment is supported by the following relevant principles and outcomes:

130. Principle 1, ‘A distinctive Melbourne’, notes:

*Melbourne has an enviable natural environment, important Aboriginal cultural heritage values, a rich inheritance of open space, and landmark buildings and streets created during the population booms of the Gold Rush and post-War period. **To ensure Melbourne remains distinctive, its strengths will be protected and heritage preserved while the next generation of growth is planning to complement existing communities and create attractive new neighbourhoods.***

[Emphasis added]

131. Outcome 4, ‘Melbourne is a distinctive and liveable city with quality design and amenity’, provides:

Melbourne has always been a place defined and designed by its people.

The challenge ahead of this generation is it design a version of the city and state that, while protecting the best aspects of the natural and built environment, supports social and cultural diversity and economic activity and creates a sense of place.

An identifiable sense of place emerges from a unique set of characteristics and quality – visual, cultural, environmental and social. Communities with a high level of attachment to their cities also tend to have a high rate of Gross Domestic Product growth.

132. This outcome is translated through to Direction 4.4, ‘Respect Melbourne’s heritage as we build for the future’, which notes that:

Heritage will continue to be one of Melbourne’s competitive strengths, contributing to its distinctiveness and liveability and attracting visitors, new residents and investors. Heritage is an important component of Victoria’s tourism industry and benefits the economy.

*In time, new development will add to Melbourne’s rich legacy of heritage places. The process of building a new legacy is important, **just as it is vital that current assets are protected.***

Innovative approaches to the creative re-use of heritage places need to be adopted, ensuring good urban design both preserves and renews historic buildings and places.

[Emphasis added]

133. Policies relating to Direction 4.4 relevant to this amendment are as follows:

- (a) 4.4.1 Recognise the value of heritage when managing growth and change.
- (b) 4.4.2 Respect and protect Melbourne's Aboriginal cultural heritage.
- (c) 4.4.3 Stimulate economic growth through heritage conservation.
- (d) 4.4.4 Protect Melbourne's heritage through telling its stories.

134. Policy 4.4.1 seeks to 'Recognise the value of heritage when managing growth and change'. It states:

With all three levels of government sharing responsibility for protecting Melbourne's post - settlement cultural heritage, decision-making must be consistent and credible and be based on clear and widely accepted heritage conservation principles and practices.

Realising the community benefit of heritage will require careful management of the ongoing processes of change to the urban environment. Decisions must be based on an appreciation of Melbourne's past as well as an understanding of its future needs.

There will need to be a continuous identification and review of currently unprotected heritage sites and targeted assessments of heritage sites in areas identified as likely to be subject to substantial change.

[Emphasis added]

135. The Amendment seeks to advance the outcome, direction and policies as set out at Outcome 4 as it seeks to apply heritage protection to unprotected, culturally significant assets for the benefit of current and future generations. It gives recognition to one of Melbourne's oldest and most cherished neighbourhoods, so that it may be reflected upon and understood by Melburnians for years to come.

D. LOCAL PLANNING POLICY FRAMEWORK

136. The Amendment is also consistent with local policy provisions of the Scheme. In describing the municipal profile, Clause 21.02-1 of the Municipal Strategic Statement states:

One of the great Victorian-era cities in the world, the City contains many precincts, intact streetscapes and buildings recognised for their cultural heritage significance. While mostly known for its Victorian and Edwardian streetscapes, there are many examples of outstanding interwar, post war and contemporary architecture in the municipality.

137. The vision for Melbourne in Clause 21.03 includes the following in relation to Built Environment and Heritage:

Protecting existing built form character and heritage, in addition to providing an attractive and liveable built environment in parts of the City where development will intensify is essential.

138. Clause 21.06 (Built Form and Heritage) acknowledges the importance of heritage and includes comprehensive strategies for the protection and enhancement of heritage in Melbourne, as follows:

Melbourne's character is defined by its distinctive urban structure, historic street pattern, boulevards and parks, heritage precincts, and individually significant heritage buildings. Heritage buildings, precincts and streetscapes are a large part of Melbourne's attraction and the conservation of identified heritage places from the impact of development is crucial.

139. Strategy 1.1 of Clause 21.06-1 is to:

Protect Melbourne's distinctive physical character and in particular, maintain the importance of:

- *identified places and precincts of heritage significance*
- *the World Heritage Listed Royal Exhibition Building and Carlton Gardens*
- *the Shrine of Remembrance*
- *the Hoddle Grid*
- *the Yarra River Corridor, Victoria Harbour and waterways*
- *the network of parks and gardens*
- *the Hoddle Grid's retail core*
- *the network of lanes and arcades*
- *boulevards*
- *the sense of place and identity in different areas of Melbourne*

140. The Objective and Strategies of Clause 21.06-2 are to:

Objective 1

Conserve and enhance places and precincts of identified cultural heritage significance.

Strategies 1.1 – 1.8

Conserve, protect and enhance the fabric of identified heritage places and precincts.

Support the restoration of heritage buildings and places.

Maintain the visual prominence of heritage buildings and landmarks.

In heritage precincts protect heritage buildings, subdivision patterns, boulevards and public open space.

Protect the significant landscape and cultural heritage features of the City's parks, gardens, waterways and other open spaces.

Within heritage precincts and from adjoining areas protect buildings, streetscapes and precincts of cultural heritage significance from the visual intrusion of new built form both.

Protect the scale and visual prominence of important heritage buildings, landmarks and heritage places, including the Shrine of Remembrance, Parliament House and the World Heritage Listed Royal Exhibition Building and Carlton Gardens.

Maintain cultural heritage character as a key distinctive feature of the City and ensure new development does not damage this character.

141. General policy for the Carlton is found in Clauses 21.06-3, which states that:

The scale and form of development in Carlton is determined by reference to the cultural heritage significance and preferred built form character of the locality in which the development has established.

142. This policy includes guidance to ensure development is sensitively designed to maintain the low scale nature of heritage streetscapes and the area's heritage context; maintain a strong contrast in scale between the built form and character of the Hoddle Grid and Carlton; and ensure that development is sympathetic to the heritage values of adjacent heritage areas and places.

143. Clause 22.05 (Heritage Places outside the Capital City Zone) seeks to conserve and enhance all heritage places as well as to promote the identification, protection and management of aboriginal cultural heritage values. The policy basis provides:

Melbourne's Municipal Strategic Statement identifies heritage as a defining characteristic of the municipality.

Heritage places across the municipality, encompass individual heritage places and heritage precincts. These places are variously of heritage value for their historic, aesthetic, social, spiritual and scientific significance. They include residential and non-residential places, public parks and gardens, trees and infrastructure.

This policy provides guidance on conserving and enhancing heritage places and is informed by the conservation principles, processes and practices of the Australia ICOMOS Burra Charter. The Burra Charter encourages the conservation, preservation and restoration of heritage places, and facilitates development which enhances the heritage place and is compatible and in keeping with its cultural heritage values.

This policy should be applied in conjunction with Statements of Significance as incorporated into this scheme

144. Amongst the policy objectives are:

To conserve and enhance Melbourne's heritage places.

To retain fabric, which contributes to the significance, character or appearance of heritage places and precincts.

To recognise and conserve the assessed significance of heritage places and streetscapes, as referenced in this policy or incorporated into this planning scheme as the basis for consideration of development and works. Further information may be considered, including in relation to streetscapes, where there is limited information in the existing citation or council documentation.

To ensure new development is respectful of the assessed significance of heritage places.

... To ensure new development is consistent with the conservation principles, processes and practices of the Australia ICOMOS Burra Charter. ...

145. Clause 22.05 defines the key terms as follows:

Significant heritage place

A significant heritage place is individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the Significant heritage place municipality. A significant heritage place may be highly valued by the community; is typically externally intact; and/ or has notable features associated with the place type, use, period, method of construction, siting or setting. When located in a heritage precinct a significant heritage place can make an important contribution to the precinct.

Contributory heritage place

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

Non-contributory place

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

Heritage precinct

A heritage precinct is an area which has been identified as having heritage value. It is identified as such in the Schedule to the Heritage Overlay, and mapped in the Planning Scheme Heritage Overlay Maps.

Individual heritage place

An individual heritage place is equivalent to a significant heritage place. It may be categorised significant within a heritage precinct. It may also have an individual Heritage Overlay control, and be located within or outside a heritage precinct.

146. By including the identified places within the Heritage Overlay, the Amendment will ensure that the significance of these heritage places is protected, conserved and enhanced. The Heritage Overlay will require consideration to be given to the significance of the identified heritage place as part of a planning permit application.
147. By providing a category of significant or contributory for each heritage place, the Amendment ensures that a clear management framework is in place for each place under Clause 22.05.
148. As noted earlier in our submission, Amendment C409 facilitates a translation of the LPPF into the new PPF framework and was gazetted as recently as 21 September 2022. Council will address the Panel on Amendment C409 through its Part B submission.

E. CLAUSE 43.01 – HERITAGE OVERLAY

149. The purposes of the Heritage Overlay are:

- *To implement the Municipal Planning Strategy and Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

150. Clause 43.01-2 sets out the requirements for where a heritage place is included in the Victorian Heritage Register stating this is subject to the requirements of the *Heritage Act 2017*.

151. Clause 43.01-5 (Statements of significance) notes the schedule to the Heritage Overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148.

152. Clause 43.01-8 sets out the decision guidelines relevant to a responsible authority's consideration of an application.

153. Council submits the Amendment as proposed is consistent with the operation of clause 43.01.

F. CLAUSE 71.02 OPERATION OF THE PLANNING POLICY FRAMEWORK

154. Clause 71.02-1 sets out the purpose of the PPF as follows:

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change. The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

155. The operation of the Planning Policy Framework is outlined at clause 71.02-2.

156. Clause 71.02-3 requires Council as the Planning Authority to take the PPF in account when it prepares an amendment to the Scheme. Council has carefully considered the PPF throughout the preparation of the Amendment and submits the Amendment appropriately responds to planning policy, as detailed within this Part A submission.

G. PLANNING PRACTICE NOTE 1: APPLYING THE HERITAGE OVERLAY
(PPN01)

157. PPN01 was revised in August 2018 (following the gazettal of Amendment VC148) and states:

a statement of significance must be incorporated in the planning scheme for each heritage place included in the schedule to the Heritage Overlay after 31 July 2018; and

if the statement of significance is incorporated in the planning scheme, the name of the statement must be specified in the schedule to the overlay.

158. PPN01 states that the following places should be included in a Heritage Overlay:

Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

159. PPN01 also provides:

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.

160. PPN01 outlines recognised heritage criteria to be used for the assessment of the heritage value of the heritage place [being the criteria also known as the HERCON Criteria established in the Victorian Heritage Register Criteria and Threshold Guidelines (2014)].

161. The criteria are:

- **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).*

X. ISSUES IDENTIFIED IN SUBMISSIONS

162. Broadly, the issues from the 12 submissions received can be summarised as follows:

- (a) Submission No. 1 does not oppose inclusion of the Earth Sciences Building at 253-283 Elgin Street, Carlton within a Heritage Overlay, subject to changes to the citation and Statement of Significance, and an Incorporated Plan to manage future development.
- (b) Submission No. 2 objects to the Amendment and the inclusion of a number of places within the Royal Melbourne Institute of Technology (RMIT) being included within the Heritage Overlay. The submission addresses the following places:
 - i. Buildings 51 (80-92 Victoria Street, Carlton), Building 56 (33-89 Lygon Street) and Building 57 (33-89 Lygon Street);
 - ii. Building 71, (33-69 Lygon Street, Carlton); and
 - iii. Building 94, (23-37 Cardigan Street, Carlton).
- (c) Submissions No. 4 and No. 7 support the Amendment and request changes, including additional criteria for the John Curtin Hotel at 27-31 Lygon Street, Carlton.
- (d) Submissions requests a number of changes to the Amendment. Submission 3 addresses a broad variety of issues including the status of Background Documents in the Scheme, the lack of Statements of Significance for specific places including places on the Victorian Heritage Register, the nature and outcomes of Amendment C258 and raised issues related to specific places included within the Amendment.
- (e) Submission No. 5 requests changes to the citation and Statement of Significance for Punt Road Oval, East Melbourne and identifies that a portion of the land affected is managed by the Department of Transport (DoT).
- (f) Submission 6 relates to properties at 1-3 Elgin Street and 16-18 Barkly Street, Carlton and considers the proper identification of the places within the Heritage Overlay.

- (g) Submission No.8 opposes additional heritage protection in Carlton.
- (h) Late submission No.9 does not object to the application of the Heritage Overlay, but seeks rezoning of the land to reflect its use.
- (i) Late submission No.10 objects to the application of the Heritage Overlay, as this will limit the development potential of sites that could provide for additional housing in the area.
- (j) Late submissions 11 and 12, which object to the application of the Heritage Overlay to 148-150 Queensberry Street, Carlton on the basis that the places is not of sufficient significance to warrant inclusion. Submission No.12 also questions the accuracy of the Statement of Significance for this place.

163. A detailed officer response to Submissions 1-8 was provided in Attachment 2 to the Future Melbourne Committee report dated 16 August 2022.

XI. TABLE OF PLACES AND PRECINCTS WHERE THE HERITAGE OVERLAY IS PROPOSED TO BE APPLIED

164. In accordance with Direction 8(c), the table in [Attachment 4](#) identifies the places or precincts where the Heritage Overlay is proposed to be applied. The HO reference number and applicable Hercon criteria are listed, and submissions that relate to the place or precinct have been identified.

165. The table identifies that submissions have been made with regard to:

- (a) three (3) precincts, two of which are new, and one that is an existing precinct with changes proposed; and
- (b) seven (7) places, six of which are new individual or serial listings, and one that is affected by an existing Heritage Overlay that has changes proposed.

XII. SUGGESTED CHANGES TO THE AMENDMENT

166. The table in [Attachment 5](#) of this submission lists each proposed change to the Amendment in response to submissions, as well as changes to be made as a consequence of the gazettal of Amendment C396.

167. A summary of the suggested changes to the Amendment is provided below.

A. SUGGESTED CHANGES IN RESPONSE TO SUBMISSIONS

168. The issues raised in submissions were considered by Council and where relevant referred to Lovell Chen and GML Heritage. The following is a summary of the proposed changes:

- a) Recategorise buildings within HO1 in the Heritage Places Inventory Part A.
- b) Amend Statements of Significance for the Former Carlton Union Hotels Precinct to reflect the Social Significance of the John Curtin Hotel.
- c) Amend Statements of Significance for Punt Road Oval.
- d) Correct the Heritage Places Inventory for 1-13 Elgin Street, Carlton.

169. The proposed changes to the Amendment in response to the issues raised in submissions are detailed within in [Attachment 2 \(p. 5 of 184\)](#) of management's report presented to the Future Melbourne Committee on 16 August 2022.

B. SUGGESTED CHANGES IN RESPONSE TO THE GAZETTAL OF AMENDMENT C396

170. Melbourne Planning Scheme Amendment C396 (Finalisation of the Heritage Places Inventory) proposed the translation of heritage gradings in the Heritage Places Inventory Part B to the new category system, such that those places could be included within the Heritage Places Inventory Part A, as originally proposed by Amendment C258.

171. These changes affected properties across the municipality, including 32 properties within the Carlton Heritage Review 2021 study area. Both Amendments C405 and C396 reviewed the 32 affected properties.

172. Some changes proposed through the Amendment for these properties were not duplicated in Amendment C396. An example is the inclusion of place names for some places which should be retained as part of Amendment C405.

173. The relationship between Amendment C396 and the Amendment is explained in the table in [Attachment 4](#). This table identifies the changes proposed to be removed from the Amendment, and the additional suggested changes that ought properly be retained.

C. WORD VERSIONS OF ANY UPDATED AMENDMENT DOCUMENTS IN RESPONSE TO SUBMISSIONS

174. The table in Attachment 4 identifies the changes that are proposed to the following documents in response to submissions:

- (a) the incorporated document, *Heritage Places Inventory February 2020 Part A* (Amended August 2022)
- (b) the *Former Carlton Union Hotels Precinct, 1-31 Lygon Street, Carlton Statement of Significance*.
- (c) the *Punt Road Oval, East Melbourne (Richmond Cricket Ground) Statement of Significance (Punt Road, East Melbourne), August 2022*.

175. In accordance with the Panel's Direction 8(g), word versions of these updated documents are provided in [Attachment 6](#).

D. TRACK CHANGES OF EXHIBITED DOCUMENTS

176. The Amendment includes changes to the boundary of the existing HO1 Carlton Precinct, as well as changes to the HO1 Carlton Precinct Statement of Significance.

177. The Amendment also proposes to extract the HO1 Carlton Precinct Statement of Significance from the Incorporated Document *Heritage Precincts Statements of Significance November 2021* and in accordance with the advice of the DELWP, create a new incorporated document for this precinct *HO1 Carlton Precinct Statement of Significance November 2021*.

178. In accordance with the Panel's Direction 8(i), a track changes version of the exhibited HO1 Carlton Precinct Statement of Significance is provided in the [Attachment 7](#).

179. The Amendment deletes part of HO2 East Melbourne & Jolimont Precinct that currently applies to Punt Road Oval and a small section of Yarra Park to the southeast. A new HO1400 is proposed to apply to the land being removed from HO2.

180. The HO2 East Melbourne & Jolimont Precinct Statement of Significance is included within the *Heritage Precincts Statements of Significance November 2021*. This document is not proposed to be changed through the Amendment.

181. Council has committed to commencing an East Melbourne and Jolimont Heritage Review in the 2022/23 financial year, and this will consider whether any updates to the HO2 East Melbourne and Jolimont Precinct Statement of Significance are required.

XIII. CONCLUSION

182. The Amendment is underpinned by clear strategic support for heritage protection in the Scheme and by a body of detailed and rigorous work. The work contains a proper

foundation to the proposed inclusion of additional places within the Heritage Overlay and for amendments to existing Heritage Overlay as detailed within this Part A submission. The statutory processes for exhibition and receipt and consideration of submission have been properly observed.

183. In accordance with the directions of the Panel, the Part B submission will address Council's response to submissions and evidence and its final position on the Amendment.

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Instructed by Ann-Maree Drakos, Legal Counsel

Melbourne City Council

26 September 2022

TABLE OF ATTACHMENTS

Attachment Number	Title	OneDrive Link
1	Carlton Heritage Review - Peer Review of Five Citations for Post-WW2 Places, Built Heritage Peer Review, 25 June 2021	Attachment 1 - Built Heritage Peer Review
2	DELWP Letters Regarding Authorisation	Attachment 2 - DELWP Letters Regarding Authorisation
3	Chronology of Events	Attachment 3 - Chronology of Events
4	Table of Places and Precincts where a Heritage Overlay is Proposed to be Applied.	Attachment 4 - Table of Places and Precincts Where the Heritage Overlay is Proposed to be Applied
5	Table of Proposed Changes to Amendment C405 in response to submissions	Attachment 5 - Table of Changes Proposed to C405
6	Word Versions of Updated Amendment Documents	Attachment 6 -Word versions of updated amendment documents
7	Track Changes of HO1 Statement of Significance	Attachment 7 - Track changes of HO1 Statement of Significance