

Melbourne Planning Scheme Amendments C386 and C387 – Hoddle Grid Heritage Review

4 August 2020

Presenter: Emma Appleton, Director City Strategy

Purpose and background

1. The purpose of this report is to present the Future Melbourne Committee (FMC) with the Hoddle Grid Heritage Review (Review) and proceed to implement the Review through Planning Scheme Amendments C386 (Interim Controls) and C387 (Permanent Controls). Volumes 1 and 2 of the Review are provided at Attachment 2.
2. The Hoddle Grid, laid out by surveyor Robert Hoddle in 1837, remains the heart of Melbourne. The Grid's qualities, characterised by its hierarchy of memorable streets and laneways, beautiful buildings and diverse precincts make it a distinctive place, attracting economic activity and contributing significantly to the Victorian state economy. Melbourne's heritage buildings are critical to the city's identity and character, and offer adaptable and diverse floor space within the city.
3. The Review, undertaken by independent expert heritage consultants led by Context, and peer reviewed by GJM Heritage, represents best practice, evidence based heritage assessment. The Review identifies outstanding places and precincts which represent the evolution of Melbourne as a city.
4. The first stage of the Review came to FMC on 21 August 2018 and resulted in most of the 64 places and six precincts receiving interim protection through Amendment C327. These places combined with the additional 82 individual places identified in the second stage of the Review form Amendment C387 with Amendment C386 proposing interim controls for the majority of additional individual places. It is proposed that the Amendments be pursued together for efficiency.

Key issues

5. The outcome of the Review is that 137 individual places and five precincts be included in Heritage Overlays (Attachments 3, 4 and 5). The majority of these places were identified in previous heritage reviews in 1985 and 1993.
6. Buildings built before 1945 make up 60 per cent of individual buildings identified in the Review and tell the story of Melbourne's transformation from grand gold rush city to manufacturing and retailing powerhouse.
7. The remaining 40 per cent of individual buildings were built in the postwar period from 1945 to 1975 and are the optimistic expression of the city's recovery from wartime restrictions to a construction spike characterised by dramatic modernist sculptural forms. This incorporates the postwar places included in interim overlays through Amendment C186 in accordance with a Ministerial recommendation to undertake further strategic work to justify their protection. To satisfy this recommendation the Review is now the most comprehensive study of postwar heritage undertaken for central Melbourne.
8. Inclusion of heritage places within Heritage Overlays is intended by the Melbourne Planning Scheme and will allow development in most cases. The Amendments will provide clarity and certainty for landowners and the community enabling more sensitive and enduring development outcomes on these sites. The Amendments will improve the way the city is experienced with a view to today and into the future.
9. The peer review by GJM Heritage verified the initial Review presented to FMC on 21 August 2018 with limited changes being recommended including deletion of a small precinct and two individual postwar places.
10. Interim heritage controls are sought with an exemption from public notice for 74 individual places through Amendment C386 (Attachment 6), comprising those places without existing interim protection and/or a live planning permit. This will ensure these places are protected while the Planning Scheme Amendment for permanent controls is progressed.

11. Permanent controls are recommended for 137 individual and five precinct Heritage Overlays in Amendment C387 (Attachment 7). Amendment C387 will require exhibition, providing landowners and others the opportunity to make submissions and be heard by a Planning Panel through a public process.

Recommendation from management

12. That the Future Melbourne Committee:
 - 12.1. Notes the Hoddle Grid Heritage Review (Attachment 2) and selected individual heritage places and precincts (Attachment 3) proposed for interim and permanent heritage controls under Planning Scheme Amendments C386 and C387.
 - 12.2. Requests the Minister for Planning prepare Planning Scheme Amendment C386 (Attachment 6) pursuant to section 20(4) of the *Planning and Environment Act 1987* to:
 - 12.2.1. Include all extant individual heritage places without existing interim controls (except places with live planning permits for substantial development) identified in Volumes 1 and 2 of the Hoddle Grid Heritage Review within interim Heritage Overlays.
 - 12.2.2. Provide updated statements of significance and make related changes to amendment documentation for all extant individual heritage places and precincts within existing interim Heritage Overlays identified in Volumes 1 and 2 of the Hoddle Grid Heritage Review.
 - 12.2.3. Delete two existing interim individual Heritage Overlays (8-12 Market Street and 53-57 Queen Street, Melbourne) and one existing interim Heritage Overlay Precinct (Little Collins Street Precinct).
 - 12.3. Seeks authorisation from the Minister for Planning under the *Planning and Environment Act 1987* to prepare and exhibit Planning Scheme Amendment C387 (Attachment 7) to:
 - 12.3.1. Include all extant individual heritage places and precincts identified in Volumes 1 and 2 the Hoddle Grid Heritage Review within permanent Heritage Overlays.
 - 12.3.2. Provide updated statements of significance and make related changes to amendment documentation for all extant individual heritage places and precincts within existing interim Heritage Overlays identified in Volumes 1 and 2 of the Hoddle Grid Heritage Review.
 - 12.3.3. Delete two existing interim individual Heritage Overlays (8-12 Market Street and 53-57 Queen Street, Melbourne) and one existing interim Heritage Overlay Precinct (Little Collins Street Precinct).
 - 12.4. Authorises the General Manager Strategy, Planning and Climate Change to make changes to Planning Scheme Amendment C387 (Attachment 6) to take account of the approval of Planning Scheme Amendment C386 should the Minister for Planning approve Amendment C386 prior to exhibition of Amendment C387.
 - 12.5. Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial and referencing changes to Planning Scheme Amendment C386 and C387 as required.

Attachments:

1. Supporting Attachment (Page 3 of 4782)
2. Volumes 1 and 2 of the Hoddle Grid Heritage Review (Page 4 of 4782)
3. Selected individual heritage places and precincts (Page 3117 of 4782)
4. Map of proposed precinct heritage overlays and revisions to existing individual overlays (Page 3204 of 4782)
5. Map of proposed individual heritage overlays (Page 3205 of 4782)
6. Amendment C386 (Page 3206 of 4782)
7. Amendment C387 (Page 3951 of 4782)

Supporting Attachment

Legal

1. Part 3 of the *Planning and Environment Act 1987* (Act) sets out the procedure for a planning scheme amendment. Section 8(1)(b) of the Act provides that the Minister may prepare an amendment to any provision of a planning scheme. Section 20(4) of the Act provides that the Minister may exempt himself from the requirements of the Act which govern the normal statutory process for an amendment to a planning scheme:

'if the Minister considers that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.'

Finance

2. The cost for preparing and undertaking Planning Scheme Amendments C386 and C387 is included within the City Strategy Branch budget and Legal Services operational budget for 20-21 FY.

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Health and Safety

4. In developing this Hoddle Grid Heritage Review and Amendments C386 and C387, no Occupational Health and Safety issues or opportunities have been identified.

Stakeholder consultation

5. Notice will be given as required under the Act.
6. Outside of the statutory process, specific notice will also be sent by letter to owners of land that is:
 - 6.1. Proposed to be included in new interim Heritage Overlays under Amendment C386.
 - 6.2. Proposed to be included in new permanent Heritage Overlays under Amendment C387, which is not already within an interim Heritage Overlay.

The letter will be sent directly after the FMC meeting and will provide:

- 6.3. A link to the Participate Melbourne website, which provides the relevant heritage citation.
- 6.4. Information regarding how to participate in the planning scheme amendment process.
7. The Department of Land, Water and Planning have been engaged in respect of the Review.
8. The External Reference Group for the development of the Review comprises representation from peak bodies such as National Trust, Property Council of Australia, Australian Institute of Architects, Planning Institute of Australia, Office of the Victorian Government Architect, Heritage Victoria and Aboriginal Victoria. The External Reference Group has received an update about the proposed Amendments.

Relation to Council policy

9. The Amendments are consistent with the gazetted form of Amendment C258 and implement the Heritage Strategy.

Environmental sustainability

10. There are no environmental impacts likely to arise from the Amendments.