

# Carlton Heritage Review

## Submission Outline

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### 1) Grading Conversion Matters and Am C405

- a) In the Association's view, the earlier heritage assessment work, undertaken in the context of Am C258, only involved a **partial** review of heritage places; **it was always to be followed up with a more detailed assessment.**
- b) Given that Am C405 [the current Amendment] is the first opportunity that this Association has had to explore what further work was undertaken by the Council's heritage consultant, it is important to clarify the nature and extent of this further assessment task.

### 2) Site Specific Statements of Significance for Significant Heritage Places

- a) Currently, there is much interest in both Carlton and the wider community, as to whether the much valued John Curtin Hotel will survive as a Heritage Place. This Place is located within the Carlton Union Hotels Precinct [1-31 Lygon Street] and has been accorded a Significant Heritage Grading.
- b) But, the exhibited Statement of Significance for the Precinct [that is ALL the buildings in the Precinct] provides minimal heritage information about the John Curtin Hotel. We learn that:
  - i) *The precinct is also significant for its long and important association with the trade union movement, reflecting the precinct's proximity to Trades Hall on the opposite side of Lygon Street. Union-related businesses, or businesses attractive to the unions, flourished in this part of Lygon Street, including the two hotels frequented by factions of the union movement, with the 'left' favouring the Dover Hotel and the 'right' the Lygon Hotel, later the John Curtin Hotel. This particular history of the street distinguishes the precinct in the Carlton context and in the context of the broader municipality.*
  - ii) *The John Curtin Hotel, constructed in 1915 to a design by Billing Peck & Kempter, replaced the earlier Lygon Hotel of c. 1859-60. While a **competent Arts and Crafts design**, the hotel is distinguished by its history including its long association with the trade union and labour movement, emphasised by its renaming as the John Curtin Hotel in c. 1970.*

- c) As a result of recent submissions [from the National Trust and Music Victoria], the Council has now agreed that the Statement of Significance for the precinct should be amended to include the following additions to the How and Why the Place is Significant:
  - i) *The Carlton Union Hotels Precinct (H064) is of historical and aesthetic significance. Within this precinct, the John Curtin Hotel is also of social value.*
  - ii) *While no detailed investigation of contemporary social value has been undertaken as part of this assessment, the John Curtin Hotel's enduring association with the labour movement, including the trade union movement and the Australian Labor Party, together with the ongoing hotel operation and more recent use as a live music venue, suggests the hotel is also of social value (Criterion G). The intensity of the John Curtin Hotel's connection to the labour movement is distinctive and of particular note.*
- d) However, the request that the John Curtin Hotel be incorporated in an Individual Overlay has not been agreed to. In the Association's view, this reliance upon Precinct Statements of Significance to determine which heritage values/criteria have been satisfied for Places within a Precinct remains problematic. While the suggested amendment clearly links "social value" to the John Curtin Hotel, it is not at all clear whether the aesthetic value of this place has satisfied the local significance threshold.

### 3) **The John Curtin Hotel - an important example of recurring problems with the Carlton Heritage Review**

- a) It has taken the Council over SIX years to recognise that The John Curtin Hotel should be designated a Significant Heritage Place, why? All the initial assessments, including the December 2020 Gazetted Inventory [Pt A] recorded the John Curtin Hotel as a Contributory Heritage Place, that is a place having no significance in its own right.
  - i) Given that the very earliest heritage assessment of the John Curtin Hotel [back in March 1984] recognised the social significance of those heritage places at the South end of Lygon St [including the John Curtin Hotel], this heritage criterion has clearly been undervalued in those studies undertaken more recently. [See Appendix A for extracts from the MMBW, MCC & MPE [Mar 1984] *Lygon Street Action Plan, Final Report*]
  - ii) Further, the heritage review of the former "D", "E" & "F" graded places [undertaken by Allom Lovell & Associates during 1999 and 2000] concluded that the John Curtin Hotel, along with many other sites in Carlton, justified "individual statutory heritage protection". More specifically, the amended i-Heritage data base entry included the following details: *The John Curtin Hotel is of **local historical and aesthetic interest**. The site has been occupied by a hotel since 1860, and the present building, a bold composition of typical inter-War elements and a local landmark, may contain remnants of the original 1860s building [emphasis added].* [See Appendix B for updated i-Heritage entry for this Heritage Place]
  - iii) Although this firm relied upon the values articulated in the Burra Charter when undertaking this Grading Review, the latest version of the Practice Note [Applying the Heritage Overlay] states that heritage assessment work undertaken before 2012 using older versions of the criteria is NOT diminished. [See Appendix C for Burra Charter details reproduced in the Allom Lovell Report (Mar 2000)]
  - iv) In the Association's Submission to the Am C258 Panel Hearing, the CRA specifically highlighted the Social Significance of the John Curtin Hotel; a position not accepted by

the Council. [See Appendix D for extract from Association’s submission to the Am C258 Panel Hearing]

**4) The partial assessment problem**

- a) Of necessity, the assessment of thousands of heritage places undertaken during the Am C258 Heritage Review was **an initial, and partial, assessment** of these places. From an examination of Lovell Chen's Grading Conversion Excel Spreadsheet [July 2018], it is clear that the consultant’s major focus was upon the visual attributes of those places subject to review.
  - i) According to the Burra Charter, a KEY reference document in the Revised CI 22.05 *Heritage Places Outside the Capital City Zone* [C400melb 23 December 2020] the “*Conservation of a place should identify and take into consideration **all aspects of cultural and natural significance** without unwarranted emphasis on any one value at the expense of others.*” Article 5. Values: 5.1 [emphasis added].
  - ii) Earlier, in Article 1. Definitions [Burra Charter] at 1.2 these values are listed: “*Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.*”
- b) The decision to adopt a default conversion of all those “C” and “D” graded heritage places [within precincts outside the Capital City Zone] to the new Contributory Grade was extremely contentious; and, in our view incorrect. It clearly conflated two quite distinct meanings of the word Contributory as used in the former and [proposed] new Local Heritage Policies. [See Appendix E for elaboration of this problem.]
- c) According to Lovell Chen's Grading Conversion Excel Spreadsheet [July 2018] the **heritage status** of those former “C” and “D” graded places was described in relation to the default translation of Contributory. These places were either “upgraded to Significant” “confirmed as Contributory” or “downgraded to non-contributory”. The following extracts record the level of detail included in this Spreadsheet for the following three Lygon Street sites, 13-15, 17-25 and 27-31 [The John Curtin Hotel]:

Property Name	Address	HO No	HO Name	Letter Grade	VHR	LC Check	LC Rec	LC Comment
J Reilly Building	13-15 Lygon St	HO64	1-31 Lygon St	D	-	Upgraded	Significant	A two-storey rendered and overpainted brick Victorian (1896) commercial building, with finely detailed slender moulded ornamentation to the upper level, including centrally placed date panel and a pediment with name panel forming part of the simple parapet. J Reilly, the occupant of the building, was a tinsmith (Sands and Mac)
RMIT	17-25 Lygon St	HO64	1-31 Lygon St	-	-	-	-	-
John Curtin Hotel	27-31 Lygon St	HO64	1-31 Lygon St	D	-	Confirmed	Contributory	

d)

- e) For those heritage places that had their “Contributory” grading “confirmed” NO information has been provided to explain what heritage values/criteria were assessed in arriving at this Grading. Since subsequent versions of the Spreadsheet have not been made available, the community has no way of knowing whether any subsequent analysis has evaluated heritage places from the perspective of the other values described in the Burra Charter. This is NOT an isolated information gap; it applies to ALL those heritage places that had their initial “Contributory” status confirmed.
- f) It should also be noted that the Panel Report prepared following the Am C258 Hearings ALSO expressed concern over the PARTIAL assessment undertaken by the Consultant.
  - i) ***The Panel records that it considers that the re-grading methodology that was adopted by the Council and Ms Brady was also troubling in so far as it did undertake a measure of merits review of heritage values. ... A considerable number of places were effectively upgraded or downgraded by Ms Brady in terms of relative heritage value from the status ascribed to them under previous studies.***
  - ii) ***The Panel feels uncomfortable with this partial merits assessment of places in areas beyond the West Melbourne Review area. The Panel considers that this is another important reason not to support the new classification system included in the Amendment. p.39 of Panel Report***
- g) Given that the decision to designate Heritage Places as either Significant or Contributory under the new regime could not be finalised following a **partial** merits review, the Association believes that ALL submitters should be provided with copies of the updated spreadsheets, to demonstrate what additional analysis was undertaken for each Heritage Place.

## 5) The limited Status of the Contributory Grading Category

- a) The dramatic consequences of treating the new grading/category of Contributory as an “enhancement” of the Term “Local Significance” as that term is used in Practice Note 1 – Applying the Heritage Overlay.
  - i) This “enhancement” has resulted in a grading category, which has very little status under the new heritage control regime. **From the Council’s perspective, Contributory Heritage Places have NO individual significance.** Accordingly, these places will never be provided with a Statement of Significance [a key planning tool in assessing planning applications in Heritage Overlays. See MPS Cl 43.01-8]
  - ii) Since Clause 43.01 of the Planning Scheme [concerning Heritage Overlays] makes it clear that the significance of a heritage place will be a key consideration when responsible authorities assess planning applications involving heritage places, any heritage place without an individual Statement of Significance will be at increased risk of demolition and other negative impacts.
  - iii) Given that ALL the former letter graded buildings were previously DEFINED to be significant; the Association cannot accept that this “enhancement” of the term Local Significance has done anything to maintain the existing level of heritage protection in the study area. The use of the word “enhancement” to describe a heritage grade/category which doesn’t satisfy the Significance threshold for EITHER State OR Local Significance strikes us as quite anomalous.



- iv) Tragically, for Carlton, even the former “A” and “B” graded Heritage Places [under the old letter grade system] when located in the Carlton Precinct, will NOT be provided with INDIVIDUAL Statements of Significance [unless they occupy individual heritage overlays]. These places were previously defined to be of State and Regional Significance respectively.
- v) Further, in our view, participants in the planning process shouldn’t be required to search in a background document for Statements of Significance prepared for the few **newly** designated Significant Heritage Places located in HO1. We cannot understand why Carlton’s network of Significant Squares, for example, could not be “allocated” individual Heritage Overlays [or one Serial Listing] when Heritage Places of MUCH less Significance occupy existing precinct Overlays

#### 6) The Segmentation of Carlton’s large Heritage Overlay HO1

- a) The reluctance of the Council to segment the LARGE Carlton Heritage Overlay and create smaller precincts in recognition of the established significance of particular parts of Carlton. **We share the Panel C258 conclusions in relation to the need for further segmentation at pages 80 and following of the Panel Report**
  - i) *There was concern however about the lack of site-specific Statements for properties within a precinct, particularly now the 'assessed significance' of a place will be a key consideration in dealing with applications for demolition, alterations and new buildings. It was considered the lack of information as to what, how and why a place is significant will make them particularly vulnerable to demolition or unsympathetic alterations / additions.*
  - ii) *The Panel particularly supports, inter alia: the need to segment the large diverse precincts of Carlton and South Yarra in future work so as to better define the values of the areas in separate Statements of Significance*
  - iii) The task of determining, for an individual heritage place, how and why it is significant is difficult enough in those smaller precinct overlays [e.g. the Carlton Union Hotels Precinct]; in our view, it would be next to impossible for those places located within the Carlton Heritage Overlay 1.
  - iv) Given that the lack of financial resources has now been given as one reason for the paucity of individual Statements of Significance in the Carlton Heritage Overlay 1, it is not clear why the Council has not taken the opportunity to segment the large HO1 Precinct.
  - v) In our view, the concentration of significant heritage places on, or near the Drummond/Elgin Street intersection should have justified a SEPARATE Heritage Overlay. It would be difficult to locate a greater concentration of significant commercial and [former] public heritage places in Carlton. Given that most of these places have NOT been provided with Statements of Significance, this provides a further justification for a new precinct overlay. [See Appendix E2 for relevant images of the Drummond/Elgin Street Intersection.]
  - vi) We can see no good reason why the Princes Park area was not allocated a separate precinct overlay.

vii) Further, why couldn't the Heritage Overlay created especially for the Earth Sciences Building be EXPANDED to include the Clyde Hotel, if an individual heritage overlay could not be justified for the adjacent Clyde Hotel? Currently, only the Earth Sciences Building is provided with a Statement of Significance as an Incorporated Document. The Statement of Significance for the Clyde Hotel has been relegated to a background document.

**7) Heritage Place entries in the Inventory, for those places on the Victorian Heritage Register**

- a) We accept that the consultant was not required to review properties that are on the Victorian Heritage Register; but, we believe that Management must acknowledge that NOT ALL Places within a VHR Overlay are Significant. When the VHR information clearly documents which properties within an Overlay are **not** significant, we believe that it is MISLEADING for the Heritage Place Inventory to ignore this information.
- b) In the Association's Response to Am C405 [following the exhibition period] we provided two examples of this problem:
  - i) 98-126 Lygon Street & 68-72 Queensberry Street Carlton – The Lygon Buildings
  - ii) 169-199 Rathdowne Street, 2-40 Pelham Street & 154-184 Drummond Street – Church of the Sacred Heart Complex
- c) It is the Association's understanding, that the Street numbering adopted for Heritage Places on the VHR [in describing these places] should be consistent. Instead, the Council has provided two and three separate addresses for the above VHR Registered Places AND recorded misleading Grading information for these "secondary" addresses in the Inventory. [See Appendix F for further information]

**8) Heritage Assessments [or lack of Assessments] for non-VHR heritage places located in the Carlton Precinct Overlay.**

- a) In the Association's most recent submissions to the City of Melbourne, these places included
  - i) 153 Drummond Street; a Heritage Place that wasn't reviewed at all [a place previously graded "C"]
  - ii) Timber dwellings in Charles and Dorrit Streets, and
  - iii) Restored heritage places at 38 Dorrit Street and 138 Queensberry.
- b) The Association accepts that the further analysis provided by the Consultant concerning the dwelling at 46-48 Dorrit Street suggests that the timber dwelling at this location probably replaced two earlier timber dwellings; but, that the surviving timber dwelling at 22-24 Charles Street may be representative of the earliest period of development in Carlton. **However, the CRA believes that the grading outcomes for the other heritage places remains contentious.**
- c) **153 Drummond Street.** The Association fails to see why the previous analysis by another Heritage Consultant could not justify a Significant Grading on Aesthetic, Historic AND Integrity Grounds. This consultant's assessment had recorded the early construction period, a number of notable features and the insignificant [and reversible] unsympathetic alterations to this Place.

<b>Period</b>	1850-75 - Early Victorian
<b>Description/Notable Features</b>	Notable features include the fence, verandah decoration, and verandah roof and structure.
<b>Recommended Alterations</b>	Stone plinth painted (inappropriate - remove by approved method) Air unit over door (inappropriate - remove or reinstate sympathetic alternative)

- d) [This table is associated with item d)]
- e) Given that other Victorian terraces with “fair” integrity and similar notable features [including the terrace located at 397 Cardigan Street] have received a Significant Grading, we remain of the view that 153 Drummond Street deserves a Significant Grading.

<b>Integrity</b>	Fair
<b>Condition</b>	Fair
<b>Original Building Type</b>	
<b>History</b>	Not Assessed
<b>Description/Notable Features</b>	Notable features include the fence, verandah decoration, verandah roof and structure.

- f) [This table is associated with item f)]
- g) The Consultant’s comments [from the Council’s Grading Conversion Excel Spreadsheet July 2018] do not describe any exceptional features, for 397 Cardigan Street, which would justify a different grading for 153 Drummond Street.
- h) *One of a row of four two-storey early Victorian rendered terrace dwellings. The terrace row is distinguished by a unifying dentilated and corniced parapet, cast-iron detailing to the verandahs, and moulded framing to the window and door openings.* [See Appendix G for Images of these two heritage places.]
- i) **Restored heritage places at 38 Dorrit Street and 138 Queensberry.** In relation to the Dorrit Street Heritage Place, given that the recent Heritage refurbishment has addressed [and reversed] ALL of the unsympathetic alterations recorded in the i-Heritage record for this place, we fail to see why a Significant Grading cannot be justified on aesthetic and historic grounds. In our view, the comparative analysis provided in our C405 Submission supports this recommendation.
- j) Again, in relation to 138 Queensberry Street, another sensitively refurbished Heritage Place, the Association confirms its assessment of this place. Although of later construction than those heritage places to the immediate east, the Council’s consultant has not provided any evidence to suggest that the detailed repair and refurbishment undertaken on 138 Queensberry Street was inappropriate. Also, we fail to see why the poor condition of 140 Queensberry Street, which is **separately** assessed, should influence the grading decision for number 138. [See Appendix H for Images in relation to these restored heritage places]

## 9) Concluding Comments

- a) Although much of this submission has focussed upon one Heritage Place [The John Curtin Hotel] many of the problems identified in reviewing this place are far from isolated. In particular, we note several examples of Heritage Places that were recommended for “individual statutory heritage protection” [following the 1999/2000 heritage study undertaken by Allom Lovell] that are no longer regarded as significant “in their own right”. [See Appendix I for examples]
- b) Throughout the early stages of this Heritage Review [which commenced in 2015] the Council has emphasised that the Carlton Heritage Review “is a conversion of the heritage gradings only and not a new heritage assessment of all listed properties.” [Officer Report to FMC Meeting 21 November 2017]. This claim never made any sense to the Association as:

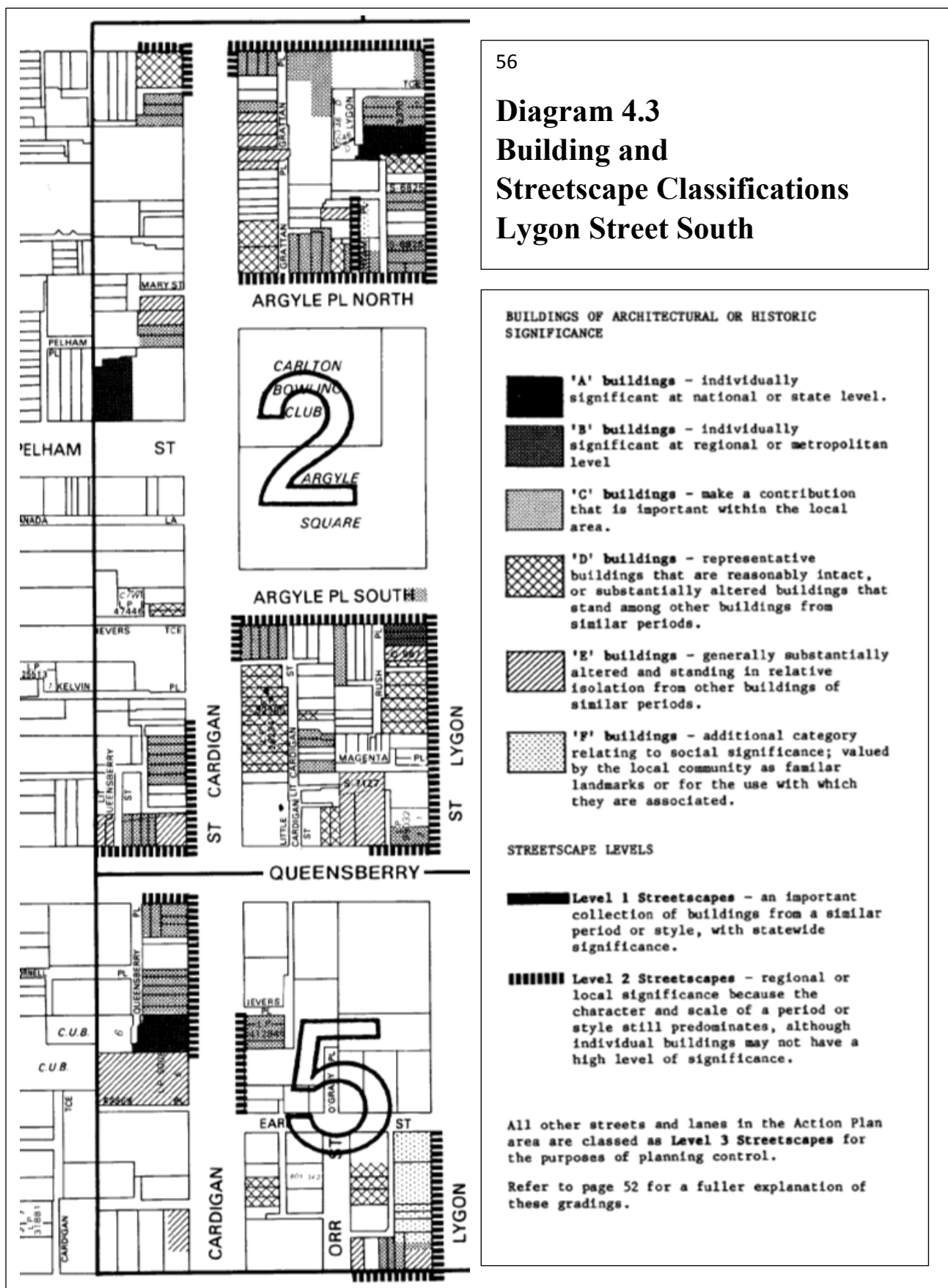
- i) The Heritage Consultant confirmed that the conversion process for most of Carlton’s Heritage Places **required a detailed assessment** [indeed ALL the former “C” and “D” graded places REQUIRED a detailed assessment].
- ii) The Panel Report, released following the Am. C258 Hearings, acknowledged that the re-grading methodology **did involve a partial merits assessment** of most of Carlton’s Heritage Places, and
- iii) From the evidence provided by the Council [to date] this partial merits assessment focussed almost entirely upon the Aesthetic Value [notable features] of each place.
- c) Given that no reasoning has been provided [to date] why most of Carlton’s Heritage Places converted to the new Contributory Grade, the efficacy of this review must be queried.
- d) More fundamentally, the Association has had great difficulty in reconciling the new heritage regime introduced by the Council with the expectations outlined in the State Government’s Practice Note 1 Applying the Heritage Overlay. This Practice Note:**
  - i) Itemised the recognised heritage criteria that “should be used for all new heritage assessment work” and established just two levels of heritage significance ‘State Significance’ and ‘Local Significance’.
  - ii) The Thresholds to be applied in the Assessment of Significance shall be ‘State Significance’ and ‘Local Significance’. ‘Local Significance’ includes those places that are **important to a particular community or locality**. Letter gradings (for example, ‘A’, ‘B’, ‘C’) should not be used. [Emphasis added]
- e) Given that the March 2000 Allom Lovell study had concluded that lowly D Graded Heritage Places should be given INDIVIDUAL statutory protection, and that the former Local Heritage Policy 22.05 [current from 4 March 1999 to 10 July 2020] stated that all graded buildings are Significant; the revised heritage control regime introduced with the Gazettal of Am C258 can only be described as a transformative change.
- f) The key thinking behind this change is reflected in the following extract from the Council’s Part B Submission to the Planning Panel [tabled 14 August 2018] Para 139 p34-35
- g) *The use of Significant and Contributory in the gradings review seeks to enhance the designation of “Local Significance” as that term is used in the Practice Note by recognising that local significance can cover a wide variety of places with a correspondingly wide spectrum of heritage values, both in terms of what kind of significance they have (individual or contributory) and what level of significance they have (conveyed traditionally by a hierarchical letter grading system). Part of the rationale for departing from the letter grading system is to shift away from a hierarchy of importance towards an appreciation of what, how and why a place is significant as conveyed by a statement of significance.*
- h) While this Practice Note emphasised the importance of Statements of Significance, Grading Levels or thresholds were not abandoned.**
- i) It is also important to note that the current Practice Note provides no definition of the category/grading level of Contributory. Further, it must be recorded that the current Melbourne Planning Scheme includes no state-wide consistent definitions of KEY heritage terms: heritage place; state significance; local significance; significant heritage place; contributory heritage place etc. **For a new heritage regime that is promoted as representing best practice in heritage, this lack of consistent state-wide definitions of key terms is an extraordinary shortcoming.**

- j) While we accept that the Council and the State Government can approve a new Heritage Category that doesn't satisfy ANY of the established heritage criteria required to meet the Local Significance threshold, it must be recognised that this new heritage category carries little more status than a character place.
- k) Accordingly it is our hope that this Panel will acknowledge the disjunction between the current provisions of Planning Practice Note 1, and the key elements of the new heritage planning regime being pursued by the City of Melbourne, and urge the State Government to initiate an urgent update of this Practice Note.**

**This Submission was approved by the Committee of the Carlton Residents Association Inc. at their Meeting on 19 September 2022**

**Ewan Ogilvy [for the Association]**

Appendix 'A' Social Significance of the John Curtin Hotel recognised as early as 1984: Extract from MMBW, MCC & MPE (Mar 1984) Lygon Street Action Plan, Final Report



**Appendix 'B' Extract from i-Heritage Entry following 1999/2000 Heritage Review: Allom Lovell & Associates [Mar 2000] Report on the City of Melbourne Planning Scheme Heritage Review.**

**In the Allom Lovell report, the John Curtin Hotel is one of many Heritage Places recommended for Individual Statutory Heritage Protection.**

John Curtin Hotel 27-31 Lygon Street, Carlton

<b>Building and History Information</b>	
<b>Architectural Style</b>	
<b>Period</b>	1850-75 - Early Victorian
<b>Integrity</b>	Good
<b>Condition</b>	Good
<b>Original Building Type</b>	Hotel
<b>History</b>	The John Curtin Hotel, formerly the Lygon Hotel, dates from c1860. It is listed in the Sands and McDougall directory of that year as "hotel erecting". The following year the building is listed as the Lygon Hotel, with William Stewart the licensee. The building was remodelled, and probably enlarged, in the inter-War period. It was known as the Lygon Hotel until 1971, when its name was changed to the John Curtin Hotel, apparently after its then proprietor, J Curtin.
<b>Description/Notable Features</b>	The John Curtin Hotel is double storey rendered brick public house, of asymmetrical composition, on a corner site. The principal elevation, to Lygon Street, is divided at ground level by a row of face brick piers, which have rendered spandrels between, forming an arcade. A wide cornice, supported on plain brackets, separates this from the upper level, which is roughcast rendered and has a row of tall rectangular windows with plain rendered surrounds. There are two slightly projecting window bays, one situated at the corner, which extend up to above the parapet line, which is surmounted by a wide rendered capping with repetitive block-like ornament.
<b>Statement of Significance</b>	The John Curtin Hotel is of local historical and aesthetic interest. The site has been occupied by a hotel since 1860, and the present building, a bold composition of typical inter-War elements and a local landmark, may contain remnants of the original 1860s building.
<b>Recommended Alterations</b>	Openings altered (sympathetic - reinstate original design), bricks painted (inappropriate - remove by approved method)

Image taken August 2020 E. Ogilvy





Appendix 'C' Burra Charter details reproduced in Allom Lovell & Associates [Mar 2000] *Report on the City of Melbourne Planning Scheme Heritage Review*.

## APPENDIX C: THE CONCEPT OF CULTURAL SIGNIFICANCE

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The following excerpt is taken from 'Guidelines to the Burra Charter: Cultural Significance' which were adopted by the Australian national committee of the International Council on Monuments and Sites (Australia ICOMOS) in 1988.

### 2.0 The Concept of Cultural Significance

#### 2.1 Introduction

In the Burra Charter cultural significance means "aesthetic, historic, scientific or social value for past, present or future generations".

Cultural significance is a concept which helps in estimating the value of places. The places that are likely to be of significance are those which help an understanding of the past or enrich the present, and which will be of value to future generations.

Although there are a variety of adjectives used in definitions of cultural significance in Australia, the adjectives "aesthetic", "historic", "scientific" and "social", given alphabetically in the Burra Charter, can encompass all other values.

The meaning of these terms in the context of cultural significance is discussed below. It should be noted that they are not mutually exclusive, for example, architectural style has both historic and aesthetic aspects.

#### 2.2 Aesthetic value

Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with the place and its use.

#### 2.3 Historic value

Historic value encompasses the history of aesthetics, science and society, and therefore to a large extent underlies all of the terms set out in this section.

A place may have historic value because it has influenced, or has been influenced by, an historic event, phase, figure or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where the evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment.

#### 2.4 Scientific Value

The scientific or research value of a place will depend upon the importance of the data involved, on its rarity, quality or representativeness, and on the degree to which the place may contribute further substantial information.

#### 2.5 Social value

Social value embraces the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment to a majority or minority group.

#### 2.6 Other approaches

The categorisation into aesthetic, historic, scientific and social values is one approach to understanding the concept of cultural significance. However, more precise categories may be developed as understanding of a particular place increases.



Appendix 'D' Extract from Association's submission to the Am C258 Panel Hearing concerning Social Significance

**Exhibit 5 - The Relevance of Social Significance in Reviewing the Revised Gradings of Heritage Places**



**The John Curtin Hotel**

It would be difficult to imagine another Heritage Place in Carlton with a stronger "association with a particular community or cultural group for social, cultural or spiritual reasons." (Social Significance) Criterion G – Applying the Heritage Overlay, Planning Practice Note 1 [2018]

The following extract captures the "depth" of this significance.

BRUNO Coruzzi, who owned and ran Carlton's classic John Curtin Hotel through the 1970s when it became a national meeting place for leaders of the trade union movement and the Australian Labor Party, has died of lung cancer at his home in Balwyn. He was 88.

Key figures such as Bob Hawke, Gareth Evans, Mick Young, Simon Crean, Rob Jolly, Steve Crabb, Bill Landeryou, and David White, met regularly to socialise and plan their strategies at Coruzzi's Lygon Street establishment.

Barry Donovan 3 August 2010



**Jimmy Watson's:** Established in 1935 by a flautist with a taste for red wine. Jimmy Watson's remains a Lygon Street institution, catering to an eclectic crowd of businessmen, academics and students. To the shock of some the wine saloon had a radical face-lift in the 1960s. The nineteenth-century structure was altered beyond recognition by the unrepentant modernity of Robin Boyd's Mediterranean-inspired facade. Ironically, this once shockingly modern design is now embraced as an important part of the street's heritage.

Mahar, Caitlin "A Bohemian Main Drag Lygon Street" in Yule, Peter Ed. [2005]

**John Curtin Hotel**

27-31 Lygon Street, Carlton

- Located in the HO64 Heritage Overlay [This Overlay also included three other Heritage Places]
- Graded "D2" in the June 2016 Heritage Places Inventory
- Graded "Contributory" in the draft 2017 Inventory.

[A comparison with the proposed 2017 "Significant" Grading of the Green Man's Arms, the former Astor Hotel, at 418 Lygon Street would be instructive]

**Jimmy Watson's 331-335 Lygon Street, Carlton.**

- This Heritage Place is located in the HO1 Heritage Overlay
- In the 1987 Heritage Places Inventory, Jimmy Watson's was graded "F" in recognition of the social significance of this Place.
- In the June 2016 Heritage Places Inventory this Place was graded "B"
- In contrast, this Place is **UNGRADED** in the proposed 2017 Heritage Places Inventory. There is no record of this Place in the consultant's worksheet

**Appendix 'E' The decision to adopt a default conversion of all those "C" and "D" graded heritage places [within precincts outside the Capital City Zone] to the new Contributory Grade – Elaboration**

The following extract from our Am C396 Panel Hearing submission highlighted this problem:

The Lovell Chen Statement of Evidence [2018] p28 [Am C258 Panel Hearing] explained their approach in the following way: "... **some of the lower gradings were regarded as potentially out of date and warranting review, to determine whether to keep these gradings at contributory or to upgrade to significant, although the great majority were to remain contributory.**" [Emphasis added]

**The key problem with this approach was that there was NO existing Contributory Grade in the existing Local Heritage Policy.** More specifically, the term Contributory in the old Local Heritage Policy Cl 22.05 was simply a shorthand way of describing those heritage policies that applied to the Contributory Group [C, D1 and D2 graded buildings]; IT WAS NOT A GRADING LEVEL. The Council's senior barrister explained the problem in the following way in the Council's Part B Submission to the Am C258 Panel Hearing [p.38 Para 151].

*The existing term "contributory" in clause 22.05 is defined exclusively by reference to C, D1 and D2 graded buildings and is not limited to places within precincts. This term only operates in the existing policy in relation to renovation and façade height, but is not otherwise employed to guide demolition, concealment or building height. It is important in this regard not to confuse the new definition of "contributory" which is qualitatively different from the current definition of "contributory".*

Since there was NO Grading Level of Contributory in the old Policy, the approach taken by the consultants has clearly confused the two distinct meanings of the word Contributory.



Appendix 'E2' Significant heritage places on, or near the Drummond/Elgin Street intersection

Elgin Street at Drummond looking East [Image taken June 2020 E. Ogilvy]



171 Elgin Street Shaw Davey Slum Hotel, South West Corner of Elgin & Drummond Streets [August 2022 E. Ogilvy]





170 Elgin St Carlton, North West Corner of Drummond Street [December 2021, E. Ogilvy]





**Appendix 'F' Treatment of Inventory Entries for those Heritage Places on the Victorian Heritage Register**

**98-126 Lygon St & 68-72 Queensberry St Carlton**

The Lygon Buildings – Victorian Heritage Register No H0406 – Heritage Overlay HO66

The VHR record for the Lygon Buildings defines the extent of the Registration quite precisely; it does not include the place at 68-72 Queensberry Street:

**Extent of Registration**

No. 406 Lygon Buildings, 98-126 Lygon Street and 74-80 Queensberry Street, Carlton to the extent of the area bounded by the total Lygon Street frontage and a distance of 24 metres (being 23 metres plus an allowance of 1 metre to allow for cornice projections) along the Queensberry Street frontage but excluding all free standing outbuildings.

[Victoria Government Gazette No. 64 July 27, 1977 p.2479]

The issue: the 5 storey concrete rendered building located at 68-72 Queensberry Street [to the immediate East of the Lygon Buildings] has no heritage significance. The MPS Am C405 Inventory incorrectly records this place as Significant.



68-72 Queensberry St Carlton [Image taken May 2021 E. Ogilvy]

**Church of the Sacred Heart Complex, Carlton [169-199 Rathdowne St, 2-40 Pelham St & 154-184 Drummond St]**

Victorian Heritage Register No H0016, Heritage Overlay HO107

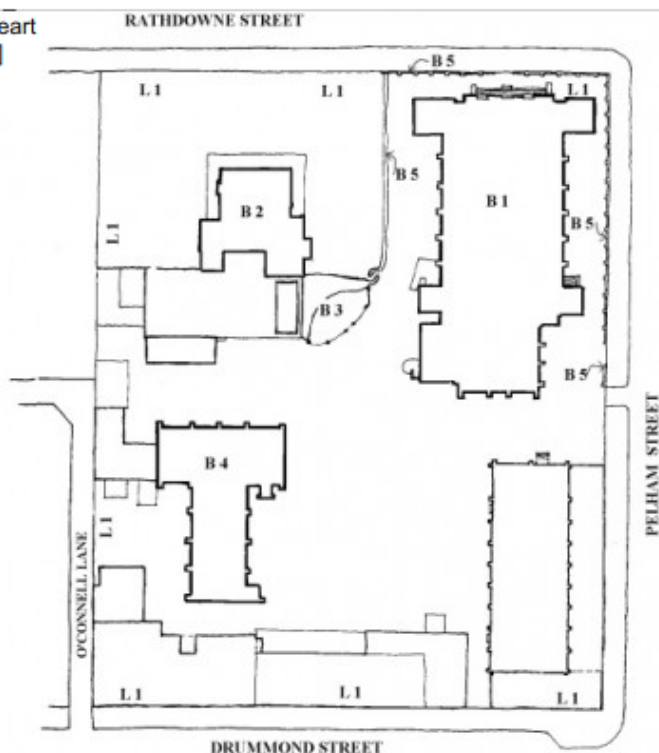
B1 Church of the Sacred Heart  
[Now Our Lady of Lebanon]

B2 The Presbytery

B3 Our Lady's Grotto

B4 Former Church/School

B5 Part of Fence



sacred heart church carlton registration plan

**NOTICE OF REGISTRATION**

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended in that the Heritage Register Number 16 is now described in the category as a Heritage Place:

Church of the Sacred Heart Complex, 199 Rathdowne Street, Carlton, Melbourne City Council.

**EXTENT:**

1. The Church of the Sacred Heart B 1 now Our Lady of Lebanon, the Presbytery B 2, Our lady's Grotto B 3, and the former St Georges Church/School B 4 and part of the fence marked B 5 on Diagram 602833 held by the Executive Director.

All the land marked L 1 on Diagram 602833 being all the land described in Certificate of Title Volume 800 Folio 916.

Dated 13 April 1999.

RAY TONKIN

Executive Director

[Victoria Government Gazette G 16 22 April 1999 p.936]





Corpus Christie College at North East Corner of Drummond and Pelham Streets Carlton [Image taken December 2021 E. Ogilvy

### **Observations**

The principal address of this precinct is 169-199 Rathdowne Street, Carlton. The MPS Am C405 Inventory records this precinct within the list of heritage places with EVEN Street numbers; this should be corrected.

Since the former school on Pelham Street, and other former school buildings on Drummond Street, have since been demolished and replaced with Corpus Christie College [which has no heritage status] it is misleading to accord a Significant heritage status to the complete frontages of Drummond and Pelham Streets.

Appendix 'G' Heritage Grades for 153 Drummond and 397 Cardigan Streets [Images in support of upgrading of 153 Drummond Street.

153 Drummond Street [Image taken July 2021 E. Ogilvy]



397 Cardigan Street [Image taken September 2022 E. Ogilvy]





Appendix 'H' Restored heritage places at 38 Dorrit Street and 138 Queensberry.

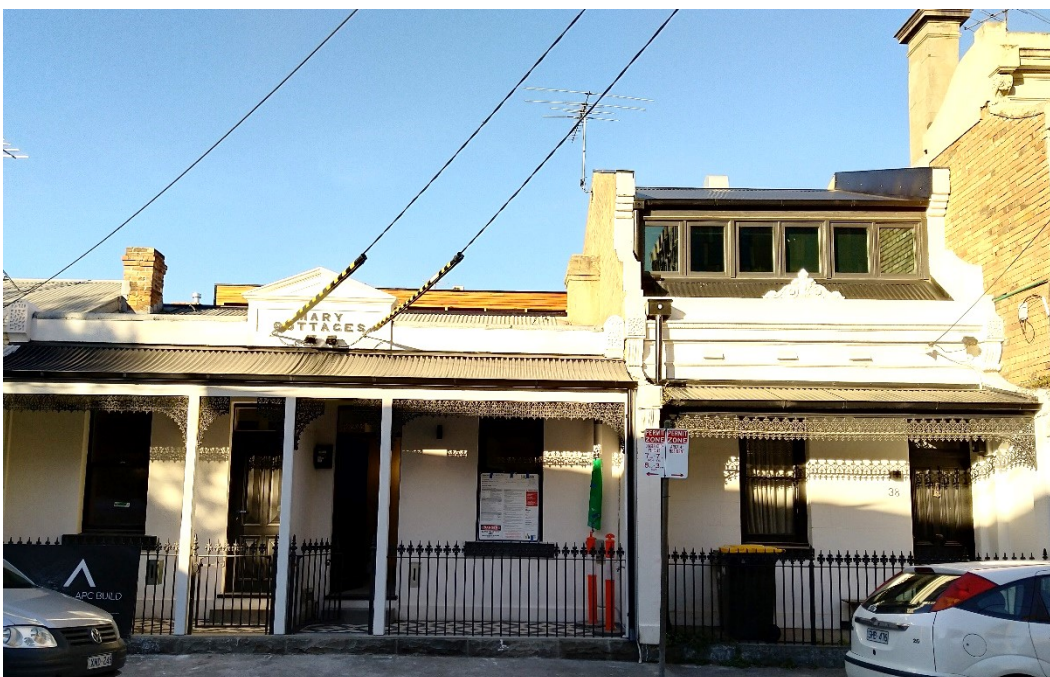
Case Study: 38 Dorrit Street Carlton

This Heritage Place was Graded C in both the March 1984 *Lygon Street Action Plan Final Report* and the March 2018 Heritage Places Inventory. In the MPS Am C405 Inventory, this Heritage Place has been downgraded to non-Contributory. According to the i-Heritage entry for this place, the following recommended alterations were recorded.

<b>Recommended Alterations</b>	Fence , colours (sympathetic - reinstate original design) Window replaced (inappropriate - reinstate original design or sympathetic alternative)
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38 Dorrit Street – note that the inappropriate fence, window and screen door have all been replaced [Image below taken May 2021 E. Ogilvy]







The tower addition to the Heritage Place located at 599-605 Swanston Street, Carlton [Corner of Queensberry Street] did not prevent a Significant Grading for this Heritage Place. [See also image below; both taken May 2021]



**Case Study: 138 Queensberry Street Carlton**

One of a row of Victorian era shops within a redefined Lincoln Hotel and Environs Precinct Overlay. All shops within this row were graded “C” in both the 1984 *Lygon Street Action Plan Final Report* and the March 2018 Heritage Places Inventory. The MPS Am C405 Inventory accorded a Significant Grading to 134 and 136 Cardigan Street premises and a Contributory Grading to 138 and 140 Queensberry Street. Given that 138 Queensberry Street has recently been refurbished there is a need to reassess its heritage grading.



138 Queensberry Street before refurbishment



138 Queensberry Street following refurbishment [Image taken December 2021 E. Ogilvy]



Given that other shops in South Carlton have retained a Significant Grading even although unsympathetic shop front and verandah alterations have been undertaken, there is a need for a more consistent approach to the assessment of alterations when determining grading outcomes. See image below.



508 & 510-512 Swanston Street, Carlton – Image taken December 2021 E. Ogilvy [Accorded a Significant Grading in November 2021 Inventory]

The i-Heritage records for these Heritage Places [downloaded in December 2021] include the following recommended alterations:

<b>Recommended Alterations</b>	Shop front, verandah, first floor windows bricked up (inappropriate - reinstate sympathetic alternative) signs including sky sign (extremely inappropriate - remove)
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In contrast, the Statement for Significance for these shops includes the following details:

The two shops at 508 and 510-512 Swanston Street, Carlton, are of aesthetic significance (Criterion E). The building at 512 Swanston Street is finely detailed and relatively ornate at first floor level. Its Renaissance Revival elements include arch-headed windows with stylised Corinthian pilasters to reveals; wingwall pilasters extending above the verandah to parapet level; and upended classical consoles supporting the parapet cornice. By comparison, 508 Swanston Street is more simply detailed, but nonetheless consistent with its early 1870s date.

The two shops at 508 and 510-512 Swanston Street are also representative of the more substantial masonry shops with premises which were constructed in Carlton from the 1870s (Criterion D). They display the typical characteristics of many of these nineteenth century retail and commercial buildings in the suburb, being of two storeys, of rendered masonry, with no setbacks, and retaining intact first floor (and upper level) facades and parapets. The ground floor facades/shopfronts have been modified, and the original verandahs replaced by awnings, but again this is a commonplace outcome for these buildings.

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Clearly, there is no consensus between different heritage consultants concerning the inappropriateness/acceptability of alterations to key façade elements. Further, if the dramatic alterations to the façade elements of the 508 and 510-512 heritage places did not prevent a significant grading, how could the poor condition, and modified ground floor window treatment of 140 Queensberry Street influence the grading of the refurbished heritage place at 138 Queensberry Street?

Concerning the description of the different façade elements [in the para addressing aesthetic significance] the descriptions given for the more ornate first floor elements relate to 508 Swanston Street [not the place to its north, no 510-512 Swanston Street].



Appendix 'I' Examples of Heritage Places, which were recommended for “individual statutory heritage protection” in 1999/2000, that have since been downgraded to “Contributory”

680-682 Swanston Street, Carlton - SE Corner of Swanston and Grattan Streets [Image taken March 2022 E. Ogilvy]



257 Cardigan Street - former Carlton Club Hotel [Image taken August 2022 E. Ogilvy]

