

Moreland Council submission responding to Panel Directions on 6 May 2022

Planning Panels requested on 6 May 2022 that Council circulate a response to the following:

- 1 (a) - details of previous heritage studies or assessments relevant to 151A Lygon Street Brunswick, including the sequence and relevant findings
- 1 (b) - an explanation of how the findings of any previous heritage studies have been integrated into Brunswick Activity Centre planning, and details of any relevant Planning Scheme amendments including sequence of changes to the Design and Development Overlay and Heritage Overlay in Lygon Street.

1 (a) – Heritage Assessments of 151A Lygon Street Brunswick East

Council in their Part A submission included a chronology of events relevant to 151A Lygon Street Brunswick East. Further to this, the table below provides a summary of the heritage studies that included the property at 151A Lygon Street Brunswick East, including relevant findings.

Heritage Assessments relevant to 151A Lygon Street Brunswick East			
Year	Name	Purpose of Study	Findings relevant to 151A Lygon Street
2007	Brunswick Major Activity Centre Heritage Analysis and Review - Stage 1 by Context Pty Ltd	<p>Purpose of the study was to identify key heritage issues within the Brunswick Major Activity Centre (BMAC), including reviewing existing heritage studies and identifying gaps in the existing heritage analysis and controls.</p> <p>The study area included 151A Lygon Street Brunswick East.</p>	<p>A recommendation of this study included that:</p> <p><i>The heritage assessment of Lygon Street should be carried out in accordance with the recommendations of the Context 2004 Heritage Review.</i></p>
2004 (revised 2008)	Local heritage Places Review by Context Pty Ltd	<p>Reviewed places identified as significant in previous studies but that had not been part of any Amendments to implement the findings. This study provided an explanation of the key findings and recommendations of the Moreland Local Heritage Places Review in 2004, as well as the approach and methodology used in its preparation. Builds on recommendations from BMAC.</p> <p>The study area included 151A Lygon Street Brunswick East</p>	Identifies 1-513 Lygon Street Brunswick East as potential precinct, recommending further review and/or assessment
2008	Brunswick Major Activity Centre Heritage Analysis and Review - Stage 2	<p>Purpose of this study was to build on from the Stage 1 study findings to inform the structure plan process, particularly in regard to:</p> <ul style="list-style-type: none"> • built form and urban design outcomes • reviewing of the current Planning Scheme provisions and controls 	<p>The study outlines that the built form guidelines are based on a limited assessment allowed for by the timeframe and budget for the Study. As a result, further review is required in relation to clearly defining what parts of Lygon Street should be included within the HO and subject to the guidelines.</p> <p>The study provides some comments on the potential significance of Lygon Street based on a preliminary assessment:</p>

		<ul style="list-style-type: none"> recommendations for developing a heritage interpretation strategy for the area. <p>The study area included 151A Lygon Street Brunswick East.</p>	<ul style="list-style-type: none"> Lygon Street retains distinctive and intact groups of buildings that, although different in scale, function and setback, form cohesive streetscapes linked by their common use of materials, parapet profile and decorative detailing. The diversity of single and double storey building heights is of interest, when compared to the more consistent development along Sydney Road. Lygon Street is important for its ability to demonstrate the Victorian to interwar periods of Brunswick's development. Lygon Street illustrates the significant expansion of industry in Brunswick, particularly in clothing and textiles, during the interwar and postwar periods. <p>The study recommends as a high priority:</p> <p><i>Carry out a heritage assessment of Lygon Street, after which the built form guidelines can be adapted in line with its findings</i></p>
2008	Stage 1 Lygon Street Heritage Study by Context Pty Ltd	<p>Preliminary heritage assessment that focuses on Lygon Street between Park Street and Albion Street, East Brunswick. It comprises Stage 1 of a two-stage study that forms part of the heritage assessment components of the Brunswick Major Activity Centre heritage analysis.</p> <p>151A Lygon Street appears to be referenced in this study as 151 Lygon Street Brunswick East and is considered within Precinct 6 of this study.</p>	<p>The study describes the significance of Precinct 6 as:</p> <ul style="list-style-type: none"> <i>Historically, as evidence of the development of this section of Lygon Street as a local shopping street</i> <i>Historically, for the continuity of uses.</i> <i>Architecturally, for the high percentage of intact Victorian and Interwar shops, including a large number that have retained an original or early shopfront.</i> <p>The study describes 151A Lygon Street's contribution to the precinct as:</p> <p><i>Significant, single-storey interwar shop with intact shopfront; finally detailed clinker brick & render parapet</i></p>
2012	Stage 2 Lygon Street Heritage Study by Context Pty Ltd	<p>This study undertook the detailed heritage assessment of seven potential heritage precincts and three individual heritage places originally identified in the Stage 1 Lygon Street Heritage Study Report.</p>	<p>Precinct 6 was determined to not meet the threshold for local significance. This report does not specifically mention why Precinct 6 did not meet the threshold for local significance. The report does however include tables that provide a high-level recommendation for all the properties in Precinct 6.</p>

		151A Lygon Street Brunswick East forms part of Precinct 6 included in the study.	<p>Of relevance to 151A Lygon Street Brunswick East is table 'B6 Require further research' that lists this property as having potential local significance and recommending further research.</p> <p>The study describes 151A Lygon Street Brunswick East as:</p> <p><i>1-storey c1930s shop with finely detailed stepped parapet in clinker brick and render (only likewise?); retains original shopfront (metal framed windows, blue tiled stallboard, tiled entry floor, glazed timber door); cantilevered verandah may be original but has been boxed in.</i></p> <p>The assessment of additional individual heritage places was out of scope of the study.</p>
2016	Stage 1 of the Heritage Gap Study by Context Pty Ltd	<p>The preliminary heritage assessment of all outstanding recommendations from previous studies and panel reports.</p> <p>The property at 151A Lygon Street Brunswick East was included in this study as an outstanding recommendation from the Lygon Street Stage 2 Heritage Study.</p>	<p>The study identified the potential of 151A Lygon Street Brunswick East as an individually significant place.</p> <p>The study provides the following description of 151A Lygon Street Brunswick East:</p> <p><i>This is an intact interwar shop with an interesting parapet and original shopfront. Of potential architectural and aesthetic significance.</i></p>
2019	Stage 2 of the Heritage Gap Study by Context Pty Ltd	Detailed heritage assessment of places recommended for further assessment by Stage 1 of the Heritage Gap Study, including the property 151A Lygon Street Brunswick East.	<p>This study found the property 151A Lygon Street Brunswick East as a commercial property of local significance and recommended it be included in the Moreland Heritage Overlay as an individually significant place listing.</p> <p>A detailed citation describes this properties significance in Volume 3 of the study and summarises this significance in Volume 1 of the study as:</p> <p><i>This shop is notable for the distinctive stepped profile and geometric pattern and parapet and pediment, which demonstrate the influence of the Jazz Moderne or Art Deco style.</i></p>

1 (b) - Integration of heritage into Brunswick Activity Centre planning and Amendments affecting the heritage overlay along Lygon Street

The table below provides a description of Amendments affecting the Heritage Overlay along Lygon Street from the time the Brunswick Structure Plan (2010) was being developed.

Amendments applying the Heritage Overlay along Lygon Street		
Amendment No	Gazettal Date	Description and commentary
C98	May 2009	Applied the Heritage Overlay on an interim basis to places identified as significant by the Moreland Local Heritage Places Review 2004 and draft Brunswick Structure Plan 2008, including properties along Lygon Street.
C78	March 2011	This amendment implemented the recommendations of the Moreland Local Heritage Places Review 2004 and the Brunswick Major Activity Centre (MAC) Heritage Analysis and Review 2007 by amending the Schedule to the Heritage Overlay and applying a permanent Heritage Overlay to those places, precincts, parks and street trees throughout the municipality which were identified as having heritage significance.
C145 C155 (extension)	June 2013 May 2014	These Amendments applied a Heritage Overlay on an interim basis and extended this interim Heritage Overlay to 260 Lygon Street, Brunswick East.
C149	August 2015	Implemented the findings of the Lygon Street Heritage Study by applying the Heritage Overlay to 5 precincts, 1 serial listing and 5 individual places in Lygon Street, Brunswick East. The Amendment also amended the Local Planning Policy Framework at Clause 21.05 Clause 22.04 to include the Lygon Street Heritage Street (2012) as a reference document.
C134	August 2016	<p>This Amendment implemented the objectives and strategies of the Brunswick Structure Plan through the application of design and built form controls DDO18, DDO19 and DDO20 to the Brunswick Major Activity Centre. Of particular interest is DDO19, which directs design and built form guidance along the Lygon Street corridor of the Brunswick Major Activity Centre and included an objective recognising the heritage values of this corridor.</p> <p>The Panel report for C134 provided an explanation of some changes to the DDO's relating to heritage matters made through the C134 Panel process. Much of these changes are of a consequence of the final outcomes of the Stage 2 of the Lygon Street Heritage Study, which was concurrently being implemented through Amendment C149 at the time of the Panel hearing.</p> <p>The C134 Panel report includes a description of changes made by Council through the Panel process to DDO19 (which is largely to the maps in the DDO schedule) and which were supported by Panel. Some key changes include:</p> <ul style="list-style-type: none"> • Replacing 'Significant/iconic sites' on the maps with 'Buildings of individual heritage significance', and mapping the individual significant places already in the HO and proposed by Amendment C149. • Modifying street wall and building heights and upper level setback of properties within heritage precincts identified by the Lygon Street Heritage Study. • Removing building heights and street wall requirements of individually significant places identified by the Lygon Street Heritage Study.

		The C134 Panel report has been included as an attachment.
C174more/ C174morept1	October 2020	<p>This Amendment implemented the findings of the Moreland Heritage Gap Study by applying the Heritage Overlay on a permanent basis to 75 individual sites, 4 heritage precincts, 3 serial listings and 10 precinct extensions in Brunswick, Brunswick East, Brunswick West, Coburg, Coburg North, Glenroy, Fawkner, Fitzroy North, Oak Park, Pascoe Vale and Pascoe Vale South. The amendment also introduced <i>The Moreland Heritage Exemptions Incorporated Plan 2019</i> into the Moreland Planning Scheme and rectified anomalies in Clause 22.06 (Heritage) and in the Schedule to Clause 43.01 (Heritage) of the Moreland Planning Scheme.</p> <p>As outlined in Council's previous submissions, Amendment C174more included a number of individually significant places for the Heritage Overlay located within the Brunswick Activity Centre and affected by the associated DDO18, DDO19 & DDO20.</p> <p>Whilst there were no changes to DDO19 through this Amendment, it is worth noting that there were changes to DDO18 (Sydney Road corridor of Brunswick Activity Centre). In response to a public submission that raised issue that DDO18 did not show 233-239 Brunswick Road Brunswick as an individually significant place, Council proposed changes to DDO18 to identify the property as individually significant. These changes were supported by Panel and were integrated in DDO18 with the approval of C174more part 1.</p>

Brunswick Structure Plan

The heritage values of the Brunswick Major Activity Centre were considered in the development of the Brunswick Structure Plan. The Brunswick Major Activity Centre Heritage Analysis and Review report was part of the background information that informed the Brunswick Structure Plan. This report helped inform objectives and built form guidance for the Brunswick Structure Plan, including recognising heritage clusters along Lygon Street as a character element of value.

The findings of Stage 1 of the Lygon Street Heritage Study influenced the drafting of the Brunswick Structure Plan by recognising the preliminary identification of potential heritage places and precincts.

The findings of Stage 2 Lygon Street Heritage Study and heritage assets had been identified at the time of Amendment C134 and they influenced changes to the DDO's through the C134 amendment process.

Conclusion

As contemplated by Plan Melbourne, accommodating growth and protecting heritage coexist, and the planning system has been set up to enable this with distinct tools focused on growth to those protecting heritage.

As outlined in Council's Part C (2) submission, the Heritage Overlay is one such tool that is distinct from the other overlays with its purpose summarised as to conserve places of natural and cultural significance and elements that contribute to the significance of a heritage place.

Our submissions to date provide an explanation on the appropriateness of the Heritage Overlay and outlines that the *Moreland Heritage Nomination Study* and *Moreland Heritage Gap Study* offer appropriate assessment methodologies, justification and recommendation for places and precincts to be included in the Heritage Overlay and that the Amendment is in accordance with *Practice Note 1: Applying the Heritage Overlay* and the *Practitioner's Guide to Victoria Planning Provisions*.