Statement of Recommendation from the Executive Director, Heritage Victoria

Bridge, Newlands Road, over Merri Creek, Coburg North, VHR H1446

Merri-bek City

Wurundjeri Country



VICTORIA State Government

HERITAGE VICTORIA

Executive Director recommendation

I recommend to the Heritage Council of Victoria (**Heritage Council**) that the Bridge, Newlands Road, over Merri Creek, Coburg North in the Victorian Heritage Register (**VHR**) be amended. The category of registration is recommended to be Registered Place.

In accordance with section 62 of the *Heritage Act 2017* (**the Act**), I suggest that the Heritage Council determine:

- to include additional land in the VHR (section 49(1)(d)(i) and (ii) of the Act); and
- the proposed categories of works or activities which may be carried out in relation to the place for which a permit is under the Act not required, will not harm the cultural heritage significance of the place under section 49(3)(a) of the Act.
- to update the name to Former Newlands Road Bridge.



STEVEN AVERY
Executive Director, Heritage Victoria
Date of recommendation: 16 November 2026

The process from here

1. The Heritage Council publishes the Executive Director's recommendation (section 41)

The Heritage Council will publish the Executive Director's recommendation on its website for a period of 60 days.

2. Making a submission to the Heritage Council (sections 44 and 45)

Within the 60-day publication period, any person or body may make a written submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the Heritage Council's website.

3. Heritage Council determination (sections 46, 46A and 49)

The Heritage Council is an independent statutory body. It is responsible for making the final determination to include or not include the place, object or land in the VHR or amend a place, object or land already in the VHR.

If no submissions are received the Heritage Council must make a determination within 40 days of the publication closing date.

If submissions are received, the Heritage Council may decide to conduct a hearing in relation to the submission. The Heritage Council must conduct a hearing if a submission requests a hearing, and that submission is made is made by person or body with a real or substantial interest in the place, object or land.

If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

4. Obligations of owners of places, objects and land (sections 42, 42A, 42B, 42C, 42D and 43)

The owner of a place, object or land which is the subject of a recommendation to the Heritage Council has certain obligations under the Act. These relate to advising the Executive Director in writing of any works or activities that are being carried out, proposed or planned for the place, object or land.

The owner also has an obligation to provide a copy of this statement of recommendation to any potential purchasers of the place, object or land before entering into a contract.

5. Further information

The relevant sections of the Act are provided at the end of this report.

Description

The Former Newlands Road Bridge is a former road bridge – now pedestrian and bicycle bridge – that crosses the Merri Creek in a north-south direction along the former alignment of Newlands Road, immediately west of the current Newlands Road bridge.

The bridge is a triple span segmental arched structure supported on four piers with integrated parapet and balustrades. Constructed of rough-hewn bluestone, the bridge is 27.4 metres long, with 9.1 metre spans. The piers comprise rough-hewn bluestone breakwaters topped by stone hemispheres while the segmental arches are framed by prominent voussoirs. A stringcourse is expressed at road level. The balustrade extends above the stringcourse comprising of squared rubble brought to course and topped by rusticated capping stones. There is a bluestone cartouche, a decorative carved panel, with inscription, 'Newlands Bridge, Erected by the Penal Department, August 1865, W.T.N. Champ Inspector General', surrounded by carved leafing to the west parapet above the central arch. Rough-hewn bluestone abutments support the bridge at either end.

The carriageway has been redecked with an asphalt surface. Northern and southern approaches are grassed with concrete pathways abutting the bridge and there is a large basalt boulder to the southern approach with a plaque bearing the same inscription as the cartouche. A shared pedestrian and cyclist bridge (part of the Merri Creek Trail) runs under the northern arch and an unpaved walkway under the southern arch. There is a concrete spillway west of the bridge, separating the Coburg Lake upstream.

Description images



2026, West side of Former Newlands Road Bridge with unpaved pathway under southern arch (right), Source: Heritage Victoria.



2026, West side of Former Newlands Road, Source: Heritage Victoria.



2026, Former Newlands Road Bridge with carved bluestone breakwaters, Source: Heritage Victoria.



2026, West side of Former Newlands Road Bridge with cartouche over central arch, Source: Heritage Victoria.



2026, East side of Former Newlands Road Bridge with shared pedestrian and cyclist path under northern arch (right), Source: Heritage Victoria.



2026, East side of Former Newlands Road Bridge from shared pedestrian and cyclist path, Source: Heritage Victoria.



2026, East side of Former Newlands Road Bridge from shared pedestrian and cyclist path, Source: Heritage Victoria.



2026, East side of current Newlands Road Bridge with Former Newlands Road Bridge in background, Source: Heritage Victoria.



2026, Former Newlands Road Bridge as viewed from southern approach, Source: Heritage Victoria.



2026, Former Newlands Road Bridge balustrade overlooking Coburg Lake spillway, Source: Heritage Victoria.



2026, Large boulder to southern approach with plaque, Source: Heritage Victoria.



2026, Current Newlands Road bridge (left) and Former Newlands Road Bridge (right) looking south, Source: Heritage Victoria.



2026, Northern approach between current Newland Road bridge (left) and Former Newlands Road Bridge (right) looking south, Source: Heritage Victoria.



2026, Former Newlands Road Bridge at left and spillway (right), Source: Heritage Victoria.



2026, Spillway from Coburg Lake (behind), Source: Heritage Victoria.

History

Wurundjeri Country

The Wurundjeri people have an unbroken connection to the land and waters around Coburg from time immemorial. Wurundjeri Country includes the city of Melbourne (Narrm), the city now known as Merri-bek, and an area extending north to the Great Dividing Range and beyond, west to the Werribee River, and east to Mount Baw Baw. It includes the Merri Merri (Merri Creek), which flows under the Former Newlands Road Bridge.

The Yoorrook Justice Commission recorded how colonisation brought irreparable damage to First Peoples in Victoria with the introduction of diseases, massacres, dispossession from Country, confinement on missions and reserves, forced labour, separation of families and ongoing policies and practices that perpetuate systemic injustice (Yoorrook Justice Commission 2025).

The Wurundjeri continue to live, work, practise culture and manage land and waters around Merri-bek and the surrounding area.

The Merri Creek and Pentridge Village

The Merri Creek area sits on a vast basalt plain created by ancient volcanic activity: 'Merri Merri' is derived from an Aboriginal term for 'stony,' reflecting the landscape. After colonisation, a quarrying industry developed to extract bluestone from these basalt layers, and grew rapidly from the 1850s. By 1875 the area had 41 quarries, rivalling those in Footscray and Brunswick (Richard Broome 2001:40; eMelbourne).

In 1840, Pentridge Village, at the axes of Merri Creek, Bell Street and Sydney Road, was named after the birthplace in Dorset of surveyor Henry Foot's wife, Lettice Spear. However, it was not until 1848 that surveyor Lindsay Clarke formally laid out the village. The Pentridge Road Board was formed in 1859 resulting in the construction of civic buildings at the village reserve in the 1860s (Richard Broome 2001:67; Allom Lovell and Associates Vol 1 1998:12).

When a temporary penal stockade was established at Pentridge in 1850 to alleviate overcrowding at Melbourne Gaol, it was proposed that its prisoners would work in gangs to repair the often-impassable Sydney Road which connected the village to Melbourne. By 1852 the Penal Department had expanded operations to include large-scale bluestone quarrying around today's Coburg Lake, supplying stone for roads and public works. Frequent escapes from work gangs led to the suspension of external labour in 1853, heightening local unease about the stockade's presence (Richard Broome 2001; Allom Lovell & Associates Vol 1 1998: 16-18).

The murder of the Inspector-General of Penal Establishments, John Price, by convicts in 1857 prompted major reform. Price's successor, William Thomas Napier Champ (1808-1892), an experienced penal administrator, oversaw the transformation of Pentridge into a permanent, purpose-built prison. Between 1857 and 1864 he directed an ambitious building program using prison labour and bluestone from the stockade's quarries. Champ, a soldier and public servant had been the first Premier of Tasmania in 1856 (eMelbourne; John V Barry 1969: online).

Champ's reforms, which included a proposed expansion of the penal reserve, met with objections from local residents concerned about falling land values and further prisoner escapes. A compromise was reached with residents, and it was agreed in 1859 to limit the penal reserve to 143 acres, extending only as far as the Merri Creek, and to provide two bridges across the creek: one was Newlands Bridge built in 1865 by prison labour and later, the Murray Bridge which was completed in 1871 (VHD; Timothy Hubbard 1991: 14-19).

The Pentridge Road Board was renamed the Coburg Road Board in 1870, after residents lobbied to dissociate their place name from the gaol. The name Coburg honoured Prince Alfred, Duke of Saxe Coburg and Duke of Edinburgh, who had recently been Australia's first royal visitor. Coburg was officially proclaimed a Shire in 1874 (eMelbourne; Timothy Hubbard 1991: 19; 29).

Newlands Road Bridge over Merri Creek

The first bridge over the Merri Creek appears to have been a suspension bridge built using prison labour in 1853 (Allom Lovell & Associates 1998: 434). It was claimed that the bridge's foundations were only 18 inches (45.7 centimetres) deep and the bridge was soon demolished for safety reasons.

Completed in August 1865, the present-day Newlands Road Bridge was constructed near the site of the earlier bridge using labour from the nearby Pentridge Prison. Originally a road bridge, it carried traffic until 1961 and now serves as a

pedestrian and bicycle crossing of Merri Creek along the former alignment of Newlands Road. A cartouche, a decorative carved panel, set into the western parapet records its construction: 'Newlands Bridge, Erected by the Penal Department, August 1865, W.T.N. Champ Inspector General.'

In 1982, the Newlands Road Bridge was included in the Register of Government Buildings to recognise its cultural heritage significance.

Selected bibliography

The Age.

The Argus.

Allom Lovell & Associates, *City of Moreland Heritage Review*, 1998.

Barry, John V, 'Champ, William Thomas Napier (1808–1892)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University; https://adb.anu.edu.au/biography/champ-william-thomas-napier-3191/text4789 Published first in hardcopy 1969, accessed online 14 May 2026.

Broome, Richard, Coburg: *Between Two Creeks*, 2nd ed., Coburg Historical Society, 2001.

Encyclopedia of Melbourne [online resource], School of Historical & Philosophical Studies, The University of Melbourne, July 2008; https://www.emelbourne.net.au/, accessed 14 May 2026.

Hubbard, Timothy, *City of Coburg Heritage Conservation and Streetscape Study*, Vol 1, 1991.

State Library of Victoria, Picture Collection, images and plans as cited, accessed online 12 May 2026.

Victorian Heritage Database (VHD).

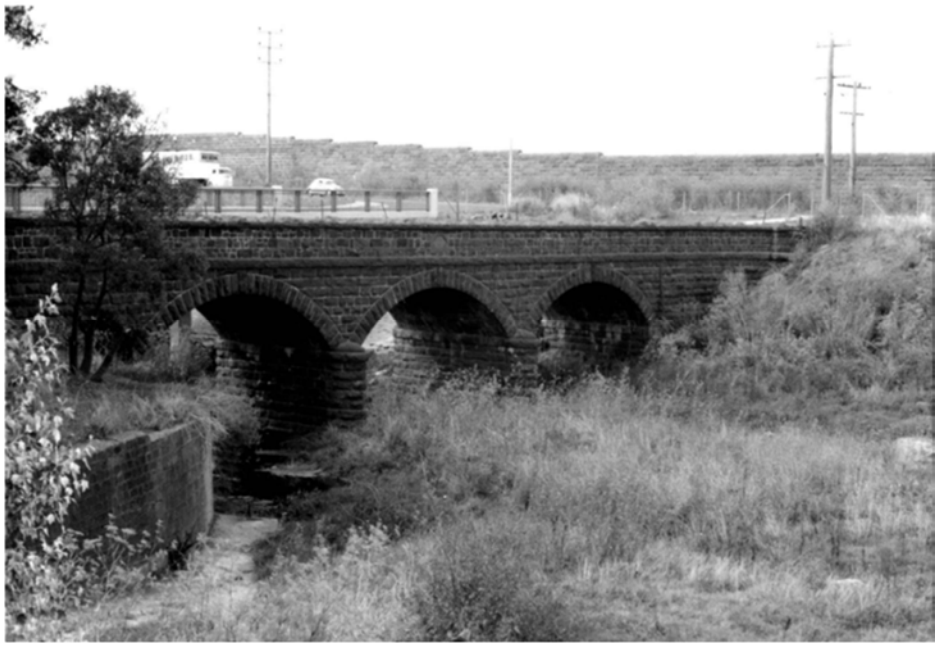
Historical images



c1910, 'Bridge over Merri Creek', Source: State Library Victoria, ID 9939667531807636.



1964, 'Coburg B.S. [bluestone] Bridge over Merri Creek Newlands Road' [1 of 2], Source: State Library Victoria, ID 9939658493407636.



1964, 'Coburg B.S. [bluestone] Bridge over Merri Creek Newlands Road' [2 of 2], Source: State Library Victoria, ID 9939658493407636.



1968, 'Coburg. Bridge over Merri Creek Newlands Road', Source: State Library Victoria, ID 9916711123607636.

Further information

Registered Aboriginal Party information

The Former Newlands Road Bridge is located on Wurundjeri Country.

Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this land is the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.

Victorian Aboriginal Heritage Register

The place is in an area of Aboriginal cultural heritage sensitivity related to the Merri Merri (Merri Creek).

(25 August 2026)

Integrity

The integrity of the place is excellent. The cultural heritage values of the Former Newlands Road Bridge can be easily read in the extant fabric.

(30 June 2026)

Intactness

The intactness of the place is excellent.

(30 June 2026)

Condition

The condition of the Former Newlands Road Bridge is very good.

(30 June 2026)

Note: The condition of a place or object does not influence the assessment of its cultural heritage significance. A place or object may be in very poor condition and still be of very high cultural heritage significance. Alternatively, a place or object may be in excellent condition but be of low cultural heritage significance.

Amendment recommendation

State-level cultural heritage significance of the place

The cultural heritage significance of the Former Newlands Road Bridge was recognised when it was included in the Register of Government Buildings in 1982. Its State-level cultural heritage significance was confirmed in 1999 when it was transferred into the Victorian Heritage Register.

The Former Newlands Road Bridge is of historical and architectural significance to the State of Victoria.

Amendment application

On 26 August 2026 the Executive Director made and accepted an application to amend the registration of the place to ensure it is consistent with current practices under the Act.

Assessment of additional land and summary of significance

The information below is provided under s.40(3A)(c)(i)(ii) and s.40(4)(c)(i)(ii) as part of the Executive Director's Statement of recommendation.

The Executive Director recommends that the Heritage Council amend this registration because it is his view that:

- The State-level cultural heritage significance of the place would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the place were developed [s.40(3A)(c)(i)].
- The additional land surrounds the place and is important to the protection or conservation of the place; or contributes to the understanding of the place [s.40(3A)(c)(ii)].

The Executive Director notes that:

- The current extent is limited to the fabric of the building, and is insufficient to protect, conserve and allow for a proper understanding of the place.
- The current extent:
  - does not include the full extent of land associated with, or immediately surrounding, the Former Newlands Road Bridge, which has been used in conjunction with the place since 1865 (over 160 years).
  - does not include the 1961 concrete bridge to the immediate east of the Former Newlands Road Bridge, the future development of which could substantially impact the 1865 bridge.

The Executive Director is of the view that:

- If any of the additional land proposed for inclusion in the registration were developed, depending upon the nature of the proposal, there is potential for the development to impact upon the place and substantially reduce its State-level cultural heritage significance.
- The proposed inclusion of land associated with the place will provide clarity on the approvals process for works within the place.
- The proposed inclusion of additional land will ensure all fabric that relates to the State-level values of the place are appropriately captured and considered in any process to manage change.

Change of name

The Executive Director proposes to change the place name as follows:

Current name: Bridge, Newlands Road, over Merri Creek, Coburg

Proposed name: Former Newlands Road Bridge

The name change will ensure a clear distinction between the 1865 bridge and the current Newlands Road bridge, the latter being in active use as a road bridge.

Statutory requirements under section 40

Terms of the recommendation (section 40(3)(a))

The Executive Director recommends that the registration of the Former Newlands Road Bridge in the VHR is amended.

Information to identify the place or object or land (section 40(3)(b))

Number: VHR H1446

Category: Registered Place.

Name: Former Newlands Road Bridge

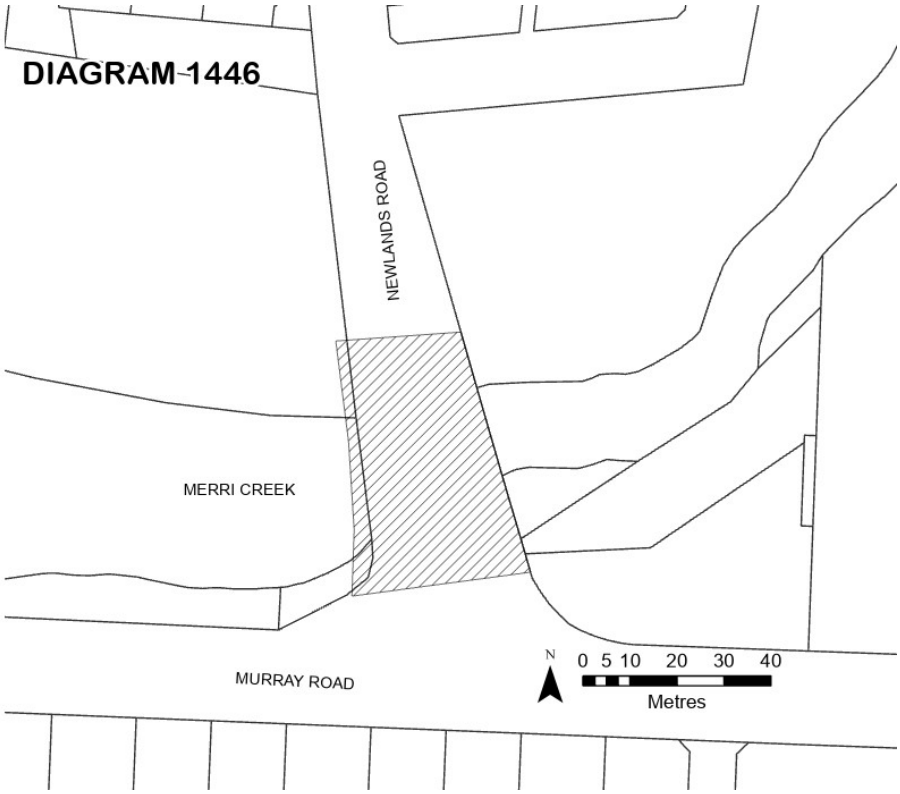
Location: Newlands Road, over Merri Creek. Coburg

Municipality: Merri-bek City

Proposed extent of registration

The Executive Director recommends that the extent of registration be gazetted as:

All of the place shown hatched on Diagram 1446 encompassing parts of Crown Allotment 2367 and 2819 Parish of Jika Jika and Lot 1 Title Plan 689018 and part of the road reserve of Newlands Road to the extent of 5m from the outer edge of the bridge to the north, south and west and to the edge of the road reserve to the east.



Non-statutory information about the proposed extent of registration

Aerial photo of the place showing proposed extent of registration



The red line indicates the proposed extent of registration.

The extent provides a 5-metre buffer to the north, south and west from the outer-most edge of the historic bridge structure (being the flared ends to the north and south) and extends east to align with the parcel boundary, west of Newlands Rd.

Note: This aerial view provides a visual representation of the place. It is not a precise representation of the recommended extent of registration. Due to distortions associated with aerial photography some elements of the place may appear as though they are outside the extent of registration.

Rationale for the proposed extent of registration

The proposed extent of registration includes all of the land (above and below ground and airspace) and every part of the place including but not limited to:

- The bridge structure
- Waterway
- Landscape features.

A permit or permit exemption from Heritage Victoria is required for **all** works or activities within the proposed extent of registration, apart from those identified in the categories of works or activities in this recommendation (permit exemption).

The recommended extent of the registration is the same as the notional Heritage Overlay currently mapped in the Planning Scheme (HO125).

Summary of cultural heritage significance (section 40(4))

Statement of significance

The Former Newlands Road Bridge is located on Wurundjeri Country.

What is significant?

The Former Newlands Road Bridge, a bluestone bridge constructed in 1865 by prison labour from nearby Pentridge Prison.

How is it significant?

The Former Newlands Road Bridge is of historical and architectural significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

Criterion D

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

Why is it significant?

The Former Newlands Road Bridge is historically significant for its close association with Pentridge Prison, as one of only a few remaining examples of public works constructed by penal labour. The bridge is an important expression of penal reform in Victoria, being constructed when there was a belief that prisoners should work to reform themselves. Built using bluestone quarried from within the Old Penal Reserve along Merri Creek, the construction of the bridge occurred at the direction of Inspector General William Champ, a key figure of prison reform in nineteenth-century Victoria. Champ oversaw the rebuilding of Pentridge into a modern penitentiary, including its principal bluestone structures. His role in the bridge's construction is acknowledged in the inscribed cartouche within the bridge structure. [Criterion A]

The Former Newlands Road Bridge is architecturally significant as a fine and early example of a substantial bluestone bridge. It demonstrates skilled stonemasonry in its construction with prominent voussoirs to the arches, substantial piers with carved breakwaters, rusticated bluestone string course at road level, and capping stones to the parapet walls. The bridge is important for its contribution to the complex of visually linked prison-related structures, which include the nearby Murray Road Bridge and the Pentridge Prison walls. [Criterion D]

Recommended permit exemptions under section 38

Introduction

A heritage permit is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are exempt from a heritage permit, if the proposed works will not harm the cultural heritage significance of the heritage place or object.

Permit Policy

It is recommended that a Conservation Management Plan is utilised to manage the place in a manner which respects its cultural heritage significance.

Permit Exemptions

General Permit Exemptions

General exemptions apply to all places and objects included in the VHR. General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the *Heritage Act 2017*.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must notify the Executive Director before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions here.

Specific Permit Exemptions

The works and activities listed below under the heading 'Exempt works and activities' are not considered to cause harm to the cultural heritage significance of Former Newlands Road Bridge. These are subject to the following guidelines and conditions:

Guidelines for specific permit exemptions

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.
7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

General conditions for specific permit exemptions

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human remains must be provided to the Aboriginal Heritage Council (as defined in the *Aboriginal Heritage Act 2006*).

Exempt works and activities

1. All works and activities relating to the operation and ongoing use of the 1961 Newlands Road bridge, including demolition of existing road-related infrastructure and the replacement or installation of new lighting, traffic management devices, road signage and structural strengthening measures below or to the east of the bridge, ensuring the new works do not physically impact the Former Newlands Road Bridge.
2. Removal of graffiti from the 1961 Newlands Road bridge.
3. Demolition of the 1961 Newlands Road bridge ensuring the works do not physically impact the Former Newlands Road Bridge.
4. All water and environmental management works and activities assocaited with the Merri Creek, providing the works do not involve new fixings to the bridge or excavation around bridge pier or abutment footings.
5. Bank stabilisation works where the works do not physically impact the bluestone bridge structure.
6. All works to remove, destroy or lop vegetation or plant new vegetation, including native vegetation, where the requirements of the Merri-bek Planning Scheme in relation to vegetation are satisfied.
7. All works to repair and maintain existing pathway and public realm infrastructure below and adjacent to the Former Newlands Road Bridge.

Appendix 1: Important information for owners and interested parties

Heritage Council determination (section 49)

The Heritage Council is an independent statutory body that will make a determination on this recommendation under section 49 of the Act. It will consider the recommendation after a period of 60 days from the date the notice of recommendation is published on its website under section 41.

Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the Heritage Council's website. The owner can also make a submission about proposed permit exemptions (Section 40(4)(d).

Consideration of submissions to the Heritage Council (section 46)

(1) The Heritage Council must consider—

(a) any written submission made to it under section 44; and

(b) any further information provided to the Heritage Council in response to a request under section 45.

Conduct of hearings by Heritage Council in relation to a recommendation (section 46A)

(1) The Heritage Council may conduct a hearing in relation to a recommendation under section 37, 38 or 39 in any circumstances that the Heritage Council considers appropriate.

(2) The Heritage Council must conduct a hearing if—

(a) a submission made to it under section 44 includes a request for a hearing before the Heritage Council; and

(b) the submission is made by a person or body with a real or substantial interest in the place, object or land that is the subject of the submission.

Determinations of the Heritage Council (section 49)

(1) After considering a recommendation that a place, object or land should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing, the Heritage Council may—

(a) determine that the place or object is of State-level cultural heritage significance and is to be included in the Heritage Register; or

(ab) in the case of a place, determine that—

(i) part of the place is of State-level cultural heritage significance and is to be included in the Heritage Register; and

(ii) part of the place is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

(ac) in the case of an object, determine that—

(i) part of the object is of State-level cultural heritage significance and is to be included in the Heritage Register; and

(ii) part of the object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

(b) determine that the place or object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

(c) in the case of a recommendation in respect of a place, determine that the place or part of the place is not to be included in the Heritage Register but—

(i) refer the recommendation and any submissions to the relevant planning authority or the Minister administering the Planning and Environment Act 1987 to consider the inclusion of the place or part of the place in a planning scheme in accordance with the objectives set out in section 4(1)(d) of that Act; or

(ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place or part of the place; or

(ca) in the case of a recommendation in respect of an object nominated under section 27A, determine that the object, or part of the object, is to be included in the Heritage Register if it is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register; or

(d) in the case of a recommendation in respect of additional land nominated under section 27B, determine that the additional land, or any part of the additional land, is to be included in the Heritage Register if—

(i) the State-level cultural heritage significance of the place, or part of the place, would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the place were developed; or

(ii) the additional land or any part of the additional land surrounding the place, or part of the place, is important to the protection or conservation of the place or contributes to the understanding of the place.

(2) The Heritage Council must make a determination under subsection (1)—

(a) within 40 days after the date on which written submissions may be made under section 44; or

(b) if any hearing is conducted, within 90 days after the completion of the hearing.

(3) A determination made under subsection (1)(a), (ab), (ac), (ca) or (d)—

(a) may include categories of works or activities which may be carried out in relation to a place, object or land, or part of a place, object or land, for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place, object or land; and

(b) must include a statement of the reasons for the making of the determination.

(4) If the Heritage Council determines to include a place, or part of a place, in the Heritage Register, the Heritage Council may also determine to include land that is not the subject of a nomination under section 27B in the Heritage Register as part of the place if—

(a) the land is ancillary to the place; and

(b) the person who owns the place, or part of the place—

(i) is the owner of the land; and

(ii) consents to its inclusion.

(5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.

(6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

Obligations of owners (section 42, 42A, 42B, 42C, 42D)

42 Obligations of owners—to advise of works, permits etc. on foot when statement of recommendation given

(1) The owner of a place, object or land to whom a statement of recommendation has been given must advise the Executive Director in writing of—

(a) any works or activities that are being carried out in relation to the place, object or land at the time the statement is given; and

(b) if the place, object or land is a place or additional land, any application for a planning permit or a building permit, or any application for an amendment to a planning permit or a building permit, that has been made in relation to the place or additional land but not determined at the time the statement is given; and

(c) any works or activities that are proposed to be carried out in relation to the place, object or land at the time the statement is given.

(2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.

42A Obligations of owners before determination or inclusion in the Heritage Register—to advise of permits

(1) This section applies if—

(a) an owner of any of the following is given a statement of recommendation—

(i) a place or object nominated under section 27;

(ii) an object nominated under section 27A;

(iii) land nominated under section 27B; and

(b) any of the following occurs within the statement of recommendation period in relation to the place, object or land—

(i) the making of an application for a planning permit or a building permit;

(ii) the making of an application for an amendment to a planning permit or a building permit;

(iii) the grant of a planning permit or building permit;

(iv) the grant of an amendment to a planning permit or building permit.

(2) The owner must advise the Executive Director in writing of—

(a) the making of an application referred to in subsection (1)(b)(i) or (ii), within 10 days of the making of the application; or

(b) a grant referred to in subsection (1)(b)(iii) or (iv), within 10 days of the owner becoming aware of the grant.

42B Obligations of owners before determination or inclusion in the Heritage Register—to advise of activities

(1) This section applies if—

(a) an owner of a place, object or land is given a statement of recommendation; and

(b) within the statement of recommendation period it is proposed that activities that could harm the place, object or land be carried out.

(2) The owner, not less than 10 days before carrying out the activities, must advise the Executive Director in writing of the proposal to do so.

42C Obligations of owners before determination or inclusion in the Heritage Register—to advise of proposal to dispose

(1) This section applies if—

(a) an owner of a place, object or land is given a statement of recommendation; and

(b) within the statement of recommendation period a proposal is made to dispose of the whole or any part of the place, object or land.

(2) The owner, within 10 days after entering into an agreement, arrangement or understanding for the disposal of the whole or any part of the place, object or land, must advise the Executive Director in writing of the proposal to do so.

42D Obligations of owners before determination or inclusion in the Heritage Register—requirement to give statement to purchaser

(1) This section applies if—

(a) an owner of a place, object or land is given a statement of recommendation; and

(b) the owner proposes to dispose of the whole or any part of the place, object or land within the statement of recommendation period.

(2) Before entering into an agreement, arrangement or understanding to dispose of the whole or any part of the place, object or land during the statement of recommendation period, the owner must give a copy of the statement of recommendation to the person who, under the proposed agreement, arrangement or understanding, is to acquire the place, object or land or part of the place, object or land.

Owners of places and objects must comply with obligations (section 43)

An owner of a place, object or land who is subject to an obligation under section 42, 42A, 42B, 42C or 42D must comply with that obligation.

Penalty: In the case of a natural person, 120 penalty units;

In the case of a body corporate, 240 penalty units.

Appendix 2: Existing registration details

Existing extent of registration

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 1446 in the category described as a Heritage Place is now described as:

Bridge, Newlands Road, over Merri Creek, Coburg, Moreland City Council.

EXTENT:

1. To the extent of: All the structure known as the Bridge, over Merri Creek including all of the structure, its approach spans and abutments as marked B1 in Diagram 602301 held by the Executive Director.

Dated: 3 December 1998.

[*Victoria Government Gazette* G 41 7 January 1999 p.35]

Existing extent diagram



bridge newlands road coburg plan

Existing statement of significance

What is significant?

The Bridge, over Merri Creek was constructed in 1865 by convict labour from nearby Pentridge Prison. It was built under the administration of William Champ, the third inspector General of Penal Establishments in Victoria who had earlier been the first Premier of Tasmania. During his time as Inspector General he was responsible for the building of much of present day Pentridge Prison, transforming it from a makeshift stockade to the central penitentiary for Victoria. His name is inscribed on a foundation stone of the bridge. The bluestone for the bridge was quarried from within the Old Penal Reserve along the Merri Creek. Newlands Road Bridge was originally built as a road bridge and was open to traffic up until 1961 when a new concrete bridge was opened along side it. Newlands Road Bridge is a triple span bluestone segmental arched bridge with integral balustrades and parapets. Each span is 9.1 metres and the bridge is in total 27.4 metres long. It is currently used as a pedestrian bridge across the Merri Creek. The bridge runs in a north-south direction and follows the course of an old section of Newlands Road.

How is it significant?

The Bridge, over Merri Creek is of historical, social and architectural importance to the State of Victoria.

Why is it significant?

The Bridge, over Merri Creek is historically and socially important for its close connection with Pentridge Prison, as one of only a few examples existing of public works constructed by penal labour. The bridge is an important indication of penal reform in Victoria, being built when there was a new belief that prisoners should work to reform themselves. The bridge is historically and socially important for its associations with Inspector General William Champ, first Premier of Tasmania, noted prison reformer in nineteenth century Victoria, and the man responsible for much of the existing buildings, walls and gates of modern Pentridge Prison.

The Bridge, over Merri Creek is architecturally important as an early example of a substantial bluestone bridge. It demonstrates skilled stonemasonry in its construction with prominent voussoirs to the arches, substantial piers with carved breakwaters, rusticated bluestone string course at road level, and capping stones to the parapet walls. The bridge is important for its contribution to the complex of visually linked prison related structures, which include the Murray Road Bridge and the Pentridge Prison walls.

Existing permit policy and permit exemptions

* No permit required for routine maintenance of the Bridge, over Merri Creek
* No permit required to replace like with like on the Bridge, over Merri Creek