



Heritage Council Registration Hearing

Queens Parade Shopping Precinct

270–410 Queens Parade, Fitzroy North (including Lot 2 Barruth Lane) and 87–197 Queens Parade, Clifton Hill, City of Yarra

Hearing – 8 September 2021

Members – The Hon. Simon R Molesworth AO QC (Chair), Ms Maggi Solly, Mr Jeffrey Robinson

DETERMINATION OF THE HERITAGE COUNCIL

That the place is not to be included in the Heritage Register – After considering the Executive Director’s recommendation and all submissions received, and after conducting a hearing into the matter, together with an inspection of the Place, the Heritage Council has determined, pursuant to section 49(1)(b) of the *Heritage Act 2017*, that the Queens Parade Shopping Precinct, located at 270–410 Queens Parade, Fitzroy North (including Lot 2 Barruth Lane) and 87–197 Queens Parade, Clifton Hill, City of Yarra, is not of State-level cultural heritage significance and is not to be included in the Victorian Heritage Register.

Simon R Molesworth AO QC (Chair)
Maggi Solly
Jeffrey Robinson

Decision Date – 17 December 2021

Decision summary

The Heritage Council provides a decision summary if the relevant Heritage Council Regulatory Committee is of the view that there are points of interest in the decision which should be identified. The summary does not form part of the decision or reasons for decision.

Registration hearings, conducted by the Heritage Council of Victoria (the Heritage Council) pursuant to the *Heritage Act 2017*, are public processes that allow interested people to present their views on whether or not a place or object is to be included in the Victorian Heritage Register (the Register) for cultural heritage significance to the State of Victoria.

The Executive Director, Heritage Victoria (the Executive Director) recommended to the Heritage Council that the Queens Parade Shopping Precinct (the Place) should not be included in the Register. The Place is a strip shopping centre located on a three-chain (60 metre) boulevard, Queens Parade, which was surveyed by former Deputy Surveyor General, Robert Hoddle in 1853. The Executive Director assessed that the Place does not meet any of the Heritage Council's Criteria for the assessment of State-level cultural heritage significance.

Five (5) submissions were received in response to public notice of the Recommendation, all except one of which objected to the Recommendation and supported the inclusion of the Place in the Register. The Heritage Council appointed a committee (the Committee) to hold a public hearing, at which participants presented a range of views as to whether the Place should be included in the Register.

After considering all submissions, the Committee has found that the Place is not of sufficient cultural heritage significance to the State of Victoria to be included in the Register. The Place is already included in the Heritage Overlay of the Yarra Planning Scheme for significance to the local area, an inclusion which the Committee readily agreed was justifiable given the Place's clearly evident local level significance.

At the public hearing, participants supporting the inclusion of the Place in the Register submitted that the Place is historically significant as a shopping precinct located on a boulevard, demonstrating the growth of Victoria's retail and roads. The Committee found, however, that the Place does not demonstrate the growth of our retail or roads better than other, similar places, including Royal Parade, Parkville; St Kilda Road, St Kilda; Emerald Hill Estate, South Melbourne; Chapel Street, Prahran; Smith Street, Fitzroy/Collingwood and Puckle Street, Moonee Ponds, among others.

Submissions were also made that the Place is rare and uncommon as 'the only example of a Hoddle boulevard that has developed as a retail precinct'. While the Committee acknowledged that the Place may be the only Hoddle boulevard in Victoria to have been developed as a shopping strip, it found that this description of the Place was dependent on too many factors, or 'qualifiers', to establish that the Place is rare in Victoria. The Committee observed that almost any place in the State could be found to be rare if enough qualifiers were applied.

This decision acknowledges that the Place does demonstrate particular aesthetic characteristics of late nineteenth and early twentieth century shopping precincts and of a Hoddle boulevard, however, the Committee found that the appreciation of the aesthetic characteristics of the Place did not resonate beyond the local area to establish significance at the State level. Finally, while the Place is associated with the work of Robert Hoddle, the Committee found that Hoddle's work as Victoria's Deputy Surveyor General is better appreciated through his other achievements including Melbourne's 'Hoddle Grid', Royal Parade, Parkville and St Kilda Road, St Kilda.

The Heritage Council found that none of the assessment Criteria for heritage significance were met at the State level.

ACKNOWLEDGEMENT

As a peak heritage body, we acknowledge the Traditional Owners of the Country that we call Victoria, as the original custodians of Victoria's land and waters, and acknowledge the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of Aboriginal culture and traditional practices.

PERSONS WHO LODGED WRITTEN HEARING SUBMISSIONS AND APPEARED AND MADE VERBAL SUBMISSIONS AT THE HEARING

EXECUTIVE DIRECTOR, HERITAGE VICTORIA

Written submissions were received from the Executive Director, Heritage Victoria ('the Executive Director'). Dr Marina Larsson, Principal – Assessments, assisted by Mr Geoff Austin, Manager – Heritage Register, appeared and made verbal submissions at the hearing on behalf of the Executive Director.

MR DAVID YOUNG

Written submissions were received from Mr David Young, who appeared and made verbal submissions at the hearing. Mr Young is also a member of the Queens Parade Heritage, Trading and Planning Group.

YARRA CITY COUNCIL

Written submissions were received from Yarra City Council ('YCC'). Mr Ivan Gilbert, Group Manager – CEO Office, and Ms Richa Swarup, Senior Advisor – City Heritage, appeared and made verbal submissions at the hearing on behalf of YCC.

QUEENS PARADE HERITAGE, TRADING AND PLANNING GROUP

Written submissions were received from members of a group called the Queens Parade Heritage, Trading and Planning Group ('the QPHTPG'), the following members of which made verbal submissions at the hearing on its behalf:

- Ms Virginia Noonan
- Ms Nola Read
- Mr Timothy Gatehouse

MS SANDRA BLAKE

A request to participate in the Hearing was received from Ms Sandra Blake, an owner of a property within the Queens Parade Shopping Precinct. Ms Blake appeared and made verbal submissions at the hearing.

OTHER SUBMISSIONS RECEIVED PURSUANT TO SECTION 44 OF THE HERITAGE ACT 2017

A written submission pursuant to section 44 of the *Heritage Act 2017* was also received from Dr Linda Young. Dr Young did not participate in the hearing.

INTRODUCTION/BACKGROUND

THE PLACE

1. On 15 March 2021, the Executive Director made a recommendation to the Heritage Council, pursuant to section 37(1)(b) of the *Heritage Act 2017* ('the Act'), that the Queens Parade Shopping Precinct, comprising approximately 94 predominantly late Victorian and Edwardian buildings located on two sides of a boulevard, together with the road, road reserve and laneways, all located at 270–410 Queens Parade, Fitzroy North [including Lot 2 Barruth Lane], and 87–197 Queens Parade, Clifton Hill (collectively, 'the Place') should not be included in the Victorian Heritage Register ('the Register').
2. The following information about the Place is given on page 10 of the Executive Director's recommendation:

DESCRIPTION

...

Queen's Parade is a boulevard of three chains (60 metres) in width that stretches some 1.7km from Alexandra Parade in the south-west to the Merri Creek in the north-east. For the sake of brevity, Queens Parade is described in this assessment as running west – east, with those buildings in Fitzroy North being located on the northern side of the Parade and those buildings in Clifton Hill being located on the southern side.

The Queens Parade Shopping Precinct is the commercial centre of Queens Parade and is comprised of some 94 buildings, together with the road, road reserve, and a network of laneways that run to both the north and south of Queens Parade. The buildings are predominantly late Victorian and Edwardian structures, with a handful of inter-war buildings, and approximately 17 post 1945 buildings.

The precinct can be broken into four sections – two to the north of Queens Parade (in Fitzroy North) and two to the south of Queens Parade (in Clifton Hill).

...

HISTORY

The Early Days

The Heidelberg Road (or track as it was then) was first shown on Robert Hoddle's Crown Survey of 1837, linking Melbourne and the (then) village of Heidelberg. By 1839 a road had been established, running from the top of Bourke Street in Melbourne's centre across to what was to become Smith Street and along the current alignments of Queens Parade, Heidelberg Road, Upper Heidelberg Road and Lower Plenty Road. Queens Parade itself was surveyed by Hoddle as a three-chain (60 metre) wide boulevard and reserved in 1853 – along with Victoria, Royal and Alexandra Parades. Lots fronting both sides of Queens Parade sold from 1864, and settlement increased following the introduction of horse-drawn omnibuses which ran between Queens Parade and the city from 1869. The street remained largely undeveloped until the construction of Dainton's Family Hotel (No. 139) in 1874 and the commencement of building work on St John's Roman Catholic Church in 1876.

The 1880s Land Boom

Like Melbourne generally, this thoroughfare between Melbourne and the northern districts experienced a development boom in the 1880s. Much of the development comprised two-storey shops with residences above, such as the 'Sallery Buildings' at No. 350-356. Banks were also drawn to the developing commercial strip, including the National Bank of Australasia (No. 270) which was built in 1885-87, and the former London Chartered Bank (later the ANZ Bank, VHR H0892) which occupied the landmark three-storey building at No. 370-374 built in 1888/89. In 1887 the cable tram service along the centre of Queens Parade commenced with terminus and tram sheds adjacent to the Terminus Hotel at the Merri Creek.

Depression and Economic Recovery 1892-1918

The depression of the 1890s slowed the spread of commercial development in Queens Parade; however, by 1900 the commercial hub was densely developed, extending to Wellington Street on the north side, and Smith Street on the south side. The extension of the railway line from Princes Bridge to Clifton Hill in 1901 acted as a catalyst for further development. Surviving examples of architecture from this period include the Clifton Hill Post Office (No. 181) which was built 1911-12. This period also saw the construction of the former doctor's surgery and residence at 105 Queens Parade (1915) which, unusually for the precinct, expresses an Arts and Crafts architectural style. The religious presence in Queens Parade continued to grow in the western reaches of the commercial strip at this time with St John's Roman Catholic Church (just beyond the nominated area) substantially complete by 1893. St John's Parish Hall (which falls within the nominated area at 87 Queens Parade) was built in 1917-18 by which time the streetscape had largely been established.

Interwar Development 1919-1939

Small changes followed, the large shop and residence at No. 274-276 Queens Parade (1920) was constructed, while the former Albert Hall (No. 127-129) originally built in 1886, was reconstructed in 1927.

1945 and Beyond

Following the end of World War II, Queens Parade retained a strong reputation as the location of quality local businesses serving the daily needs of the Clifton Hill and North Fitzroy communities and commuters from the northern suburbs. The growth of a variety of other shopping options – for example, Preston Market (1969), Northland in Preston (1966) and Westfield in Doncaster (1969) — drew some local customers away from Queens Parade, limiting the precinct's growth and reducing development pressure. Despite the loss of some structures, recent changes to the form of Queens Parade since that time have been comparatively limited.'

- 3.** The above material from the Executive Director's recommendation is provided for information purposes only, it being unnecessary for the Heritage Council to adopt this material as its own, however it does accept its factual veracity.

RECOMMENDATION OF THE EXECUTIVE DIRECTOR

4. On 15 March 2021 the Executive Director, pursuant to section 37(1)(b) of the Act, recommended that the Place not be included in the Register ('the Recommendation').

PROCESS FOLLOWING THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR

5. Public notice of the Recommendation was made by the Heritage Council pursuant to section 41 of the Act for a period of 60 days.
6. During the public advertisement of the Recommendation, five (5) written submissions were received by the Heritage Council pursuant to section 44 of the Act ('section 44 submissions'). Four (4) of the section 44 submissions lodged objected to the Recommendation, one (1) was supportive and each requested that a hearing be conducted.
7. In accordance with section 46 of the Act, a hearing was scheduled to be held and a Heritage Council Regulatory Committee ('the Committee') was duly constituted to consider the Recommendation and all submissions received in response.
8. Hearing parties and prospective participants were notified that a hearing would be conducted, and the Committee requested that all persons who wished to participate in the process lodge a completed *Heritage Council Form B – Registration Hearing Participation Form* ('Form B'). Seven (7) persons responded that they wished to participate in the hearing process ('Hearing Participants').
9. The Committee advised Hearing Participants that a Heritage Council Registration Hearing would be held on 8 September 2021 ('the Hearing'), invited further written submissions and provided a schedule for the Hearing. Hearing arrangements were also available by way of the Heritage Council website.

HEARING CONDUCTED BY VIDEOCONFERENCE

10. Hearing Participants were advised that as a result of ongoing State Government advice in relation to the novel coronavirus ('COVID-19'), the Microsoft Teams™ online platform would be used to conduct the Hearing by videoconference. Further specific technical guidance on how the Hearing would be conducted was provided.

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

SITE INSPECTION

11. Due to State Government advice and restrictions in relation to COVID-19, the Committee was not able to jointly conduct a site inspection prior to the Hearing as it typically would. In addition to public health advice and restrictions in Victoria, the Chair noted that he was presently located outside of Victoria and unable to travel to Melbourne due to border restrictions. Hearing Participants were advised of these practical limitations at the Hearing and no comments or submissions were made by participants in relation to site inspection arrangements.
12. Subsequent to the Hearing Ms Solly and Mr Robinson conducted an inspection of the Place on 7 October 2021 and were able to conduct a videocall of their inspection with Mr Molesworth, who participated in the site inspection via 'livestream'.

DECLARATIONS OF INTEREST

13. At the Hearing the Chair invited Committee members to make declarations in relation to any matters that may potentially give rise to an actual or a perceived conflict of interest.
14. The Chair, Mr Molesworth, declared that he was currently a patron of the National Trust of Australia (Victoria) and had previously held the roles of Chairperson and President of the same, which latter role had concluded some 16 years earlier. As a patron there are no associated executive functions with the organisation.
15. Ms Solly declared that she knew Ms Swarup of YCC professionally from their work together on the Heritage Council's Local Government Specialist Committee but confirmed that no discussions in relation to the current matter had been had with Ms Swarup, or with that committee.
16. Mr Robinson did not have anything to declare.
17. Each member was satisfied that no relevant conflicts of interest existed.

FUTURE USE, MANAGEMENT AND DEVELOPMENT OF THE PLACE

18. The Committee notes that it is not its role to consider future development proposals nor to pre-empt the consideration of potential future permit applications or other processes under the Act, or indeed any matters relating to *Planning and Environment Act 1987* (Vic) ['P&E Act'] considerations. Pursuant to section 49(1) of the Act, the role of the Committee is to determine whether or not the Place, or part of it, is of State-level cultural heritage significance and whether or not the Place, or part of it, is to be included in the Register.

PROCESS FOLLOWING THE HEARING

19. Following the conclusion of the Hearing, the Committee requested further information from the Executive Director on his position in relation to *The Victorian Heritage Register Criteria and Threshold Guidelines*, Criterion B, and the use of 'qualifiers' in assessing whether places or objects are rare or uncommon at the State level.
20. A response to the request for further information was received from the Executive Director on 27 September 2021, which was provided to all other Hearing Participants for response. No further submissions were received in relation to the Executive Director's response to the request for information.

ISSUES

21. The following section is not intended to be a complete record of submissions that were made to the Committee. It is a summary of what the Committee considers to be the key issues, followed by an explanation of the position that the Committee takes on them.
22. Any reference to 'Criteria' or to a particular 'Criterion' refers to the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance* (as updated by the Heritage Council on 4 April 2019). Refer to **Attachment 1**.
23. The Committee has referred to the assessment framework, thresholds and 'steps' in *The Victorian Heritage Register Criteria and Threshold Guidelines* ('the Guidelines'), updated by the Heritage Council on 3 December 2020, in considering the issues before it.

SUMMARY OF ISSUES

24. The Executive Director recommended that the Place should not be included in the Register. The Recommendation assessed that the Place, although of importance within its class and of a good degree of intactness, was not of cultural heritage significance at the State level in relation to any of the Criteria. The Executive Director's submissions to the Hearing included 'without prejudice' draft permit exemptions for the Place in the instance that the Committee determined that the Place be included in the Register.
25. Mr Young submitted that the Place was of cultural heritage significance at the State level in relation to Criteria A, B and D. It was the position of Mr Young that the Place represents the unique 'progressive freehold development of an inner urban shopping strip' in Melbourne, that its three-chain (60 metre) width produces views unavailable on other shopping strips and, that in assessing the Place separately as both a shopping strip and a boulevard, the Recommendation failed to consider 'the significance of the whole' of the Place as a shopping strip located on a boulevard.
26. YCC did not make detailed written submissions in relation to the cultural heritage significance of the Place but noted it had previously provided 'in principle' support for inclusion of the Place in the Register. The submissions of YCC noted that it wished to participate in the Hearing, would be available to answer any questions and suggested 'without prejudice' draft permit exemptions for the Committee's consideration in the instance that it determine to include the Place in the Register.
27. The QPHTPG submitted that the Place satisfied the State-level threshold in relation to each of Criteria A, B, D, E and H. It was the position of the QPHTPG that the Place, being a 'village-like', 'discrete' and 'compact' shopping strip located on a Hoddle boulevard, is incomparable to other shopping strips across the State and warrants inclusion in the Register on this basis.
28. Ms Blake submitted, generally, that the Place was a unique village-like precinct, valued by the local community, owners and building tenants within the Place.

THE 'CLASS' OF THE PLACE AND COMPARATORS FOR ASSESSMENT OF STATE-LEVEL CULTURAL HERITAGE SIGNIFICANCE

29. The definition of 'class' is set out at page 5 of the Guidelines:

'Class (in relation to a class of cultural place): generally refers to a sub-category of a broad place type, such as 'WWI memorials' (within the broad 'war memorials' place type) or 'grammar schools' (within the broad 'schools' place type). A class is generally defined by a specific purpose or use, era, design characteristic, construction technique, materials used or some other recognisable quality. A class should be readily discernible as a sub-category of a broad place type and should not be narrowed by multiple qualifiers (for example, timber constructed, Edwardian era, rural theatres).'

Summary of submissions and evidence

30. The Recommendation assessed the Place in two separate classes:
 - 'shopping precincts' (in the broad place type of 'retail and wholesale') and
 - 'boulevards' (in the broad place type of 'transport – road').
31. In assessing that the Place does not meet the threshold for cultural heritage significance at the State level and subsequently recommending that the Place not

be included in the Register, the Executive Director undertook a comparison of the Place against:

- Precincts included in the Register
 - Boulevards included in the Register and in Heritage Overlays and
 - Shopping precincts developed in the late nineteenth and early twentieth centuries included in Heritage Overlays.
- 32.** In objecting to the Recommendation and in support of the inclusion of the Place in the Register, it was the position of Mr Young and the QPHTPG that by assessing and comparing the Place separately in the classes of 'shopping precincts' and 'boulevards', the Recommendation fails to consider the significance of the Place 'as a whole', being a shopping precinct located on a boulevard.
- 33.** It was the position of the QPHTPG that the Place is 'idiosyncratic' and cannot be compared to places already included in the Register such as Emerald Hill Estate (VHR H1136) and St Vincent Place Precinct (VHR H1291). The QPHTPG further submitted that the Place also cannot be compared to other examples of boulevards or shopping strips found in regional Victoria such as Sturt Street, Ballarat and Pall Mall, Bendigo, which, in the view of the QPHTPG 'owe their existence to gold discoveries...and have different histories from Melbourne'.
- 34.** In response, the Executive Director acknowledged that the Recommendation assessed the Place separately in the classes of shopping strips and boulevards, there being, in the Executive Director's view, 'insufficient "shopping strip boulevards" to create a class big enough in its own right to be useful for comparative purposes'. However, it was the position of the Executive Director that despite assessing the Place in two separate classes the Recommendation did not overlook the significance of the Place as a whole. The Executive Director accepted that the Place is the only Hoddle boulevard to be developed as a retail precinct, however submitted that this qualification creates too narrow a class for assessment against the Criteria and to undertake a comparative analysis of the cultural heritage significance of the Place at the State level.
- 35.** Further, the Executive Director submitted that Emerald Hill Estate (H1136), as a mixed residential and commercial precinct, and St Vincent Place Precinct (H1291), as a residential precinct, are 'useful comparators' and a 'productive starting point' for assessing the cultural heritage significance of the Place at the State level, being '1850s inner-ring suburban streetscapes demonstrating high levels of intactness and conformity to the intended designs'.

Discussion and conclusion

- 36.** The Committee acknowledges that the submissions of Mr Young and the QPHTPG in support of the inclusion of the Place in the Register were made on the basis of its class being 'shopping precinct located on a boulevard'. However, the Committee, noting the definition of 'class' in the Guidelines, agree with the Executive Director that 'shopping precincts located on a boulevards' is too narrow a class to usefully undertake an assessment of the cultural heritage significance of the Place at the State level, or to usefully analyse the Place in comparison to other similar places across the State.
- 37.** The Committee accepts that the Place may not be directly comparable to other places listed in the Register, in Heritage Overlays, or within the State more broadly as a 'shopping strip boulevard surveyed by Hoddle'. However, the Committee acknowledges that places and objects assessed for significance at the State level often do not have exact comparators within their class. The Committee therefore accepts that the Executive Director's assessment of the

Place in the classes of 'shopping precincts' and 'boulevards', including his comparative analysis of the Place, is sufficient to assess the cultural heritage significance of the Place against the Criteria and the Guidelines.

38. Furthermore, the Committee is not convinced, on the information, material, and evidence before it that any party to the hearing established that the Place meets the State level threshold for inclusion in the Register in relation to any of the Criteria in the classes of 'shopping precincts', 'boulevards' or indeed as a 'shopping precinct located on a boulevard'.
39. The Committee notes that although the Place may not be directly comparable to other places within the classes of 'shopping strips' and 'boulevards', it does not automatically follow that the Place is rare or uncommon at the State level in relation to Criterion B (see also paragraph 67, below).

CRITERION A – IMPORTANCE TO THE COURSE, OR PATTERN OF VICTORIA'S CULTURAL HISTORY

Summary of submissions and evidence

40. The Executive Director assessed and recommended that the Place does not meet the State-level threshold for inclusion in the Register in relation to Criterion A.
41. The Recommendation found that the Place meets step 1 of Criterion A, having a clear association with:
 - a. the development of shopping precincts in Victoria and
 - b. the series of boulevards surveyed by Robert Hoddle in 1853 ('Hoddle boulevards').
42. In assessing the Place in association with the development of shopping precincts in Victoria, the Executive Director found that the association of the Place with the growth of Melbourne in the latter part of the nineteenth and early twentieth centuries is evident in the fabric of the Place and in historical sources, and that the expansion of the city across the 1870s–90s and again in the early twentieth century was a critical period for both Melbourne and the State more broadly.
43. The Recommendation found, however, that the Place does not meet step 2 of Criterion A to establish cultural heritage significance at the State level. The Executive Director assessed that while the Place reflects the growth of Melbourne at the end of the nineteenth and into the early twentieth century, the Place is not unusual in this respect. The Recommendation stated that while a good example of a local shopping strip, the Place cannot be considered to demonstrate this period of Melbourne's expansion better than other comparable places including: Chapel Street, Prahran; Smith Street Fitzroy/Collingwood; and Puckle Street, Moonee Ponds, among others. The Recommendation also noted that similar commercial precincts remain extant more broadly across the State, including in regional towns such as Bendigo and Ballarat.
44. In assessing the Place as a Hoddle boulevard, the Recommendation assessed that while laid out by Hoddle, the Place evolved very differently to other Hoddle boulevards. Comparing the Place to other boulevards including Royal Parade, Parkville and Flemington Road, Melbourne, the Executive Director found that the Place did not go on to become a key point of entry to Melbourne and was not a significant site of ceremonial activity as with places such as St Kilda Road, St Kilda or Sturt Street, Ballarat. The Recommendation also noted that the Place traditionally lacked the 'sophisticated' plantings and cultivated median strips that have come to characterise other Hoddle boulevards included in the Register including St Kilda Road (VHR H2359) and Royal Parade (VHR H2198). Finally,

the Executive Director assessed that despite retaining its three-chain width, the Place does not allow either the form or function of Hoddle boulevards to be understood better than any other place with substantially the same association.

45. The Executive Director recommended that Criterion A is not likely to be satisfied at a State level.
46. In response to the Recommendation and in support of the inclusion of the Place in the Register for State-level cultural heritage significance in relation to Criterion A, Mr Young questioned why the 'more modest' design of the Place – in comparison to places of 'grandeur' such as Royal Parade, Parkville; Chapel Street, Prahran; Puckle Street, Moonee Ponds, and the likes – gives cause for not including the Place in the Register. It was the position of Mr Young that a significant gap exists in Register in the number of shopping precincts found to meet the threshold for cultural heritage significance at the State level.
47. In support of the inclusion of the Place in the Register in relation to Criterion A, the QPHTPG provided a detailed history of the Place commencing with its association with the Wurungjeri-willam clan of the Woiwurrung people, detailing the laying out of the Hoddle boulevards in 1853, the connection of the Place to the township of Northcote and the gradual development of the Place as a 'village-like' shopping precinct over the late nineteenth century.
48. The QPHTPG submitted that the Place clearly shows the course of the development of 'Victoria's roads as intended by the early surveyors'. It was the position of the QPHTPG that the Place is 'well-formed', retains its 'early historic fabric' and that the 'history behind the establishment of the [Place]' as a shopping precinct located on a Hoddle boulevard 'demonstrates an important course in the development of Victoria's cultural history'.
49. In verbal submissions at the hearing, Ms Noonan submitted that other shopping precincts are not as clearly defined as the Place, which, in the view of the QPHTPG, has a clear, yet modest boundary, while other examples of shopping precincts are not as closely aligned with the work of Hoddle. When questioned at the hearing in relation to the position of the QPHTPG on the lack of formal landscaping at the Place in comparison to other Hoddle boulevards, Ms Noonan submitted that unlike places such as Royal Parade, Parkville and St Kilda Road, St Kilda, it was historically difficult to maintain trees and plantings at the Place. It was Ms Noonan's position, submitted on behalf of the QPHTPG, that the Place, being not just a boulevard but also a shopping precinct, required direct access between the shops and the road, while further stressing that the issue of trees and plantings at the Place was made all the more difficult by changing local government boundaries over time.
50. In response to the submissions of Mr Young, the Executive Director submitted that the historical theme of 'retail shopping' has 'not been neglected in the [Register]', however, agreed that there are relatively few shopping precincts located on long streetscapes included in the Register. The Executive Director posited that this may be because many shopping precincts are either of local significance or have not been nominated for inclusion in the Register. It was also the position of the Executive Director that the submissions of the QPHTPG in support of the inclusion of the Place in relation to Criterion A confirm the local level cultural heritage significance of the Place rather than demonstrate that it retains significance at the State level.

Discussion and conclusion

51. The Committee agrees with the Executive Director that the Place has a clear association with the historical theme of the development of shopping precincts in Victoria and with the development of Hoddle boulevards. The Committee also

agrees that the expansion of Melbourne across the 1870s–90s and again in the early twentieth century was a critical period for Victoria, and that the association of the Place with this phase is evident in the fabric of the Place and in historical sources.

52. The Committee notes the comprehensive history of the Place provided with the QPHTPG's submissions to the hearing. While the Committee found the historical information provided by all Hearing Participants useful in assisting its understanding of the development of the Place over time, it was the view of the Committee that neither the historic material provided, nor submissions made in support of the inclusion of the Place in relation to Criterion A, demonstrated that the association of the Place with the development of shopping precincts or Hoddle boulevards is understood better at the Place than most other places and objects with substantially the same association(s) to establish cultural heritage significance at the State level in relation to Criterion A.
53. The Committee disagrees with the submissions of Mr Young that the Place should be included in the Register as a 'modest' example of a shopping precinct on a Hoddle boulevard. While the Committee acknowledges that the Place may be of a smaller scale than other shopping strips, it was not convinced that that the Place can be considered 'modest' within the class of shopping precincts. Further, the Committee agrees with the Executive Director that the Place does not demonstrate the period of Melbourne's expansion throughout the late nineteenth and in the early twentieth centuries better than other comparable examples including Chapel Street, Prahran, Smith Street, Fitzroy/Collingwood and Puckle Street, Moonee Ponds. The Committee also agrees with the Executive Director that the Place does not allow the form or function of Hoddle boulevards to be better understood than most other Hoddle boulevards, not being a key point of entry to Melbourne, nor a significant site of ceremonial activity, while further lacking the mature plantings and cultivated median strips that have come to characterise other Hoddle boulevards included in the Register.
54. The Committee determines that the Place does not satisfy the State-level threshold in relation to Criterion A and is not of historical significance to the State of Victoria.

CRITERION B – POSSESSION OF UNCOMMON, RARE OR ENDANGERED ASPECTS OF VICTORIA'S CULTURAL HISTORY

Summary of submissions and evidence

55. The Recommendation found that the Place has an association with the expansion of Melbourne from the 1860s through to the 1890s, and again in the early years of the twentieth century, a critical period for both the city and the State. However, in assessing the cultural heritage significance of the Place in relation to Criterion B, the Recommendation found that the Place is not rare or uncommon in the class of shopping precincts. The Executive Director assessed that other shopping precincts demonstrate similar physical characteristics to the Place and that 'all are of comparable or greater intactness' in this regard. Further, the Recommendation found that the class of place cannot be considered to be endangered for the purposes of assessing State-level cultural heritage significance in relation to Criterion B.
56. As with Criterion A, the Recommendation also assessed the Place in association with the development of Melbourne's road infrastructure, acknowledging that the Place is 'the only example of a Hoddle boulevard that has developed as a retail precinct'. However, as previously discussed, and in reference to exclusion guideline XB2 in the Guidelines, it was the position of the Executive Director that assessing the Place as 'the only example of a Hoddle boulevard that has

developed as a retail precinct' creates too narrow a class for assessment of State level cultural heritage significance that it 'automatically confers rarity'.

- 57.** The Executive Director recommended that Criterion B is not likely to be satisfied at a State level.
- 58.** In response to the Recommendation, Mr Young's section 44 submission stated, albeit without reference to the Criteria or the Guidelines:
- '...No VHR entry represents the progressive freehold development of an inner urban shopping strip which are so characteristic of Melbourne. The [Executive Director's] recommendation says that this class of places cannot be considered endangered. This is disputed.'*
- 59.** In making submissions to the hearing in relation to the State-level cultural heritage significance of the Place and Criterion B, it was the position of Mr Young that only 'two qualifications' are used in the assessment of the Place as 'the only example of a Hoddle boulevard that has developed as a retail precinct', being 'boulevard' and 'shopping precinct'. In addition, Mr Young submitted that the Executive Director's position that the class of the Place is not endangered 'overlooks the substantial changes to the planning scheme that are in process'. It was the position of Mr Young that shopping precincts across 'inner Melbourne' are becoming endangered as a result of Design and Development Overlays (DDOs) rather than Heritage Overlays being adopted by local councils as the primary tool for the management of such places in planning schemes.
- 60.** It was the position of the QPHTPG that the Place should be included in the Register in relation to Criterion B as the first and only 'three chain wide road in Melbourne designed by surveyors to have a shopping precinct'. Further, in support of the inclusion of the Place in the Register for possession of endangered aspects of Victoria's cultural history, the QPHTPG submitted that,
- 'recent expansion and redevelopment across Melbourne and its long-established inner suburban areas endangers the survival of intact shopping strips that were built in the 1850s.'*
- 61.** In verbal submissions to the hearing Ms Noonan stressed the importance and rarity of the Place as a 'local shopping village' set up to meet the needs of the local area of Clifton Hill and Northcote.
- 62.** In verbal submissions to the hearing and in response to Mr Young's submission that the class of the Place is endangered as a result of DDOs being the preferred tool by which local councils manage shopping precincts, Ms Swarup, on behalf of YCC, confirmed that the Place is currently included in the Heritage Overlay of the Yarra Planning Scheme and that both the local heritage assessment for the Place and the DDO are taken into consideration in managing the Place at the local level.
- 63.** In response to the submissions of Mr Young and the QPHTPG that the Place is rare as 'the only example of a Hoddle boulevard that has developed as a retail precinct' the Executive Director confirmed his position that this assessment of the Place relies on too many qualifiers to establish rarity at the State level in relation to Criterion B. The Executive Director provided information in relation to other three-chain roads across the State which were similarly designed as commercial precincts yet surveyed by others, including Sturt Street, Ballarat; Manifold Street, Camperdown; Main Street, Bairnsdale; Main Street, Yea; High Street, Mansfield and Deakin Avenue, Mildura.
- 64.** In response to the Committee's request for information following the conclusion of the Hearing and in relation to the use of qualifiers when assessing rarity at the State level, it was the view of the Executive Director that '...any qualification

beyond [the class of place and one qualifier] may indicate that the class has been narrowed to “force” rarity’.

65. Again, it was the position of the Executive Director that the submissions of the QPHTPG in relation the cultural heritage significance of the Place and Criterion B provide evidence for its cultural heritage significance at a local level rather than to the State more broadly.

Discussion and conclusion

66. Having considered the Recommendation and all submissions and evidence received, the Committee agrees with the Recommendation that the Place is not rare or uncommon in the class of shopping precincts, or that the class itself is endangered for the purposes of assessing State-level cultural heritage significance in relation to Criterion B. The Committee agrees with the Executive Director that other shopping precincts across Melbourne, and the State more broadly, demonstrate similar physical characteristics to the Place and that all are of comparable or greater intactness in this regard, including but not limited to: Chapel Street, Prahran; Smith Street, Fitzroy/Collingwood; and Puckle Street, Moonee Ponds within inner-Melbourne and Sturt Street, Ballarat; Manifold Street, Camperdown; Main Street, Bairnsdale; Main Street, Yea; High Street, Mansfield; and Deakin Avenue, Mildura within regional Victoria. The Committee were also of the view that, in this instance, the information and evidence before it did not demonstrate that the Place contains unusual features of note that were not widely replicated.
67. The Committee was not convinced by the submissions of Mr Young and the QPHTPG that the Place is rare at the State level as ‘the only example of a Hoddle boulevard that has developed as a retail precinct’. The Committee was of the view that the submissions of Mr Young and the QPHTPG in support of the inclusion of the Place in relation to Criterion B primarily focused on the nature of the Place as an *inner-Melbourne* shopping precinct and failed to take into consideration retail precincts located across the State more broadly.
68. The Committee notes exclusion guideline XB2 of Criterion B in the Guidelines which cautions against dependence on ‘too many qualifiers’ when assessing rarity at the State level. While the Committee does not agree with the position of the Executive Director that assessing a place or object for rarity in relation to Criterion B should rely on no more than one qualifier, being of the view that there will be instances where such a limitation is inappropriate, the Committee agrees that, in this instance, the assessment of the Place as a retail precinct located on a three-chain road in inner-Melbourne and surveyed by Hoddle depends on too many qualifiers for inclusion in the Register as one of a small number of places remaining that demonstrates an important event in Victoria’s cultural history.
69. In relation to Mr Young’s submission that the Place warrants inclusion in the Register as an example of a shopping strip precinct which, as a class, is endangered as a result of local councils preferencing DDOs over Heritage Overlays in managing such places, the Committee notes exclusion guideline XB3 in the Guidelines for Criterion B, which sets out that the term ‘endangered’ ‘should generally relate to a class of place/object that has become so rare over time that there is a risk that in the short to medium term no such place/object will remain’. The Committee again notes that similar retail precincts and indeed shopping strips remain extant across the State, none-the-least within inner-Melbourne, and agrees with the Executive Director that the Place and indeed the class of retail precincts cannot be considered endangered for the purposes of establishing cultural heritage significance at the State level in relation to Criterion B.

70. The Committee determines that the Place does not satisfy the State-level threshold in relation to Criterion B and is not in possession of uncommon, rare, or endangered aspects of Victoria's cultural history.

CRITERION D – IMPORTANCE IN DEMONSTRATING THE PRINCIPAL CHARACTERISTICS OF A CLASS OF CULTURAL PLACES AND OBJECTS

Summary of submissions and evidence

71. The Recommendation assessed that the Place does not satisfy the State-level threshold in relation to Criterion D as it cannot be considered a fine, highly intact, influential, or pivotal example of a shopping precinct from its period and does not demonstrate characteristics that are of 'higher quality' or of greater 'historical relevance' than other similar precincts. It was the position of the Executive Director that the form of the Place is 'fairly characteristic' and 'broadly mirrors' that of comparators to the Place, i.e. other, similar places within the class, including precincts such as Auburn Village, Hawthorn; Chapel Street, Prahan; Smith Street, Collingwood; and Sydney Road, Brunswick, each of which, in the view of the Executive Director, became major retail precincts, unlike the Place. The Executive Director also noted most other inner Melbourne suburbs feature precincts of a similar or higher level of intactness, including places like Glenferrie Road, Hawthorn and Swan Street and Bridge Road, Richmond.
72. The Recommendation assessed that the scale and architectural detailing of the Place is 'generally less impressive' than other shopping precincts, having operated on a more modest commercial scale than precincts such as Chapel Street, Prahan and Smith Street, Fitzroy/Richmond which, in the view of the Executive Director, were 'grand and serviced a Metropolitan rather than simply a local clientele: Queens Parade was not a 'shopping destination for Melburnians'".
73. Further, the Executive Director assessed that while the Place is largely intact, it cannot be considered to be 'highly intact' for inclusion in the Register in relation to Criterion D. It was the position of the Executive Director that other precincts included in Schedules of the Heritage Overlay similarly retain approximately 80 per cent of their original fabric. The Executive Director also assessed that the Place is 'significantly less intact' in comparison to Emerald Hill Estate (H1136).
74. In assessing the Place as a boulevard, the Recommendation found that the Place is neither a typical nor a notable example of a Hoddle boulevard. Rather, the Executive Director found that it is 'unusual' in that its design does not incorporate significant landscape elements, has not served as a major point of entry into the city and was developed for retail use.
75. In support of the inclusion of the Place in the Register for State-level significance as a notable example of its class, Mr Young reiterated his position that the Register does not adequately reflect Victoria's retail heritage 'in not having representative examples of shopping precincts' listed. In verbal submissions to the hearing Mr Young submitted that while Emerald Hill Estate (H1136) may be included in the Register as a highly intact example of a precinct, the Place itself, retaining approximately 80% of its original fabric, may also be considered to retain a 'good level' of intactness.
76. It was the position of the QPHTPG that 'more than 80 per cent of the [Place] is remarkably intact, consisting of Victorian, Edwardian, and early Federation-era buildings and remains substantially changed from that historically important period of development'. The QPHTPG submitted that the shops located within the Place,

'have held well for more than 150 years. They were village shops then and still are today; the shops still service the local community...The village of yesterday is still very evident in today's fabric.'

Discussion and conclusion

- 77.** The Committee has considered the evidence and submissions in relation to Criterion D.
- 78.** The Committee agrees with the Executive Director that the relevant class for the assessment of the Place as a retail precinct is 'shopping precincts'. Although the Place can be considered to have a pleasant 'village-like' atmosphere, the Committee is of the view that, in this instance, it was not presented with persuasive evidence to allow it to conclude that the Place is of State-level significance within its class when compared with other similar shopping precincts across the State.
- 79.** The Committee notes that although Hearing Participants agreed that the Place remains relatively intact as a precinct, no persuasive evidence was provided to demonstrate that the Place is notable at a State level as a highly intact example of a shopping precinct for inclusion in the Register. The Committee also notes that no participants to the hearing advanced submissions in support of the inclusion of the Place in the Register as a fine, pivotal, and influential example of a shopping precinct.
- 80.** In relation to the assessment of the Place in the class of 'boulevards', the Committee agrees with the Executive Director that Place is neither a typical nor a notable example of a Hoddle boulevard and agrees that, when compared with boulevards such as Flemington Road, Melbourne and Royal Parade, Parkville, the Place cannot be said to feature aesthetic or landscape elements nor does it serve as a major entry point into Melbourne, such that it would be elevated to State-level significance.
- 81.** The Committee determines that the Place does not satisfy Criterion D at a State level.

CRITERION E – IMPORTANCE IN EXHIBITING PARTICULAR AESTHETIC CHARACTERISTICS

Summary of submissions and evidence

- 82.** The Executive Director's assessment of the aesthetic characteristics of the Place found that although step 1 of Criterion E is likely to be satisfied, with the Place demonstrating particular aesthetic characteristics of late nineteenth and early twentieth century shopping precincts and of a Hoddle boulevard, step 2 of this Criterion was unlikely to be satisfied for cultural heritage significance at the State level.
- 83.** It was the position of the Executive Director that while the Place is an attractive local shopping precinct which retains predominantly Victorian and Edwardian era retail architecture, it is not valued for its aesthetics more broadly than by the local community, nor do its aesthetic characteristics exceed those of other precincts within its class. The Recommendation noted that there has not been critical recognition or wide public acknowledgement of exceptional merit of the aesthetic characteristics of the Place within Victoria as a shopping precinct to establish State-level cultural heritage significance in relation to Criterion E. Furthermore, the Executive Director assessed that the Place 'has not gained the widespread recognition of other Hoddle Boulevards', noting that St Kilda Road and Royal

Parade both retain significant rows of mature trees and are included in the Register for their aesthetic qualities, among other things.

84. The Executive Director recommended that Criterion E is not likely to be satisfied at the State level.

85. Mr Young's section 44 submission to the Heritage Council stated:

'The 60 metre (boulevard) width of Queens Parade produces broad vistas that are unavailable on other shopping strips that are commonly 20 metres wide. By separately considering shopping strips and boulevards (e.g. in relation to Criterion E, p 29), the [Executive Director] has erred in not considering the significance of the whole.'

86. When questioned during the hearing in relation to his views on the lack of mature plantings at the Place in comparison to other Hoddle boulevards included in the Register for aesthetic significance at the State level, Mr Young submitted that while the plantings at the Place are much younger than other examples included in the Register for significance as road reserves, the unique combination of retail buildings established in conjunction with a boulevard sets the aesthetics of the Place apart in this regard.

87. In support of the inclusion of the Place in the Register for State-level cultural heritage significance in relation to Criterion E, it was the position of the QPHTPG that the Place,

'presents a cohesive streetscape with a rhythmic pattern, a balance of two-storey and single-storey Victorian and Edwardian buildings on both sides of the Parade. The wide road offers views of a fine streetscape against the blue sky, bringing into focus the shopping precinct with its long run of verandahs and ornate parapets'.

88. The submissions of the QPHTPG further referred to pathways between the Place and Darling Gardens and Mayors Park, Clifton Hill, which, in the view of the QPHTPG, provide not only 'beautiful spaces' but also 'practical adjuncts' to and from the Place. It was the position of the QPHTPG that the Place was designed to 'reach a balance' between houses, shops, and open space, while the parklands surrounding the Place contain a number of rare trees and rows of mature elm and plane trees, which provide 'further definition' to the area.

89. In verbal submissions to the hearing Ms Read submitted, on behalf of the QPHTPG, that the Place is situated within a garden setting and that the first impression a visitor to the Place gains is one of light, air, and open space. The verbal submissions of Ms Blake, albeit made without reference to the Criteria, similarly described how the Place exhibits a sense of intimacy, space, and light, which, in the view of Ms Blake, is not evident at larger shopping strips.

90. In response to the submissions of the QPHTPG, particularly its reference to the connectedness of the Place to Darling Gardens and Mayors Park, Clifton Hill, the Executive Director noted that the extent of the Place nominated for inclusion in the Register, and subsequently assessed by the Executive Director, did not include the broader cultural landscape of the area in which the Place is located, with neither Darling Gardens nor Mayors Park being considered by the Heritage Council for inclusion in the Register. In any case, the Executive Director submitted that other nineteenth century shopping precincts are similarly set within larger contexts of civic amenities such as parks, reserves, hotels, and town halls.

Discussion and conclusion

91. The Committee notes the Guidelines for Criterion E which set out that for places and objects to be included in the Register for State-level cultural heritage

significance in relation to this Criterion, the aesthetic characteristics of the place or object must be appreciated or valued by the wider community, or an appropriately-related discipline, by way of critical recognition or acknowledgement of exceptional merit. State-level is the high bar which must be met.

92. The Committee accepts the submissions of the Executive Director, Mr Young and the QPHTPG that the Place retains aesthetic characteristics as both a shopping precinct and a boulevard and acknowledges that there is an emotional connection to the aesthetics of the Place in the local community. However, the Committee is of the view that whilst the submissions, evidence and information before it confirms that the Place meets the step 1 threshold in relation to Criterion E, insufficiently persuasive evidence was provided to demonstrate that the aesthetic characteristics of the Place are appreciated or valued by the wider community or by an appropriately-related discipline by way of critical recognition or acknowledgement of exceptional merit to establish cultural heritage significance at the State level.
93. The Committee determines that the Place does not satisfy the State-level threshold for cultural heritage significance in relation to Criterion E.

CRITERION H – SPECIAL ASSOCIATION WITH THE LIFE OR WORKS OF A PERSON, OR GROUP OF PERSONS, OF IMPORTANCE IN VICTORIA’S HISTORY

Summary of submissions and evidence

94. The Executive Director’s assessment of the Place under step 1 of Criterion H found that the Place, as a shopping precinct, is associated with a number of historical figures including:
- Jeremiah Ryan (who developed a terrace of 12 shop-houses in 1883–84)
 - Abbondio Campi (who established a business trading in gilt-framed mirrors)
 - Thomas Dowd (who founded a tailoring business at the Place, before moving to Fitzroy and ultimately established the ‘Hickory’ line of clothing with others)
 - Thomas Flintoff (who established a retail beverage business)
 - George Langridge (businessman and local politician)
 - The Raven Family (undertakers)
 - Thomas Kimpton (a hay and grain merchant).
95. The Recommendation assessed that,
- ‘...The association of each of these individuals with the [Place] is evident in the fabric of the buildings they occupied/developed, and/or in archival records and their success as business people also directly relates to their former places of business’.*
96. It was the position of the Executive Director, however, that the influence of each historical figure associated with the Place as a shopping precinct was at the local level. The Recommendation set out that there was no evidence to suggest that any of the figures associated with the development of the Place as a retail precinct made a ‘strong or influential contribution’ to the course of Victoria’s cultural history.

- 97.** Next, in assessing the Place as a boulevard, the Recommendation found that it is also associated with the former Deputy Surveyor General of Victoria, Robert Hoddle. The Executive Director assessed that,

‘...as one of the key figures in the design and development of early Melbourne, Hoddle had a major influence on the development of the city and can be considered to have made a strong and influential contribution to the course of Victoria’s history’.

The Recommendation set out that Hoddle’s influence at the Place is evident in its form and orientation and in documentary sources, and the Executive Director recommended that step 1 of Criterion H is likely to be satisfied on this basis.

- 98.** However, in assessing the Place under step 2 of Criterion H for cultural heritage significance at the State-level, the Recommendation found that although Hoddle had a ‘profound effect on the development of early Melbourne’, his legacy is better demonstrated through other achievements including the development of the Melbourne CBD ‘Hoddle Grid’ and several other boulevards already included in the Register and developed as major points of entry into Melbourne including Royal Parade, Parkville (H2198) and St Kilda Road, St Kilda (H2234).
- 99.** The Executive Director recommended that Criterion H is not likely to be satisfied at the State level.
- 100.** In support of the inclusion of the Place in the Register for State-level cultural heritage significance in relation to Criterion H, the QPHTPG submitted that the Place is associated with the below historical figures:
- Thomas Dowd
 - Robert Hoddle
 - Andrew Clarke
 - Clement Hodgkinson
 - James Gillespie Graham
- 101.** It was the position of the QPHTPG that Hoddle, Clark, and Hodgkinson ‘all contributed to the [Place] that we enjoy today’, having provided the ‘vision and fortitude to achieve the design and layout of the shopping precinct, with its three chain wide Main Road...’. In addition, the QPHTPG submitted that Dowd’s influence ‘was anything but local’, eventually becoming a ‘world-wide success’. It was the position of the QPHTPG that the influence and importance of Dowd, Hoddle and Hodgkinson was not given sufficient weight by the Executive Director in the Recommendation. The QPHTPG submitted that the association of these historical figures with the Place demonstrates its significance at the State level for inclusion in the Register in relation to Criterion H.
- 102.** In response to the submissions of the QPHTPG, the Executive Director accepted that the Place may also meet step 1 of this Criterion in relation to Hodgkinson’s association with the Place. However, the Executive Director stated that this is not likely in the case of Gillespie, Graham or Dowd. The Executive Director reiterated his view that step 2 of Criterion H is not met in relation to Hoddle’s association with the Place and further submitted that Hodgkinson is better appreciated through places already included in the Register including the Yan Yean Water Supply System (H2333), Flagstaff Gardens (H2041), Fitzroy Gardens (H1834), Treasury Gardens (H1887), the Royal Society of Victoria Building (H0373) and Hodgkinson’s own residence in Hotham Street, East Melbourne (H0061).

Discussion and conclusion

- 103.** The Committee agrees with both the Executive Director and the QPHTPG that the Place is associated with several historical figures including those mentioned by both Hearing Participants in submissions. The Committee agree that the Place meets step 1 of Criterion H in association with the work of both Hoddle and Hodgkinson. However, the Committee disagrees with the QPHTPG that step 2 of Criterion H is met in relation to the Place for cultural heritage significance at the State level. The Committee was not convinced, on the information, material, and evidence before it, that the association of the Place with either Hoddle or Hodgkinson is appreciated better at the Place than most other places in Victoria with substantially the same association.
- 104.** The Committee agrees with the Executive Director that the work of Hoddle is better appreciated through his other achievements including Melbourne's 'Hoddle Grid' and boulevards including Royal Parade, Parkville (H2198) and St Kilda Road, St Kilda (H2234), while Hodgkinson is better appreciated at the Yan Yean Water Supply System (H2333), Flagstaff Gardens (H2041), Fitzroy Gardens (H1834), Treasury Gardens (H1887), the Royal Society of Victoria Building (H0373) and his residence at 157 Hotham Street, East Melbourne (H0061).
- 105.** With respect to the other figures identified with historical associations with the Place, the Committee is of the view there is insufficient justification for any of these persons to cause the assessment under Criterion H to meet the required State-level significance. For instance, with respect to Dowd, the fact that the Dowd business may have started at the Place does not create sufficient direct connectivity between the Place and the Dowd businesses and achievements which were subsequently and primarily based and developed at other places and eventually led to a global enterprise.
- 106.** The Committee determines that the Place does not satisfy the State-level threshold for cultural heritage significance in relation to Criterion H.

OTHER CRITERIA

Summary of submissions and evidence

- 107.** The Executive Director's assessment of the Place in relation to Criterion C found that there are no known elements within the physical fabric of the Place, or in the documentary evidence relating to the Place, that are likely to yield information that would contribute to an understanding of Victoria's cultural history. The Executive Director recommended that Criterion C is not likely to be satisfied at the State level.
- 108.** In relation to Criterion F, the Recommendation found that the Place does not contain physical evidence that demonstrates any particular creative or technical achievement. The Executive Director recommended that Criterion F is not likely to be satisfied at the State level.
- 109.** Finally, the Executive Director's recommendation in relation to Criterion G found that although there is a direct association between the Place and the local communities of Fitzroy North and Clifton Hill, this association is 'broadly similar to the strong connection many other communities have to their local commercial centre' and that there is no evidence that the association resonates beyond the nearby community and into the broader Victorian community. The Executive Director recommended that Criterion G is not likely to be satisfied at the State level.
- 110.** Although the section 44 submission received by the Heritage Council on behalf of the QPHTPG broadly referred to its position that the Place warrants inclusion in

the Register for State-level cultural heritage significance in relation to each of Criteria A, B, D, G and H respectively, the submissions advanced by the QPHTPG throughout the course of the hearing were for the inclusion of the Place in relation to Criteria A, B, D, E and H.

- 111.** No participants to the hearing advanced submissions throughout the course of the Hearing that the Place should be considered for inclusion in relation to Criteria C, F or G.

Discussion and conclusion

- 112.** The Committee agrees with the assessment of the Executive Director that the Place does not have the potential to yield information that will contribute to an understanding of Victoria's cultural history in relation to Criterion C.
- 113.** The Committee also agrees that the Place does not contain physical evidence that demonstrates any particular creative or technical achievement in relation to Criterion F.
- 114.** Finally, in relation to Criterion G, the Committee agrees that while the Place resonates with the local community, no evidence was provided to demonstrate that it resonates with the broader Victorian community, nor that the social value of the Place contributes to Victoria's identity.
- 115.** The Committee determines that the Place does not satisfy Criteria C, F or G at a State level in addition to all other Criteria discussed in more detail earlier in this determination.

CONCLUSION

- 116.** The Committee finds that the Place does not satisfy the State-level threshold for inclusion in the Register in relation to any of the assessment Criteria.
- 117.** After considering the Executive Director's Recommendations and all written submissions received, after conducting a Hearing in relation to the submissions, and after conducting an inspection of the Place, the Heritage Council has determined, pursuant to section 49(1)(b) of the *Heritage Act 2017*, that the Queens Parade Shopping Precinct at 270–410 Queens Parade, Fitzroy North (including Lot 2 Barruth Lane), and 87–197 Queens Parade, Clifton Hill, City of Yarra is not of State-level cultural heritage significance and is not to be included in the Victorian Heritage Register.

ATTACHMENT 1

HERITAGE COUNCIL ASSESSMENT CRITERIA FOR INCLUSION OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE

CRITERION A	Importance to the course, or pattern, of Victoria's cultural history
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION D	Importance in demonstrating the principal characteristics of a class of cultural places or environments.
CRITERION E	Importance in exhibiting particular aesthetic characteristics.
CRITERION F	Importance in demonstrating a high degree of creative or technical achievement at a particular period.
CRITERION G	Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

These were updated by the Heritage Council at its meeting on 4 April 2019, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.