

EMAIL



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cc: East Melbourne Historical Society & East Melbourne Group

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cc: Melbourne Heritage Action

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cc: Department of Justice and Regulation

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Principal: Dominic Scally

Our Ref: DHS:180880

Subject: **322 Walsh Street, South Yarra VIC 3141**
Amendment C258 to the Melbourne Planning Scheme

Date: 9 August 2018

Dear Sir,

On Tuesday 7 August 2018, David Helms presented expert evidence in support of the Council. That evidence is part heard, and will resume next Monday. During evidence in chief, Mr Helms asserted that he had been advised by the City of Melbourne that DELWP will not entertain any review of individual heritage gradings for properties within the municipality until the issue of the translation to new gradings (ungraded, contributory and significant) is resolved under this Amendment.

In cross examination by Mr Tweedie SC, Mr Helms said that he had been advised by the City of Melbourne this is the case, but could not verify if there was any written instruction to this effect from DELWP. For completeness, we respectfully request the City of Melbourne confirm if in fact DELWP has provided these instructions to the City of Melbourne, and if that is documented, please provide us, and in turn the Panel, a copy of these instructions.

In our opinion, such instructions are relevant to the question whether the Panel can or should recommend investigation of particular properties from significance should be undertaken before a final decision in respect to the methodological translation of heritage values is gazetted. This issue applies in particular to our clients' property at 322 Walsh Street where it is presently graded D3, and as single building place, would under the methodology, be graded "significant".

Please telephone the writer if this correspondence requires clarification.

Yours faithfully

BEST HOOPER



Dominic Scally
Principal