

# PLANNING SCHEME AMENDMENT C241

## PALACE THEATRE

PLANNING AND ENVIRONMENT ACT 1987  
MELBOURNE PLANNING SCHEME  
NOTICE OF PREPARATION OF AMENDMENT  
AMENDMENT C241

The Melbourne City Council has prepared Amendment C241 to the Melbourne Planning Scheme.

The land affected by the amendment is 20-30 Bourke Street, Melbourne.

The amendment proposes to recognise the Palace Theatre as a place of local heritage significance by:

- Amending the Schedule to Clause 43.01 (Heritage Overlay) to insert a new entry which ticks the 'External Paint Controls Apply?' box.
- Amending Clause 22.04 - Heritage Places within the Capital City Zone, by the addition of a policy reference titled *Palace Theatre, Bourke Street, Melbourne: Heritage Assessment for the City of Melbourne, December 2014*; and
- Amending the incorporated document, *Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013*, by including the Statement of Significance for 20-30 Bourke Street, Melbourne at page 91.

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the following locations:

- during office hours, at the office of the planning authority, City of Melbourne, Council House 2, Level 3, 240 Little Collins Street, Melbourne.
- on the City of Melbourne website [melbourne.vic.gov.au/participate](http://melbourne.vic.gov.au/participate)
- at the Department of Environment, Land, Water and Planning website [www.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection)

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the Planning and Environment Act 1987, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Friday 20 March 2015. A submission must be sent to [palacetheatrec241@melbourne.vic.gov.au](mailto:palacetheatrec241@melbourne.vic.gov.au) or

**Robyn Hellman**  
Strategic Planning  
City of Melbourne  
PO Box 1603  
MELBOURNE VIC 3001

Dear Sir or Madam

I am writing to advise you of a planning scheme amendment for the former Palace Theatre site, located at 20-30 Bourke Street, Melbourne and how you can make a submission about this amendment.

The City of Melbourne has prepared Planning Scheme Amendment C241 following a recommendation by the Heritage Council of Victoria which indicated the building could be of local heritage significance.

While the building is currently covered by heritage controls, the amendment seeks to increase its protection. This intends to ensure that the heritage attributes of the building are considered in any proposed redevelopment of the site.

This planning scheme amendment has been informed by an independent heritage review commissioned by the City of Melbourne in November 2014. Undertaken in response to the Heritage Council of Victoria recommendation, the heritage study found that the site is locally significant and has additional heritage attributes that require formal acknowledgement.

Amendment C241 seeks to ensure that these additional heritage attributes are included in the Melbourne Planning Scheme.

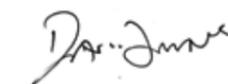
The amendment proposes to do this by recognising the Palace Theatre as a place of local heritage significance by making three changes to the Melbourne Planning Scheme:

- Amending the Schedule to Clause 43.01 (Heritage Overlay) to insert a new entry for the Palace Theatre which ticks the 'External Paint Controls Apply?' box.
- Amending Clause 22.04 - Heritage Places within the Capital City Zone, by the addition of a policy reference titled *Palace Theatre, Bourke Street, Melbourne: Heritage Assessment for the City of Melbourne, December 2014*; and
- Amending the incorporated document, *Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013*, by including the Statement of Significance for 20-30 Bourke Street, Melbourne at page 91.

From **Thursday 12 February to Friday 20 March 2015** you can review and comment on Planning Scheme Amendment C241. Further information about the amendment process and how to make a submission can be found on the following pages, along with a more detailed explanation of what the three proposed changes to the Melbourne Planning Scheme mean.

For more information you can also visit the City of Melbourne's online engagement webpage [participate.melbourne.vic.gov.au/palacetheatre](http://participate.melbourne.vic.gov.au/palacetheatre) or contact Dianna Siomos, Strategic Planner on 9658 8404 or [dianna.siomos@melbourne.vic.gov.au](mailto:dianna.siomos@melbourne.vic.gov.au)

Yours sincerely



**David Mayes**  
Manager Strategic Planning

## YOU CAN COMMENT ON PLANNING SCHEME AMENDMENT C241 PALACE THEATRE FROM THURSDAY 12 FEBRUARY TO FRIDAY 20 MARCH 2015.

### Why has this planning scheme amendment been prepared?

The City of Melbourne has prepared Planning Scheme Amendment C241 following a recommendation by the Heritage Council of Victoria, which indicated the Palace Theatre site could be of local heritage significance.

While the building is currently covered by heritage controls, the amendment seeks to increase its protection. This intends to ensure that the heritage attributes of the building are considered in any proposed redevelopment of the site.

This planning scheme amendment has been informed by an independent heritage review commissioned by the City of Melbourne in November 2014. Undertaken in response to the Heritage Council of Victoria recommendation, the heritage study found that the site is locally significant and has additional heritage attributes that require formal acknowledgement.

### What does the amendment seek to do?

The amendment proposes to recognise the Palace Theatre as a place of local heritage significance by making three changes to the Melbourne Planning Scheme:

- **Amending the Schedule to Clause 43.01 (Heritage Overlay) to insert a new entry for the Palace Theatre which ticks the 'External Paint Controls Apply?' box.**

This means that the Schedule will be updated to clarify that the Palace Theatre is individually significant and that in addition to other controls, a permit will be required to paint the outside of the building.

- **Amending Clause 22.04 - Heritage Places within the Capital City Zone, by the addition of a policy reference titled *Palace Theatre, Bourke Street, Melbourne: Heritage Assessment for the City of Melbourne, December 2014*.**

This means the study titled *Palace Theatre, Bourke Street, Melbourne: Heritage Assessment for the City of Melbourne, December 2014* will be referenced in Clause 22.04 - Heritage Places within the Capital City Zone and will need to be taken into consideration when considering future development proposals for the site.

- **Amending the incorporated document, *Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013*, by including the Statement of Significance for 20-30 Bourke Street, Melbourne at page 91.**

This means the statement of significance for the Palace Theatre will be included into an existing document for the central city (Hoddle Grid) area which describes the heritage attributes of recently protected heritage buildings in the area.

A statement of significance details the main heritage characteristics of a site or precinct and is important when making decisions about development proposals affecting a heritage place.

The statement of significance outlines the key heritage attributes of the building and will be used to guide decisions regarding development of the former Palace Theatre site into the future.

### Why is the amendment required?

Melbourne Planning Scheme Amendment C241 is the statutory process through which a new statement of significance relating to the site can be incorporated into the Melbourne Planning Scheme.

### What happens next?

Anyone may lodge a submission in relation to the amendment. Council will formally consider all submissions and resolve how to proceed with Melbourne Planning Scheme Amendment C241. Those who have made a submission will have an opportunity to address Council and be heard by an independent panel. Council will then consider the report of the panel and decide whether or not to adopt the amendment and forward it to the Minister for Planning for approval.

### Where can you find more information about this amendment?

To find out how you can view the amendment, including the proposed Statement of Significance, and to make a submission, see the public notice on the back page.

## CITY OF MELBOURNE PLANNING SCHEME AMENDMENT ENGAGEMENT TIMELINE

### HOW DO I MAKE A SUBMISSION?

For information on where to view the amendment and development plan and how to make a submission, see the notice on page four, or visit the City of Melbourne's online engagement hub, Participate Melbourne. [melbourne.vic.gov.au/participate](http://melbourne.vic.gov.au/participate)

### WHAT IS A PLANNING SCHEME?

A planning scheme is a legal document that sets out planning policies, zones, overlays and other rules affecting how land can be used and developed in the municipality. It sets out what we can and cannot do on different areas of land in the city; for example, but not limited to, whether the land can be used for housing or a shop or business, what the height of a building should be, and how much open space should be provided.

### WHAT IS A PLANNING SCHEME AMENDMENT?

As our city grows and changes, planning controls may be changed or updated to reflect the new circumstances. A change to the planning scheme is known as an amendment.

The process for an amendment is set out in the Planning and Environment Act 1987. The amendment process has a number of steps. The step-by-step guide shown on the right is designed to give you a basic understanding of the major steps involved in the amendment process.

Draft Planning Scheme Amendment is considered by Future Melbourne Committee

Minister grants permission to consult on Planning Scheme Amendment

### WE ARE HERE

#### OPPORTUNITY TO MAKE WRITTEN SUBMISSION

Formal public consultation on Planning Scheme Amendment

#### OPPORTUNITY FOR VERBAL SUBMISSION TO THE FUTURE MELBOURNE COMMITTEE

Report on public submissions to Future Melbourne Committee

Council requests Minister to appoint independent panel to review and hear submissions

#### OPPORTUNITY FOR VERBAL SUBMISSION TO THE INDEPENDENT PANEL

Independent panel considers written submissions lodged during the statutory/formal consultation period, hears verbal submissions in support of the written submissions and makes recommendations

#### OPPORTUNITY FOR VERBAL SUBMISSION TO THE FUTURE MELBOURNE COMMITTEE

Future Melbourne Committee considers the panel report and changes to the Planning Scheme Amendment

Council submits final amendment to Minister for approval