



Heritage Council Registrations and Reviews Committee

Petersville Factory Administration Building (H2394)

254–294 Wellington Road, Mulgrave, City of Monash

Hearing – 17 September 2019

Members – Ms Lucinda Peterson (Chair), Ms Louise Honman, Prof Andrew May

DETERMINATION OF THE HERITAGE COUNCIL

Inclusion in the Victorian Heritage Register – After considering the Executive Director’s recommendation, all submissions received, and conducting a hearing into the matter, the Heritage Council has determined, pursuant to section 49(1)(a) of the *Heritage Act 2017*, that the Petersville Factory Administration Building located at 254–294 Wellington Road, Mulgrave is of State-level cultural heritage significance and is to be included as a Registered Place in the Victorian Heritage Register.

Lucinda Peterson (Chair)
Louise Honman
Andrew May

Decision Date – 13 December 2019

ACKNOWLEDGEMENT

As a peak Heritage body, the Heritage Council is proud to acknowledge the Traditional Owners as the original custodians of the land and waters on which we meet, and to 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 culture and traditional practices.

HEARING PARTICIPANTS

EXECUTIVE DIRECTOR, HERITAGE VICTORIA ('THE EXECUTIVE DIRECTOR')

Submissions were received from the Executive Director, Heritage Victoria ('the Executive Director'). Ms Clare Chandler, Heritage Officer – Assessments, and Mr Geoff Austin, Manager - Heritage Register and Permits, appeared and made verbal submissions on behalf of the Executive Director.

CIP ALZ (WELLINGTON ROAD) PTY LTD ('THE OWNER')

Submissions were received from King & Wood Mallesons on behalf of CIP ALZ (Wellington Road) Pty Ltd, the owner of the Petersville Factory Administration Building located at 254–294 Wellington Road, Mulgrave ('the Place'). Mr Adrian Finanzio QC of counsel appeared and made verbal submissions on behalf of the Owner and Ms Jennifer Trehwella of counsel was also present.

The Owner's written submissions were supported by statements of evidence from Mr Bryce Raworth, Dr Aron Paul and Ms Helen Lardner. At the hearing, Mr Finanzio called on Ms Helen Lardner to give expert evidence.

ROHAN STOREY FOR MELBOURNE HERITAGE ACTION ('MHA')

Written submissions were received from Mr Rohan Storey. Mr Storey did not request to make verbal submissions at the hearing.

INTRODUCTION/BACKGROUND

THE PLACE

01. On 9 May 2019, the Executive Director made a recommendation ('the Recommendation') to the Heritage Council, pursuant to section 37(1)(a) of the *Heritage Act 2017* ('the Act'), that the Petersville Factory Administration Building located at 254–294 Wellington Road, Mulgrave, including the double storey and single storey wings and land and landscape features to the north, east, west and south sides of the built form ('the 'Place'), should be included in the Victorian Heritage Register ('the Register').

02. The Place is described on page 5 of the Recommendation as follows:

The Petersville Factory Administration Building is located at 254–294 Wellington Road, Mulgrave. It comprises a double-storey brick Administration Wing, attached single-storey Office Wing and Staff Amenities Wing to the rear. The three wings form an asymmetrical H-plan. The Petersville Factory Administration Building has a generous set back from Wellington Road and is sited in front of modern manufacturing facilities that lie further to the south. The building is a freestanding element within a landscape setting that includes lawn, a row of flagpoles, paths and mature plantings. A curved asphalt driveway leads to the main public entrance. The Administration Wing's arresting design, incorporating a full-length decorative screen and wave-form roof, presents a distinctive and highly visible street frontage. The interior of the Administration Wing has a double-height entry foyer that includes a floating staircase, terrazzo flooring, mezzanine gallery and timber-lined ceiling that reflects the wave-form roof shape. Office space lies to either side of the foyer on both levels. The Administration Wing connects to the Office Wing which is accessed via double doors in the south side of the foyer. The Office Wing contains secondary office spaces accessed via a central corridor. The attached Staff Amenities Wing, which includes the former canteen, lies to the rear. Grassed areas with mature plantings fill the spaces between the wings.

03. The following historical summary is taken from page 5 of the Recommendation:

The Petersville Factory Administration Building was constructed as part of a large manufacturing complex built in 1962–63 for leading food manufacturers Peters Ice Cream (Vic) Ltd (later Petersville Australia Ltd). The company developed the Mulgrave site, which became known as Petersville, to replace the Richmond premises that it had occupied since 1936. During the early 1960s Peters Ice Cream had rapidly expanded to incorporate brands such as Four'n Twenty Pies, Edgell and Birdseye. Designed by the architectural office of D Graeme Lumsden, the new complex included offices, amenities and extensive production areas. In 1998, under the ownership of Nestle, the production areas of the site were substantially updated. The Petersville Factory Administration Building was utilised until 2016 before Peters staff moved to a new administration building elsewhere on the site. Production of Peters products continues to take place elsewhere on site in the new facilities. The Petersville Factory Administration Building is currently vacant.

04. The above description and history summary have been taken from the Recommendation and are provided for information purposes only.

NOMINATION

05. On 4 May 2017, the Executive Director accepted a nomination to include the Place in the Register.

RECOMMENDATION OF THE EXECUTIVE DIRECTOR

06. On 9 May 2019, the Executive Director recommended that the Place be included in the Register under section 37(1)(a) of the Act.

PROCESS FOLLOWING THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR

07. After the Recommendation, notice was published on 20 May 2019 pursuant to section 41 of the Act for a period of 60 days.
08. One (1) submission was received, pursuant to section 44 of the Act, from the Owner. The submission objected to the recommended Extent of Registration, Permit Policy and Permit Exemptions in the Recommendation and the Owner requested that a hearing be conducted.
09. In accordance with section 46(2)(a) of the Act, a hearing was required to be held. A Heritage Council Registrations and Reviews Committee ('the Committee') was duly constituted to consider the Recommendation and submissions received in response to it, and to make a determination. The Committee invited further written submissions and a hearing was scheduled for 17 September 2019 ('the hearing').

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

SITE INSPECTION

010. On 16 September 2019, the Committee undertook a site inspection of the Place accompanied by the Heritage Council Hearings Manager. Access to the site was facilitated by a representative of the Owner. No submissions were sought, made or received at the time of the site inspection.

CONFLICTS OF INTEREST

011. The Chair invited Committee members to make declarations, written or otherwise, in relation to any matters that may potentially give rise to an actual or apprehended conflict of interest. The Committee members were satisfied that there were no relevant conflicts of interests and made no such declarations.

FUTURE USE, MANAGEMENT AND DEVELOPMENT OF THE PLACE

012. It is not the role of the Committee to consider future development proposals or to pre-empt the consideration of potential future permit applications under the Act. 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.
013. The Committee notes that some submissions occasionally referred to the future use, management or development of the Place, including in the context of *Planning and Environment Act 1987* considerations. According to its obligations

pursuant to section 44(4) and section 49 of the Act, the Committee has not considered these matters in reaching its determination.

ISSUES

- 014.** 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 each key issue.
- 015.** Any reference to Criteria or to a particular Criterion refers to the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance* (as adopted by the Heritage Council on 4 April 2019) (see **Attachment 1**).
- 016.** The Committee has referred to the assessment framework in *The Victorian Heritage Register Criteria and Threshold Guidelines* (6 December 2018) ('the Guidelines') in considering the issues before it.

SUMMARY OF ISSUES

- 017.** The Executive Director recommended that the Place be included in the Register concluding that it satisfied Criterion A and Criterion D at a State level. The Executive Director's recommended extent of registration includes the double storey ('Administration Wing') and single storey 'Office and Staff Amenities Wings' (or, 'Rear Wings') and land and landscape features to the north, east, west and south sides of the built form. The Executive Director's recommendation described a distinction between both the historical significance and 'principal characteristics of a class' significance of the Administration and Rear Wings of the Place, respectively. On that basis, the Administration Wing was described by the Executive Director as being of 'primary' cultural heritage significance and the Rear Wings were described as being of 'contributory' cultural heritage significance.
- 018.** Mr Storey agreed with the Executive Director that the Place should be included in the Register on the basis that it satisfies Criteria A and D. Mr Storey agreed with the Executive Director's recommended extent of registration but disagreed that the Rear Wings should be described as being of contributory cultural heritage significance, submitting that the Place should be considered as a single building, of which the Rear Wings are an integral part and which demonstrate the former uses and functions of the Place as a whole.
- 019.** In objecting to the Recommendation, and relying on the evidence of Mr Raworth and Dr Paul, the Owner agreed with the Executive Director that the Administration Building should be included in the Register but submitted that the Rear Wings were not of cultural heritage significance at a State level. At the hearing and relying on the evidence of Ms Lardner, the Owner submitted that in the case the Rear Wings were included in the Register, the Rear Wings should be subject to an exemption from the need for a permit for demolition, on the basis that demolition would not harm the cultural heritage significance of the Place. The Owner, relying on the evidence of Ms Lardner, further submitted that a reduced area of land as compared with the recommended extent of registration, should be included in the Register as curtilage.
- 020.** There was substantial agreement among the parties to the hearing in relation to which Criteria were relevant in considering the registration of the Place. The Executive Director recommended, and Mr Storey submitted, that the Place be included as is satisfies Criteria A and D at a State level. The Owner agreed that the Administration Wing satisfied both Criteria A and D. Whether or not other

Criteria would apply to the Place was not a matter in dispute and the Committee notes that no party made submissions in relation to any other Criteria. The Committee has set out this document accordingly.

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

Summary of submissions and evidence

- 021.** The Executive Director recommended that the Place be included in the Register on the basis that it satisfies Criterion A and Criterion D at a State level. The Executive Director drew a distinction in the Recommendation, however, between the State-level historical significance of the Administration Wing and the Rear Wings respectively. The Administration Wing was described by the Executive Director as historically significant for its association with the growth of manufacturing in the 1950s and 1960s and with the spread of manufacturing to the suburbs of Melbourne. The Executive Director submitted that the Rear Wings are part of the Place, which is one building or complex with three wings, and contribute to an understanding of the size and requirements of workforces at large manufacturing complexes during the 1960s.
- 022.** Mr Storey agreed with the Executive Director that the Place should be included in the Register but submitted that the Place should be considered as a single building, of which the Rear Wings are an integral part. Mr Storey did not make detailed submissions in relation to Criterion A or in relation to historical significance specifically.
- 023.** In objecting to the Recommendation, and relying on the evidence of Mr Raworth and Dr Paul, the Owner agreed that the Administration Building should be included in the Register but submitted that the Rear Wings are not of cultural heritage significance at a State level. The Owner further submitted in Hearing Submissions that, in the case that the Rear Wings were included in the Register, they should be subject to an exemption for the need for a permit for demolition on the basis that demolition of the Rear Wings would not harm the cultural heritage significance of the Place. The Owner relied in particular on the evidence of Ms Lardner, who gave her view that Criterion A was not satisfied in relation to the Rear Wings and that historically significant aspects of the Rear Wings in their current state would be better captured by archival recording.

Discussion and conclusion

- 024.** The Committee finds the reasoning in the Recommendation for distinguishing between the respective historical significance of the Administration Wing and the Rear Wings unconvincing. Although the Committee acknowledges the Administration Wing may be more architecturally distinctive and by design more prominent in the landscape, the Committee's interpretation of the Criteria and the Guidelines is that those characteristics of the Place should not be an overriding consideration in relation to Criterion A.
- 025.** It is clear to the Committee that the more architecturally distinctive Administration Wing and the more utilitarian Rear Wings, though of different aesthetic values, are of equal historical significance in demonstrating the phase of the development of manufacturing in the 1950s and the 1960s. A more holistic understanding of that phase of manufacturing would, in the Committee's view, lead to an appreciation of the significance of the Rear Wings in demonstrating the nature of the workforce at the Place, and the significant role of the workforce as

both a driver and a product of the development of manufacturing in outer suburbs in the period. The Committee is of the view that the former uses and functions of the Place are demonstrated equally well by the Rear Wings, as the workforce using the Rear Wings had an equal role in the manufacture of the Peters products at the Place.

- 026.** The Committee is not persuaded that there can be ascribed a degree of historical significance to the Administration Wing that cannot also be understood and interpreted in the built form of the Rear Wings. This is supported by the connectedness of the Rear Wings and the Administration Wing, together forming the overall complex. Nor is the Committee convinced that differences in the architectural features of buildings at the Place are an overriding consideration in determining the historical significance of the Place. The Committee is of the view that the Administration Wing and the Rear Wings are one building, and that the Place as a whole is of historical significance at a State level for demonstrating the association of the Place with the growth of manufacturing in the 1950s and 1960s and the spread of manufacturing to the suburbs.
- 027.** The Committee notes Ms Lardner's view that it is unusual for an administration building to include a canteen and staff amenities. The Committee agrees that the canteen and staff amenities facilities are a striking and unusual feature of the Place. The Committee further determines that the combination of the Administration and Rear Wings allows the clear association with the phase of the development of manufacturing in the 1950s and the 1960s to be understood better than most other places in Victoria with the same association. Further, the Committee determines that the Rear Wings in particular, contribute to an understanding of the nature of manufacturing workforces during the relevant phase and demonstrate the phenomenon of the changing location of factories, during the relevant phase, including factories that were placed in greenfield sites in then outer suburbs, in many cases at some distance from workers' homes.
- 028.** The Committee is of the view that the Place as a whole satisfies Criterion A and is of historical significance to the State of Victoria. On that basis, the Committee finds that the Administration Wing and Rear Wings should be considered as one building, the Petersville Factory Administration Building, for the purposes of the registration of the Place.

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

Summary of submissions and evidence

- 029.** The Executive Director recommended that the Place be included in the Register concluding that it satisfied both Criterion A and Criterion D at a State level. In relation to Criterion D, only the Administration Wing was found by the Executive Director to be of importance in demonstrating the principal characteristics of the class, the class of place being post-war factory administration buildings. The Administration Wing was described by the Executive Director for permit management purposes as being of primary cultural heritage significance and the Rear Wings were described as being of contributory cultural heritage significance. The Executive Director found that the Rear Wings do not represent a fine, highly intact, influential or pivotal example of their class.
- 030.** Mr Storey disagreed with the Recommendation and submitted that the Rear Wings should be included in the Register under Criterion D. Mr Storey agreed with the Executive Director's recommended extent of registration generally but disagreed that the Rear Wings should be described as being of contributory

cultural heritage significance, submitting that the Place should be considered as a single building, of which the Rear Wings are an integral part and which express the full range of former uses and functions of the Place as a whole. Mr Storey submitted that numerous features of the Rear Wings express the uses of the Place 'as well as if not better than' the Administration Wing, including an 'expressed steel frame', visible beams, cantilevered roof, central corridor, highlight windows, linoleum floor of the Office Wing and parquet canteen floor.

- 031.** In objecting to the Recommendation, and relying on the evidence of Mr Raworth and Dr Paul, the Owner agreed that the Administration Wing should be included in the Register but submitted that the Rear Wings should be excluded from the extent of registration for the Place. In its hearing submissions, and relying on the evidence of Ms Lardner, the Owner submitted that the Rear Wings should be included in the extent of registration but exempt from the requirement for a permit for demolition.

Discussion and conclusion

- 032.** The Committee notes the submissions and evidence provided by all parties showing that the Administration and Rear Wings are the work of the same architect, were constructed at the same time as one building or complex, that the workforce within the buildings worked to the same overall purpose (providing for the manufacture and marketing of the Peters product), that the buildings fulfilled the same functions and uses generally (as a workplace providing for the manufacture and marketing of the Peters product) and that the buildings also provided amenities for the Peters workforce.
- 033.** Based on evidence presented to the Committee as to comparable places on the Register, the Committee disagrees with the use of the term 'architecturally significant' in the Recommendation and proposed Statement of Cultural Heritage Significance. Whereas it is evident to the Committee that the Administration Wing is, and was designed to be, more aesthetically appealing and striking as viewed generally from the north, the Committee does not agree that the term 'architecturally significant' adequately describes either the significance of the Place or the Administration Wing at State level in relation to Criterion D. The Committee also notes that the Recommendation did not assess the Administration Wing favourably either in relation to Criterion E or Criterion F at a State level for its architecture or design.
- 034.** The Committee finds that, in addition to the notable design elements of the Administration Wing, the Place as a whole meets Criterion D as an intact, prominent and unusual example of a post-war factory administration building, in which the landscaped elements and front and rear wings combine to demonstrate different aspects of the class of place and together demonstrate the development of manufacturing during the period. Significant attributes of the Place include the wave-form roof shape, decorative front screen, feature window overlooking the Rear Wings, the interconnected nature of the wings and the collocation of spaces including the staff canteen and locker rooms.
- 035.** The Committee's view, based on its interpretation of the Criteria and the Guidelines, is that Criterion D is satisfied in relation to the whole Place for its demonstration of the principal characteristics of its particular class of cultural places (the class in this case being post-war factory administration buildings). The Committee is of the view that the Rear Wings do in fact retain many original elements and display characteristics of post-war factory administration buildings that are able to be appreciated and associated with the development of manufacturing in the period.

- 036.** The Committee's view is that the Place as a whole is not 'architecturally' significant in the terms of the Recommendation, but is of significance at a State level for its demonstration of the characteristics of the class of factory administration buildings and for the interaction of the Administration Wing and the Rear Wings, demonstrating the shared uses and functions of the Place and the interactions of the workforce associated with it. In the Committee's view, one of the most striking points of interaction between the Administration and Rear wings is the intentionally designed view from the mezzanine gallery of the Administration Wing south to the Rear Wings and the lawns surrounding them, a clear demonstration of the interaction and interdependence of the Administration Wing and Rear Wings from the perspective of form, use and function.
- 037.** The Committee determines that the Rear Wings and the Administration Wing together represent an unusual and highly intact example of their class and are in particular notable for the provision of integrated workforce amenities and services as part of the same building complex, providing for the interaction of workforces, uses and functions of the factory administration building complex as a whole.
- 038.** The Committee determines that the Place, as a whole, satisfies Criterion D as a place of significance to the State of Victoria which demonstrates the principal characteristics of, and is a notable example of, a post-war factory administration building.

EXTENT OF REGISTRATION

Summary of submissions and evidence

- 039.** The Executive Director's recommended extent of registration includes the double storey Administration Wing, the single storey Rear Wings and the land and landscape features to the north, east, west and south sides of the built form. Land described as curtilage is recommended to be included on each side of the built form to maintain the landscaped setting of the building, provide curtilage and to protect key public views from Wellington Road. The recommended extent of registration includes land to a boundary approximately 26 metres to the north of the Administration Wing, 20 metres to the east and west of the Administration Wing and 10 metres to the south of the Rear Wings.
- 040.** Mr Storey submitted that he supported the full extent of registration as recommended by the Executive Director.
- 041.** The Owner, relying on the evidence of Ms Lardner, submitted that the extent of registration of the Place should be narrower on the east and the west sides, respectively. Ms Lardner's view was that the views generally from Wellington Road and the return drive were important to maintain. Ms Lardner's conclusion was that the boundary of the extent of registration to the east of the Administration Wing should be 10 metres, that the boundary to the west of the Administration Wing should be 5 metres and that the boundary to the south of the Rear Wings should be at the gutter of the roadway of the Amenities Wing.
- 042.** Ms Lardner's evidence was that land beyond the boundaries she proposed was not needed for the protection and conservation of the Place, and that the extent she proposed would retain 'important views, features and setting'. Ms Lardner's evidence in relation to the land north of the Administration Wing was generally consistent with the Recommendation, in particular that the landscaping along the Wellington Road frontage and the setback of the Administration Wing was an important civic gesture and that the return drive to Wellington Road, the three flagpoles in situ and a native landscape setting should be maintained.

- 043.** In relation to the southern boundary of the extent of registration of the Place, Ms Lardner's opinion was that it should extend to the gutter of the roadway south of the Staff and Amenities Wing to allow for demolition of the Rear Wings 'with archival recording and careful disconnection from the Administration Wing'.
- 044.** Both Mr Raworth and Dr Paul had concluded, in assessments completed for the Owner, that the Rear Wings should be excluded from the extent of registration of the Place. The Owner's submission at the hearing was that it relied on Ms Lardner's evidence, as the basis of both a reduced extent of setting or curtilage and also an exemption from the need for a permit for the demolition of the Rear Wings.

Discussion and conclusion

- 045.** The Committee agrees with the Executive Director that registration of all significant built form and of an appropriate curtilage or landscape setting is appropriate and necessary for the protection and conservation of the Place, and that the Place should include the Administration Wing, the single storey Rear Wings and some land and landscape features to the north, east, west and south sides of the built form.
- 046.** The Committee agrees with the Owner and the evidence of Ms Lardner that the extent of registration to the east and west of the Administration Building can be reduced and that a narrower eastern and western boundary would be an appropriate reduction of curtilage as compared with the extent of registration of the Recommendation, with no undue impact on the setting or cultural heritage values of the Place. The Committee has taken into account the views and viewlines from the northeast and the northwest and the evidence presented to it on this account.
- 047.** The Committee determines that the eastern boundary of the extent of registration of the Place should be drawn at a point approximately 15 metres east of the Administration Wing, which the Committee finds will preserve and maintain key public views, landscape features and curtilage adequate to assist in the protection and conservation of the cultural heritage values of the Place.
- 048.** The Committee determines that it is appropriate for the western boundary of the extent of registration of the Place to be drawn at a point 10 metres west of the Administration Wing, which the Committee determines will preserve and maintain public views, appropriate setting, landscape features and curtilage to assist in the protection and conservation of the cultural heritage values of the Place.
- 049.** The Committee agrees with the northern and southern boundaries of the Place recommended by the Executive Director in the Recommendation, which the Committee agrees will preserve and maintain key public views, landscape features and curtilage for the Place.
- 050.** The Committee determines that the extent of Registration should include land within approximately 15 metres east and 10 metres west of the Administration Wing, including land to the front boundary approximately 26 metres north of the Administration Wing and to the rear boundary approximately 10 metres south of the Amenities Wing, and including the service road, as shown and described in Attachment 2.
- 051.** The Committee records its determination as to the extent of registration of the Place by way of **Attachment 2**.

CATEGORIES OF WORKS AND ACTIVITIES THAT MAY BE CARRIED OUT IN RELATION TO THE PLACE WITHOUT THE NEED FOR A PERMIT UNDER THE ACT

Summary of submissions and evidence

- 052.** The Executive Director ascribed different levels of cultural heritage significance to the parts of the built form in the Permit Policy. The Administration Wing was described by the Executive Director as being of primary cultural heritage significance and the Rear Wings were described as being of contributory cultural heritage significance and ‘not as significant as the architecturally distinctive front portion’. Demountable buildings to the east and west of the Rear Wings were described as being of no cultural heritage significance. The Executive Director submitted that the Rear Wings are not of the same level of cultural heritage significance as the Administration Wing, arguing that the Rear Wings ‘are not as significant as the architecturally distinctive front portion’.
- 053.** Mr Storey submitted that the Rear Wings should be included in the Register on the same basis as the Administration Wing and that the two wings are a single building.
- 054.** The Owner submitted that an exemption from the need for a permit should be made for the demolition of the Rear Wings and that the archival recording of the Rear Wings and careful disconnection from the Administration Wing was an appropriate measure for the Place. The Owner relied principally on the evidence of Ms Lardner, who gave evidence that such a permit exemption should ‘potentially’ be provided and that there was a distinction in the respective historical and architectural significance of the Administration Wing and Rear Wings. Both Mr Raworth and Dr Paul had concluded that the Rear Wings should be excluded from the extent of registration of the Place on the basis that they were not of State level cultural heritage significance.

Discussion and conclusion

- 055.** The Committee is of the view that it is neither necessary nor desirable for it to either approve or amend the Executive Director’s recommended Permit Policy.
- 056.** Nonetheless, to the extent that the ascription of different levels of significance to parts of the Place is relevant to the determination of whether or not an exemption from the need for a permit is granted, the Committee does not agree that there is a clear distinction in terms of the respective levels of cultural heritage significance of the Administration and Rear Wings.
- 057.** In particular, the Committee does not agree with the Executive Director that the Administration Wing should be ascribed a higher level of historical significance for permit management purposes than the Rear Wings. As detailed above, the Committee is of the view that the Administration Wing and the Rear Wings are each of historical significance and are notable together as a building within its class at a State level, and should be considered as one place in this respect. In this context, the Committee considers any reference to either “Primary Significance” or “Contributory Significance” within the Permit Policy should be removed.
- 058.** The Committee does not, therefore, agree with the Owner that the Rear Wings should be subject to an exemption from the need for a permit for demolition and does not agree with the Executive Director that the Rear Wings should be ascribed a ‘lesser’ level of significance for permit management purposes.

- 059.** The Committee agrees with the permit exemptions listed in the Recommendation and finds they are appropriate for the protection, conservation and management of the Place. The Committee has listed the categories of works and activities that may be carried out in relation to the Place without the need for a permit under the Act at **Attachment 3**.

STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE AND PERMIT POLICY

Discussion and conclusion

- 060.** Whereas in the Recommendation the Executive Director recommended that the Statement of Cultural Heritage Significance and Permit Policy for the Place be considered and determined by the Heritage Council, and the Committee did receive submissions on those matters, the Committee is of the view that it is neither necessary nor desirable for it to either approve or amend those aspects of the Place's registration.
- 061.** The reasons given by the Committee above for its determinations in relation to the Criteria, extent of registration and permit exemptions in respect of the Place may be of some assistance to the Executive Director in terms of the final form of the Statement of Cultural Heritage Significance and Permit Policy for the Place.
- 062.** In this context, the Committee recommends that:
- In the Statement of Cultural Heritage Significance, any reference to 'architecturally significant' in relation to Criterion D be removed;
 - In the Statement of Cultural Heritage Significance, the description of the significance of the Place at a State level should be related to its demonstration of the characteristics of the class of post-war factory administration buildings and for the interaction of the Administration Wing and the Rear Wings which demonstrate the shared uses and functions of the Place and the interactions of the workforce associated with it; and,
 - In the Statement of Cultural Heritage Significance and Permit Policy for the Place, any references to either "Primary Significance" or "Contributory Significance" be removed.

CONCLUSION

- 063.** After considering the Executive Director's recommendation and all submissions received, and after conducting a hearing into the submissions, the Heritage Council has determined, pursuant to section 49(1)(a) of the *Heritage Act 2017*, that the Petersville Factory Administration Building located at 254–294 Wellington Road, Mulgrave, is of cultural heritage significance to the State of Victoria and is to be included as a Registered Place in the Victorian Heritage Register.

ATTACHMENT 1

HERITAGE COUNCIL CRITERIA FOR ASSESSMENT 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.

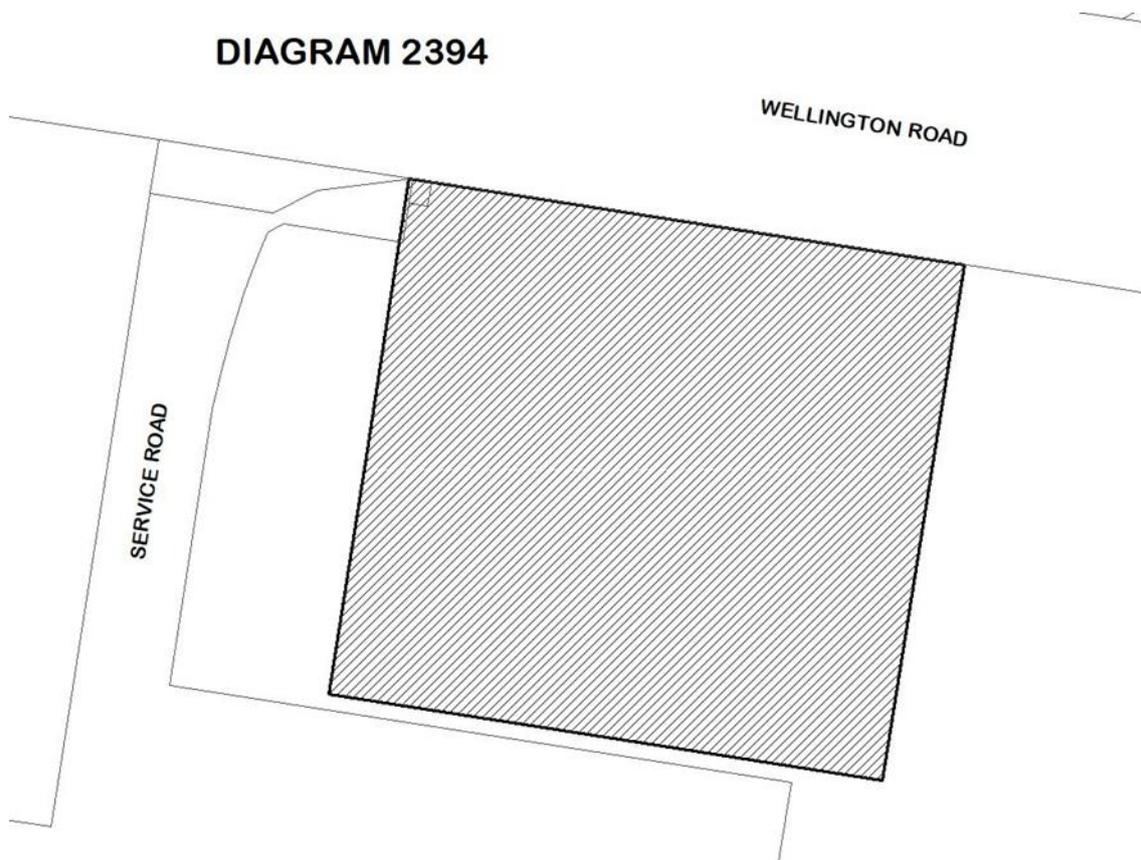
These were adopted by the Heritage Council at its meeting on 4 April 2019, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.

ATTACHMENT 2

EXTENT OF REGISTRATION

All of the place shown hatched on Diagram 2394 encompassing all of Lot RES1 on Plan of Subdivision 735811, and parts of Lots S3 and R1 on Plan of Subdivision 735811 and Lot S10 on Plan of Subdivision PS827129.

DIAGRAM 2394



The extent of registration for the Petersville Factory Administration Building in the Victorian Heritage Register affects the whole place shown on Diagram H2394 including the land, building (exterior and interior), return driveway, part of the road carriageway to the south of the rear wing, paths, trees, and other landscape elements. The registration also includes all fixtures and fittings attached to the building at the time of registration.

AERIAL PHOTO OF THE PLACE SHOWING EXTENT OF REGISTRATION



ATTACHMENT 3

PERMIT EXEMPTIONS

General conditions

Exemptions from the need for a permit under the Act for categories of works and activities that may be carried out in relation to places and objects in the Register can be granted at the time of registration (under s.49(3) of the Heritage Act). Exemptions from the need for a permit under the Act for categories of works and activities in relation to places and objects can also be applied for and granted after registration (under s.92 of the Heritage Act).

General Condition 1

All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

General Condition 2

Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

General Condition 3

All works should ideally be informed by Conservation Management Plans prepared for the place. 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 Condition 4

Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.

General Condition 5

Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the relevant responsible authority, where applicable.

Under s.49(3) of the Heritage Act 2017 the Heritage Council may include in its determination categories of works or activities which may be carried out in relation to the place or object without the need for a permit under Part 5 of the Act, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place or object. The following exemptions from the need for a permit are not considered to cause harm to the cultural heritage significance of the Petersville Factory Administration Building.

Categories of works and activities that may be carried out in relation to the Place without the need for a permit under the Act

Exterior

The following works do not require a permit provided they do not harm the cultural heritage significance of the place.

- Minor patching, repair and maintenance which replaces like with like without large-scale removal of or damage to the existing fabric or the large-scale introduction of new materials. Repairs must maximise protection and retention of fabric and include the conservation of existing details or elements. Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.
- Removal of items such as air conditioners, pipe work, ducting, wiring, antennae, aerials etc and making good.
- Preparation and painting of previously painted surfaces in the same colour.
- Maintenance, replacement, removal and installation of electrical and fire services and security lighting.
- Maintenance, replacement or removal of existing heating, ventilation and air conditioning (HVAC) plant located at east and west ends of building.
- Replacement of existing services such as cabling, plumbing (including exposed downpipes), wiring and fire services that uses existing routes, conduits or voids.
- Weed and vermin control activities.

Interiors

The following works do not require a permit provided they do not harm the cultural heritage significance of the place.

- Demolition or removal of post-1960s light-weight partition walls, suspended ceilings, screens, built-in cupboards, cubicle partitions, light fittings and office fitout and equipment and the like.
- Installation, removal or replacement of safety devices such as detectors, alarms, emergency lights, exit signs, luminaires and the like.
- Installation, removal or replacement of carpets and window furnishings in office areas.
- Refurbishment of existing bathrooms, toilets and kitchenettes including removal, installation or replacement of sanitary fixtures and associated piping, mirrors, wall and floor coverings provided it does not harm significant fabric.
- Painting of currently painted surfaces provided that preparation or painting does not remove all evidence of earlier paint or other decorative schemes. No currently stained or varnished timberwork is to be painted.
- Removal of paint from originally unpainted surfaces including ceilings, wall panelling, joinery, doors, architraves and skirtings by non-abrasive methods.
- Removal or replacement of existing services including cabling, plumbing, wiring and fire services that uses existing routes, conduits or voids, and does not involve damage to or the removal of significant fabric.

Note: A permit application is required for all works to the foyer, stairway and mezzanine gallery.

Landscape

- The processes of gardening, including mowing, removal of dead shrubs and replanting, disease and weed control, and maintenance to care for existing plants.
- Repairs, replacement and maintenance to existing hard landscape elements such as paths, gutters, car parking areas and driveways.
- Management and maintenance of established trees and shrubs including formative and remedial pruning, removal of deadwood, pest and disease control.
- The removal of dead or dangerous trees and emergency tree works to maintain safety.
- Removal of cyclone wire fencing.
- Vegetation protection and management of possums and vermin.

Public safety and security

- The erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect the significant fabric of the place provided that temporary structures are removed within 12 months of erection.
- Emergency stabilisation works necessary to secure safety where a site feature has been irreparably damaged or destabilised and represents a safety risk. Urgent or emergency site works are to be undertaken by an appropriately qualified specialist such as a structural engineer, or other professional or tradesperson with appropriate heritage experience. The Executive Director must be notified of such works within seven days of their commencement.
- General maintenance for the purposes of safety and security including the removal of broken glass, the temporary shuttering of windows and covering of holes as long as this work is reversible and does not harm the cultural heritage significance.