

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Name: Punt Road Oval
Address: Corner Punt Road and Brunton Avenue, East Melbourne
Local Government Authority: City of Melbourne



Punt Road Oval, November 2022

Executive Director recommendation

Under Part 3, Division 3 of the *Heritage Act 2017* ('the Act') I recommend to the Heritage Council of Victoria that Punt Road Oval, Corner Punt Road and Brunton Avenue, East Melbourne should not be included in the Victorian Heritage Register (VHR).

STEVEN AVERY
Executive Director, Heritage Victoria
DATE OF RECOMMENDATION: 28 November 2022

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Executive Director recommendation to the Heritage Council

The Executive Director, Heritage Victoria ('Executive Director') recommends that the Heritage Council not include Punt Road Oval, Corner Punt Road and Brunton Avenue, East Melbourne in the VHR in accordance with section 49 of the Act by determining:

- That Punt Road Oval, East Melbourne is not of State-level cultural heritage significance and should not be included in the VHR in accordance with s.49(1)(b) of the Act.

The heritage significance of Punt Road Oval at the local level is reflected by its inclusion in the Heritage Overlay of the Melbourne Planning Scheme as part of Heritage Overlay HO2 (East Melbourne and Jolimont Precinct).

The Executive Director also notes that a planning scheme amendment has been exhibited by the City of Melbourne (Amendment C405melb) which proposes to remove Punt Road Oval from Heritage Overlay HO2 (East Melbourne and Jolimont Precinct) and apply a new individual Heritage Overlay to the place (proposed HO1400 - Punt Road Oval [Richmond Cricket Ground]). The Amendment to the Melbourne Planning Scheme also proposes to introduce a Statement of Significance for the Punt Road Oval (Richmond Cricket Ground). The planning scheme amendment was exhibited from 24 February 2022 to 31 March 2022 and is currently being considered by a Planning Panel (28 November 2022).

Explanatory note to readers

The system of heritage protection in Victoria essentially operates at two levels.

Most heritage places in Victoria will be important at a local level to particular communities. These heritage places may be appropriate for protection by local government by means of a Heritage Overlay under the local planning scheme.

A much smaller percentage of places and objects will be important at a State level. This means that they tell an important story in the history of Victoria, rather than the history of their local area or region. Places and objects of State-level cultural heritage significance may be considered for inclusion in the VHR under the Act.

The very high benchmark or 'threshold' for inclusion in the VHR is demonstrated by the fact that as of 2019, there were just over 2,320 places of State-level significance which were included in the VHR. This compares to over 19,000 places of local-level importance protected by Victoria's 79 councils in Heritage Overlays. In other words, roughly 10% of heritage places in Victoria were protected at a State-level by inclusion in the VHR compared with 90% being protected by local government.

Heritage Victoria's responsibility is to assess whether a place or object is of cultural heritage significance at the State level. Heritage Victoria cannot assess or advise as to whether a place is of local-level significance, this being a matter for local government.

This current process under the Act has been initiated to establish whether the place or object is of cultural heritage significance to the State of Victoria. Any recommendation or finding should not be seen to overshadow or outweigh any significance that the place or object may otherwise retain, particularly at the local level.



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The process from here

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

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

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

Within the 60 day publication period, any person or body with a real and substantial interest in the place or object. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the Heritage Council's website:

<https://heritagecouncil.vic.gov.au/registrations-reviews/executive-director-recommendations/>

3. Heritage Council determination (sections 46 and 49)

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

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

If submissions are received, the Heritage Council may decide to hold a hearing in relation to the submission. If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

4. Obligations of owners of places and objects (sections 42 and 43)

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

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

5. Further information

The relevant sections of the Act are provided at Appendix 1.

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Description

The following is a description of Punt Road Oval at the time of the inspection by Heritage Victoria in November 2022.

Punt Road Oval is located in Yarra Park, East Melbourne with two public road boundaries – Punt Road to the east and Brunton Avenue to the south. It is also bounded by three pedestrian paths within Yarra Park – AFL Way which stretches from Richmond Station to the MCG; Marathon Way which stretches from Gate 6 almost to Wellington Parade; and an unnamed path between gates 5 and 7. The central oval is grassed with a low cyclone wire fence around it carrying advertising signs. There is a grassed embankment with large billboards, flagpoles and an electric advertising sign between the oval and the corner of Punt Road and Brunton Avenue. A large spotted gum is located inside the fence at the corner.

The most prominent building is the Jack Dyer Stand which faces the field and Punt Road. The curved Stand is of red brick construction with cement render dressings. The western end of the Stand is glazed. The hipped roof is corrugated galvanised steel with timber framing and four gables which face the field as well as an eastern and a western gable. The fourteen columns supporting the roof are black cast iron topped with decorative capitals for the lower two thirds and with square timber extensions painted yellow above. There is simple vertical timber fretwork between all the columns except under the gables. The tiered floor and bench seating are timber. A large modern coaching box and smaller statistician's box are located within the tiered seating area. Boards listing Club donors are affixed to the back wall.

On the east end at ground level is a servery window with remnants of signage for food and alcohol. Spectators leave and enter the Stand from four staircases at the front. There are two later, single storey red brick buildings at the eastern end of the front of the Stand and two player races to the west of these. The curved back of the building facing Yarra Park is red brick with sash and hopper windows, and doors into the area under the tiered seating. This internal area beneath the tiered seating accommodates office and player change room facilities. In some interior areas the underside of the tiers is visible.

There is an open area to the east of the Stand which is partly filled with demountable buildings (ca.2018). Further to the east towards Punt Road is a remnant of a 1930s red brick building with tiered seating on its roof. Adjacent to this is a shed (ca.2009) constructed for ground maintenance purposes. A short section of early 20th century masonry walling exists on the northern boundary of the grounds at Punt Road. The remainder of the Oval is surrounded by high cyclone wire fencing to Punt Road and Brunton Avenue.

The other permanent structures on the site are modern buildings. The David Mandie Building / Swinburne Centre is a large building with external metal cladding in black, yellow and red. It is curved but not at the same angle to the ground as the Jack Dyer Stand. There is also a smaller administration building between the Swinburne Centre and the Stand. Other structures include floodlights, and tiered open seating in front of the Jack Dyer Stand.



2022, Jack Dyer Stand

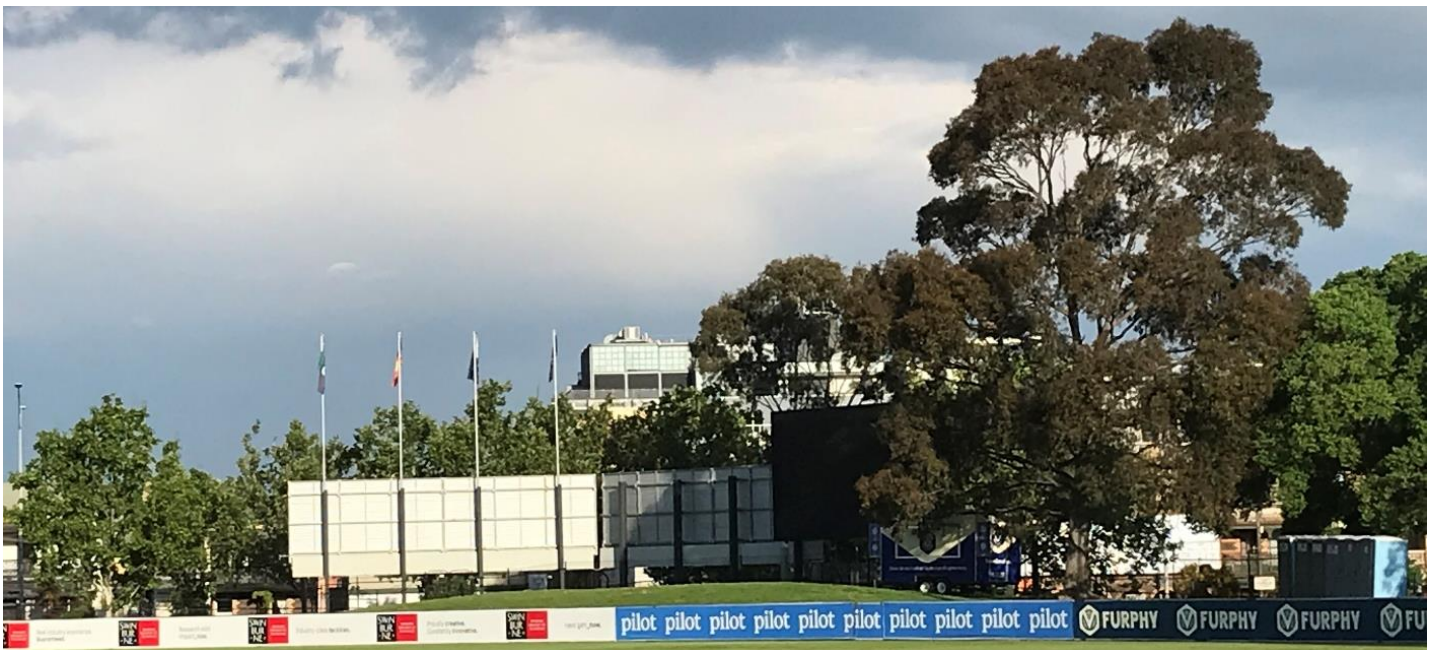
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2022, David Mandie Building / Swinburne Centre and Administration building



2022, Oval



2022, Large spotted gum and billboards facing Punt Road

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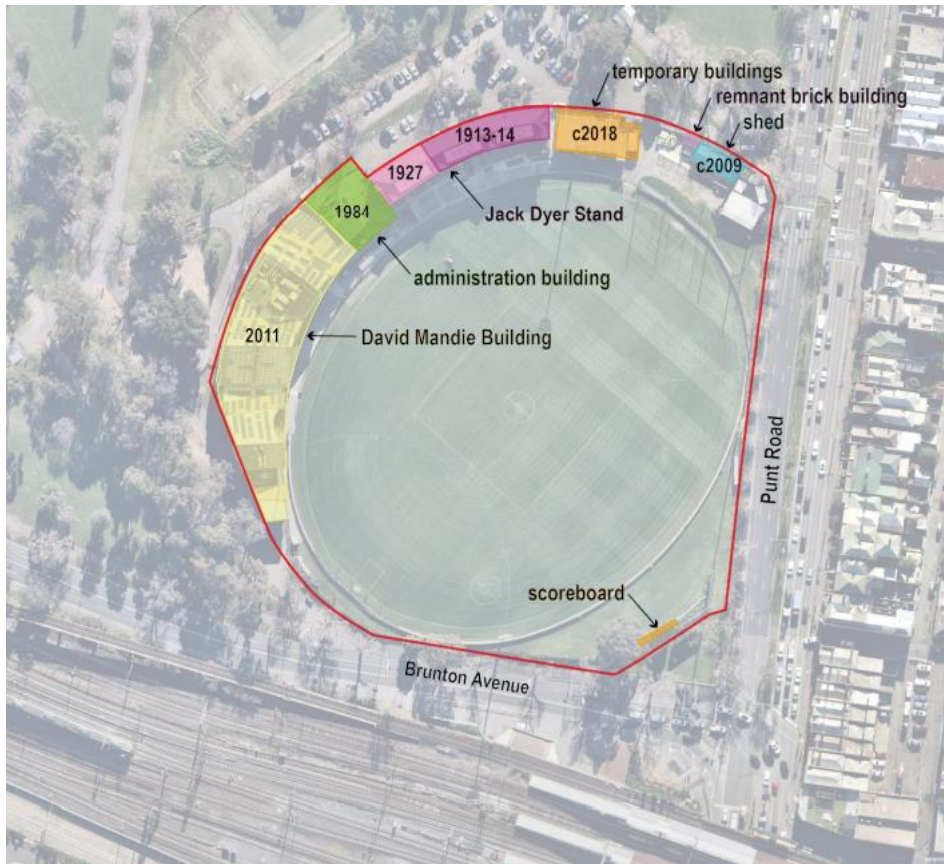


2022, Floodlight, embankment and inner fence next to Punt Road



2022, Rear of Jack Dyer Stand and carpark

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2021, Oval with building positions marked. (Note: The remnant brick building dates from the 1930s, and the administration building was completed in 2003, not 1984 as marked) Source: (Context, 2021)



2022, View to the south from Jack Dyer Stand



2022, Jack Dyer Foundation donors board

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2022, View from the grandstand to oval, scoreboard and billboards



2022, Interior of Jack Dyer Stand



2022, Bar signage and servery window, Jack Dyer Stand



2022, Interior showing underside of tiered flooring of grandstand



2022, Remnant 1930s red brick building and masonry wall



2022, Curved rear of the Jack Dyer Stand

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History

Place history

The Punt Road Oval is within the traditional country of the Wurundjeri Woi Wurrung people of the East Kulin who have occupied the Melbourne area for tens of thousands of years. At the time of British colonisation of Port Phillip in the mid-1830s, the site of the oval was part of a larger area that was occupied by Aboriginal people and used as a meeting place. It continued to be used as such through the 1840s, including as a *ngarrga* and ceremonial ground¹.

Yarra Park

Yarra Park developed on the Government Paddock which was east of the adjacent Police Magistrate's Paddock. By the 1850s it was a well-established recreation reserve for Melbourne with a number of ovals. An area of some 157 acres was temporarily reserved in 1862. It became known as Richmond Park before being renamed Yarra Park in 1867. It was not permanently reserved until 1873.

The establishment of the Melbourne Cricket Ground (MCG) and the Richmond Cricket Ground (RCC) in the early 1850s demonstrated early attempts to create a space for public recreation. Yarra Park has also been used for the provision of parking for sporting events since the 1920s and continues to be used in this manner

As the Jolimont and East Melbourne areas developed, parcels of land were excised from Yarra Park including land allocated to the Melbourne Cricket Ground (VHR H1928) and Richmond Cricket Ground, both in 1853. Not all land excisions were for sporting purposes (for example, the land for the Yarra Park State School (VHR H0768) was excised in 1874).

Buildings from which to watch sport²

The stadium format, where the playing area is fully enclosed by seating, is ancient and first used by Greek and Roman civilisations. Stadiums are constructed for large numbers of spectators, and grandstands for smaller numbers. Initially, grandstands were covered seating areas within ancient stadiums, which were reserved for more important spectators (e.g. emperors) while other spectators sat in unroofed tiered seating.

In the early days of horse racing and sporting competitions, spectators stood or sat in the areas surrounding the racetrack or oval. As spectator numbers grew, unroofed seating, grandstands and stadiums were constructed. These consisted of tiered seating around an oval or circular field or track. The tiered, elevated seating allowed a better view of the game or race. The buildings could be roofed or unroofed. The area under the seating was often used for socialising, catering and other patron facilities and for player facilities such as change rooms.

Victorian sports grounds

Up until the end of the 19th century, suburban grounds hosted a number of sports and activities including both cricket and football games³. Roofed grandstands are generally the main facilities for people to watch sport and racing. Sports grounds typically provide grandstands in conjunction with open fixed seating and informal grassed or terraced standing areas (also known as the 'outer'). The architecture of the grandstands reflects both the architectural styles popular at the time of construction, and the relative wealth of the organisations which built them. Some early rural pavilions and grandstands are simple timber and corrugated iron structures, while Victorian and Edwardian era grandstands can be large and elaborate masonry buildings and were often designed by leading architects. They were generally rectangular in form, or sometimes slightly curved such as with the Jack Dyer Stand. At the larger venues, embankments, fences and walls were also used so that only those who had paid for tickets could see the games. Ticket windows, booths and turnstiles together with bars were also constructed.

¹ (Context, 2021) From the citation prepared for the City of Melbourne which incorporated feedback from Wurundjeri Woi Wurrung Corporation reviewers.

² (Goad, Sports Buildings, 2012)

³ (Senyard, 2005)

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The Olympic Games in 1956, the growth of the Australian Open tennis tournament in the mid-1980s and the Commonwealth Games in 2006, led to the construction of substantial, new concrete structures and stadiums⁴ including the Olympic Swimming Complex (1956), Olympic Park (1956), the Great Southern Stand at the MCG (1992), the Rod Laver (1988) and John Cain (2000) Arenas, and Docklands Stadium (2000). Racing clubs have also constructed large, modern grandstands. The overall design and seating in these structures is far more sophisticated and has been specifically designed to allow for circulation, human comfort, functions and filming⁵. Major events are also held in these venues.

Cricket

Cricket was the leading sport in colonial Victoria, The Melbourne Cricket Club (MCC) was formed in 1838 and moved to what is now the MCG in 1853. Other cricket clubs soon sprang up and an 1855 map shows Melbourne, Richmond, Collingwood and St Kilda Cricket Clubs already present⁶. In 1862, a cricket club was given rights to part of a public recreation reserve in the City of Fitzroy which itself had only been created in 1858. In 1883, the Fitzroy Football Club began to share the site. This pattern was repeated across Melbourne. In some cases, football has now supplanted cricket and cricket clubs have left their original grounds.

Australian Rules Football

Australian Rules Football began as a sport for cricketers to play in the winter. The earliest games of Australian Rules Football were played at Yarra Park from 1859 (after the game was codified) although other types of football had been played there and in other parts of Melbourne since the 1840s⁷. Games were often played in Melbourne parklands or outside cricket grounds so that the pitches could recover over winter. From the mid-1870s, cricketers invited footballers to play on their grounds, as an income generating measure. Games were played in Melbourne and regional areas.

Several associations and leagues were set up including the Victorian Football Association (VFA) in 1877, and the Victorian Football League (VFL) created in 1896 by clubs that had seceded from the VFA. By 1925 all twelve of the Victorian based foundation teams (Carlton, Collingwood, Essendon, Fitzroy, Footscray, Geelong, Hawthorn, Melbourne, North Melbourne, Richmond, St Kilda, and South Melbourne) were members of the VFL and competed with one another. Their supporters generally came from the areas around the home grounds. This situation lasted until the 1980s when the code changed greatly ‘...from a traditional suburban rivalry to a national competition⁸’ with the Australian Football League (AFL) being formed in 1990 and interstate teams joining the league. A semi-professional league known as the VFL exists today although it has different origins to the earlier league of the same name. The AFL Women’s League (AFLW) and VFL Women’s League (VFLW) were formed in 2016.

Football Club grounds

It has been noted that each of the clubs which makes up the AFL ‘... brings a specific local history to the contest...(and) until the 1960s, people still walked from home to their nearest ground’.⁹ This is reflected in the creation of local football grounds where club rooms were located and where the twelve clubs which made up the then Victorian Football League took their names. Each club trained, played and constructed infrastructure at their grounds. However, most clubs have changed location a number of times during their histories.

Following the formation of the AFL, the pace of change accelerated. In order to get the best training outcomes and to attract members from beyond their traditional locally based followers, many of the teams began to move away from suburban grounds. In the 1980s and 1990s two Victorian clubs moved interstate, and new interstate clubs were admitted to the AFL. The creation of Waverley Park offered an opportunity for clubs to detach themselves from

⁴ (Harrison, 2003)

⁵ (Jackson, 2003)

⁶ Map of Melbourne and its Suburbs - 1855 | East Melbourne Historical Society (emhs.org.au)

⁷ (Ruddell, An Origin Myth Engraved in Stone? Scotch College, Melbourne Grammar and Australian Rules, 2016)

⁸ (Pascoe, 2008)

⁹ (Pascoe, 2008)

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traditional home grounds for financial advantage and encouraged the expansion of corporate facilities and revenues from advertising. This enabled them to provide larger and more suitable training, playing and viewing facilities as well as elaborate social clubs for members.

In 2000, the remaining Melbourne based AFL clubs made either the MCG or Docklands stadium their home grounds. These centrally located stadiums provided a larger capacity and better standard of facilities (including more seating) than the old suburban grounds. The move away from suburban grounds was one of the greatest changes that Australian Rules Football has undergone. The AFL had completely changed from the largely inner-suburban and country origins of the football competition to a more commercialised, centralised and later, national competition.

“Spiritual” home grounds

Despite later decisions that led to clubs choosing different locations to train and play, most of the Victorian based foundation clubs have a “spiritual” home ground in Melbourne or Geelong. In most cases, the spiritual home is the local ground where the team was first formed. Grandstands or the grounds themselves are often named after famous players. In many cases, the AFLW, VFL and junior teams play at this ground. Social clubs are often located at the home ground and this ground is also where celebrations are held when the team wins a premiership. The attachment to home grounds did not always seem to extend to the original infrastructure, with regular demolition and rebuilding of spectator and player facilities.

Some football clubs or their spiritual home grounds have become part of popular culture. Geelong’s home ground of Kardinia Park features in its team song. There have been many books, artworks and movies made about AFL and different clubs, with some achieving wide mainstream popularity, including David Williamson’s *The Club*.

Punt Road Oval (formerly known as Richmond Cricket Ground)

The Richmond Cricket Club (RCC) was formed in 1854. The RCC gained permissive occupancy of the site of what is now Punt Road Oval in 1855 and established the Richmond Cricket Ground (RCG). The first cricket game was played on the RCG in 1856.

Australian Rules Football was first played at Punt Road Oval in 1860 by an earlier iteration of the Richmond Football Club (RFC)¹⁰. The first pavilion was constructed in 1865. East Melbourne Football Club leased the site in 1879. Senior football games were lucrative and RCC started the current RFC in 1885 in order to pay its debts. The new team first played on RCG in the same year.

Throughout its life, the site has been characterised by frequent construction and demolition activities as the requirements of the games and the spectators changed. RCC obtained a pavilion from MCC in 1906 and a large new grandstand (now named the Jack Dyer Stand) was constructed in 1914 and opened by former Prime Minister Andrew Fisher. A second large new grandstand (the Ernest H. King Stand) designed solely for cricket was constructed in 1938. Many other items of sporting infrastructure were installed over the years, these included seating, railings, ticket booths, kiosks, bars, scoreboards, toilets, press boxes, turnstiles, gates, dressing rooms, curator’s room, tennis courts and a skittle alley. Many of these were later demolished and these functions took place inside the grandstands.

Being bordered by two roads, the site was always somewhat constrained and from 1885 there were frequent small extensions of land, re-levelling of the ground as well as re-orientation of the goals. Punt Road was widened in 1931 and a small amount of extra land was provided as compensation. In 1936, following a long dispute between the RCC and RFC, the RFC asked the VFL if it could move to Olympic Park and stated that the Punt Road Oval was unsuitable for League football. This request was denied but the Cricket Club promised to make improvements to the oval. These included the construction of a new grandstand for cricket as well as new bar, scoreboard, turnstiles and ticket gates. The existing grandstand (now the Jack Dyer Stand) was remodelled for football purposes.¹¹

Proposals to widen Punt Road again surfaced in 1961 although the work was not undertaken until 1989. This would have further reduced the land available for standing spectators, and as a result Richmond’s VFL (later AFL) team

¹⁰ (Ruddell, *The First Football Games at the Richmond Cricket Ground*, 2002)

¹¹ (The Argus, 1936)

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moved its home games to the MCG. This almost doubled the attendance at its games. The AFL team as well as other Richmond football teams train and play at Punt Road and it is the spiritual home ground for the club.

Development at Punt Road Oval since the early 20th century has included (from west to east):

- In 1938 the Ernest A King Grandstand designed by architects A.C Leith & Bartlett was constructed at the western end of the ground. It was made of reinforced steel and concrete. In 1980 it was enclosed and used as a social club and indoor viewing area. It was known as the Richmond Social Club or 'Tigerland'. This was demolished in 2009 to make way for the new David Mandie Building.
- In 2003 an administration building was completed between the Ernest A. King Grandstand and the Jack Dyer Stand.
- A large, curved grandstand with a central double staircase and landing was constructed on the site of tennis courts in 1914 by L & J Roswell of Elsternwick. It was designed by the firm of Thomas Watts & Sons. Various modifications including a western extension in the same style were undertaken in 1926-27 by architect and town planner Frank Stapley (1858–1944). This grandstand was named the Jack Dyer Stand in 1998.
- A small single storey building was added to the front of the Stand in the 1926-27 works. This was used as a bar at some times, while the roof appears to have been used as a viewing platform and replaced the landing of the original central staircase. A second similar room was added farther to the east at a later date. These buildings occupy approximately half of the front of the Stand but are lower than the tiered seating area.
- A modern, square two storey red brick building was constructed close against the northern end of the grandstand in 1959-60, perhaps on the site of a former exit gate. This was demolished to reveal a former bar on the eastern end of the grandstand at ground level.
- In recent times, a simple, open, concrete grandstand was constructed to the east of the Jack Dyer Stand on the site of a tiered standing area. This was a "brick and block" structure and was later demolished.
- A curved red brick structure appears to have been constructed on the northern boundary of the ground. This appears to be the improved facilities proposed in 1936. It was in three sections:
 - The section closest to the Edwardian grandstand consisted of ca. seven narrow entrance gates and a wider exit gate closer to Punt Road. This may be the turnstiles / entry gates promised in 1936. It was demolished ca.2006.
 - The next section was a larger and taller building with a row of nine high windows facing Yarra Park and concrete tiered seating facing the oval on top. This may be the improved lavatories promised in 1936. It was mostly demolished before 1995, although a remnant remains. This has four high windows (now aluminium framed) and still has tiered concrete seating on the roof .
 - The third section was a small structure on the Punt Road corner which may have been the exit gates proposed in 1936. It is not clear if this building was demolished or if it forms part of the remnant masonry wall now in this location.
- A tall, painted masonry perimeter wall extends from the remnant red brick building to the Punt Road corner. Date of construction is unknown.
- A modern elevated electric scoreboard is located at the south-eastern end of the ground. This was constructed in the mid-1990s by the Neon company. The side facing Punt Road was used for advertising and the side facing the oval was used to display the scores. This is still present.
- The Doug Ring-Bill Johnston Scoreboard was located at the southern end of the ground. This was installed by the MCG in 1997 to honour these noted cricketers, and enabled cricket such as Sheffield Shield matches to be played at Punt Road Oval. It had two serving hatches at the base. This was demolished ca. 2007.

The only extant historic structures remaining on the site are the Jack Dyer Stand and the remains of the wall and small red brick building remnant to the north-east. The David Mandie Building / Swinburne Centre was constructed



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on the site of the Richmond Social Club in 2011, and a bronze sculpture of Jack Dyer was installed outside the ground in 2003.

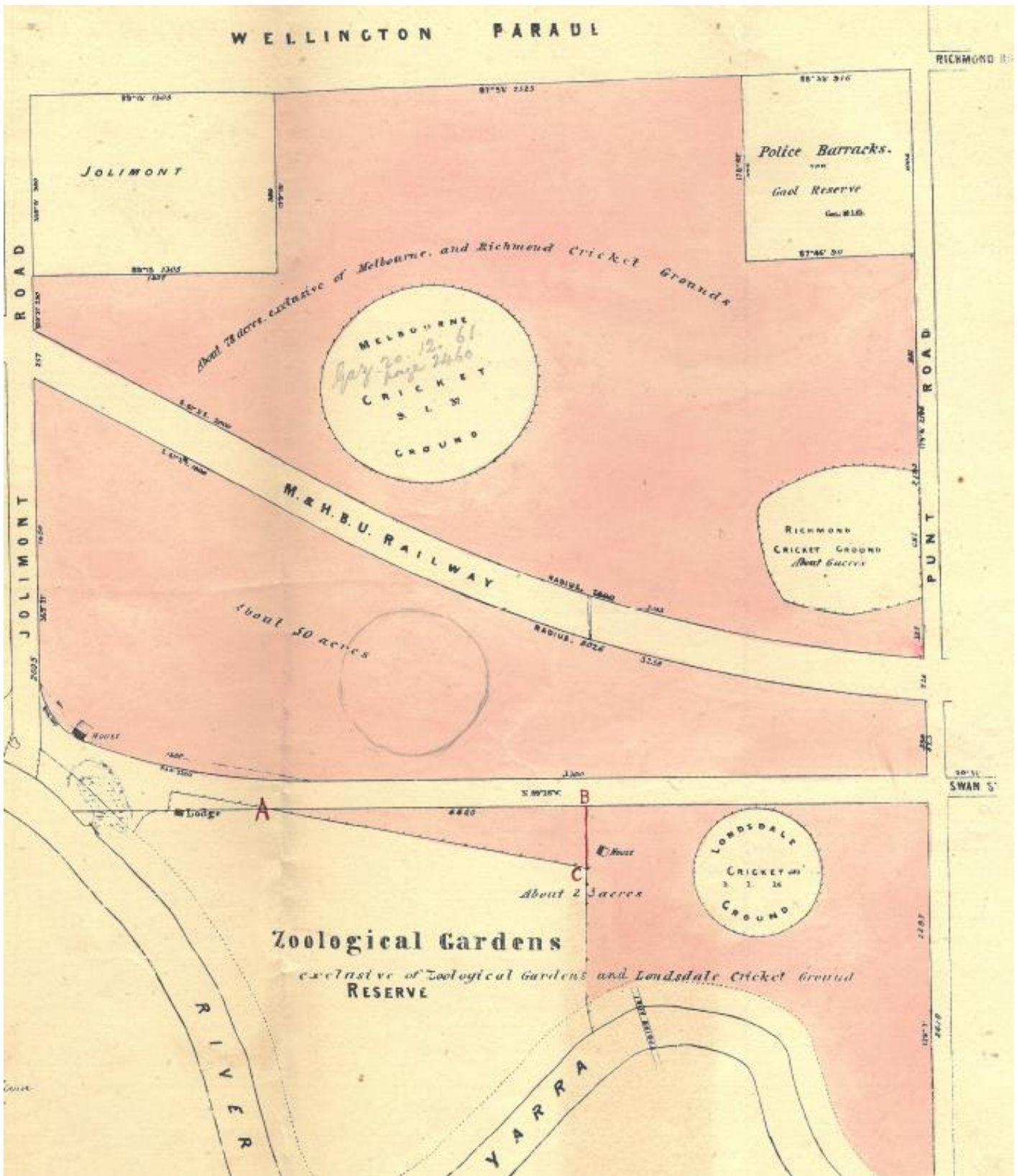
The Jack Dyer Stand

Although architect Thomas Watts (1827-1915) is often credited with the design of the 1914 Jack Dyer Stand, he essentially retired from practice in 1893. The firm continued under the name of Thomas Watts and Sons, and under the direction of his sons – Thomas Salter Watts (1852-1910) and Henry Charles Salter Watts (1853-1930). Given these dates, it seems likely that the Stand was designed by Henry Watts or another member of the firm rather than Thomas Watts himself.

The grandstand now known as the Jack Dyer Stand was constructed in 1914. Examination of early images show that the Stand once had a more decorative roof treatment than is present now. The 1926-27 extension of the Stand by Frank Stapley respectfully continued the Edwardian style, maintaining and extending the curve of the Stand and replicating the original ornate column capitals, simple timber fretwork, and roof vents and ridging.

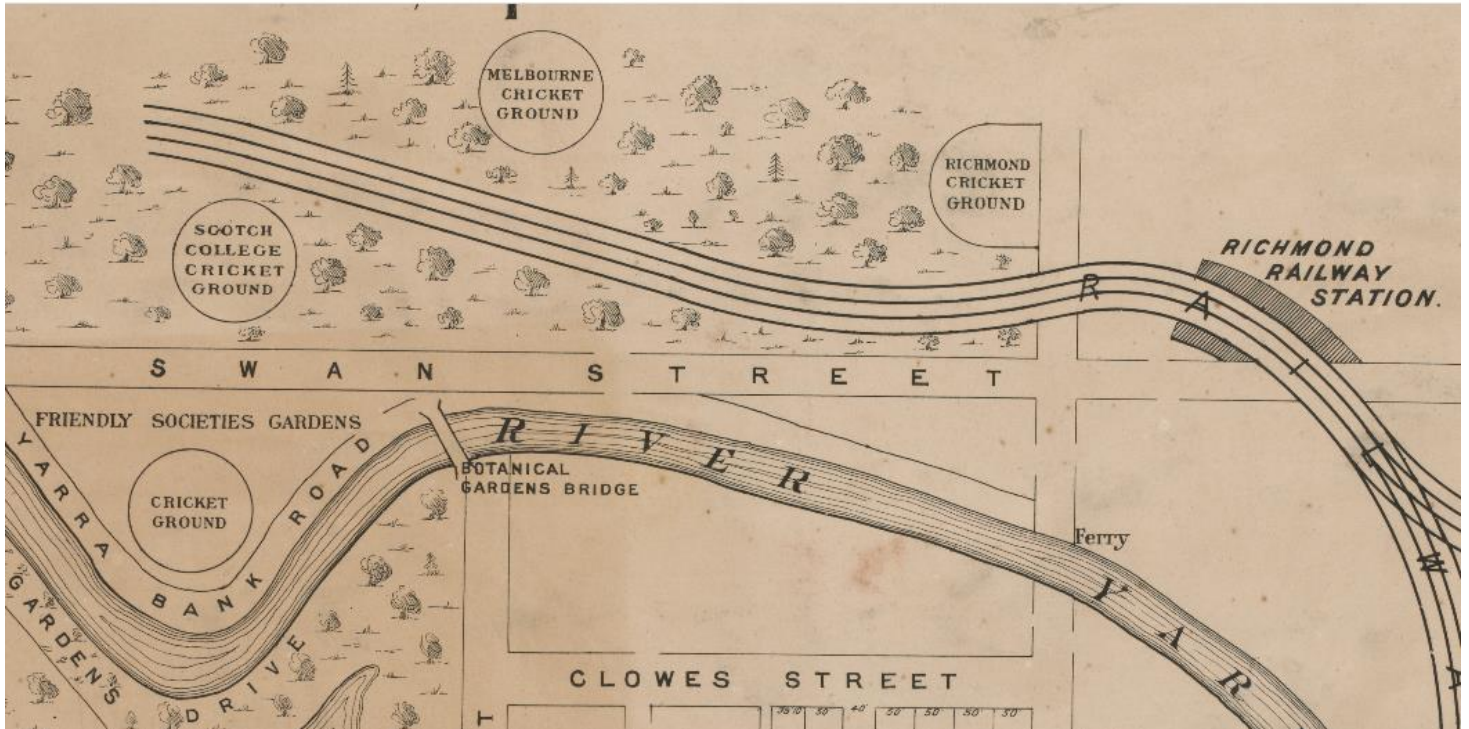
The western 1926-27 extension to the grandstand was named after RCC cricketer, footballer and long serving RCC Secretary David Patrick Chessell (ca.1852-1944). The whole Stand was re-named after footballer John ('Jack') Raymond Dyer (1913–2003) in 1998. Jack Dyer, also known as Captain Blood, was a strong and talented ruckman who played 312 games for Richmond and also served as captain and coach. After retiring as coach, he became a commentator and football media personality appearing in newspapers, radio and television.

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1867, Extract from *Plan of Yarra Park*, by the Government Surveyor, showing positions of the Melbourne and Richmond Cricket Grounds. Source: DELWP Crown Land files

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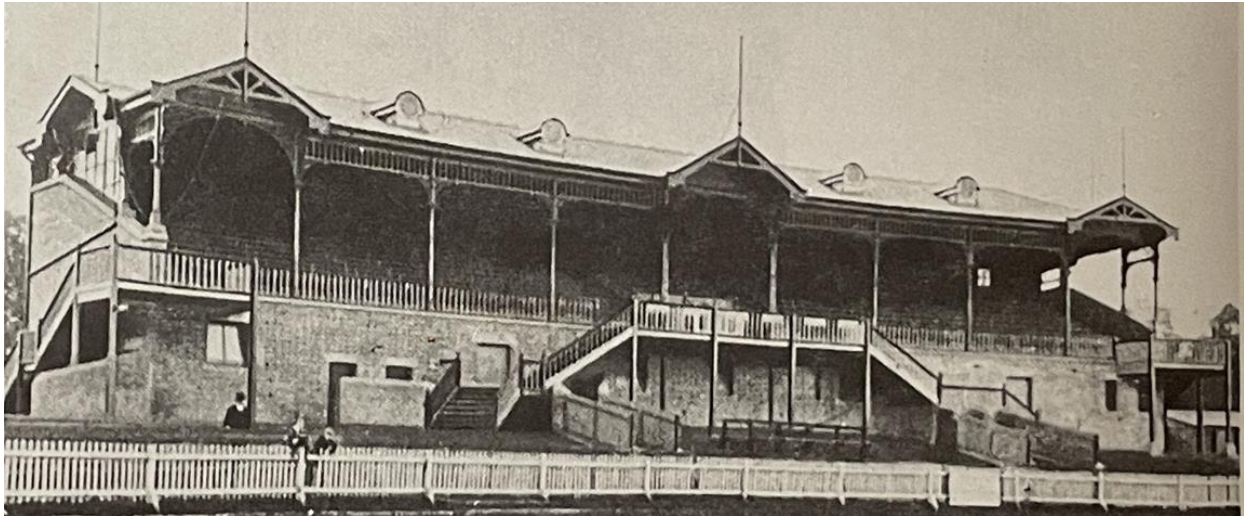


1886, Detail, Airlie Bank land, Domain and Punt Roads, the Righi, Airlie and Clow Streets, South Yarra. Source: SLV ID 2179907



Ca. 1924-1930s, Aerial view of Richmond, Victoria showing Punt Road Oval with Jack Dyer Stand to the left and what would have been a low white picket fence around the oval. Source: SLV ID 2640458

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Pre-1926, Detail, grandstand, original format showing a more elaborate roof, the current simple timber frieze, central staircase, a staircase and landing at each end, and two narrow, fenced player races below each central staircase. Source: (Hansen, 1989)



1927, Detail, new western extension to grandstand with three new staircases. The design continues the frieze, roof vents and ridging of the original grandstand. New low building with viewing platform roof to the right. Source: (Bartlett & Ruddell, 2012)



1933, Detail, *Richmond's 1932 premiership flag is unfurled ...* showing the low building installed in 1926-27 at bottom left. Source: Richmond FC website

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2022, War Memorial plaque



2022, Marble plaque on extension to grandstand



Ca. 1953, Richmond Cricket Ground, showing terraced standing areas Fowler, Lyle. Source: SLV Image No: a41235



Ca. 1953, Richmond Cricket Ground, Fowler, Lyle. Source: SLV Image No: a41236



2011, Detail, scoreboard with servery below (demolished). Author: "Mattinbgn". GNU Free Documentation License



1995, Modern building to east of grandstand, open grandstand, entrance gates (all demolished) and remnant toilet block with tiered seating on roof. Source: (John Patrick Pty Ltd with Bryce Raworth Pty Ltd, 2001)

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Undated, 1930s entrance gates, demolished ca. 2007. Source: *The Holy Boots Football Emporium* blog



Undated, 1930s toilet block, most demolished before 1995. Source: *The Holy Boots Football Emporium* blog



1942, Jack Dyer arriving at the northern end of the oval. Source: Yarra Libraries. Identifier: RL 142

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Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Further information

Relevant Authority	City of Melbourne
Heritage Overlay	HO2 (East Melbourne and Jolimont Precinct). A planning scheme amendment has been exhibited by the City of Melbourne (Amendment C405melb) which proposes to remove Punt Road Oval from HO2 and apply a new individual Heritage Overlay to the place – proposed HO1400 – Punt Road Oval (Richmond Cricket Ground).
Other Overlays	There are no other relevant overlays for the Punt Road Oval
Other Listings	B7705 National Trust – File only
Other Names	Richmond Cricket Ground Former Richmond Cricket Ground Swinburne Centre, Punt Road Oval
Date of construction/creation	1855 – Richmond Cricket Ground formed 1914, 1926-27 – Jack Dyer Stand constructed
Architect//Builder/Designer/Maker	There is no known designer for the Punt Road Oval. Jack Dyer Stand – Thomas Watts & Sons, 1914 section Frank Stapley for the 1926-27 section.
Architectural style	Jack Dyer Stand – Federation/Edwardian period (1902 – c.1918)

Traditional Owner Information

Punt Road Oval, East Melbourne is located on the traditional land of the Wurundjeri people. Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this land is the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.

Victorian Aboriginal Heritage Register

There is a registered Aboriginal place encompassing the Richmond Cricket Ground (Punt Road Oval, East Melbourne). The place is within an area of Aboriginal cultural heritage sensitivity.

Integrity

The integrity of Punt Road Oval is fair.

- The cultural heritage values of the place as an historic cricket ground dating from 1855 can only be read in the existence and general location of the oval itself.
- The cultural heritage values of the place as an historic Australian Rules Football ground dating from 1860 can only be read in the Jack Dyer Stand and in the general location of the oval.
- The cultural heritage values of the place as an active and valued AFL ground can be easily read in the existing fabric of the Jack Dyer Stand and in the prominent David Mandie / Swinburne Centre both of which are painted in the Richmond colours of yellow and black.

The integrity of the Jack Dyer Stand at Punt Road Oval is good. Despite some changes, the cultural heritage values of the place as a large, Edwardian era grandstand can be easily read in the extant fabric. (November, 2022).

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Intactness

The intactness of Punt Road Oval is relatively low because only a realigned and relevelled oval and the Jack Dyer grandstand remains. Other items of historic sporting infrastructure such as earlier scoreboards, bars, entrance gates and turnstiles, cricket grandstand and open terraced standing areas are no longer present.

The intactness of the Jack Dyer Stand at Punt Road Oval is good. The original form, roofline and orientation is still present as is much of the decorative timber fretwork. The timber bench seating and flooring are smoothed from years of use and appear early. Some of the timber flooring is coated in what appears to be a thick white anti-slip coating.

The glazed, western extension to the Jack Dyer Stand with new stairs added in 1926-27 is in the same architectural style to the original building and has had little effect on its intactness except that it is slightly less symmetrical. The small building added to the front at the same time in an unornamented style with later modifications is somewhat intrusive.

Changes to the decoration made after 1927 include the removal of the roof ridging, vents and the decorative cast iron brackets.

Other changes include: the addition of a second small building next to the first in front of the stand; the front stairs have been moved, have changed direction and been modernised many times; new railings installed; windows and doors have been bricked up or new openings made, a wider player race is now present; and large modern coaching box and smaller statistician's box have been inserted into the seating area.

Overall, the Jack Dyer Stand still presents as a large, mostly intact, Edwardian era grandstand. Most of the changes are below the level of the seating and do not affect its landmark presence to Punt Road and Brunton Avenue (November 2022).

Condition

The condition of Punt Road Oval is very good, and it is well maintained, although a number of construction activities were taking place at the time of inspection.

The condition of the Jack Dyer Stand is good. From a visual examination there are minor issues caused by lack of maintenance such as vegetation in and corrosion of the gutters. Minor fire damage at the eastern end of the building has not been cleaned. There are some cracks to the brickwork at the eastern end and other minor damages visible. Otherwise, the building appears solid noting that the assessors did not have access to the condition reports prepared by Cox Architects and Urbis¹² and could not assess structural conditions. (November, 2022).

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



2022, Minor fire damage and cracks in brickwork



2022, Surface damage to masonry

¹² (Lovell Chen, 2021)

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2022, White coating on stairs



2022, Blocked and corroding gutters



2022, Wear on floors



2022, Rear, join to administration building, new door and former window in brickwork



2022, Rear showing brickwork in good condition



2022, New concrete tiered seating area

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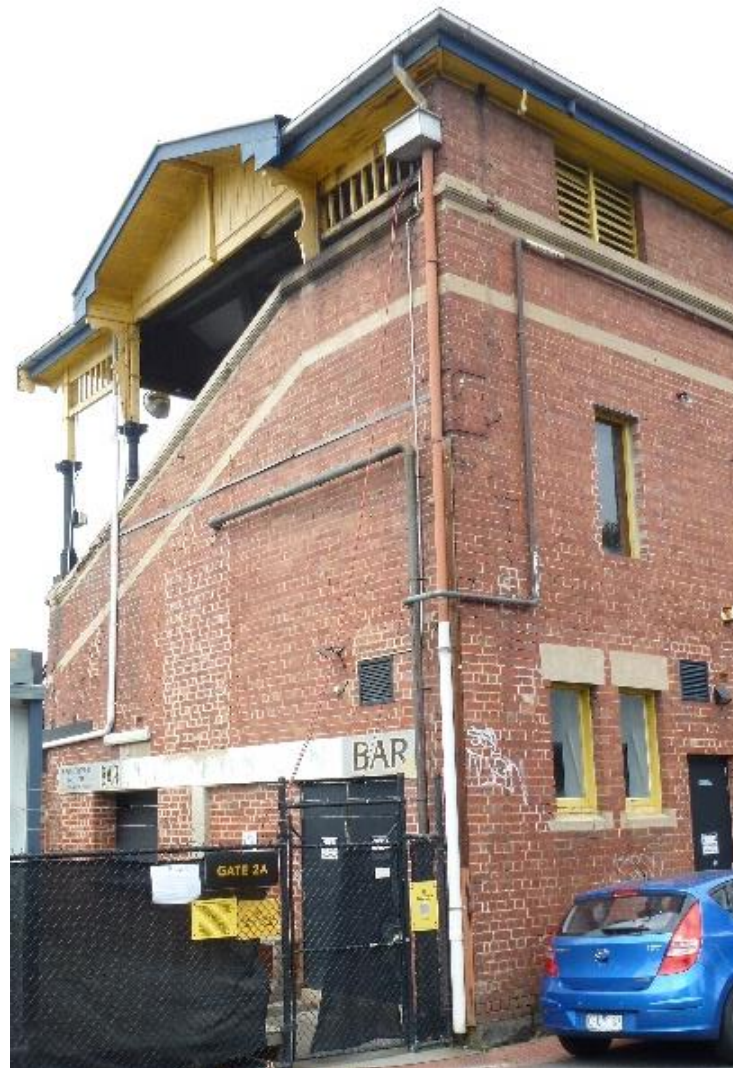
2022, Seat detail showing early fabric



2022, New coaching box



2022, Minor corrosion of iron uprights and new PVC pipe



2022, Minor damage to brickwork at eastern end

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Statutory requirements under section 40.

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

The Executive Director recommends that Punt Road Oval, East Melbourne is not included in the VHR.

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

Name: Punt Road Oval, East Melbourne

Address: Corner Punt Road and Brunton Avenue, East Melbourne

Nominated area

The area nominated for inclusion in the VHR and assessed is depicted in the aerial image below.



Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Reasons for the recommendation, including an assessment of the State-level cultural heritage significance of place/object/object integral (section 40(3)(c))

Following is the Executive Director's assessment of the Punt Road Oval against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines*. A place or object must be found by the Heritage Council to meet Step 2 of at least one criterion to meet the State level threshold for inclusion in the VHR.

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

Step 1: Test for satisfying Criterion A

The place/object has a <i>CLEAR ASSOCIATION</i> with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history. <i>plus</i> The association of the place/object to the event, phase, etc <i>IS EVIDENT</i> in the physical fabric of the place/object and/or in documentary resources or oral history. <i>plus</i> The <i>EVENT, PHASE, etc</i> is of <i>HISTORICAL IMPORTANCE</i> , having made a strong or influential contribution to Victoria.

Executive Director's Response

Punt Road Oval has a clear association with Yarra Park (VHR H2251) which is associated with the development of cricket in Victoria and with Australian Rules Football, being the place where the earliest games of both codes were played in the 1850s.

The association of Punt Road Oval with early cricket and Australian Rules Football games is evident in documentary resources which show that the Richmond Cricket Club's grounds were established in 1855 and an early Richmond Football Club first played at the site in 1860.

The early cricket and football games played at Yarra Park are of historical importance. They led to both cricket and Australian Rules Football becoming the most popular sporting codes in Victoria.

Punt Road Oval and the Jack Dyer Stand have a clear association with the expansion of playing and watching Australian Rules Football from the 1880s. Larger audiences led to the construction of larger grandstands and other infrastructure at all football grounds. The Jack Dyer Stand is an example of this expansion, being constructed in 1914 and enlarged in 1926-27.

The association of Punt Road Oval and the Jack Dyer Stand with the expansion of playing and watching Australian Rules Football is evident in the physical fabric of the place as a grassed football oval with a large Edwardian style grandstand as well as in documentary resources which show large crowds attending games at the site and sitting in and around the Stand.

The increasing popularity of Australian Rules Football has made a strong and influential contribution to Victoria because a large number of Victorians became football fans and attended games which led to it becoming the most popular sporting code in Victoria.

Step 1 of Criterion A is likely to be satisfied.

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Step 2: State Level significance test for Criterion A

The place/object allows the clear association with the event, phase etc. of historical importance to be *UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA WITH SUBSTANTIALLY THE SAME ASSOCIATION.*

Executive Director's Response

Punt Road Oval does not allow the early development of cricket and Australian Rules Football to be understood better than Yarra Park, country ovals or archival records. Yarra Park is closer in appearance to the original sites of early games than the more developed Punt Road Oval. Rural ovals allow the association between early football games played in a bush setting to be understood better than Punt Road Oval.

Punt Road Oval and the Jack Dyer Stand do not allow the expansion of Australian Rules Football from the 1880s to be understood better than any other major club oval with historic grandstands and infrastructure. All clubs expanded to handle larger audiences and to improve player and spectator facilities. Large grandstands were constructed at most football grounds from the 1880s and some were later altered and further developed. Grounds which still retain several items of historic sporting infrastructure (see Comparisons) enable the expansion of amateur Australian Rules Football to be understood better than Punt Road Oval and the Jack Dyer Stand.

Criterion A is not likely to be satisfied at the State level.

CRITERION B: Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Step 1: Test for Satisfying Criterion B

The place/object has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history.

plus

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

plus

The place/object is *RARE OR UNCOMMON*, being one of a small number of places/objects remaining that demonstrates the important event, phase etc.

or

The place/object is *RARE OR UNCOMMON*, containing unusual features of note that were not widely replicated

or

The existence of the *class* of place/object that demonstrates the important event, phase etc is *ENDANGERED* to the point of rarity due to threats and pressures on such places/objects.

Executive Director's Response

The Punt Road Oval has a clear association with the creation of cricket grounds in the early days of colonial settlement. These grounds were later also used as Australian Rules Football grounds with football eventually eclipsing cricket in popularity and often taking over the grounds.

The Punt Road Oval is not rare or uncommon as an early football ground which developed from an early cricket ground. There are twelve AFL (former VFL) grounds in Victoria and many more VFL and local football grounds across the State that demonstrate the development of Australian Rules Football.

Step 1 of Criterion B is not likely to be satisfied.

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

CRITERION C: Potential to yield information that will contribute to an understanding of Victoria's cultural history.

Step 1: Test for Satisfying Criterion C

The:

- visible physical fabric; &/or
- documentary evidence; &/or
 - oral history,

relating to the place/object indicates a likelihood that the place/object contains *PHYSICAL EVIDENCE* of *historical interest* that is *NOT CURRENTLY VISIBLE OR UNDERSTOOD*.

plus

From what we know of the place/object, the physical evidence is likely to be of an *INTEGRITY* and/or *CONDITION* that it *COULD YIELD INFORMATION* through detailed investigation.

Executive Director's Response

The exact locations of early games of Australian Rules Football played in Yarra Park before the 1880s are not known. These games are unlikely to have left archaeological remains because the ground at Yarra Park and the Punt Road Oval has been greatly altered. These processes are likely to have removed traces of any ephemeral structures. The process of archaeology is unlikely to convey more understanding of the early days of Australian Rules Football than is already understood from archival materials.

Archaeological investigations have been recently undertaken in the area behind the Jack Dyer Stand.

Step 1 of Criterion C is not likely to be satisfied.

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

Step 1: Test for Satisfying Criterion D

The place/object is one of a *CLASS* of places/objects that has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, important person(s), custom or way of life in Victoria's history.

plus

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

plus

The principal characteristics of the class are *EVIDENT* in the physical fabric of the place/object.

Executive Director's Response

Punt Road Oval has a clear association with the formation of VFA, VFL and AFL clubs and the adoption of a home ground for these clubs. Many Australian Rules Football fans feel a strong attachment to their club's home grounds even when these are not the first ground for the team, and even though their teams may train and play elsewhere.

The attachment football fans feel to their home ground has made a strong and influential contribution to Victoria by giving fans an identity, social group, and common aims.

Punt Road Oval has the characteristics of a football club's home ground because most of the club's activities except for the men's AFL games are held at the ground and fans gather there to celebrate important club events. Many parts of the ground are painted in the team colours of yellow and black. Some businesses in the suburb of Richmond adopt the team's colours or logo.

The Jack Dyer Stand at Punt Road Oval is of a class of 'grandstand'. The guidelines¹³ state that *a class should be readily discernible as a sub-category of a broad place type and should not be narrowed by multiple qualifiers*. The

¹³ Victorian Heritage Register Criteria and Threshold Guidelines

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

description of the Jack Dyer Stand in the nomination as a “curved Edwardian period grandstand” contains qualifiers which are too narrow for this type of grandstand to be considered as a class of cultural place.

The Jack Dyer Stand has a clear association with the custom of sporting organisations commissioning leading architects to design architecturally designed and decorative grandstands. This custom is of historical importance because it made watching sport more appealing and enabled a wider range of people to watch sport and continues to make a strong and influential contribution to Victoria by providing mass entertainment and economic benefits.

The principal characteristics of architecturally designed and decorative grandstands are evident in the physical fabric of the Jack Dyer Stand with its large size, elegant proportions, timber fretwork and decorative cast iron columns.

Step 1 of Criterion D is likely to be satisfied.

Step 2: State Level Significance Test Criterion D

The place/object is a *NOTABLE EXAMPLE* of the class in Victoria (refer to Reference Tool D).

Executive Director’s Response

Punt Road Oval is not considered to be a notable example of the class of ‘cricket ground’ or ‘football ground’. As a sporting ground that has been developed, redeveloped, enlarged, and reduced and that incorporates an early 20th century grandstand, it does not display any particular features that could classify the place as a fine, influential or pivotal example of a ‘cricket ground’ or ‘football ground’ particularly when compared to other examples of places within these classes in Victoria already included in the VHR. Highly notable examples of ‘cricket grounds’ or ‘football grounds’ already included in the VHR include, the Melbourne Cricket Ground (VHR H1928), Waverley Park (VHR H1883), Victoria Park (VHR H0075) and St Kilda Cricket Ground (VHR H2234).

The Jack Dyer Stand is not considered to be a notable example of the class of ‘grandstand’. Under the definitions provided in Reference Tool D, the Jack Dyer Stand at Punt Road Oval cannot be considered as a notable example of its class because it displays a similar number and range of characteristics that is typical of the class but not in a manner that may be considered ‘fine’, ‘pivotal’, or ‘influential’. These characteristics include a masonry building, elevated tiered seating, a roof and decorative elements that are typical of the period of installation, in this case, the end of the Edwardian/Federation period, but are no more notable than many other grandstands that were constructed in the first decades of the 20th century.

Under the definitions provided in Reference Tool D, the Jack Dyer Stand at Punt Road Oval can be considered as a mostly intact example of its class. There have been some alterations to the structure, but these are not of a substantial nature.

Criterion D and intactness

In order for a place or object to meet the State level test under Criterion D, it must be notable. Reference Tool D defines ‘notable’ as fine or influential or pivotal or highly intact. The Executive Director has held for many years that being ‘highly intact’ is not sufficient to determine whether a place or object is ‘notable’. Many structures built from the 1960s to today are highly intact because of their modern materials and recent construction. Some fine, influential and pivotal buildings constructed in the nineteenth century have lost intactness: in many instances this does not make them less notable. The level of intactness should be considered in its historical context in relationship to the date of assessment and should not be the sole reason why a place or object is considered ‘notable’.

Criterion D is not likely to be satisfied at the State level.

CRITERION E: Importance in exhibiting particular aesthetic characteristics.

Step 1: Test for Satisfying Criterion E

The *PHYSICAL FABRIC* of the place/object clearly exhibits particular aesthetic characteristics.

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Executive Director's Response

The open grassy expanse of Punt Road Oval displays aesthetic characteristics, but this is not remarkable and is typical of many sporting ovals.

The Jack Dyer Stand exhibits aesthetic characteristics that are typical of Edwardian/Federation architecture. The overall form of the building, the timberwork and columns, and its attractive curved red brick rear façade retains these characteristics. However, the changes to the front of the grandstand, staircases and roof have somewhat degraded these aesthetic characteristics. These changes include the removal of the original symmetrical central staircase, the addition of an extension in 1926 with installation of three new staircases, removal of some decoration, and the addition of two undistinguished buildings at the front. The design and detailing of the grandstand have not received critical recognition or wide public acknowledgement of exceptional merit.

The Punt Road Oval and the Jack Dyer Stand are visual landmarks when viewed from the railway at Richmond, for those travelling along Punt Road and Brunton Avenue, and for pedestrians walking to the MCG.

Step 1 of Criterion E is likely to be satisfied.

Step 2: State Level Significance Test for Criterion E

The aesthetic characteristics are *APPRECIATED OR VALUED* by the wider community or an appropriately-related discipline as evidenced, for example, by:

- *critical recognition* of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline as an outstanding example within Victoria; or
- wide public *acknowledgement of exceptional merit* in Victoria in medium such as songs, poetry, literature, painting, sculpture, publications, print media etc.

Executive Director's Response

While Punt Road Oval and the Jack Dyer Stand are highly visible from the railway, from Punt Road and Brunton Avenue, and to those walking to and from the MCG, there is no evidence that these landmark qualities are appreciated by the wider community or in the form of creative media.

Neither the Punt Road Oval nor Jack Dyer Stand were designed to be prominent visual landmarks unlike, for example the Shrine of Remembrance (VHR H0848) or the Royal Exhibition Buildings (VHR H1501). Rather, the landmark recognition of the Oval and Stand unintentionally arises from its location at the corner of two arterial roads and alongside a busy railway corridor. Similar locational characteristics can be found in other sporting grounds such as Victoria Park which is visible from the Clifton Hill railway and Glenferrie Oval which is visible from the Ringwood railway line.

The Punt Road Oval and Jack Dyer Stand have also not received wide public acknowledgement of exceptional merit in various medium unlike other nearby landmarks such as the Nylex Sign (VHR H2049), the Richmond Maltings silos (VHR H2050) or the Skipping Girl Neon Sign (VHR H2083).

Criterion E is not likely to be satisfied at the State level.

CRITERION F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

Step 1: A Test for Satisfying Criterion F

The place/object contains *PHYSICAL EVIDENCE* that clearly demonstrates creative or technical *ACHIEVEMENT* for the time in which it was created.

plus

The physical evidence demonstrates a *HIGH DEGREE OF INTEGRITY*.

Executive Director's Response

Punt Road Oval does not represent a creative or technical achievement for the time in which it was created.

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

The Jack Dyer Stand does not contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created. It is well constructed and finely finished as is common in most other buildings of the Edwardian era. It has lost some integrity and intactness due to later alterations.

Step 1 of Criterion F is not likely to be satisfied.

CRITERION G: Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.

Step 1: Test for Satisfying Criterion G

<p>Evidence exists of a community or cultural group. <i>(A community or cultural group is a group of people who share a common interest, including an experience, purpose, belief system, culture, ethnicity or values.)</i></p> <p><i>plus</i></p> <p>Evidence exists of a strong attachment between the COMMUNITY OR CULTURAL GROUP and the place/object in the present-day context.</p> <p><i>plus</i></p> <p>Evidence exists of a time depth to that attachment.</p>
--

Executive Director's Response

Australian Rules Football has played a significant role in the recreational lives of much of the Victorian population. This is exemplified by the large community of AFL fans and football club members who have a strong common interest in watching the game, their teams and the players.

For followers of the Richmond Football Club, the principal venue for enjoying the game and watching the team has, since 1965, been the Melbourne Cricket Ground rather than the Punt Road Oval.

Nonetheless, Punt Road Oval has for many Richmond supporters played a role for club social gatherings; to watch the team train, and for Premiership celebrations. In more recent years, it has become the venue to watch the Richmond women's and VFL sides. Punt Road Oval still remains the original home ground and the 'spiritual home ground' for many Richmond supporters.

There is substantial documentary evidence of a strong attachment between the Richmond members and fans and the Punt Road Oval in the present context but less evidence of this strong attachment extending to particular buildings such as the Jack Dyer Stand. This may be due to the perceived current poor condition of the Stand.

Evidence exists of a time depth to the attachment between the Richmond Football Club members and fans to the Punt Road Oval and to a lesser extent to the Jack Dyer Stand.

Step 1 of Criterion G is likely to be satisfied.

Step 2: State Level Significance Test for Criterion G

<p>Evidence exists that the social value resonates at a State Level, that is across the 'broader Victorian community'. <i>(‘Resonance’ means the extent to which the social value of a place/object can be demonstrated to exert an influence. The social value must resonate beyond a particular local, social or cultural community into the ‘broader Victorian community’).</i></p>
--

Plus

<p>Evidence exists that the social value is part of an event or story that contributes to 'Victoria's identity'.</p>
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Executive Director's Response

The attachment between the Richmond Football Club members and fans to the Punt Road Oval and the Jack Dyer Stand does not resonate beyond this particular community to the broader Victorian community. Every Australian Rules Football Club has members and fans who are strongly attached to their team, club and home ground.

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The social value of the attachment between Australian Rules Football club members and fans to their own club is part of a story that contributes to Victoria's identity as the home of Australian Rules Football, but this social value applies equally to all clubs rather than to a single club such as Richmond.

Criterion G is not likely to be satisfied at the State level.

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

Step 1: Test for Satisfying Criterion H

The place/object has a *DIRECT ASSOCIATION* with a person or group of persons who have made a strong or influential *CONTRIBUTION* to the course of Victoria's history.

plus

The *ASSOCIATION* of the place/object to the person(s) *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources and/or oral history.

plus

The *ASSOCIATION*:

- directly relates to *ACHIEVEMENTS* of the person(s) at, or relating to, the place/object; or
- relates to an *enduring* and/or *close INTERACTION* between the person(s) and the place/object.

Executive Director's Response

Punt Road Oval has a direct association with one of the founders of Australian Rules Football, Tom Wills who played for an early iteration of Richmond Football Club. Tom Wills made a strong contribution to Victoria's history by being one of group of young men who drew up the first rules for Australian Rules Football in 1859.

The association of Punt Road Oval with Tom Wills is evident in documentary resources. However, there is no association between Tom Wills' achievements and Punt Road Oval because the first rules of Australian Rules Football were developed at Parade Hotel in Wellington Parade, East Melbourne, not at Punt Road Oval. The new rules were used at other football grounds besides Punt Road Oval. Tom Wills' contribution to Australian Rules Football is better represented in, for example, the 1859 Rules of the Melbourne Football Club document.

The Jack Dyer Stand at Punt Road Oval has a direct association with architect and town planner Frank Stapley who made an influential contribution to the course of Victoria's history as a City of Melbourne councillor and Lord Mayor and for his roles at the Royal Victorian Institute of Architects, Victorian Town Planning and Parks Association and the Metropolitan Town Planning Commission.

The association of the Jack Dyer Stand at Punt Road Oval with Frank Stapley is evident in the physical fabric of the Stand where his sympathetic extension remains. However, this association does not directly relate to Stapley's major achievements. While he practiced successfully as an architect, his contribution to Victoria's history was as a visionary town planner as exemplified, for example, by the 1929 masterplan for metropolitan Melbourne.

Punt Road Oval and the Jack Dyer Stand have a direct association with leading Richmond football player Jack Dyer. Jack Dyer's ongoing status at Richmond Football Club is reflected by the Club naming the grandstand after him and erecting a statue in his honour outside the Oval. While Dyer is one of the best-known footballers in Victoria, to satisfy Criterion H, the person of note must not just have made an important contribution to their field of endeavor but have also made a strong or influential contribution to the course of Victoria's history.

Step 1 of Criterion H is not likely to be satisfied.

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Comparisons

It should be noted that some of the places that follow were included in the VHR prior to the adoption of the *Victorian Heritage Register Criteria and Threshold Guidelines* (2014, updated 2019) and references to the various criteria should be understood in this context. It should also be noted that the Statements of Significance that are considered below may refer to fabric that has been altered or removed under a Heritage Permit since registration of the place.

The following are selected as comparators to the Punt Road Oval as they are examples of:

- Places and objects with an early association with Australian Rules Football. This enables a consideration of whether the Punt Road Oval, is of equivalent or greater cultural heritage significance than places of State-level significance with similar associations.
- Football grounds in the VHR. This allows the Punt Road Oval to be compared with places of State-level significance which have similar associations with the development of VFL and AFL.
- Football grandstands in the VHR. This enables a consideration of whether the Punt Road Oval, including the Jack Dyer Stand, is of greater cultural heritage significance than similar places of State-level significance.
- Other grandstands in the VHR. This allows the Jack Dyer Stand at the Punt Road Oval, to be compared with similar places already in the VHR which have sporting associations beyond cricket and football
- Football grounds and grandstands not in the VHR. This allows the Jack Dyer Stand at the Punt Road Oval, to be compared with other grandstands across Victoria with similar historical associations.
- Landmarks in the VHR in the Richmond area. This enables a consideration of whether the Jack Dyer Stand is of greater cultural heritage significance as a landmark than other landmarks of State-level significance.

Places and objects with an early association with Australian Rules Football.

Yarra Park, Wellington Pde and Punt Rd and Vale Street and Jolimont Terrace and Brunton Ave and Jolimont Street, East Melbourne (VHR H2251)

Yarra Park is historically significant ... for its role in the development of Australian Rules Football, being the place where the earliest games were played in 1859.

Yarra Park was included in the VHR in 2010 following a hearing by the Heritage Council. See page 42 for further information.



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Melbourne Cricket Ground, Brunton Avenue, East Melbourne, Melbourne City (VHR H1928)

The Melbourne Cricket Ground is of historical, social, aesthetic, and architectural significance to the State of Victoria for the following reasons:

- As the pre-eminent venue for top-level cricket in Australia since the mid-nineteenth century, and as the main venue and symbolic home of Australian Rules Football since the late nineteenth century.
- For its association with the Melbourne Cricket Club, the oldest club in Victoria and a driving force in the development of cricket and other sports in the state since the early nineteenth century.
- As the 'people's ground', with a long tradition of serving the people of Victoria and as the main venue and ceremonial focus for the 1956 Olympic Games.
- For exhibiting landmark qualities in its overall form and scale, which retains its traditional parkland setting.

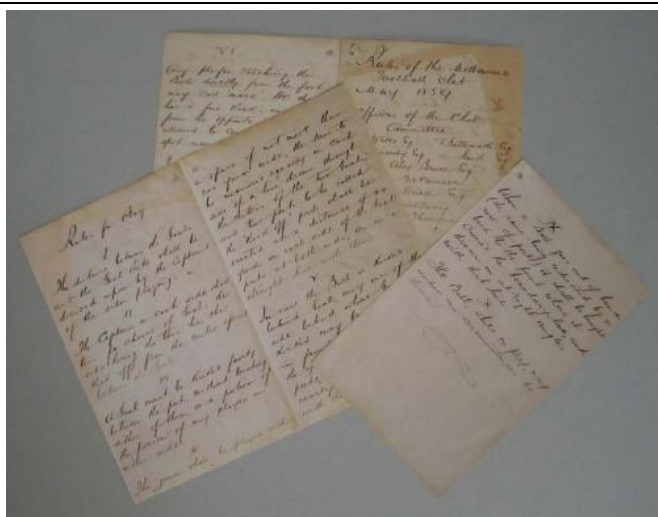


1859, Melbourne Football Club Rules, Melbourne Cricket Club Museum. (image of replica rules, Registration no. M16703)

Front page reads, "Rules of the Melbourne / Football Club / May, 1859 / Officers of the Club / Committee". These pages contain rules numbered, I to XI.

Replica pages produced from an original set of handwritten rules written in black ink on writing paper. The original document comprised two pages and both sides of each page were reproduced].

The object is not included in the VHR. It is housed in the Melbourne Cricket Club Archives. Australian Rules is the oldest code of football in the world.



Football and cricket grounds in the VHR

St Kilda Cricket Ground, Queens Road and Fitzroy Street and Lakeside Drive, St Kilda, Port Phillip City (VHR H2234)

Also known as Junction Oval, the St Kilda Cricket Ground is of historical and architectural significance to the State of Victoria for a number of reasons including:

- The Murray and Blackie Ironmonger Stands at the St Kilda Cricket Ground have architectural significance as fine examples of early twentieth century grandstands.
- The manual scoreboard is significant as a now unusual example of its kind at a major sports ground in Victoria.



Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Prince's Park, Park Street, Maryborough, Central Goldfields Shire (VHR H1880)

Prince's Park in Maryborough was permanently reserved in 1895. It is of historical, architectural, aesthetic, scientific and social significance to the State of Victoria for the following reasons:

- As one of the oldest recreation reserves in Victoria, having been used as a cricket ground since 1857 and permanently reserved in 1895.
- For its long association with the Highland Gathering, the longest continuous sporting event in Australia which has been held at Prince's Park since 1859.
- As an important design of the notable architectural firm, Thomas Watts and Sons and for its extensive use of turned wood decoration, which became more popular during the late Victorian and early Edwardian eras.



Victoria Park, Lulie Street, Abbotsford, Yarra City (VHR H0075)

Victoria Park is of historical, social, and architectural significance to the State of Victoria for the following reasons:

- For its long-standing association with the Collingwood Football Club, one of the inaugural members of the Victorian Football League in 1897 and one of the best-known Victorian sporting clubs.
- For its associations with notable figures in Victorian sporting history, many of whom have been commemorated in the naming of stands.
- For its tangible link with the Depression era, which had an enormous impact particularly on the suburb of Collingwood.



Waverley Park, 2 Stadium Circuit and 566-634 Wellington Road, Mulgrave, Monash City (VHR H1883)

Waverley Park is of historical, social, and architectural significance to the State of Victoria for the following reasons:

- As the first major venue to be designed specifically for Australian Rules Football.
- For its pivotal role in the evolution of the Victorian Football League from a largely inner-suburban sporting code to a more commercialised and, later, a national competition.
- As an ambitious architectural and engineering feat for its time, integrating the use of a sunken oval, generous seating allocation, clear lines of sight and amenities.
- The construction of the Sir Kenneth Luke Stand (1973-74), an early example of a reinforced concrete structure which was recognised by a national merit award from the Association of Consulting Engineers.



Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Football and cricket grandstands in the VHR

Tarnagulla Public Park Reserve and Cricket Pavilion, Wayman Street, Tarnagulla, Loddon Shire (VHR H0736)

Erected in 1882, the Tarnagulla Public Park Reserve and Cricket Pavilion is historically significant to the State of Victoria as a symbol of the growth of regional towns following the gold rush.

The timber pavilion is also one of the earliest surviving built spectators stands in Victoria.



Brunswick Street Oval Grandstand, Brunswick Street, Fitzroy North, Yarra City (VHR H0751)

The Brunswick Street Oval Grandstand is of architectural and historical significance to the State of Victoria for the following reasons:

- As one of the earliest surviving nineteenth century grandstands in the Melbourne metropolitan area, having been constructed in 1888.
- As a fine and intact example of a nineteenth century timber grandstand, exhibiting high quality design characteristics in its symmetrical composition and restrained decorative details.



Queen Elizabeth Oval Grandstand, 88 View Street, Bendigo, Greater Bendigo City (VHR H0803)

The Queen Elizabeth Oval Grandstand was constructed in 1901 and significant to the State of Victoria for the following reasons:

- As a fine and notable example of a nineteenth century grandstand, exhibiting the use of local materials including red brick and decorative cast ironwork.
- As a symbol of the importance of sport in late nineteenth century regional Victorian communities.



Memorial Grandstand and Gates, Eastern Reserve, 70 Hopkins Street, Winchelsea, Surf Coast Shire (VHR H1525)

The memorial grandstand, Winchelsea was constructed in 1923 and is significant to the State of Victoria for the following reasons:

- For its architectural significance as an example of the use of the Knitlock system of concrete construction.
- For its historical and social significance due to its associations with World War One and the impact it had on the Australian community. It is a rare example of a war memorial erected as a functional public building.



Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Glenferrie Oval Grandstand, 34 Linda Crescent, Hawthorn, Boroondara City (VHR H0890)

The Glenferrie Oval Grandstand, completed in 1938, is of historical and architectural significance to the State of Victoria for the following reasons:

- For its capacity to illustrate the growing wealth of VFL teams and the code itself during the early twentieth century; the design of the grandstand in the Moderne style demonstrates the evolution of the code from its working-class origins to its increasing popularity among the middle class.
- As a notable example of the principal characteristics of the Moderne style applied to a sporting facility.



Other grandstands in the VHR

Hamilton Racecourse Grandstand, 429 Henty Highway, Hamilton, Southern Grampians Shire (VHR H0137)

Constructed in 1873, the Hamilton Racecourse Grandstand is of architectural and historical significance to the State of Victoria for the following reasons:

- As one of the earliest surviving grandstands in Victoria, and as a particularly fine and sophisticated example of grandstand design, with its turrets giving the structure a distinctively exotic appearance.
- For its associations with the early history of horse racing in Victoria and as a rare surviving example of an early racetrack structure.
- As a reflection of the increasing popularity of horseracing and the growing need to provide comfortable facilities and amenities, in particular to accommodate women.



Central Park, 10-18 Main Street, Stawell, Northern Grampians Shire (VHR H2284)

Central Park, including the 1898 grandstand, is historically, architecturally, and socially significant to the State of Victoria for the following reasons:

- For its long association with the Stawell Gift, Australia's oldest and most prestigious short-distance footrace, which has been held at Stawell every Easter since 1878 (except for 1942-45) and at Central Park since 1898.
- As a rare example of Federation period timber grandstand, exhibiting typical features of the era including timber columns, roof trusses, balustrading and a half-hipped roof.



Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Camperdown Turf Club Grandstand, 185 Camperdown-Lismore Road, Camperdown, Corangamite Shire (VHR H2093)

Built in 1902-03, the Camperdown Turf Club Grandstand is of architectural and historical importance to the State of Victoria for the following reasons:

- As a substantial and intact example of a Federation-era grandstand, with a spectator mound skilfully integrated into the design and notable landmark qualities.
- As a rare surviving example of an early twentieth century grandstand, constructed during a period when horse racing was an important part of social life in Victoria.



Kingston Grandstand, Kingston-Allendale Road, Kingston, Hepburn Shire (VHR H1300)

The Kingston Grandstand, built in 1902 and relocated in 1922, is of historical and architectural significance to the State of Victoria for the following reasons:

- For its long association with one of Victoria's most eminent country shows, the Kingston Agricultural Show.
- For its high degree of physical intactness and the retention of key elements such as its partly barrel vaulted and partly skillioned roof.



Grandstand, Benalla Showgrounds, Bridge Street West, Benalla, Benalla Rural City (VHR H0976)

Built in 1913, the grandstand at the Benalla Showgrounds is of architectural significance to the State of Victoria as a particularly fine example of an early twentieth century grandstand. The timber-framed structure is complemented by its distinctive barrel roof, ornate timber and cast iron lace frieze, and chamfered timber posts and queen post trusses.



Sandown Park Racecourse Grandstand, 594-659 Princes Highway, Springvale, Greater Dandenong City (VHR H2391)

Opened in 1962 and extended in 1976, the Sandown Park Racecourse Grandstand is of significance to the State of Victoria for the following reasons:

- For its architectural significance as a notable example of post-war grandstand architecture. The design is fine and innovative and the vast cantilevered roof over one uninterrupted continuous tier is striking in its simplicity and scale.
- The Sandown Park Racecourse Grandstand is of aesthetic significance for its sophisticated and elegant form reflective of a period of vigorous architectural experiment in post-war Melbourne.



Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Football grounds and grandstands not in the VHR

Alderman Gardiner Stand, Ikon Park, 240-564 Royal Parade, Carlton North, Melbourne City (Melbourne City Planning Scheme HO1)

Ikon Park, formerly known as Princes Park, was the original home ground of the Carlton Football Club, established in 1864. The club has continued to train at the grounds since playing its inaugural VFL match there in 1897.

The curved Alderman Gardiner Stand was designed by Frank Stapley in 1903 and completed in stages between 1903 and 1913. Designed to accommodate 1,400 spectators, the Stand is one of the earliest surviving grandstands in Melbourne's original VFL venues. It underwent substantial developments from 2010.

The Alderman Gardiner Stand is located within the Carlton Precinct heritage overlay in the Melbourne City Planning Scheme.



R S Reynolds Stand, Essendon Recreation Reserve, Napier Street, Essendon, Moonee Valley City (No Heritage Overlay)

The Essendon Recreation Reserve, also known as Windy Hill, was opened in 1881 and primarily used by the Essendon Cricket Club. It became the home ground of the Essendon Football Club in 1922 when the club left its former home at the East Melbourne Cricket Ground. Essendon Football Club continues to train at Windy Hill to this day.

The R S Reynolds Stand was constructed and opened in 1922. Over the following decades it became absorbed into the broader built fabric of Windy Hill which includes the W H Cookson Stand (1963) and the Allan T Hird Stand (1973).



South Melbourne Cricket and Football Club Grandstand, Albert Road Drive, Albert Park, Port Phillip City (Port Phillip Planning Scheme HO15)

The South Melbourne Cricket and Football Club Grandstand was constructed in 1926 on the original home ground of the South Melbourne (now Sydney) Football Club. It is historically and architecturally significant to the City of Port Phillip for the following reasons:

- As a stylistically distinct grandstand of the early twentieth century, exhibiting less common features including prominent vents in the form of ridge lanterns and an overall asymmetrical form.
- For its long association with the Sydney Football Club, one of the founding VFL teams and formerly known as the South Melbourne Football Club.
- For the extant press box, constructed c.1892, which is the only known structure of its kind to exist in metropolitan Melbourne.



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Landmarks in the Richmond area

Richmond Maltings, Cremorne (VHR H2050)

Richmond Maltings, 2 and 15 Gough Street Cremorne is of historic, scientific (technological), aesthetic, social and archaeological significance to the state of Victoria.

The Barrett Burston Richmond Maltings site is aesthetically and socially significant as a substantial Melbourne landmark. The 1952 and 1960s concrete silos by reason of their height scale and bulk visually dominate the immediate townscape and are also viewed over a wide distance in eastern Melbourne. Together with the Nylex sign, which sits atop the silos, they have become a significant cultural iconic feature in the Melbourne landscape and psyche and even feature in the song Leaps and Bounds by musician Paul Kelly.



Olympic Swimming Stadium, Melbourne (VHR H1977)

The Olympic Swimming Stadium, 10-30 Olympic Boulevard Melbourne is of historical, architectural and technological significance to the State of Victoria.

The former Olympic Pool is of historical significance as the only major stadium structure remaining from the 1956 Olympic Games (after the demolition of the Olympic Stand at the MCG). The pool was a major focus of activity during the games.

The former Olympic Pool is of architectural significance as an early and influential landmark in the development of Structuralist architecture in Australia in the post-war period. The winning competition entry was acclaimed at the time as a brilliant and original design which would be influential in Australia and overseas.

The former Olympic Pool is of scientific (technological) significance as an early example of pre-tensioned steel frame construction.



Image: Melbourne and Olympic Parks

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Nylex Sign, Cremorne (VHR H2049)

The Nylex Sign, 2 Gough Street Cremorne is of social and historic significance to the State of Victoria

The Nylex sky-sign is of historical significance as one of a collection of signs marking Victoria's industrial heritage in Richmond. Richmond has the greatest concentration of surviving sky-signs in the state. Of all the signs, which include the Skipping Girl, Victoria Bitter, Slade Knitwear and the Pelaco signs, the Nylex sign is the most prominent. These large sky-signs which used to be a prominent feature of the Melbourne skyline are increasing in rarity with the demolition of such notable signs such as Allen's at Southbank and Atlantic Ethyl and Shell Petroleum's rolling dice at St Kilda Junction. The Nylex sign is of further rarity as it the only major sky sign in Melbourne that uses such a range of lighting media. ...

The Nylex sign is of social significance for its landmark qualities. The sign dominates the view along the major thoroughfares of Punt Road and Hoddle Streets and because of its location at the entrance to the South Eastern Freeway the Nylex sign is considered the unofficial gateway into Melbourne. The clock and temperature display is a constant point of reference for residents and motorists.

This recognition factor has entered the sign as a part of popular culture and has given the sign an iconic quality. Its mention in the Paul Kelly song Leaps and Bounds has given the sign an identity that extends beyond Melbourne



Summary of comparisons

Places and objects with an early association with Australian Rules Football

The MCG (VHR H1928) is considered the spiritual home of Australian Rules Football although there is no historic fabric demonstrating this, and the first games were probably played outside the current stadium's location. Historic prints and documentary sources show that early games of Australian Rules Football in Yarra Park (VHR H2251) were played within cricket grounds or else outside cricket grounds in clearings. While the plantings at Yarra Park have been substantially altered, its current environment is closer in appearance to the original sites of early games than Punt Road Oval. Country ovals which are still surrounded by bush such as Tarnagulla Public Park Reserve and Cricket Pavilion (VHR H0736) also demonstrate the original setting of early games of Australian Rules Football. The original 1859 "Melbourne Football Club Rules" and other items in the MCG collection also convey more about early games of Australian Rules Football than Punt Road Oval.

Football and cricket grounds and grandstands in the VHR

There are over twelve historic grandstands in the VHR reflecting their importance to the community. These are either registered in their own right or are part of sporting grounds or other.

A number of these have similar associations with the development of Australian Rules Football from the 1880s as the Jack Dyer Stand and Punt Road Oval. A number of Victorian and Edwardian examples from that time of similar form and decorative features to the Jack Dyer Stand still survive, and some of these also retain other types of historic

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sporting infrastructure. St Kilda Cricket Ground (VHR H2234) has two early twentieth century grandstands as well as a historic scoreboard. Victoria Park (VHR H0075) retains its historic entrance gates, examples of turnstiles and sections of perimeter walls. Brunswick Street Oval Grandstand (VHR H0751) and Queen Elizabeth Oval Grandstand (VHR H0803) are fine and intact examples of nineteenth century grandstands and Brunswick Street was the spiritual home ground of Fitzroy Football Club. Glenferrie Oval Grandstand (VHR H0890) and Waverley Park (VHR H1883) are fine examples of architecturally significant Moderne and Brutalist grandstands respectively, and Glenferrie Oval is also the spiritual home ground of Hawthorn Football Team.

Punt Road Oval and the Jack Dyer Stand do not allow the establishment and success of Australian Rules Football from 1990 to be understood better than other ovals and grandstands already included in the VHR.

Other grandstands in the VHR

Princes Park, Maryborough (VHR H1880) has a substantially intact Edwardian era grandstand designed by Thomas Watts & Sons. The decorative cast iron brackets at the top of the timber columns and ornate cast iron column capitals at Punt Road also seem to be similar to those by the Watts firm at Maryborough and Victoria Park. The Maryborough grandstand also retains its central double staircase although the fabric appears to have been replaced with cement.

Other grandstands in the VHR also date from the early twentieth century such as those at Camperdown Turf Club (VHR H2093), Kingston (VHR H1300), and Benalla Showgrounds (VHR H0976) and all display architectural characteristics typical of the Edwardian era and are substantially unaltered.

When compared with similar places already in the VHR which have sporting associations beyond cricket and football, the Jack Dyer Stand at the Punt Road Oval is less intact.

Football and cricket grounds, and grandstands not in the VHR

The Alderman Gardiner Stand in Princes Park has a similar curved shape to the Jack Dyer Stand. It was designed by Frank Stapley in 1903 before the Jack Dyer Stand was constructed. Stapley extended the Jack Dyer Stand in 1926-27 and both stands are similar in size, although the Dyer Stand is taller which gives it a more imposing presence. The Gardiner Stand also retains its original simple, elegant Edwardian cast iron frieze. Both Stands were named after footballers who were important to their clubs. The Alderman Gardiner Stand was nominated to the VHR in 2002 and was found by the Heritage Council not to be of State-level significance.

Princes Park, Windy Hill, and the Lake Oval (site of the South Melbourne Cricket and Football Club Grandstand) are all spiritual home grounds for Carlton, Essendon, and Sydney Swans Football Clubs respectively as is Punt Road Oval for the Richmond Football Club. All have pre-1930s grandstands which are still in use (often with modifications) unlike Richmond which has stopped using the Jack Dyer Stand. The South Melbourne grandstand at the Lake Oval is also a prominent red-brick structure with similar characteristics to the Jack Dyer Stand. It was nominated to the VHR in 1987 and again in 1994. In 1994, the Heritage Council found that the grandstand was not of State-level significance.

Punt Road Oval and the Jack Dyer Stand has similar historical associations and many current day similarities to these ovals and former VFL grandstands. These characteristics are also shared by other suburban cricket and football grounds such as Port Melbourne Cricket Ground (HO447 Port Phillip Planning Scheme), Coburg City Oval (HO31 Moreland Planning Scheme) and Preston City Oval (HO210 Darebin Planning Scheme) and many other grounds and grandstands which are of local importance and recognised in Heritage Overlays.

Landmarks in the Richmond area

A number of historic places in the Richmond area can be seen and recognised from a distance. These include the MCG (VHR H1928), the concrete silos at Richmond Maltings (VHR H2050), the Nylex Sign (VHR H2049), the Olympic Swimming Pool (VRH H1977) and the Skipping Girl Neon Sign (VHR H2083). All these are highly recognisable features in the area. The Jack Dyer Stand at Punt Road Oval is also visible from Punt Road, Richmond Railway Station and while leaving the MCG and while large and imposing, is not broadly appreciated by the community or in media unlike these other landmarks of State-level significance.

Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Background to the current registration of Yarra Park (VHR H2251)

A nomination of Yarra Park for inclusion in the Victorian Heritage Register was made on 26 May 2009.

The nominated area did not include Richmond Cricket Ground (Punt Road Oval); the MCG (which was already in the VHR) or the small cabman's shelter (also already included in the VHR).

On 16 Sept 2009, the Executive Director recommended that the place not be included in the VHR and that it be referred to the City of Melbourne for consideration for inclusion in the Melbourne Planning Scheme.

As a result of submissions, the Heritage Council conducted a hearing on 2 March 2010.

At the registration review hearing held on 2 March 2010, the "... Committee noted a discrepancy in the nomination documents relating to the boundaries of the nominated place ... All parties agreed that the nominated area does not include the Melbourne Cricket Ground (VHR 1928) or Richmond Cricket Ground (Punt Road Oval)."

In its determination of 19 April 2010, it was stated that "The Committee finds that Yarra Park is of historical significance to the State of Victoria and is also significant for its association with a number of persons of importance in Victoria's history. It meets the significance threshold for inclusion in the Heritage Register according to Heritage Council criteria A and H."

The Registrations Committee provided a Statement of Significance for Yarra Park

<https://vhd.heritagecouncil.vic.gov.au/places/114751>

The extent of registration of Yarra Park excludes the MCG and the Richmond Cricket Ground (Punt Road Oval).

While the nominator of Punt Road Oval (Richmond Cricket Ground) has suggested that the current registration of Yarra Park (VHR H2251) might be amended so as to include Punt Road Oval, the Executive Director is of the view that Punt Road Oval (Richmond Cricket Ground), does not demonstrate the characteristics of Yarra Park that were the basis for its inclusion in the Victorian Heritage Register in 2010, as outlined in the Statement of Significance.

In the view of the Executive Director, the current planning scheme amendment exhibited by the City of Melbourne (Amendment C405melb) which proposes to remove Punt Road Oval from HO2 and apply a new individual Heritage Overlay to the place - proposed HO1400 - Punt Road Oval (Richmond Cricket Ground) is an appropriate response to acknowledging the heritage values of the Punt Road Oval.

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Appendix 1

Heritage Council of Victoria determination (section 41)

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

Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body with a real and substantial interest in the place or object may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the Heritage Council's website.

Consideration of submissions to the Heritage Council (section 46)

- (1) The Heritage Council must consider—
 - (a) any written submission made to it under section 44; and
 - (b) any further information provided to the Heritage Council in response to a request under section 45.
- (2) The Heritage Council must conduct a hearing in relation to a submission if—
 - (a) the submission includes a request for a hearing before the Heritage Council; and
 - (b) the submission is made by a person or body with a real or substantial interest in the place or object that is the subject of the submission.
- (3) Despite subsection (2), the Heritage Council may conduct a hearing in relation to a submission in any other circumstances the Heritage Council considers appropriate.

Determinations of the Heritage Council (section 49)

- (1) After considering a recommendation that a place or object should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing into the submissions, the Heritage Council may—
 - (a) determine that the place or part of the place, or object, is of State-level cultural heritage significance and is to be included in the Heritage Register; or
 - (b) determine that the place or part of the place, or object, is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
 - (c) in the case of a recommendation in respect of a place, determine that the place is not to be included in the Heritage Register but—
 - (i) refer the recommendation and any submissions to the relevant planning authority for consideration for an amendment to a planning scheme; or
 - (ii) determine that it is more appropriate for steps to be taken under the *Planning and Environment Act 1987* or by any other means to protect or conserve the place; or
 - (d) in the case of a recommendation in respect of additional land which has been nominated to be included in the Heritage Register as part of a registered place in accordance with section 32, determine that the land be included in the Heritage Register if—
 - (i) the State-level cultural heritage significance of the place would be substantially less if the land or any part of the land which is or has been used in conjunction with the place were developed; or

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- (ii) the land surrounding the place is important to the protection or conservation of the place or contributes to the understanding of the place; or
 - (e) determine that the object is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register.
- (2) The Heritage Council must make a determination under subsection (1)—
 - (a) within 40 days after the date on which written submissions may be made under section 44; or
 - (b) if any hearing is conducted into the written submissions, within 90 days after the completion of the hearing.
- (3) A determination that a place or part of a place, or object, should be included in the Heritage Register may include categories of works or activities which may be carried out in relation to the place or object for which a permit under this *Act* is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place or object.
- (4) If the Heritage Council determines to include a place in the Heritage Register, with the consent of the owner of the place, the Heritage Council may determine to include in the Heritage Register additional land of the owner that is ancillary to the place.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

Obligations of owners of places and objects (section 42)

- (1) The owner of a place or object to whom a statement of recommendation has been given must advise the Executive Director in writing of—
 - (a) any works or activities that are being carried out in relation to the place or object at the time the statement is given; and
 - (b) any application for a planning permit or a building permit, or for an amendment to that permit, that has been made in relation to the place but not determined at the time the statement is given; and
 - (c) any works or activities that are proposed to be carried out in relation to the place or object at the time the statement is given.
- (2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.
- (3) The owner of a place to whom a statement of recommendation has been given must advise the Executive Director in writing of an application, permit or amendment if, before a determination under section 49 or 52 in respect of a place—
 - (a) an application for a planning permit or a building permit or for an amendment to that permit in relation to the place is made; or
 - (b) a planning permit or building permit or an amendment to that permit in relation to the place is granted.
- (4) An advice under subsection (3) must be given within 10 days after the making of the application or the grant of the permit or amendment.
- (5) The owner of a place or object to whom a statement of recommendation has been given must advise the Executive Director in writing of the following activities or proposals if, before a determination is made under section 49 or 52 in respect of a place or object—
 - (a) any activities are carried out in relation to the place or object that could harm the place or object;



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- (b) any activities are proposed to be carried out in relation to the place or object that could harm the place or object.
- (6) An advice under subsection (5) must be given within 10 days after the owner becomes aware of the activity or the proposal, as the case requires.
- (7) If, before a determination is made under section 49 or 52 in respect of a place or object, a proposal is made to dispose of the whole or any part of the place or object, the owner of the place or object must advise the Executive Director in writing of that proposal.
- (8) An advice under subsection (7) must be given at least 10 days before entering into the contract for the disposal of the place or object.
- (9) The owner of a place or object who proposes to dispose of the whole or any part of the place or object before a determination is made under section 49 or 52 in respect of the place or object must, before entering into a contract for that disposal, give a copy of the statement of proposed contract, is to acquire the place or object or part of the place or object.

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

An owner of a place or object to whom section 42 applies must comply with that section.

Penalty: In the case of a natural person, 120 penalty units;
 In the case of a body corporate, 240 penalty units.