Planning Panels Victoria

Melbourne Planning Scheme Amendment C387melb
Hoddle Grid Heritage Review

Panel Report

Planning and Environment Act 1987

10 November 2021

VICTORIA State Government

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.
[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Melbourne Planning Scheme Amendment C387melb

10 November 2021

Tim Hellsten, Chair

Lucinda Peterson, Member

Planning Panels Victoria

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D2 **Former John Dank & Son Statement of Significance (393-403 Bourke Street, Melbourne)**

D3 **Shops and residences Statement of Significance (53-57 Lonsdale Street, Melbourne)**

D4 **Former Royal Automobile Club of Victoria citation (111-129 Queen Street, Melbourne)**

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Glossary and abbreviations

461 Bourke	461 Bourke Street Pty Ltd
AIA	The Australian Institute of Architects
Argo	Argo Group (Aus) Pty Ltd
Barristers' Chambers	Barristers' Chambers Limited
Bennetts	Bennetts Little Lonsdale Developments Pty Ltd
Black Swan	Black Swan Properties Pty Ltd
Burra Charter	*The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*
Calder Place	Calder Place Investments Pty Ltd
Catholic Trust	Roman Catholic Trust Corporation for the Diocese of Melbourne
CBD	Central Business District
CCZ	Capital City Zone
CML	Colonial Mutual Life Assurance Society Building
Council	Melbourne City Council
DDO1	Design and Development Overlay (Schedule 1)
Dexus	Dexus Funds Management Limited
Eighth Grange	Eighth Grange Pty Ltd
Havenport	Havenport Investments
Heritage Review	*Hoddle Grid Heritage Review* 2020
Heritage Review 2011	*Central City (Hoddle Grid) Heritage Review* 2011
Heritage Review 2018	*Hoddle Grid Heritage Review* 2018
Historical Society	Royal Historical Society of Victoria
HO (number)	Heritage Overlay (place identifier number)
Julliard	Julliard Group Pty Ltd
Laneways Heritage Study	*Guildford and Hardware Laneways Heritage Study, 2017,* Lovell Chen
Lonsdale P/L	572 Lonsdale Pty Ltd
Melbourne Thematic History	*Thematic History – A History of City of Melbourne's Urban Environment*, 2012, Context Pty Ltd
National Trust	National Trust of Australia (Victoria)
Owners Corp	Owners Corporation 336942V (269-275 William Street)

Phileo	Phileo Australia Limited
Planning Scheme	Melbourne Planning Scheme
Postwar Thematic History	*Postwar Thematic Environmental History,* July 2021, Context and GJM Heritage
PPN01	*Planning Practice Note 1 - Applying the Heritage Overlay*, August 2018
Queen Street P/L	103 Queen Street Pty Ltd
RBA	Reserve Bank of Australia
Sunsuper	Sunsuper Pty Ltd
Sydney Holdings	Sydney Road Holdings Pty Ltd
the 1985 Study	*Central Activities District Conservation Study, 1985*, Graeme Butler and Associates
the 1993 Review	*Central City Heritage Study Review, November 1993*, Phillip Goad, Miles Lewis, Alan Mayne, Bryce Raworth and Jeff Turnbull
the 2002 Review	*Review of Heritage Overlay Listings in the CBD, 2002,* Bryce Raworth
the 2011 Review	*Central City (Hoddle Grid) Heritage Review, 2011,* Graeme Butler and Associates
the PE Act	*Planning and Environment Act 1987*
VHR	Victorian Heritage Register
VHRG	*The Victorian Heritage Register Criteria and Threshold Guidelines*, 3 December 2020, Heritage Council Victoria
Wadback	Wadback Pty Ltd

Overview

Amendment summary	
The Amendment	Melbourne Planning Scheme Amendment C387melb
Common name	Hoddle Grid Heritage Review
Brief description	Proposes to implement the recommendations of the Hoddle Grid Heritage Review 2020 by, among other changes, applying the Heritage Overlay on a permanent basis to 133 individual places (including 4 revised existing individual places) and 5 precincts in the Hoddle Grid, Melbourne
Subject land	Hoddle Grid, Melbourne (Figure 1)
Planning Authority	Melbourne City Council
Authorisation	1 October 2020, conditional
Exhibition	5 November to 17 December 2020
Submissions	Number of Submissions: 66 Opposed: 44 Appendix A

Panel process	
The Panel	Tim Hellsten (Chair), Lucinda Peterson
Directions Hearing	By video conference, 11 June 2021
Panel Hearing	By video conference, 23, 24, 25. 26, 27, 30 and 31 August, 1, 2, 6, 7, 8, 9, 10, 13, 15, 17 and 20 September 2021
Site inspections	Unaccompanied, 23 and 24 June 2021
Parties to the Hearing	Appendix B
Citation	Melbourne PSA C387melb [2021] PPV
Date of this report	10 November 2021

Executive summary

The central city of Melbourne owes much of its distinguished character and unique qualities to the rectilinear streets of the Hoddle Grid and the architectural expression of the nineteenth and first half of the twentieth century. While the Victorian era architecture of the 1880s financial boom and subsequent Edwardian era are widely acknowledged, recognised and appreciated, the character and development of the central city has continued to evolve. This evolution has been stimulated by the changing needs of commerce, industry and housing, a cycle of economic booms and recessions, international design influences, availability of new building technologies and materials and changes in development controls including those restricting height.

The postwar Modernist period (1945-1975) encapsulates this period of great societal and economic change. It represents a period of prosperity, confidence and optimism and expansion marking Melbourne's emergence as an international city, with the financial sector in particular looking to establish a corporate presence. This era of activity had a dramatic impact on the streetscape and skyline of the central city. It was characterised by a number of distinctive architectural phases or typologies including the use of the glass curtain wall in the 1950s, the use of more solid cladding in the mid 1960s, elements of Brutalism in the 1970s and the development of tower and podium forms. This period of development remains represented in the building stock of the central city, although often altered at the ground level or has lost its architectural integrity through other changes. It is also not widely appreciated or recognised as a significant and important phase of Melbourne's cultural heritage through the application of heritage controls.

While a number of heritage studies have been undertaken by the City of Melbourne (Council) these have had limited regard to the postwar Modernist period of development. The *Hoddle Grid Heritage Review*, July 2020 (Heritage Review) is the first comprehensive review of heritage buildings in the central city since the 1990s and the largest study of postwar heritage in Melbourne's Central Business District to date.

The Heritage Review is an outcome of Council's Heritage Strategy 2013 which seeks to review heritage in high-growth areas such as the central city. It comprises 6 volumes which includes, relevant to the Amendment:

- a gap study review of precincts and pre-1945 places
- a Postwar Thematic Environmental History
- citations for all places which include Statements of Significance.

Melbourne Planning Scheme Amendment C387melb (the Amendment) seeks to implement recommendations from the Heritage Review. The Amendment proposes to remove existing interim Heritage Overlays introduced through Melbourne Planning Scheme Amendment C386melb and to:

- apply the Heritage Overlay to five precincts and 133 individual places including 55 postwar places
- amend the curtilage of the Heritage Overlay of four existing places
- extend one precinct
- introduce separate Statements of Significance for all places and precincts.

The Amendment was exhibited from 5 November to 17 December 2020 and received 66 submissions, 44 of which opposed the Amendment. The key issues related to:

- insufficient justification to support the application of the Heritage Overlay

- the extent of building changes which diminished building integrity
- whether places warranted heritage protection, particularly if they were graded C, D or E or not identified in previous heritage reviews
- whether heritage protection should be applied to places with live planning permits
- impact on development opportunities
- economic impacts.

(i) Heritage Review methodology

While there were differences of opinion in relation to individual assessments of places, it was common ground amongst all experts that appeared before the Panel, that the Review was a comprehensive, timely and valuable piece of work, especially in relation to postwar places.

The Panel concludes that the Heritage Review is a solid and robust body of work. For a heritage study of this scale, it is comprehensive and uses a sound methodology consistent with Planning Practice Note 1 Applying the Heritage Overlay (PPN01). It provides an appropriate foundation for the Amendment.

The Panel observes that while the focus of the Amendment and submissions was on post contact built heritage and the application of the Heritage Overlay, it should be acknowledged that a significant part of the Heritage Review comprises a detailed analysis of Aboriginal history and heritage within the Hoddle Grid area. It provides an improved understanding of pre-contact Aboriginal archaeology and a valuable tool in the assessment and management of Aboriginal cultural heritage ahead of redevelopment in the Hoddle Grid area.

(ii) Strategic justification

The Amendment is consistent with, and supported by, the relevant sections of the Planning Policy Framework and is well founded and strategically justified. It is also consistent with the relevant Ministerial Directions and Practice Notes. Applying the Heritage Overlay to properties within the Hoddle Grid will not restrict the achievement of wider planning policy and objectives for the central city. In fact, it will likely enhance the important values that underpin the character of the Central Business District (CBD).

The Panel concludes that the Amendment will deliver the net community benefit and sustainable development required by Clause 71.02-3.

(iii) Common heritage issues

The Panel concluded that:

- existing planning permits proposing demolition or significant change are not a reason to exclude a place from the Heritage Overlay
- impacts on development opportunity, building alterations and maintenance are not relevant when assessing the heritage significance of an individual place or a precinct
- property value and financial implications are not relevant when assessing heritage significance or when deciding whether to apply a Heritage Overlay
- whether or not a property was identified in a previous study is not relevant to whether a place has sufficient local significance to justify the Heritage Overlay.

(iv) Postwar Modernist period

The Panel concluded that the postwar Modernist period (1945-1975) is an identifiable and important phase within the Hoddle Grid and the City of Melbourne. Buildings within the postwar Modernist period are of an appropriate age to be considered for heritage controls where the thresholds for heritage significance are met.

(v) Threshold issues

The issue of whether threshold criteria were reached for particular places was the key point of difference for the nine heritage experts called to provide evidence. The key issues regarding thresholds related to the level of intactness of places, the appropriateness of the comparative analysis undertaken in the Heritage Review and the application of particular Hercon criteria identified in PPN01 and in the Victorian Heritage Register Criteria and Threshold Guidelines (VHRG).

Intactness

The question of the impact of intactness on integrity and achieving the necessary threshold of local significance (particularly historical and representativeness) was central to many submissions. It was also submitted that the Heritage Review set the bar for intactness too low by applying a 'typical' intactness level benchmark reflecting the fairly common state of buildings in the central city comprising highly altered ground floors.

The Panel concluded that:

- the level of intactness of a place is a critical threshold consideration for heritage significance
- the general threshold level for building intactness in the Heritage Review had not been set too low
- while the wider context of typical building alterations in the central city is an appropriate contextual and comparative analysis consideration, the analysis of intactness and impact on heritage significance should be undertaken on a case by case basis and contemplate whether:
  - there is sufficient fabric in place to assist in understanding and appreciating the place
  - the extant changes and alterations impact on our understanding and appreciation of the particular place
  - it is appreciated that the place is significant and why it is significant
- the level of actual intactness should be accurately reflected in the citation and Statement of Significance, irrespective of the thresholding in the Heritage Study.

Comparative analysis

Submissions were critical that the comparative analysis for sites contained in place citations, particularly for postwar places, were generic and simplistic, lacked any qualitative analysis, and drew too heavily on places identified in the Heritage Review and which displayed a range of typologies.

The Panel concluded that the exercise of comparative analysis is a key component for understanding and applying thresholds. This is recognised in PPN01. PPN01 does not however set a benchmark for the level of analysis required to accompany the comparative analysis. To achieve its purpose, it needs to convey sufficient information to assist in the application of judgement to

determine if thresholds are achieved in a meaningful way. This means that it cannot simply be a list or images of places that are of a similar period or class. Conversely it does not need to be an exhaustive exercise. This would be prohibitive and difficult given many buildings said to be comparators can have different attributes which contribute to their significance in different ways.

The Panel concludes that in the main, the level of comparative analysis undertaken in the Heritage Review is appropriate and consistent with that applied in area wide studies and satisfies PPN01. The consideration of other places identified in a study where there are few in the current Heritage Overlay (as is the case with postwar buildings) as part of a comparative analysis is reasonable and also consistent with PPN01.

Applying thresholds

PPN01 provides the primary tool for determining thresholds for places of local heritage significance, informed by the consideration of intactness and integrity and a comparative analysis. While the VHRG provide useful guidance and support a level of critical thinking, they should be used with care to avoid introducing a higher level consideration of significance at the local level for which they were not intended.

Planning policy is not a relevant threshold consideration for assessing heritage significance and a higher level of threshold should not be applied in the central city because of its significant strategic role. Rather, policy considerations will be the domain of the planning permit application process. Similarly, Clause 22.04 and the definition of 'Significant heritage place' is not a threshold test for significance. Its role is to guide the application of policy.

Submissions were critical in particular about the way in which the threshold had been set for Criterion A and D, considering it too low and too generic. Applying thresholds is a difficult exercise. It requires a level of judgement to be applied on a place by place basis, informed by factors such as intactness, integrity and a comparative analysis. The Panel considers that the Heritage Review has properly established the importance of identified phases, themes and classes. It has identified, in the main, individual places as suitable for local heritage significance on the basis that they demonstrate importance in more than a generic or typical way to these eras, themes and classes.

Role and appropriate content of Statements of Significance

During the hearing submissions were made about the respective roles of citations and Statements of Significance in future decision making and by extension what content should be included in the Statement of Significance. The Panel concluded that Statements of Significance have greater weight than citations because they are incorporated documents and should be relied upon to understand what is significant about a place including the significant elements and why it is significant.

Accordingly, while PPN01 observes that these documents should effectively be summaries, critical information contained in citations about the significance of a place should be contained within the Statement of Significance. This includes clear images that show the significant elements identified under 'What is significant?'. The Panel observed in many instances the images included in the Statements of Significance did not include clear 'front on' street frontage images, images of secondary building frontages or identified artwork. The Panel has made a number of recommendations about how the content of various Statements of Significance should be amended.

(vi) Individual places

Pre 1945 individual places

The Panel supports the application of the Heritage Overlay to the majority of proposed individually significant pre-war places. While many of these places have been altered, they retain sufficient fabric to be representative of their class of place or era and are of historic significance to the Hoddle Grid and City of Melbourne.

The Panel considers that the following places do not meet the threshold for local heritage significance, predominantly because of the loss of significant fabric, and overall integrity:

- Former Universal House at 25 Elizabeth Street, Melbourne
- Former Morris House at 114-120 Exhibition Street, Melbourne
- Willis' Buildings at 490 Flinders Street, Melbourne.

The Panel considers that the Statements of Significance for the following places should be amended to include additional information or changes made in response to submissions or changes identified by the Panel, including the inclusion of additional images of identified significant place elements:

- Shops, 173-175 Bourke Street, Melbourne
- Former John Dank & Son, 393-403 Bourke Street, Melbourne
- Shops and residences, 53-57 Lonsdale Street, Melbourne
- Former Thomas Warburton Pty Ltd, 365-367 Little Bourke Street, 384-386 Bourke Street, and 2-6 and 8-14 Rankins Lane, Melbourne
- Former Gothic Chambers and warehouse, 418-420 Bourke Street and 3 Kirks Lane, Melbourne
- Former Craig, Williamson Pty Ltd complex, 57-67 Little Collins Street, Melbourne
- Warehouses, 577-583 Little Collins Street, Melbourne
- Shops, 470-472 Little Lonsdale Street, Melbourne.

Postwar places

The Panel supports the application of the Heritage Overlay to the majority of proposed 55 individually significant postwar Modernist places. Many of these places have been altered and some have lost important ground level elements including loggias, recessed entries and lobbies, plaza settings and been overclad or reclad at upper levels. In some instances, these changes have resulted in the loss of important elements of the original design and compromised their level of intactness. Change at ground floor level is largely typical of this period of buildings within the central city, as they have adapted to different tenants or commercial needs. However, while highly intact (particularly at ground level) postwar Modernist buildings are reasonably rare, this alone should not mean that altered buildings meet the necessary threshold level. It is not merely enough that they are buildings constructed during that period and each must stand on their merits and retain sufficient fabric to be representative of their class of place or era and/or to be of historic significance to the Hoddle Grid and City of Melbourne.

The Panel considers that the following places did not meet the threshold for local heritage significance, predominantly because of the loss of significant fabric, overall integrity or importance and therefore significance was not demonstrated:

- Former Reserve Bank of Australia at 56-64 Collins Street, Melbourne
- Former MLC Building at 303-317 Collins Street, Melbourne

- 516-520 Collins Street, Melbourne
- Cowan House at 457-469 Little Collins Street, Melbourne
- Stella Maris Seafarer's Centre at 588-600 Little Collins Street, Melbourne
- Former Prudential Building at 178-188 William Street, Melbourne.

The Panel considers that the Statements of Significance for the following places should be amended to include additional information or changes made in response to submissions or changes identified by the Panel, including the inclusion of additional images of identified significant place elements:

- Former Colonial Mutual Life Assurance Society Building, Plaza and Children's Tree sculpture at 303-336 Collins Street, Melbourne
- AMP Tower and St James Building complex, 527-555 Collins Street, Melbourne
- Western Hotel, 204-208 King Street, Melbourne
- Equitable House, 335-349 Little Collins Street, Melbourne
- Former Ajax House, 103-105 Queen Street, Melbourne
- Former Royal Automobile Club of Victoria, 111-129 Queen Street, Melbourne
- Former Sleigh Buildings, 158-172 Queen Street, Melbourne.

Precincts

The Panel supports the proposed new or amended Heritage Overlay precincts including the grading or regrading of identified buildings. It concludes that a change to the amended Little Lonsdale Street Precinct Statement of Significance, July 2020 to identify 106 Little Lonsdale Street as 'non-contributory' and to limit what is considered to be contributory fabric of 134-140 Little Lonsdale Street and 11-21 and 23 Bennetts Lane to the respective facades is appropriate. The Panel notes that the subject site is now likely significantly demolished. In this event it has identified alternate changes to the Statement of Significance.

(vii) Consequential changes

As a result of the Panel's recommended changes to Statements of Significance or to abandon the application of the Heritage Overlay to several places, a range of consequential changes will need to be made to:

- the Schedule to Clause 43.01 Heritage Overlay
- the following incorporated documents included in the Schedule to Clause 72.04:
  - Heritage Precincts Statements of Significance February 2020 (Amended July 2020)
  - Heritage Places Inventory February 2020 Part A (Amended July 2020)
  - Heritage Precincts Statements of Significance February 2020 (Amended July 2020)
- citations included in the final Hoddle Grid Heritage Review 2020 (as amended).

While the Panel has not articulated all the changes necessary it considers these consequential changes while minor administrative and technical changes, should be acknowledged and made.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Melbourne Planning Scheme Amendment C387melb be adopted as exhibited subject to the following:

1. **Review all Statement of Significance images to ensure that they clearly identify the heritage building or place and the significant elements of the place and reflect current condition.**
2. **Prior to the adoption of the Amendment, review all buildings that are subject to the Amendment which have 'live' planning permits for demolition or substantial demolition. The Amendment should not apply to sites where demolition has occurred or where substantial demolition has commenced.**
3. **Abandon the application of the Heritage Overlay to the following places:**
   a) **Former MLC Building at 303-317 Collins Street, Melbourne.**
   b) **Reserve Bank of Australia at 56-64 Collins Street, Melbourne.**
   c) **516-520 Collins Street, Melbourne.**
   d) **Former Universal House at 25 Elizabeth Street, Melbourne.**
   e) **Former Morris House at 114-120 Exhibition Street, Melbourne.**
   f) **Willis' Buildings at 490 Flinders Street, Melbourne.**
   g) **Cowan House at 457-469 Little Collins Street, Melbourne.**
   h) **Stella Maris Seafarer's Centre at 588-600 Little Collins Street, Melbourne.**
   i) **Former Prudential Building at 178-188 William Street, Melbourne.**
4. **Amend the following Statements of Significance:**
   a) **Shops Statement of Significance (173-175 Bourke Street, Melbourne), July 2020 consistent with the Panel's preferred version in Appendix D1.**
   b) **Former John Danks & Son Statement of Significance (393-403 Bourke Street, Melbourne), July 2020 consistent with the Panel's preferred version in Appendix D2.**
   c) **Shops and residences Statement of Significance (53-57 Lonsdale Street, Melbourne), July 2020 consistent with the Panel's preferred version in Appendix D3.**
   d) **Former Royal Automobile Club of Victoria Statement of Significance (111-129 Queen Street, Melbourne), July 2020 and citation consistent with the Panel's preferred version in Appendix D4.**
   e) **Former Gothic Chambers and warehouse Statement of Significance 418-420 Bourke Street and 3 Kirks Lane, Melbourne), July 2020 to include an image of 3 Kirks Lane.**
   f) **Amend the AMP Tower and St James Building Complex Statement of Significance (527-555 Bourke Street, Melbourne) to include reference to AMP headquarters in Criterion A.**
   g) **Former Thomas Warburton Pty Ltd Statement of Significance (365-367 Little Bourke Street, 384-386 Bourke Street, and 2-6 and 8-14 Rankins Lane, Melbourne), July 2020 to include images of the Rankins Lane and Warburton Lane building elevations.**
   h) **Former Craig, Williamson Pty Ltd complex Statement of Significance (57-67 Little Collins Street, Melbourne), July 2020 to include images of the McGrath Lane and Club Lane elevations.**
   i) **Equitable House Statement of Significance (335-349 Little Collins Street, Melbourne), July 2020 to include an image of the building fronting Little Collins Street and identify Meldrum & Partners as the architect.**

j) Amend the Warehouse Statement of Significance (577-583 Little Collins Street, Melbourne), July 2020 to:
- **reduce the level of significance attributed to the City Flour Mills in Criterion A**
- **under 'What is significant?' clarify that the building's original external form, materials and detailing extends to the 16-18 Francis Street elevations**
- **under 'Why is it significant?' remove the word 'related' in the last sentence description of Criterion A, and replace the words 'Both building constructed in 1875' with the correct construction dates in the description of Criterion D**
- **include images of the Francis Street elevations.**

k) Shops Statement of Significance (470-472 Little Lonsdale Street, Melbourne), July 2020 to replace the words 'a fine example' with 'an example' for Criterion D.

l) Great Western Hotel Statement of Significance (204-208 King Street, Melbourne), July 2020 to remove Criterion G and include historical information currently in Criterion G, within Criterion A.

m) Former Ajax House Statement of Significance (103-105 Queen Street, Melbourne), July 2020 to include context and reference to the 40 metre height controls that determined the height of the building in 1956 in Criterion D and include an image of the Little Collins Street elevation.

n) Former Sleigh Buildings Statement of Significance (158-172 Queen Street, Melbourne), July 2020 to include an image of the Tom Bass sculpture 'Transportation' and an alternate 'front on' image of 166-172 Queen Street, Melbourne.

o) Little Lonsdale Street Precinct Statement of Significance, July 2020 to:
- **Identify 106 Little Lonsdale Street as 'non-contributory'.**
- **Under 'What is significant?', identify that the contributory fabric of 134-140 Little Lonsdale Street and 11-21 and 23 Bennetts Lane is limited to the façades fronting Little Lonsdale Street and Bennetts Lane and respectively.**
- **Under 'Why is it significant?' for Criterion D, identify that 134-140 and 142-144 Little Lonsdale Street and 11-21 and 23 Bennetts Lane are of the interwar period.**

5. Make any necessary consequential changes to reflect amendments to the Statements of Significance and exclusion of identified places consistent with Recommendations 3 and 4 to:

a) The Schedule to Clause 43.01 Heritage Overlay.

b) The following incorporated documents included in the Schedule to Clause 72.04:
- ***Heritage Precincts Statements of Significance February 2020 (Amended July 2020).***
- ***Heritage Places Inventory February 2020 Part A (Amended July 2020).***
- ***Heritage Precincts Statements of Significance February 2020 (Amended July 2020).***

c) Citations included in the final Hoddle Grid Heritage Review 2020 (as amended).

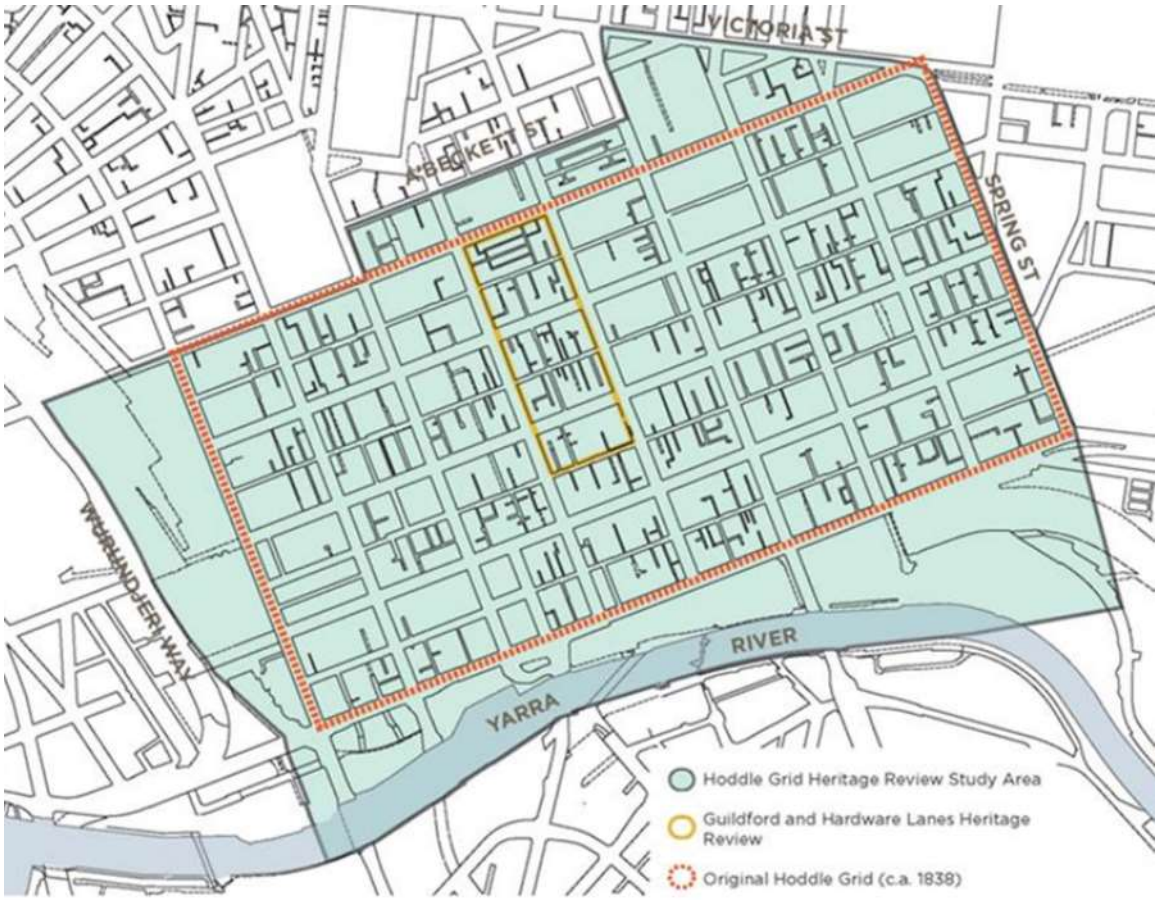
1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to implement the *Hoddle Grid Heritage Review* 2020 (Heritage Review) to provide permanent heritage protection to places in the Hoddle Grid area (Figure 1) to ensure their heritage values are recognised and protected.

Figure 1 Hoddle Grid Heritage Review 2020 Study area



The Amendment implements the findings of the Heritage Review on a permanent basis by:

- applying the Heritage Overlay to 133 individual places including 55 postwar places
- revising the Heritage Overlay curtilage of four existing places
- applying the Heritage Overlay to five precincts including extending one precinct
- introducing separate Statements of Significance for all places and precincts.

Specifically, the Amendment involves the following changes to the Melbourne Planning Scheme (Planning Scheme):

- amending Clause 22.04 (Heritage Places within the Capital City Zone) to change the policy reference to the Heritage Review and amending Statement of Significance references at Part B, and adding the following policy references at Part A:
  - Heritage Review

  - Guildford and Hardware Laneways Heritage Study 2017, Lovell Chen (Updated October 2018)
- amending the Schedule to Clause 43.01 (Heritage Overlay) to:
  - introduce 133 individual Heritage Overlays and five Heritage Overlay precincts on a permanent basis
  - amend property and place descriptions for four existing individual Heritage Overlay places and apply the Heritage Overlay on a permanent basis
  - delete interim HO1297 (Little Lonsdale Street Precinct) and replace it with a renamed and expanded HO984 (Little Lonsdale Precinct)
  - identify separate Statements of Significance for each place and precinct
  - changing the date of the incorporated document titled *Heritage Precincts Statements of Significance February 2020* by changing the date to July 2020
- amending Planning Scheme Maps 8HO, 8HO1 and 8HO2
- amending the Schedule to Clause 72.04 (Incorporated Documents) to:
  - introduce separate Statements of Significance for the 133 individual Heritage Overlay places and four amended individual Heritage Overlay places and five precincts
  - amend the incorporated document *Heritage Precincts Statements of Significance February 2020* by changing the date it was amended to July 2020
  - amend the incorporated document *Guildford and Hardware Laneways Heritage Study May 2017: Statements of Significance, November 2018* (Amended April 2020) by changing the category (grading) of 2-6 and 8-14 Rankins Lane within the Guildford and Hardware Laneways Precinct and 341-345 Elizabeth Street within the Elizabeth Street West Precinct and from Contributory to Significant
  - amend the incorporated document *Heritage Places Inventory 2020 Part A* by adding or amending all properties to be included in the Heritage Overlay on a permanent basis
  - amend the incorporated document *Heritage Precincts Statements of Significance February 2020* by deleting the 'Little Lon Precinct' Statement of Significance
  - amend the Incorporated Documents *Guildford and Hardware Laneways Heritage Study May 2017: Statements of Significance, November 2018* (Amended April 2020), *Guildford and Hardware Laneways Heritage Study May 2017: Heritage Inventory, November 2018* (Amended April 2020), *Heritage Places Inventory February 2020 Part A* and the *Heritage Precincts Statements of Significance February 2020* by changing the date to July 2020.

Table 1 identifies:

- the four existing interim Heritage Overlay places which are proposed to be expanded and have the Heritage Overlay applied on a permanent basis
- the 5 precincts to which the Amendment proposes to apply the Heritage Overlay on a permanent basis
- the two existing precincts where the Amendment proposes to change property gradings
- existing interim Heritage Overlay places or new places proposed for permanent controls where submissions (supporting and opposed) have been received. Proposed new heritage places are identified as 'new permanent control'.

Table 1 Summary of proposed places and precincts included in the Amendment

Place/HO Number	Particular HO changes	Submission No.
Alterations to revised existing interim Heritage Overlay individual places proposed for permanent controls		
HO1052 365-367 Little Bourke Street, 384-386 Bourke Street, 2-6 and 8-14 Rankins Lane	Amend address details in Clause 43.01 and statement of significance to include 384-386 Bourke Street and 2-6 and 8-14 Rankins Lane and in curtilage of HO1052	57
HO1005 418-420 Bourke Street and 3 Kirks Lane	Remove references in Clause 43.01 of interim controls to 3 Kirks Lane and include that building within the curtilage of HO1005	62
HO1041 562-564 Flinders Street and rear in Downie Street	Remove references in Clause 43.01 of interim controls to 'rear 562-564 Flinders Street in Downie Street only'	
HO737 617-639 (part) and 651-669 Lonsdale Street, 602-606 and 620-648 Little Bourke Street	Remove references in Clause 43.01 of interim controls to '602-606 and part 620-648 Little Bourke Street only'	
Existing interim Heritage Overlay precincts proposed for permanent controls		
HO984 Little Lons Precinct (existing) and **HO1297** Little Lonsdale Street Precinct (interim)	Delete interim HO1297 and extend HO984 precinct (renamed Little Lonsdale Precinct) with paint controls removed and add separate statement of significance	2, 54
HO1286 Flinders Lane East Precinct	Add separate statement of significance (including 14-22 Russell Street)	30, 38, 60
HO1288 Swanston Street North Precinct	Add separate statement of significance	
HO1289 Swanston Street South Precinct	"	
HO1290 Drewery Lane Precinct	Add separate statement of significance (including adding 268-270 Lonsdale Street)	
Existing Heritage Overlay precincts with amended gradings		
HO1204 Elizabeth Street West	341-345 Elizabeth Street grading amended from Contributory to Significant	11, 59
HO1205 Guildford and Hardware Laneways	2-6 and 8-14 Rankins Lane grading amended from Contributory to Significant	57
Existing interim Heritage Overlay places or new places proposed for permanent controls which are subject of submissions		
HO1238 173-175 Bourke Street		24
HO1303 188 Bourke Street		50
HO1306 376-378 Bourke Street		44

Place/HO Number	Particular HO changes	Submission No.
HO1307 393-403 Bourke Street	New permanent control	40
HO1309 457-471 Bourke Street		14
HO1310 527-555 Bourke Street		56
HO1312 18-20 Collins Street		6
HO1313 56-64 Collins Street	New permanent control	45
HO1315 221-231 Collins Street		31
HO1319 303-317 Collins Street		10
HO1320 308-336 Collins Street		46
HO1010 430-442 Collins Street		56
HO1326 516-520 Collins Street		18
HO1247 25 Elizabeth Street		16
HO1329 341-345 Elizabeth Street	New permanent control	11, 64
HO1330 114-120 Exhibition Street		55
HO1336 Flinders Street Railway Viaduct		53
HO1337 490 Flinders Street	New permanent control	65
HO1338 26-32 King Street		26
HO1341 204-208 King Street	New permanent control	52
HO1342 256-260 King Street	New permanent control	12
HO1345 354-360 Little Bourke Street	New permanent control	1
HO1348 57-67 Little Collins Street		25
HO1349 130-134 Little Collins Street	New permanent control	61
HO1350 335-349 Little Collins Street		23
HO1353 457-469 Little Collins Street		56
HO1278 577-583 Little Collins Street		19
HO1355 588-600 Little Collins Street		47
HO1281 470-472 Little Lonsdale		9
HO1253 55-57 Lonsdale Street		13
HO1360 410-412 Lonsdale Street		28
HO1254 414-416 Lonsdale Street		28
HO1361 447-453 Lonsdale Street		58
HO1362 594-610 Lonsdale Street	New permanent control	32
HO1365 43-51 Queen Street		58
HO1367 103-105 Queen Street		66

Place/HO Number	Particular HO changes	Submission No.
HO1068 111-129 Queen Street		20
HO1369 166-172 Queen Street		41
HO1374 114-120 Russell Street		3, 4, 5, 7, 15, 17, 42, 43
HO1261 124-130 Russell Street	New permanent control	63
HO1262 93-101 Spring Street		48
HO1377 178-188 William Street		21
HO1378 269-275 William Street		22

Table 2 identifies existing interim Heritage Overlay places or new places proposed for permanent controls where no submissions were received. The Panel does not consider or address these places in its Report.

Table 2 Proposed heritage places where no submissions have been received

Street/Precinct	Place street number and (HO Number)
A'Beckett Street	183-189 (HO995)
Bourke Street	146-150 (HO1244), 151-163 (HO1302), Part 152-158 (HO1266), 171 (HO1237), 194-200 (HO1002), 201-207 (HO1239), 202-204 (HO1304), 209-215 (HO1240), 220 (HO1243), 253-267 (HO1305), 422-424 (HO1308), Part 468-470 (HO1006), 480 (HO1242), 482-484 (HO1241) and 589-603 (HO1311)
Collins Street	13-15 Collins Street (HO1265), 100-104 (HO1314), 251-257 (HO1316), 265-269 (HO1317), 276-278 (HO1318), 344-350 (HO1321), 359-373 (HO1322), 375-383 (HO1323), 404-406 (HO1008), 454-456 (HO1324) and 468-478 (HO1325)
Coverlid Place	1-5 (HO1245)
Duckboard Place	11-15 (HO1267)
Elizabeth Street	1-5 (HO1327), 7-9 (HO1328) and 17-19 (HO1246)
Exhibition Street	136-144 (HO1331), 174-192 (HO1332), 287-293 (HO1333) and 353 (HO1334)
Flinders Lane	87-89 (HO1270), 137-139 (HO1292), 376-382 (HO1335) and 384-386 (HO1271)
Flinders Street	96-98 (HO1272), 100-102 (HO1273) and 134-136 (HO1274)
George Parade	25 (HO1248)
Highlander Lane	11 (HO1268) and 11A (HO1269)
La Trobe Street	30-34 (HO1275)
Little Bourke Street	258-264 (HO1344), 428-432 (HO1346) and 441-443 (HO1347)
Little Collins Street	37 (HO1276), 39-41 (HO1277), 188-194 (HO1255), 377-379 (HO1351), 382 (HO1352), 499-503 (HO1354), 582-584 (HO1279) and 616-622

Street/Precinct	Place street number and (HO Number)
	(HO1280)
Little La Trobe	34-36 (HO1356)
Little Lonsdale Street	27-29 (HO1357), 120-122 (HO1296) and 474 (HO1282)
Lonsdale Street	10-14 (HO1257), 55-57 (HO1253), 359-363 (HO1358) and 402-408 (HO1359)
Meyers Place	12-18 (HO1363) and 20 (HO1364)
Princes Walk Birrarung Marr	HO1379
King Street	25 (HO1250), 171-173 (HO1339) and 203-207 (HO1340)
Queen Street	85-89 (HO1366), 131-141 (HO1258), 155-161 (HO1368), 184-192 (HO1370), 215 (HO1371), 221-231 (HO1372) and 233-243 (HO1373)
Ridgeway Place	12-18 (HO1285) and 20 (HO1259)
Russell Street	166 (HO1260)
Spring Street	199-207 (HO1263)
Swanston Street	45-63 (HO1375), 149-153 (HO1294), 152-156 (HO1295), 215-217 (HO1291) and 335-347 (HO1376)
Travistock Place	11-27 (HO1249)
William Street	114-128 (HO1180) and 263-267 (HO1231)
Swanston Street North Precinct	HO1288
Swanston Street South Precinct	HO1289
Drewery Lane Precinct	HO1290

1.2 Background

Table 3 sets out the background to the Amendment including earlier central city heritage studies, implementing Planning Scheme amendments and introducing interim heritage controls to places within the Hoddle Grid.

Table 3 Chronology of events

Date	Activity
Previous central city heritage studies	
1985	*Central Activities District Conservation Study, 1985,* Graeme Butler and Associates (the 1985 Study) in which Council advised: Buildings were graded A-E and streetscapes were identified as Level 1 or 2 streetscapes. Citations were provided for all 'A-graded' buildings not already on the Historic Buildings Register and for the first 100, alphabetically, of the 'B-graded' buildings. Each graded building was also recorded on a Building Identification Sheet
1993	*Central City Heritage Study Review*, November 1993, Phillip Goad, Miles Lewis, Alan Mayne, Bryce Raworth and Jeff Turnbull (the 1993 Review). Council advised: The 1993 Review adopted an A, B, C grading structure to reduce the pejorative associations often implied by gradings D and E and to simplify the list overall.

Date	Activity
	The 1993 Review also focused on identifying buildings constructed from 1956 to 1974
2002	*Review of Heritage Overlay Listings in the CBD*, 2002, Bryce Raworth (the 2002 Review). Council advised: The 2002 Review identified 99 buildings that warranted inclusion in a Heritage Overlay. Seven of these places are proposed for protection in individual Heritage Overlays under this Amendment
2011	*Central City (Hoddle Grid) Heritage Review*, 2011, Graeme Butler and Associates (the 2011 Review).
2017	*Guildford and Hardware Laneways Heritage Study*, 2017, Lovell Chen (Laneways Heritage Study) which identified two new heritage precincts 'Elizabeth Street West Precinct' and 'Guildford and Hardware Lanes Precinct'
Melbourne Planning Scheme Amendments	
25 July 2013	**Amendment C186 (Part 1)** gazetted, applying the Heritage Overlay over 99 individual places identified in the Heritage Review 2011
14 April 2016	**Amendment C186 (Part 2)** gazetted, applying the Heritage Overlay on an interim basis to 9 postwar places identified in the *2011 Review* until 31 March 2017. Seven of these places are proposed for individual Heritage Overlay protection under this Amendment
12 August 2019	**Amendment C271melb** gazetted, implementing the Heritage Overlay to individual places and precincts identified in the Laneways Heritage Study
18 October 2019	**Amendment 327melb** gazetted, applying the Heritage Overlay on an interim basis to 50 individual places and 6 precincts identified in the preliminary Heritage Review - *Hoddle Grid Heritage Review* 2018 (Heritage Review 2018) and 9 postwar places until 29 May 2020
July 2020	**Amendment C258** gazetted, converting the previous A-D grading system to a significant/contributory/non-contributory category system and revised the previous heritage policies in Clauses 22.04 and 22.05. Council advised that the Amendment converted the gradings of approximately 7,000 heritage places and excluded some 400 C and D graded buildings resulting in two parts to the heritage policies in Clauses 22.04 and 22.05 and two Heritage Inventories in the Scheme: - Part A of Clause 22.04 and the Heritage Places Inventory February 2020 which dealt with places converted under Amendment C258 - Part B of Clause 22.04 and the Heritage Places Inventory February 2020 which dealt with the places which were excluded from Amendment C258 and remain under the former A-D grading system. In approving the Amendment, the Minister advised Council that he expected Council to request authorisation to prepare a further amendment to finalise the conversion process
19 May 2020	**Amendment C383melb** gazetted, extending the expiry dates of existing interim Heritage Overlays for 57 individual places and 6 precincts until 29 May 2021 and makes other minor associated changes
27 October 2020	**Amendment C399melb** gazetted, correcting technical errors in place description (HO1052) and incorporated statements of significance document names

Date	Activity
20 May 2021	**Amendment C406melb** gazetted, extending the expiry dates of existing interim Heritage Overlays over individual places and precincts identified within the Heritage Review until 29 May 2022
5 June 2021	**Amendment C386melb** gazetted applying the Heritage Overlay on an interim basis to 68 individual places (including revision to 4 existing places) identified in the Heritage Review 2018 to 29 May 2022. Also applied to three places, including one precinct to be deleted from the interim Heritage Overlay and the revision of Statements of Significance for 55 individual places and three precincts
October 2021	**Amendment C396melb** (pending Panel hearing) finalises the conversion of the outstanding places from Amendment C258 that required further review or were incorrectly converted and introduces a consolidated Heritage places Inventory and a single set of heritage policies in Clauses 22.04 and 22.05
Preparation of Heritage Review and Amendment C387	
2016-2017	Council committed to preparing a Hoddle Grid Heritage Review in its 2016-2017 Annual Plan. The pilot stage of the Heritage Review undertaken by Context involved an initial assessment of 29 individual places
21 August 2018	First stage of Heritage Review (Volumes 1 and 2) completed in June 2018 and considered by Council. Stage 1 forms basis of request for interim controls (Amendment C327melb)
September 2018 and March 2019	GJM Heritage engaged to undertake desktop review of first stage Heritage Review documents and later to review Context's citations and list of places not warranting inclusion
May 2019	GJM Heritage engaged to review identified Post-World War II places and citations and revise and consolidate the Hoddle Grid Postwar Thematic Environmental History 1945-75
29 October 2020	Final Heritage Review reviewed by GJM Heritage resulting in minor changes including deletion of Little Collins Street Precinct and two individual postwar places (8-12 Market Street and 53-57 Queen Street)
4 August 2020	Council requested authorisation from the Minister for Planning to prepare and exhibit the Amendment
1 October 2020	Amendment authorised subject to the condition that: > update amendment documentation for C387melb must be revised to reflect the removal of interim heritage overlays via Amendment C386melb and any other associated changes. The amendment documentation, including maps and the Explanatory report, must be updated
5 November – 17 December 2020	Amendment exhibited. This included notice sent to all affected owners and occupiers, targeted stakeholders, prescribed Ministers and notices being published in The Age and Government Gazette. The Amendment was promoted via social media, a Melbourne Magazine article and online public information sessions on 17 and 25 November 2020 and other activities
16 March 2021	Council wrote to selected landowners to advise that the headings to the first and third tables of Attachment 1 to the Explanatory Report for Amendment C387melb had been updated for clarity purposes and were provided an opportunity to make a new or supplementary submission. Three new

Date	Activity
	submissions were received
18 May 2021	Council considered submissions in a process which included the consideration of advice from GJM Heritage. It resolved to refer all submissions to a panel

1.3 Summary of issues raised in submissions

Sixty-six submissions (including a late submission[1]) were received and referred to the Panel. Twenty-two of these were supportive of the Amendment and included submissions from the National Trust of Australia (Victoria) (National Trust), the Royal Historical Society of Victoria and Melbourne Heritage Group. Forty-four submissions opposed the Amendment with key issues relating to:

- insufficient justification to support the application of the Heritage Overlay
- the extent of building changes which diminished building integrity
- whether places warranted heritage protection, particularly if they were graded C, D or E or not identified in previous heritage reviews
- whether heritage protection should be applied to places with live planning permits
- impact on development opportunities
- economic impacts.

The Melbourne Heritage Action (submission 51) supported the Amendment but sought that its scope be expanded to include a greater range of elements or thematic elements (including post 1975 buildings, interiors, signage and lane-scapes), a review of all precinct statements of significance, updating several citations, the inclusion of three additional precincts and 14 individual places. The Panel considers these changes are beyond the scope of the Amendment. It does not comment further on them in this report to avoid prejudicing any further investigation of those sites or themes.

1.4 Council proposed changes to the Amendment

Council's consideration of submissions resulted in three proposed changes to the Amendment:

- revise 106 Little Lonsdale Street from contributory to non-contributory because the significance of the Little Lonsdale Street Precinct does not include buildings constructed in the postwar period
- reduce the extent of individual Heritage Overlay (HO1307) to more closely align with the retained Former John Danks & Son Building at 393-405 Bourke Street, Melbourne
- change the Former Universal House Statement of Significance (25 Elizabeth Street, Melbourne) to delete Criterion E (aesthetic significance) given the loss of decorative features and alter assessment of Criterion A (historical significance) to remove emphasis on the Hordern family.

[1] 103 Queen Street Pty Ltd, 25 May 2021 (Document 1)

1.5 Procedural issues

(i) Late requests to be heard

Following the Directions Hearing the Panel received requests to be heard from the National Trust[2] and Bronte Investments Pty Ltd[3] which were allowed and accommodated within the hearing timetable. Bronte Investments subsequently advised that it did not wish to be heard.

On the 18 June 2021 Planning Panels Victoria identified that 10 submitters had not been notified about the Directions Hearing or provided with an opportunity to lodge requests to be heard. These submitters were advised immediately of the error and provided with an opportunity to lodge requests to be heard.[4] As a result, the Royal Historical Society of Victoria (Historical Society)[5] lodged a request to be heard at the Hearing which was accommodated by the Panel.

The Panel received a request from Peter Barrett[6] on 11 August 2021 to be a party to the Hearing and provide a written submission. The Panel supported this request and required his written submission to be distributed before the commencement of the Hearing.

(ii) GJM Heritage advice to Council

At the Directions Hearing Sunsuper Pty Ltd[7] (Sunsuper) and the Julliard Group Pty Ltd[8] (Julliard) sought a copy of the advice of GJM Heritage to Council referred to in the Council report of the 18 May 2021 that considered submissions. The related documents were distributed on 21 June 2021.[9]

1.6 Evidence

Extensive evidence was provided in this matter as summarised in Table 4. Some experts provided evidence statements for multiple parties. Council's witnesses, Mr Gard'ner and Mr Reeves, provided evidence in reply to the witness statements of other experts before the commencement to the Hearing. The Panel found this step extremely useful, and it assisted in refining the issues for some parties.

Table 4 Expert witnesses

Expert	Party calling evidence (submitter No.)	Document No.
Jim Gard'ner of GJM Heritage	Council	28, 38 and 45
Simon Reeves of Built Heritage	"	29 and 39
Bryce Raworth of Bryce Raworth Conservation and Heritage	Owners Corporation 336942V (22)	12
	Wadback Pty Ltd (55)	22

2 Submitter 29
3 Submitter 30
4 Document 5
5 Submitter 8
6 Submitter 24
7 Submitter 46
8 Submitter 56
9 Document 6

Expert	Party calling evidence (submitter No.)	Document No.
	572 Lonsdale Street Pty Ltd (12)*	13
	Dexus Funds Management Pty Ltd (45)	10
	Phileo Australia Pty Ltd (10)	15
	Roman Catholic Trust Corporation for the Diocese of Melbourne (47)	31
	Sunsuper Pty Ltd (46)	19
	Barristers' Chambers Limited (21)	18
John Statham of Lovell Chen	Shahin Enterprises Pty Ltd (16)	17
Katherine White of Lovell Chen	Calder Place Investments Pty Ltd (13)	16
Kate Gray of Lovell Chen	Collins Street Property Pty Ltd (18)	26
Bruce Trethowan of Trethowan Architecture Interiors Heritage	Collins Street Property Pty Ltd (18)*	30
	572 Lonsdale Street Pty Ltd	14
	461 Bourke Street Pty Ltd (14)	27
	Julliard Group Pty Ltd (56)	24
Geoffrey Edwards	Sunsuper Pty Ltd	20
Peter Barrett of Peter Andrew Barrett	Eighth Grange Pty Ltd (20)*	11
Robyn Riddett of The Anthemion Group Pty Ltd	Black Swan Properties Pty Ltd (25)	21
Tim Biles of Ratio	Julliard Group Pty Ltd	23

* Evidence in Chief not provided with party tendering and relying on the written evidence statement instead

1.7 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Melbourne Planning Scheme. The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Strategic justification
- General issues
- Threshold issues
- Pre-1945 individual heritage places
- Postwar (1945-1975) individual buildings
- Heritage precincts.

The Panel has adopted the use of 'postwar' to refer to the period following the Second World War, noting other parties used it with capitals, separate words or hyphenated, so as to maintain consistency with the Heritage Review.

2 Planning context

2.1 Planning policy framework

Council submitted that the Amendment is supported by the *Planning and Environment Act 1987* (the PE Act), various clauses in the Planning Policy Framework, Municipal Strategic Statement and Local Planning Policy Framework which the Panel has summarised below.

Victorian planning objectives

The Amendment implements section 4(1)(d) of the PE Act to:

- conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- balance the present and future interests of all Victorians.

Planning Policy Framework

The Amendment supports:

- **Clause 15.01-5S** (Neighbourhood character) which seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place
- **Clause 15.01-1R** (Urban design) which seeks to create a distinctive and liveable city with quality design and amenity
- **Clause 15.03-1S** (Heritage conservation) which seeks to ensure the conservation of places of heritage significance. Relevant strategies are:
  - Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
  - Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.
  - Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance.
  - Encourage appropriate development that respects places with identified heritage values.
  - Retain those elements that contribute to the importance of the heritage place.
  - Encourage the conservation and restoration of contributory elements.
  - Ensure an appropriate setting and context for heritage places is maintained or enhanced.
- **15.03-2S** (Aboriginal cultural heritage) which seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Clause 21 (the Municipal Strategic Statement)

The Amendment supports the objectives of:

- **Clause 21.03** (Vision) by protecting existing built form character and heritage
- **Clause 21.06** (Built Form and Heritage) by acknowledging the importance of heritage and providing for its protection and enhancement and in particularly protecting Melbourne's distinctive physical character, identified places and precincts of heritage significance and the Hoddle Grid
- **Clause 21.06-2** (Heritage) by conserving and enhancing places and precincts of identified cultural heritage significance.

Clause 22 (Local Planning Policy Framework)

The Amendment supports the objectives of Clause 22.04 (Heritage Places within the Capital City Zone) which seeks to conserve and enhance all heritage places as well as to promote the identification, protection and management of Aboriginal cultural heritage values.

Clause 22.04 uses the following definitions:

> Significant heritage place
>
> A significant heritage place is individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the municipality. A significant heritage place may be highly valued by the community; is typically externally intact; and/or has notable features associated with the place type, use, period, method of construction, siting or setting. When located in a heritage precinct a significant heritage place can make an important contribution to the precinct.
>
> Contributory heritage place
>
> A contributory heritage place is important for its contribution to a heritage precinct. It is of historic, aesthetic, scientific, social or spiritual significance to the heritage precinct. A contributory heritage place may be valued by the community; a representative example of a place type, period or style; and/or combines with other visually or stylistically related places to demonstrate the historic development of a heritage precinct. Contributory places are typically externally intact, but may have visible changes which do not detract from the contribution to the heritage precinct.
>
> Non-contributory
>
> A non-contributory place does not make a contribution to the cultural significance or historic character of the heritage precinct.
>
> Heritage precinct
>
> A heritage precinct is an area which has been identified as having heritage value. It is identified as such in the Schedule to the Heritage Overlay, and mapped in the Planning Scheme Heritage Overlay Maps.
>
> Individual heritage place
>
> An individual heritage place is equivalent to a significant heritage place. It may be categorised significant within a heritage precinct. It may also have an individual Heritage Overlay control, and be located within or outside a heritage precinct.

Clause 22.04 comprises two parts:

- Part A which applies to properties categorised significant, contributory or non-contributory in an incorporated document to the Planning Scheme and which is proposed to be added to by this Amendment
- Part B which applies to properties graded A to D within the *Heritage Places Inventory February 2020 Part B*, and those properties within the suburb of Melbourne that are referred to in the 1993 Review, and not categorised significant or contributory by an incorporated document to the Scheme.

The policy basis of Clause 22.04 includes reference to:

- the identification of heritage as a defining characteristic of the municipality
- the contribution made by heritage places to the significance of Melbourne as the cultural, administrative, educational and economic centre of the state and its importance nationally and internationally
- acknowledgement that the greater intensity of development in the Capital City Zone (CCZ) relative to other parts of the city results in different form outcomes
- application of the policy in conjunction with Statements of Significance.

Policy objectives of Part A include:

- To conserve and enhance Melbourne's heritage places.
- To retain fabric, which contributes to the significance, character or appearance of heritage places and precincts.

- To recognise and conserve the assessed significance of heritage places and streetscapes, as referenced in this policy or incorporated into this planning scheme as the basis for consideration of development and works. Further information may be considered, including in relation to streetscapes, where there is limited information in the existing citation or council documentation.
- To ensure new development is respectful of the assessed significance of heritage places.
- To ensure new development is respectful of the character and appearance of heritage places.
- To encourage high quality contextual design for new development, which avoids replication of historic forms and details.
- To encourage retention of the three dimensional fabric and form of a building.
- To discourage facadism.
- To encourage the adaptive reuse of heritage places.
- To ensure new development is consistent with the conservation principles, processes and practices of the Australia ICOMOS Burra Charter.
- To enhance the presentation and appearance of heritage places through restoration and, where evidence exists, reconstruction of original or contributory fabric.

The policy includes guidance for demolition, alterations, additions, new buildings, restoration and reconstruction.

2.2 Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050 to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. The following are relevant to the Amendment:

- **Outcome 4**: Melbourne is a distinctive and liveable city with quality design and amenity
  - **Direction 4.4**: Respect Melbourne's heritage as we build for the future
  - **Policy 4.4.1**: Recognise the value of heritage when managing growth and change
  - **Policy 4.4.2** Respect and protect Melbourne's Aboriginal cultural heritage
  - **Policy 4.4.3** Stimulate economic growth through heritage conservation
  - **Policy 4.4.4**: Protect Melbourne's heritage through telling its stories.

2.3 Planning scheme provisions

The Amendment proposes to apply the Heritage Overlay to properties in the Hoddle Grid. The CCZ and Design and the Development Overlay – Schedules 1 (DDO1) and Schedule 10 apply to many of these properties. A common purpose of the zone and overlays is to implement the Municipal Planning Strategy and the Planning Policy Framework.

(i) Zone

The CCZ purposes are:

- To enhance the role of Melbourne's central city as the capital of Victoria and as an area of national and international importance.
- To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.
- To create through good urban design an attractive, pleasurable, safe and stimulating environment.

(ii) Overlays

The Heritage Overlay purposes are:

-
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The Heritage Overlay requires a planning permit to demolish, subdivide, build or carry out works. The Heritage Overlay enables its Schedule to specify additional controls for specific trees, painting previously unpainted surfaces, internal alterations and an incorporated plan (which may exempt buildings and works and other changes from requiring a planning permit). The Schedule may also identify if a place can be considered for uses that are otherwise prohibited, subject to a planning permit.

2.4 Ministerial Directions and Practice Notes

Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments).
- Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of The Act).

That discussion is not repeated here.

Planning Practice Note 1 – Applying the Heritage Overlay (August 2018)

Planning Practice Note 1 (PPN01) provides guidance about using the Heritage Overlay. It states that the Heritage Overlay should be applied to, among other places:

> Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

PPN01 specifies that documentation for each heritage place needs to include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria. It recognises the following model criteria (the Hercon criteria) that have been adopted for assessing the value of a heritage place:

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

3 Strategic justification

3.1 Background

(i) City of Melbourne Heritage Strategy 2013

The *City of Melbourne Heritage Strategy 2013* sets out a 15-year plan to protect its heritage buildings, places and objects. It sets out Council's roles and responsibilities, including:

- Understanding the value of our heritage today and for the future.
- Identifying places, buildings, objects and stories to be conserved.
- Sustaining heritage through protection, adaptation, reuse and creative interpretation.

Action 2.2 of the Strategy is to:

> Progressively undertake a review of heritage in the high-growth and urban renewal areas and mixed use areas of the city.

It identifies both this work and a Central City Heritage Review as a first priority followed by:

> … develop statements of significance drawing from themes identified in the Thematic History: a History of the City of Melbourne's Urban Environment 2012 for all heritage precincts, individually significant buildings and places across the municipality.

(ii) City of Melbourne Thematic Environmental History

The *Thematic History – A History of City of Melbourne's Urban Environment*, 2012, Context Pty Ltd (Melbourne Thematic History) identifies historic themes and sub-themes for the City of Melbourne. Those relevant to the Heritage Review and referred to in citations include:

- 'Shaping the urban landscape' including the sub-theme 'Expressing an architectural style'
- 'Governing, administering and policing the city'
- 'Building a commercial city' including sub-themes 'Melbourne as a trading port', 'Developing a large city-based economy', 'Developing a retail centre' and 'Building a manufacturing industry'
- 'Creating a functioning city'
- 'Living in the city' including the theme 'Housing the population'
- 'Working in the city' including the sub-theme 'Working in the postwar city'
- 'Shaping cultural life' including the sub-themes 'Arts and creative life in the city' and 'Belonging to an ethnic of cultutral group'
- 'Caring for the sick and destitute' including the theme 'Providing welfare services'
- 'Enjoying the city' including the sub-themes 'Public recreation', 'Promoting tourism', 'Building a city of fashion and style' and 'Eating and drinking'.

(iii) Hoddle Grid Heritage Review 2020

The Heritage Review comprises a summary report and a series of technical volumes:

- *Volume 1: Built & Urban Heritage – Methodology*, which explains the methodology to the assessment of heritage values of individual places and precincts
- *Volume 2: Built and Urban Environment – Assessed Places & Precincts*, which contains citations for identified places and precincts in two parts:
  - Volume 2a – Precincts, pre-1945 places, revisions to existing individual Heritage Overlay

  - Volume 2b – Postwar Thematic Environmental History and postwar places
- *Volume 3: Aboriginal Heritage*, which explains the approach taken to Aboriginal heritage including engagement with Traditional Owner organisations
- *Volume 4: Aboriginal History – Hoddle Grid*, which provides a history of the Hoddle Grid area in relation to Aboriginal history, connection and places
- *Volume 5: Pre-Contact Aboriginal Archaeology of Hoddle Grid*, which includes a spatial model designed to predict the likelihood of uncovering evidence of pre-contact Aboriginal sites within the Hoddle Grid area. The model also considers past ground disturbance
- *Volume 6: Communications & Engagement*, which sets out stakeholder engagement undertaken in the preparation of the Heritage Review.

The Heritage Review methodology included:

- a review of previous heritage studies
- identification of places for assessment drawn from Council, previous heritage studies particularly the 1993 Review, places not included in the Guilford and Hardware Lane Study and Amendment C271 external reference group workshops and field surveys
- testing study methodology through updated assessments on places not progressed through Amendment C186 including nine postwar places
- an assessment of all places against PPN01 criteria and thresholds, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (rev 2013) (Burra Charter), a social value checklist, integrity benchmarking and Clause 22.04-17 heritage gradings.

The Heritage Review recommended:

- the Heritage Overlay be applied to 141 individual places (86 pre-1945 places and 55 postwar places) and 5 precincts (with an extension of the Little Lonsdale Street Precinct boundary)
- revision of curtilages of four individual Heritage Overlay Places (HO1005, HO1052, HO1041, HO737).

Council established an External Reference Group to engage with peak bodies at key stages of the Heritage Review, comprising the National Trust, Property Council of Australia, Australian Institute of Architects (AIA), Australian Institute of Landscape Architects, Planning Institute of Australia, Office of the Victorian Government Architect, Heritage Victoria, the Department of Environment, Land, Water and Planning and Aboriginal Victoria.

(iv) Peer review

GJM Heritage undertook a peer review of the Heritage Review which involved:

- A stage 1 peer review comprising:
  - review of the methodology
  - review of the Hoddle Grid Post-World War Two Thematic History
  - review of citations prepared by Context.
- A stage 2 peer review comprising:
  - site visits to review the list of postwar places recommended for inclusion in the Heritage Overlay
  - assessments of postwar buildings dating from the period 1945-1975 identified during site visits
  - review of additional citations prepared by Context

- review of places not recommended for inclusion in the Heritage Overlay by Context
- revision of the Hoddle Grid Post-World War Two Thematic History.

The GJM Heritage findings included the following about the Heritage Review:

- the methodology used appeared consistent with PPN01 and current heritage practice
- it provided a justifiable basis for implementing the Heritage Overlay and contributes to objectives of Clause 15.03-1 and section 4(1)(d) of the Act
- the proposed extent of heritage controls (external painting and tree controls, fence and outbuilding exemptions) were appropriate
- it had considered relevant heritage studies
- it had addressed the additional postwar assessments and methodology prepared by GJM Heritage
- included a suggested table identifying the rational for places not included in the Heritage Overlay
- included the more robust Postwar Thematic Environmental History (Postwar Thematic History) co-authored by Context/GJM Heritage (Volume 2b).

Council's Part A submission sets out a detailed explanation of the Heritage Review and peer review steps.[10]

3.2 Heritage Review approach

(i) The issues

The issues are whether the Heritage Review:

- has been prepared in a manner consistent with PPN01
- approach and methodology supports the Amendment.

(ii) Evidence and submissions

Council submitted that the Heritage Review was the first Hoddle Grid wide study undertaken by Council since the early 1990s and the first comprehensive assessment of postwar buildings in the Hoddle Grid. The Heritage Review had been prepared following a thorough and rigorous approach including, a mid-point peer review, preparation of a Postwar Thematic History, a social value analysis and intactness benchmarking exercise, and input from an external reference group. It considered that the Heritage Review provided a solid foundation for the Amendment and its approach exceeded the expectations of PPN01.

Jim Gard'ner, giving evidence for Council, opined that the methodology underpinning the Heritage Review was sufficiently robust and undertaken in accordance with PPN01 and provided a sound and justifiable basis for including the identified places within the Heritage Overlay. He considered that the PPN01 criteria had been appropriately applied.

The National Trust submission supported the Amendment, including what they identified as a "*progressive methodology*" developed in the preparation of the Heritage Review, and its peer review which provided "*additional rigour to the study*". It considered that the Heritage Review had been prepared in accordance with PPN01.

[10] Document 9 paragraphs 30-45

The submission of the Royal Historical Society of Victoria (submission 8) supported the Amendment, including recognition of postwar buildings, and considered the study exemplary and which provided a sound and solid base for heritage protection.

A number of submissions raised broader issues about elements of the Heritage Review including the:

- the limited comparative analysis particularly for postwar buildings
- the generic nature of the way in which thresholds were applied, particularly for Criterion A and D in the citations and Statements of Significance.

These issues are discussed in more detail in Chapter 5 however as Council observed in its closing submission, no witness or submitter had suggested that the Amendment should be abandoned outright for want of rigour or professionalism in the Heritage Review, and that:

> On at least one issue, all witnesses are agreed: the HGHR [Heritage Review] is a timely and valuable body of work for heritage places in the Hoddle Grid. Mr Statham described it as a solid and overdue piece of work; Mr Raworth applauded the broad thrust of the Amendment and agreed that the HGHR was an important and positive step; Ms Gray stood by her advice of December 2020 that '*a greater appreciation of post-war buildings has emerged in recent decades, that multi storey office buildings of the post-war years formed one of the most fertile grounds for Modern architecture and that it is reasonable to consider buildings illustrating this period and this form of development as warranting protection under the Planning Scheme*'; she also agreed that the HGHR was an important and positive step; and Mr Trethowan said he '*supported the whole exercise*'.

(iii) Discussion

The Panel agrees with Council that the Heritage Review is a comprehensive document and has been prepared following a robust methodology. This includes the conduct of a peer review, establishing tools to inform consideration of intactness and social significance and identifying places that were not considered to meet the necessary threshold.

In the context of postwar buildings, the Heritage Review is timely and responds to Council's Heritage Strategy and a contemporaneous acknowledgement of the role of postwar Modernism as an important historic theme in the development of the central city. The development of the Postwar Thematic History is a sound approach and builds on and complements the existing Environmental Thematic History.

The Panel acknowledges that while there have been some criticisms about the methodology applied to the comparative analysis and application of thresholds which are discussed in Chapter 5 generally and by place in Chapters 6 and 7. While the Panel agrees that some places do not meet the threshold of significance due to the impacts of intactness on integrity or by comparison, the approach taken to these aspects in the Heritage Review is broadly sound and not fundamentally flawed overall.

The Panel considers that the approach taken in the preparation of the Heritage Review is consistent with PPN01 and good heritage practice including that set out in the Burra Charter. The Heritage Review provides a sound foundation for the Amendment.

(iv) Finding

The Panel finds that the Heritage Review approach and methodology are sufficiently robust to support the Amendment.

3.3 Policy support

(i) The issues

The issues are whether the:

- Amendment is consistent with, and supported by, the Planning Policy Framework
- applying the Heritage Overlay to properties with local heritage significance will restrict the central city from achieving planning policies seeking economic activity and development, and if so
- whether the net community benefit of achieving heritage related objectives in the Act and Planning Scheme policies outweigh planning policies seeking economic activity and development in the central city.

(ii) Evidence and submissions

Council submitted that the Amendment was an important step in its overall program to protect heritage in the City of Melbourne, and a priority action to meet its commitment to protect heritage in the Hoddle Grid, one of the municipality's designated growth areas. It identified that heritage was central to Melbourne's identity and distinctiveness and gave the City a competitive advantage over other capital cities as a place to live, work and visit. It observed that while Melbourne is renowned for its Victorian gold rush heritage, as well as its Edwardian and interwar buildings which demonstrated its transformation from colonial settlement to manufacturing and retailing powerhouse:

> Melbourne also has a significant legacy of postwar buildings which are the optimistic expression of the City's recovery from wartime restrictions, its prosperity and expansion as a corporate centre and its identity as a progressive international city embracing modernist architecture and construction techniques

It identified that this was reflected:

- in the vision for Melbourne in Clause 21.03 which includes:

  > Protecting existing built form character and heritage, in addition to providing an attractive and liveable built environment in parts of the City where development will intensify is essential.

- In the objectives and strategies in Clause 21.06 which support the statement that:

  > Melbourne's character is defined by its distinctive urban structure, historic street pattern, boulevards and parks, heritage precincts, and individually significant heritage buildings. Heritage buildings, precincts and streetscapes are a large part of Melbourne's attraction and the conservation of identified heritage places from the impact of development is crucial.

- the policy objectives of Clause 22.04.

It submitted that the Amendment was required to provide permanent controls for the identified places to ensure that their values were recognised and protected. It also identified that the reduction of the initial 500 places identified for review to 133 places represented a balanced and considered approach.

Council submitted that it had properly considered the social and economic impacts of the Amendment as set out in the Explanatory Report. It identified that there was no evidence before the Panel of any adverse social or economic impacts associated with the Amendment.

The National Trust acknowledged that the CBD was a dynamic environment with high land values but that this should not be a bar on heritage or require a higher threshold to be met. It identified that it was important that the threshold in the CBD be the same as any other part of the city. It considered that the Amendment was consistent with the objectives of the PE Act and planning policies. It observed that:

> Despite being a significant period in Melbourne's cultural and architectural history, post-war modernism in the CBD is scarcely represented on either the City of Melbourne's Heritage Overlay or the Victorian Heritage Register.

It considered that the Amendment provided greater certainty and clarity for developers and the community, encouraging more sensitive development and ensuring Melbourne's distinctive 'heritage brand' which acted as a tourism draw card would be maintained and celebrated. It concluded that the Amendment would have positive community-wide social and economic impacts, and result in a net community benefit resulting from the protection of places of cultural significance for the benefit of present and future generations.

The AIA submission[11] commended Council on undertaking the review and noted the importance of retaining and protecting significant built heritage for future generations. The submission supported the intent of the Amendment but sought to identify the need for a balance of considerations, to not set the heritage significance bar too low or create poor planning outcomes. In the context of scarcity of available land and viable sites in the CBD, the submission sought the consideration of economic factors to ensure the capacity for renewing of building stock and creation of new sustainable and innovative buildings within the heart of Melbourne's central business and activities district. It considered a critical mass of such developments contributed towards the life of the city and was important in attracting and retaining major companies and meeting the evolving future needs of the community.

The issue of other policy considerations given the wider significance of the central city to Melbourne and Victoria was raised in several submissions.

Phileo Australia Pty Ltd (Phileo) considered it wrong to confine considerations of the Amendment to heritage alone, and that in applying the Heritage Overlay, the Amendment needed to consider wider policy imperatives given the context of the CBD. It identified that the PE Act required the consideration of the social and economic planning impacts of the Amendment and the competing objectives under the planning scheme. The submission identified that:

> 126. Nowhere is that imperative more pressing than in the economic centre of Melbourne, where the real restrictions entailed by a heritage planning control most substantially suppress what would otherwise be the highest and best development potential of land, and the economic cost to the community in fettering it is the heaviest.
>
> 127. The central city is of singular strategic importance. It is essential to facilitate a healthy pace of growth, change, and intensive development to meet the future needs of a population which, despite the disruptions of the past year, is still predicted to grow at an explosive rate over the coming decades.
>
> 128. The community needs a dynamic, developing central city with space to live and work that has been intentionally designed, with the best knowledge now available, to meet current expectations of amenity, of architectural quality, and high contemporary standards of environmentally sustainable development.

[11] Submission 58

The submissions of Sunsuper and Julliard made similar observations, identifying that the objectives of planning are all relevant and need to be weighted and balanced. They cited several competing policies that supported economic growth and development including:

- Clause 11.01-1R (Settlement-Metropolitan Melbourne) which supports a focus of investment and growth in state significant areas including the Melbourne Central City
- Clause 17.01-1R (Diversified economy – Metropolitan Melbourne) which supports the Central City to become Australia's largest commercial and residential centre by 2050 and the redevelopment of Major Urban-Renewal Precincts in and around the Central City
- Clause 17.04-1R – Tourism in Metropolitan Melbourne) which supports the maintenance of Melbourne's position as a global, national and local destination by among other things revitalising the retail core of the Central City
- Clause 19.02-3S (Cultural facilities) which supports a wider range of arts, cultural and entertainment facilities in the Central City
- Clause 21.04 (Settlement) which supports facilitating continued growth in the Hoddle Grid as the location for Central City functions.

Sunsuper submitted that in applying the objectives and provisions of the PE Act, the Panel needed to find the balance between the policy tensions which extended beyond just conserve and enhance.

In its closing submission, Council agreed that planning policy for the central city in addition to heritage policy was generally relevant to any Planning Scheme amendment. It submitted however, that:

> In circumstances where policy expressly identifies the importance of heritage to the identity, prosperity and reputation of the capital city, it would be wrong to proceed on the basis advanced by some submitters that heritage protection is mutually incompatible with the broader economic and social roles of the central city.

Council in supporting more expansive controls aimed at achieving good heritage outcomes in the central city, observed the comments of the Melbourne Planning Scheme Amendment C258 Panel:

> Good heritage outcomes are critical within the central city as well as the surrounding neighbourhoods. The central city is in many respects the showcase for Melbourne and heritage places play a key part in defining its identity - they lend the city its own particular character. Retaining and enhancing the city's identity contributes social and economic benefits. (Page 23)

(iii) Discussion

The Panel recognises that in applying the Heritage Overlay which imposes additional controls and decision making considerations, should be soundly based and justified.

The submissions of Sunsuper, Julliard and Phileo were not necessarily suggesting that the Amendment lacked strategic justification per se, but rather that the primacy and strategic significance of the central city should lift the bar for the threshold of heritage significance. The Panel does not agree with this proposition. It considers that the identification of whether a place is of heritage significance is properly assessed against appropriate heritage considerations and threshold criteria alone and in particular the guidance provided by PPN01. The question of then whether a Heritage Overlay should be applied is open to the wider considerations of policy and the objectives of the Act.

In considering whether the Amendment is strategically justified, the Panel observes that there is potentially a tension between the application of heritage polices and those seeking economic activity and development. This is particularly the case for the central city which plays a significant role in Melbourne and Victoria's economy.

Accordingly, this requires the Panel to consider the objectives of the PE Act including the social and economic impacts of the Amendment and balance the various policy considerations in favour of net community benefit and sustainable development for the benefit of present and future generations.

The Panel observes that many of the polices supporting the development and growth of the central city also recognise the role played in shaping its character and appeal by its heritage places, buildings and streetscapes and responding appropriately to it. Clause 21.06 acknowledges this where growth is facilitated while limiting change or scale in some locations to preserve valued characteristics, while Clause 22.04 acknowledges the greater intensity of development will occur in the CCZ relative to other parts of the city. These policies in the Panel's view, acknowledge that heritage outcomes are important in the central city and play an important role in defining its identity and are not a constraint to its growth and development.

Council's mapping of existing Heritage Overlays and those proposed by this Amendment provided at the Hearing[12] does not dramatically increase the proportion of the Hoddle Grid subject to heritage controls. Importantly the application of the Heritage Overlay does not prohibit demolition, alterations or redevelopment, but instead introduces a control to assist in managing heritage places. Indeed, there are many examples where heritage buildings have been refurbished or significantly altered to achieve positive built form and development outcomes.

The Panel observes that while Council's information relating to the proportionality of land within the Heritage Overlay is useful in one sense in terms of understanding the balancing between existing policy objectives places, the attribution of heritage significance should not be a numeric exercise.

The planning permit process under the Heritage Overlay appropriately provides the opportunity for a range of economic, social and other policy considerations to be weighed up alongside heritage considerations.

The Panel considers that the Amendment will achieve an appropriate balance between protecting places of local heritage significance for future generations and ensuring that the strategic role of the central city can be achieved and enhanced.

(iv) Findings

The Panel finds:

- The Amendment is consistent with, and supported by, the Planning Policy Framework.
- Applying the Heritage Overlay to properties with local heritage significance will not restrict the central city from achieving planning policies seeking economic activity and development.
- The Amendment will provide a net community benefit by protecting Hoddle Grid properties with local heritage significance for present and future generations.

[12] Document 135

3.4 Conclusions

For the reasons set out in the following chapters, the Panel concludes that the Amendment:

- Is supported by, and implements, the relevant sections of the Planning Policy Framework.
- Is consistent with the relevant Ministerial Directions and Practice Notes including PPN01.
- Is well founded and strategically justified.
- Will deliver net community benefit and sustainable development, as required by Clause 71.02-3.
- Should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

4 General issues

This Chapter refers to issues commonly raised in submissions, by parties to the Hearing and experts.

4.1 Extant planning permits

(i) The issue

The issue is whether sites with valid planning permits for demolition or major building alterations should be excluded from the Amendment.

(ii) Evidence and submissions

Many submissions[13] identified that valid planning permits existed for significant building alterations including demolition and redevelopment. Council provided details of planning permits for all places identified in the Amendment.[14] In some instances building approval for demolition was imminent or recently issued but not activated. The permit situation for individual sites is identified in the Panel's Report in Chapters 6, 7 and 8.

Council's position was that the Amendment did not affect live permits for development, identifying:

> Given a permit is required for demolition or part demolition within the Capital City Zone, inclusion of these sites within Heritage Overlays does not affect the extent that these permits may be acted on, unless these permits expire. If a permit is acted upon and results in full demolition, the Heritage Overlay can, if appropriate, be amended via future amendment.

In the event a permit was not acted on, Council submitted that any future application would be assessed by reference to its identified heritage values.

(iii) Discussion

In the context of considering the Amendment and whether a place is of local heritage significance, the Panel considers that it is appropriate to only consider whether a place meets the necessary threshold using appropriate assessment considerations and tools such as PPN01.

It is not appropriate to consider existing permits proposing demolition or significant change as a reason to exclude a place from the Heritage Overlay. This is primarily because those permits may not be acted on or completed as approved and the consequences for the integrity of the building or place would remain uncertain.

The Panel has assessed each property based on existing heritage fabric irrespective of whether it has a permit.

The Panel notes that many of the current permits discussed at the Hearing provide for complete demolition or significant building redevelopment and retention of only the façade

[13] Including submissions 1, 12, 19, 32, 47, 52, 54 and 61-65

[14] Document 7

or portions of the identified building. While it is not appropriate for the Panel to comment on the heritage outcomes for these sites, it is appropriate that such buildings are reassessed if the permits are acted on in the future. In the case of imminent demolition, which appears likely for several identified places, the Panel considers that Council should review the status of those places before adopting the Amendment. Buildings which have been demolished or are in the process of active demolition (that is not just at hoarding erection or preparation stage) should be excluded from the Amendment.

(iv) Conclusion and recommendation

The Panel concludes that existing permits proposing demolition or significant change are not a reason to exclude a place from the Heritage Overlay.

The Panel recommends:

> **Prior to the adoption of the Amendment, review all buildings that are subject to the Amendment which have 'live' planning permits for demolition or substantial demolition. The Amendment should not apply to sites where demolition has occurred or where substantial demolition has commenced.**

4.2 Development opportunity, building alterations and maintenance

(i) The issues

The issues are whether:

- development opportunity, building alterations and maintenance are relevant in assessing the heritage significance of an individual place or a precinct
- property value and financial implications are relevant in assessing heritage significance or in deciding whether to apply a Heritage Overlay.

(ii) Evidence and submissions

A number of submissions[15] raised concerns about the impact of applying the Heritage Overlay on site development opportunities and the existence of other planning controls promoting growth, such as Design and Development Overlays allowing greater height. Submission 57 considered the Heritage Overlay would be onerous and add to maintenance costs.

The AIA made observations about the need to support the upgrading of buildings to achieve higher levels of environmental performance. It supported the creation of rent relief strategies, building maintenance support or increase plot ratios for site development that could contribute to a heritage restoration fund.

Council submitted that the effect of the Heritage Overlay on future development outcomes was not relevant to establishing whether a building meets the threshold for local significance. It identified that while social and economic effects of a planning scheme amendment are relevant, the key consideration in determining whether a place should be included in a Heritage Overlay retains the heritage significance of the property. This meant matters relating to reasonable redevelopment opportunities for a place and the various policies pertaining to a specific application for redevelopment are to be considered at the planning permit application stage.

[15] Including submissions 26, 28 and 50

Council's submission identified that the Section 12(2)(e) of the PE Act requires that a planning authority, in preparing a planning scheme amendment take into account its social effects and economic effects. It referred to *Dustday Investments Pty Ltd v Minister for Planning* [2015] VSC 101 and other panel reports to support the view that when considering economic impact, the relevant consideration is impact of a broad community nature rather than on the individual. Council submitted that, consideration of this impact did not mean the Heritage Overlay should not be applied in areas where growth and urban consolidation is sought, "(*r)ather, the benefit to the community in protecting heritage assets for present and future generations outweighs private economic impacts that may be experienced by an individual property owners*".

(iii) Discussion

The Heritage Overlay is not a defacto prohibition on demolition or alteration. It provides a mechanism to manage the significant heritage fabric of a place and to consider the related decision guidelines and heritage policies through the planning permit application process. However, this also requires balanced consideration of other policies consistent with Clause 71.02-3 (Integrated decision making). This might include policies relating to urban consolidation, sustainable development, urban design or environmental performance objectives or other economic and social drivers. Discretion within this decision making framework allows, in some instances, for buildings to be demolished or partly demolished, and more frequently, altered or adapted.

The Panel agrees with Council's position that the effect of the Heritage Overlay on future development outcomes is not relevant to establishing whether the building meets the threshold for local significance.

The private financial impact of the Heritage Overlay is relevant to the primary question of whether a building meets the threshold for local heritage significance. Such considerations are matters for the planning permit stage. In this instance the social and community benefit of applying the Heritage Overlay and protecting important places for future generations outweighs and private economic impacts.

While Councils and State government often provide grants or other incentive schemes or support mechanism to enable restoration of heritage places this is not relevant to the consideration of this Amendment.

(iv) Conclusions

The Panel concludes:

- That development opportunity, building alterations and maintenance are not relevant when assessing the heritage significance of an individual place or a precinct.
- That property value and financial implications are not relevant when assessing heritage significance or when deciding whether to apply a Heritage Overlay.

4.3 Gradings in previous studies

(i) The issue

The issue is whether the inclusion, exclusion or grading of a building in previous heritage studies is relevant.

(ii) Evidence and submissions

A common issue among submissions[16] was that sites had either not been graded or identified in previous heritage studies or had only been attributed lower gradings (predominantly C and D) that did not warrant them being elevated to individual significance. This was particularly the case for postwar buildings given their distinctive built form and visual prominence and the passing of time since they were constructed.

Council's submissions provided a comprehensive overview of the different grading approaches used in earlier studies including the approaches used for identifying A, B, C and D and 'Notable' buildings (noting the reference in the Melbourne Planning Scheme to notable was not the same as the use of that term in the VHRG). It submitted that in relation to postwar buildings:

- the 1985 Study included buildings after 1960 only if they were 'award winning'
- the 1993 Review only graded postwar buildings which satisfied the descriptions 'exceptional', or of 'real significance' for either their 'quality' or because they 'acted as landmarks of style or construction' and excluded buildings which were representative
- following the 1993 Study, only notable buildings were protected by a control which prohibited demolition and only buildings in a heritage precinct were protected by a control which required consideration of heritage matters in assessing permit applications. Accordingly, there was no scope to protect C and D graded buildings outside a precinct, unless they met the high threshold for notable buildings
- the threshold for notable buildings in 1993 is a higher threshold than the threshold for local significance in 2021
- the 2002 Review did not involve any further review of ungraded buildings and was not progressed in relation to new Heritage Overlays in any case
- the 2011 Review did not involve any further review of ungraded buildings.

Accordingly, it submitted that a C or D grading or the absence of a grading from a previous study could not be regarded as determinative of, or even influential in, an assessment of a building's local significance for the purposes of an individual Heritage Overlay in 2021.

Mr Gard'ner considered that previous studies and gradings were of interest and provided background but were not determinative in their assessments. He opined that the Heritage Review:

> … is the most comprehensive heritage review of the Hoddle Grid since the 1990s, with the majority of current Heritage Overlays within the Hoddle Grid arising from heritage studies undertaken in the 1980s and 1990s. Given the timeframe that has elapsed since then – now more than 20 years – it is reasonable to expect that public and professional recognition of heritage has changed over this time, particularly when coupled with losses of heritage fabric over this period. As such, previous assessments of heritage values may warrant reconsideration.

Council referred to observations in the *Methodology Report – City of Melbourne Heritage Gradings Review* (October 2015) undertaken by Lovell Chen and considered as part of Amendment C258. The Gradings Review considered that as a result of long timeframes between studies it was reasonable to assume some gradings may be out of date where intactness may have changed or where the assessment of heritage values warrants reconsideration. For example:

[16] Including submissions 1, 9, 10, 19, 28 and 65

> … heritage places of the interwar and postwar period are now generally more highly valued in heritage terms than they typically were in the 1980s. Early properties, such as those from the 1850s-1870s are also increasingly more highly valued due to recognition of their rarity. Intact terrace rows, even rows of very modest workers cottages, are another heritage place type more highly valued due to maintaining their original external form with little visible change. Other examples of places deserving of a higher level grading include those with important histories, or places with recognised social values.

Council submitted that reviews completed in the 1980s and 1990s were too early to have appropriately and effectively identify the heritage values of postwar places in comparison with nineteenth and earlier twentieth century buildings. With the passage of time, it was now appropriate to comprehensively assess these places as some places have lost their integrity and others now more valued because of their greater rarity or the greater appreciation of historic values such as postwar buildings or themes such as the social welfare movement. The current review provided an opportunity to consider these factors as well apply classification systems that are now best practice and apply a more consistent threshold approach using PPN01, and which were not available at the time of earlier studies.

Ms Gray, who gave evidence for Collins Street Property Pty Ltd (Collins Property), accepted there has been an evolution of heritage practice over time, that the previous studies reflected their date and scope, and it was appropriate to review and revise them.

Mr Raworth provided evidence for a number of parties. He acknowledged that earlier studies had a potential bias towards architecture rather than representative architecture and a bias towards the important buildings of the late nineteenth century city for which Melbourne was better known and more easily understood. By contrast the postwar era at the time represented a period when Victorian era buildings were lost to modernist buildings of a different form and scale. He accepted that in 1993 the postwar buildings in some instances were only 20 years old. Ultimately, he considered what was important was whether a place or period was considered significant to Melbourne, and not every period was.

Other submitters such as Dexus Funds Management Pty Ltd (Dexus) accepted that the appreciation of significance of a building and standards or criteria for significance may change with time. However, it submitted that the consistent appraisal over time that a place did not warrant individual listing provided meaningful guidance in the assessment now.

(iii) Discussion

The Panel considers that previous heritage studies provide a valuable resource and source of information that support the consideration of heritage values at the time they were undertaken. However, the Panel considers that it is inappropriate to provide too great a reliance or weight on them now as either a basis either attributing local heritage significance now, or alternatively not identifying them now because they previously had a lower grading or were simply not identified. This is because there are a range of factors which will influence the particular findings and recommendations of studies including:

- the study scope, which may be limited by budgets, priorities or particular focus
- the study methodologies will be different and criteria for thresholding will be different. For example, PPN01, the use of environmental thematic histories, the Victoria Planning Provisions policy format or Clause 43.01 were not in existence when many of these studies were undertaken

- there is now a greater level of access to digitised information that assists in assessing significance and importance
- overtime there is a greater appreciation or understanding of particular themes and eras. For example, many of the postwar buildings in this Amendment are now over 60 years old and there is a greater level of contemporary understanding of the importance of the postwar era to Melbourne's historical development
- the loss of many buildings means that some are now rarer than they were 20 or 30 years ago and now of greater importance.

The City of Melbourne heritage studies referenced in the development of the Heritage Review date back to 1985 and much has changed including the grading approach used now. While previous studies are interesting and provide a record of what a place was like or what was significant at the time, they provide more of a historical record and context of assessment rather than a true, understanding of significance as it applies in 2021. This is not a criticism of the earlier studies but contextualises them and acknowledges that perceptions of history change, and generations add layers into the mix.

(iv) Conclusion

The Panel concludes that whether or not a property was identified in a previous study is not relevant to whether a place has sufficient significance to justify the Heritage Overlay.

4.4 Postwar Modernism

(i) The issues

The issues are whether:

- the postwar Modernist period is an identifiable and important phase within the Hoddle Grid and the City of Melbourne
- buildings of the postwar Modernist period are too recent to be of heritage significance.

(ii) Background

Parties and experts variably referred to the Heritage Review's Postwar Thematic History, individual analysis or other source materials which described the postwar Modernist period or identified examples of the style. The most commonly referred to are identified below.

Heritage Review

The Heritage Review identified that:

> The period from 1945 to 1975 was one of radical transformation for Melbourne; from the low-rise city that still reflected its colonial origins to a bustling international centre of commerce and culture. The surviving buildings from this period are evidence of the evolving economic and social conditions in Melbourne at the time and demonstrate the city's transition from its nineteenth century manufacturing origins to its current banking, office and service industry focus. These buildings reflect the increasing commercial and cultural role of Melbourne in the international context of globalisation and postwar optimism as well as a radically altered economic environment which saw an influx of foreign capital and ideas. Collectively, these buildings represent a transformative period in the life of the city; a period that is categorised by significant change, growth and evolution across all aspects of life – social, political, economic and cultural.

The Postwar Thematic History included in the Heritage Review identifies that the postwar period was a period of great optimism and energy linked to the concepts of progress, prosperity and expansion. It was a period where Melbourne sought to be a forward looking city, embracing an international style of architecture that contrasted pre-war buildings and which was enabled by new materials and construction techniques and responded to the need for more commercial space and accommodation.

The Postwar Thematic Environmental History uses the following themes relevant to the submissions:

- 'Shaping the urban landscape', which includes sub themes identifying the response of new building forms to planning controls including plot ratio provisions and changes to height controls. Other sub-themes relate to the different architectural styles of the period including the curtain wall during the 1950s, 'beyond the curtain wall' in the mid-1960s using more solid cladding, 'Brutalism and brickwork' which became more widespread in the 1970s and 'Overseas' influences
- 'Governing, administering and policing the city', including the sub-themes 'Commonwealth government' and 'State government'
- 'Building a commercial city', including the sub-themes 'Manufacturing', 'Business and finance' 'Retail decline and revitalisation in the city centre. The theme notes that the period was one where national and international companies sought a physical presence and saw an increase in finance related companies. It was also a period affected by mineral booms and two recessions and a property boom that ended in the mid-1970s as a result of an economic crash and oil crisis
- 'Living in the city centre', including the sub-themes 'Housing and lodging' and 'Hotels'
- 'Working in the city'
- 'Shaping cultural life', including the sub-theme 'Arts and creative life in the city'
- 'Enjoying the city', including the sub-theme 'Entertaining and socialising'.

Reeves' evidence

The evidence of Mr Reeves for Council identified several phases of historical development associated with changes in building or planning regulation including:

- Height limit buildings (1954-59) when the height limit of 132 feet (40 metres) still applied
- Breaking the height limit (1959-65)
- The skyscraper era (1965 onwards) which saw new buildings in the Hoddle Grid regularly exceed twenty storeys in height
- Plot ratios allowing for increased heights with the provision of a plaza
- increasing use of motor vehicle and the provision of integrated carparks, with carparks integrated at lower levels or basement.

Mr Reeves identified the following categories of the postwar Modernist style:

- International Style: Curtain Wall and Metal:

  This encapsulates what might be referred to as the 'classic' metal-framed curtain wall, conceived as a sheer glazed surface in order to express a multi-storey building as a 'glass box'.
- International Style: Curtain Wall and Masonry:

  This encapsulates an early hybrid approach to the design of multi-storey office buildings, where the emerging curtain wall technology was combined with a more traditional expression of solidity expressed in brick, stone or ceramic cladding.

- Expressed Structure:

  An expression of solidity through masonry, variously employing panels of brick, stone, reconstituted stone or precast concrete, or a tiled finish.
- Brutalism.
- other more specific forms:
  - Tower on podium
  - Tower and plaza
  - Dominant vertical expression
  - Dominant horizontal expression
  - High-rise apartment living
  - Club premises.

Melbourne's Marvellous Modernism

Melbourne's Marvellous Modernism: A Comparative Analysis of Post-War Modern Architecture in Melbourne's CBD 1955-1975, National Trust of Australia (Victoria), September 2014 notes while being a significant period in Melbourne's cultural and architectural history postwar Modernist architecture is scarcely represented in the CBD. It identifies several phases of the period including:

- International style: Curtain wall and metal, with Amendment example 43-51 Queen Street.
- International style: Curtain wall and masonry, with Amendment examples including former Ajax House (105 Queen Street), 414-416 Lonsdale Street, former Sleigh House (170 Queen Street), Reserve Bank (Collins Street) and 376 Bourke Street.
- Expressed structure, with Amendment examples including the Royal Insurance Group Building (444 Collins Street), RACV (123 Queen Street), Sleigh House (160 Queen Street), Colonial Mutual Life (308-334 Collins Street) and Nubrik House (271 William Street) 454-458 Collins Street.
- Brutalism, with Amendment example AMP Square (555 Bourke Street).

Modernist Architecture in Melbourne

MELMO – Modernist Architecture in Melbourne, Robin Grow with Simon Reeves, 2021 (MELMO) describes the development of Modernism in Melbourne in response to changes to design, materials, and construction methods in architecture and impacts of changes in a rapidly growing post-war Melbourne. Council and experts referred to the following chapters which included references, commentary and/or images of several buildings included in the Amendment:

- Chapter 2 '1950s City Buildings'
- Chapter 6 'Major Buildings'.

Other documents referred to included:

- *Australia Modern*, Lewi and Goad, 2019
- *The Encyclopedia of Australian Architecture*, Goad and Willis, 2012
- *Tall Buildings: Australian Business Going Up, 1945-1970*, Taylor, 2001
- *Melbourne Architecture, Goad, 1999*
- *Melbourne, The City's History and Development,* Lewis, 1992 as part of the Central City Heritage Review and which includes Chapter 7 'The Urban Spurt 1956-1975' and identifies several Amendment buildings

- *Register of 20th Century Significant Buildings*, Australian Institute of Architects (Victoria), 2020 which comprises a recent review of an earlier register of notable 20th Century Architecture based on work undertaken by Graeme Butler in 1983.

(iii) Evidence and submissions

Mr Gard'ner's opined the Postwar Thematic History clearly established the importance of postwar development in the Hoddle Grid and provided a robust basis for assessment of this phase and commercial building class. He considered that the period of 1945-1975 was appropriate to apply to the postwar Modernist period as identified in the Heritage Review. He identified that the period after 1975 more closely aligns with the post-Modern movement and seismic political and economic shifts associated with the dismissal of the Whitlam government and OPEC oil crisis. Mr Gard'ner noted many publications used this date range to describe the period.

Mr Gard'ner considered that the later postwar Modernist buildings of the 1970s were not too recent to have potential heritage significance. He noted that while PPN01 provided no guidance on the minimum age for places to be assessed or included within a Heritage Overlay, it was generally accepted heritage practice that a generation (approximately 25-30 years) should pass before determining whether a place was of heritage value. This he said, allowed for a sufficient passage of time to elapse to ensure the enduring cultural heritage values of a place could be rigorously and objectively assessed. He identified that this approach was also consistent with the Victorian Heritage Register Criteria and Threshold Guidelines (VHRG).

Mr Raworth who provided evidence for several parties, considered that what was necessary was that focus remained on what was important. While many postwar buildings may have been admirable this did not make them significant or important to Melbourne, or worth keeping. Melbourne wasn't known as a great international city from the postwar and not every period was important. He identified that the period after World War 2 had a number of different phases within it, and that there could have been a more subtle and nuanced approach to the period. He considered this a minor quibble however, and that one period up to 1975 was a reasonable period to be reviewing. In the context of timeframes, he identified that the issue of "*historical proximity*" was difficult with a number of filters important. This he said was why thresholds were so critical.

Mr Trethowan's evidence statements for several parties, included an architectural overview of the International Style. This was an informative and interesting piece of work and added to the body of analysis included in the Postwar Thematic History. He was critical that the Heritage Review was silent on exactly what the Postwar Modernist style was. He said that in architectural circles the term was not generally used and did not appear as a category in *The Pictorial Guide to Identifying Australian Architecture* (Richard Apperley et al). He opined that the accepted term for multi-storey office buildings of this genre was the International Style. This allowed for distinctions between contemporary office buildings in the Organic Style and Brutalist style.

The National Trust considered that the postwar Modernist period in Melbourne was significant and referred to its publication *Melbourne's Marvellous Modernism*. It identified that the postwar Modernist period was one where, there was a lot of experimentation; influences from around the world; and diversity, which was important to capture and recognise. It submitted that that it was a nuanced period with no singular style and it was a period long overdue for recognition. It considered that the number of places identified was not unreasonable or undue.

Council considered that the Amendment would achieve a reasonable balance between pre-war and postwar buildings, with pre-war buildings representing approximately 87 per cent of individual places at the local level significance. While Council's records identified approximately 200 buildings were constructed during this period, only 55 were proposed for identification in the Heritage Overlay. This it considered would ensure the overall integrity of what was historically significant to Melbourne's CBD.

(iv) Discussion and conclusions

The Panel notes that all the experts were of the view that the postwar period was an appropriate one to review, that it was broadly between 1945 and 1975 and that it was not too recent to be considered or for significance to be established if appropriate thresholds were met. While there were some differences in opinions about what the Postwar Modernist style was (as opposed to the International Style for example) or the various nuances of it there was broad agreement about the various styles the period represented. The fact that there were differences of opinion by the experts is not surprising as there has been greater appreciation about this period over time and an opportunity to reflect on the important and distinctive elements of it. The Panel found that the contributions of Mr Gard'ner, Mr Reeves and Mr Trethowan in particular added to the broader understanding of the period and the styles that emanated from it and the influencing factors.

In this instance this was not a situation where the Panel preferred the evidence of one expert by another. As identified by Mr Morris QC for Sunsuper and Julliard, and acknowledged by Council:

> All experts are persons of a high level of competence. No challenge has been made on that basis. The Panel ought conclude they know their stuff. No challenge has been made to their integrity. Nor is there any proper basis for such a challenge. They are not people who are mouth pieces for their clients. They are as close to genuine experts as you get in this game. They put their integrity very high in importance.
>
> You are entitled to conclude that each believes [what] they have said. It is their opinion. And there is a basis to support that opinion. The difference between them is a matter of the threshold. Where we establish the height of the hurdle to include a building in a Heritage Overlay.

The Panel accepts the timeframe of the Heritage Review's Postwar Thematic History for the postwar Modernist period (1945-1975). Within this 30-year period there were clear phases of architectural development and styles ranging from the simple curtain wall, greater structural expression and elements of Brutalism. The Panel accepts the evidence of Mr Gard'ner and Mr Reeves that this era was an important and significant phase of development within Melbourne. The Panel agrees that sufficient time has elapsed for its heritage significance to be identified and assessed, and heritage controls applied where thresholds of significance can be established.

The Panel concludes:

- The postwar Modernist period (1945-1975) is an identifiable and important phase within the Hoddle Grid and the City of Melbourne.
- Buildings within the postwar Modernist period are of an appropriate age to be considered for heritage controls where the thresholds for heritage significance can be met.

5 Threshold issues

5.1 Intactness and integrity

(i) The issues

The issues are whether the:

- level of intactness of a place is a relevant threshold consideration for heritage significance
- assessment of intactness should be tempered by the prevailing typical level of intactness in the central city
- threshold level for building intactness has been set too low.

(ii) Evidence and submissions

Most opposing submissions identified that their buildings had undergone substantial change including the construction of new shop fronts, alterations to upper levels and the removal or over-cladding of original fabric. These submissions considered that such changes meant that some buildings had lost their integrity and could no longer be understood or appreciated as representative of a particular phase or class. This was particularly the case for postwar buildings.

Some submissions suggested that including buildings that were no longer intact or had lost their integrity risked lowering the bar for significance or diminishing the value of existing Heritage Overlay places.

Council identified the difference between the concepts of intactness and integrity as follows:

> 44. Intactness relates to the degree to which a place retains significant fabric, and integrity refers to the degree to which the heritage values of a place can be understood and appreciated. Accordingly, intactness and integrity are factors that are appropriately considered in the context of the overarching task of assessing significance. In and of themselves they do not answer the question of whether a place is Significant and appropriately included within the Heritage Overlay.
>
> 45. It can be seen that the greater level of intactness, the greater level of integrity; but it can also be seen that diminished intactness does not necessarily result in a loss of integrity, depending on the extent to which the heritage values of a place can still be understood and appreciated; this in turn may be influenced by the nature of those heritage values and the extent to which they rely on highly intact fabric. In this regard, intactness is likely to be more important in the case of Criterion D than Criterion A for example.

Council submitted that to judge the necessary level of intactness and integrity for places an understanding of the intactness and integrity of comparable places was required. It identified that the Heritage Review undertook this exercise by comparing the level of intactness and integrity of other places within the Hoddle Grid area which were included in the Heritage Overlay. This task was assisted by a benchmarking analysis (set out in Appendix 5 of Volume 1 of the Heritage Review). The approach recognised the relationship between these concepts identifying that "*determining legibility in terms of the values for which a place is significant is a different question to 'what is the level if alteration?' However, the level of alteration still forms part of the consideration of integrity*".

Council identified that the benchmarking analysis:

> … identified three different building morphologies and their common attributes; in relation to each morphology, indicators were identified for a three tier scale at, above or below benchmark integrity. Appendix 4 rightly recognises that "there will also be exceptions that don't fall neatly into this approach or where there are additional attributes that may elevate a place to meet a threshold".

Both the evidence of Mr Gard'ner and the submission of Council identified that the Heritage Review considered that a degree of change was common to buildings within the Hoddle Grid, particularly to the ground floor. Common changes included ground level shop fronts, and replacement of upper level window frames and glazing, loss or alterations to recessed entries, colonnades, loggias and plaza settings.

Mr Gard'ner observed that the degree of change to ground floors within the Hoddle Grid was notably higher than nineteenth and twentieth century commercial high streets found in the inner and middle suburbs of Melbourne. Very few places now retained intact shopfronts or entries. Mr Gard'ner and Council said this degree of alteration was not a reflection of lesser heritage values in the Hoddle Grid or a deficiency of the Heritage Review. Rather, it reflected the importance of the CBD as a centre of commerce and the commercial imperatives to maximise floor area or meet changing commercial and retail use needs. Such changes were observed to be common for existing Heritage Overlay places in the central city. In the context of the Hoddle Grid, Mr Gard'ner observed that substantial alterations at lower levels should not generally preclude the inclusion of a place in the Heritage Overlay, subject to its assessed heritage values remaining legible at the upper levels of the building. He opined that therefore there should be greater tolerance and leeway for building changes in the central city because of the commercial imperatives of the CBD.

Council submitted that if the level of changes common in the Hoddle Grid were to exempt them from the Heritage Overlay, very few sites within the Hoddle Grid would be regarded as sufficiently intact to warrant a Heritage Overlay, let alone a registration at State level. It considered that intactness was relative and not an absolute term. In the context of the Hoddle Grid, it was appropriate to apply terms such as 'reasonably intact' and that terms such as 'very highly' or 'exceptionally' intact were inappropriate qualifiers for heritage significance.

Mr Gard'ner identified that the integrity of proposed places had been properly assessed and those that had lost their integrity did not warrant inclusion. This applied to those sites identified in the Heritage Review which were not included in the Amendment (Appendix 6 of the Heritage Review Volume 1).

Mr Reeves similarly observed that the CBD and Hoddle Grid was a special case and that it was unrealistic to hold the same benchmark level of intactness as places that experienced less development pressures. He identified that the authors were not blind to alterations at the ground level and it was appropriate the issue of intactness on a case by case basis. In cross examination Mr Reeves agreed that a higher bar is set with an individual or site-specific Heritage Overlay, compared with a contributory building in a precinct.

Mr Raworth accepted that changes are often made at the ground floor, but the impact of those changes depended on the architecture and the extent of change.

Mr Trethowan identified that a certain level of change is acceptable and agreed that ground level changes are normal in the CBD. He was critical however that the Heritage Review authors had in his opinion, lowered their frame of reference for intactness. He observed that one has to be very careful how the concept of intactness was used and identified. For example, he identified that the description of a place as 'typically externally intact' would be difficult to argue before the Victorian

Civil and Administrative Tribunal. If alterations were visible and considerable, they should be appropriately identified. He said that while the intactness benchmarking is fine as an in-house exercise, the Statement of Significance needed to be "*modulated to reflect reality*". Mr Trethowan commented that it was a distortion and not always true to say that if something was not intact it did not have integrity.

Phileo identified that the definition of 'Significant heritage place' in Clause 22.04 includes one of the characteristics as being 'typically externally intact'. It submitted that this does not always mean they will always be intact, but that they typically would be. It was important therefore that an individual building should typically be externally intact as this is what is necessary to understand the original form of a place.

Phileo characterised Council's position as accepting that within the Hoddle Grid there is a typical level of intactness and that it has effectively ignored and accepted the changes as justifying a higher level of loss of integrity rather than properly analysing the impact of those changes. It pointed to the broad acceptance of lower level building changes in the benchmarking exercise which attributed similar ground level changes regardless of whether a building was below, at or above the benchmark. This it said was a convoluted approach that distorted the ordinary meaning of 'typically intact' and set the benchmark too low. It submitted that the proper approach was to look at the whole of the building and consider whether is it intact enough that the ordinary member of the community to understand its original design.

Mr Wright of Counsel representing several parties, made similar observations to Phileo describing the process of establishing an appropriate level of intactness as a filtering exercise. He submitted that it was not about a place being intact in a typical extent, but that it was typically the case that it would be externally intact.

(iii) Discussion

The Panel considers that the issue of intactness is fundamental to the assessment of whether a place meets the threshold for significance. It agrees with Council's observation that intactness is a relative rather than an absolute term. The degree to which intactness impacts on a building's integrity and is a factor in determining the threshold of significance for different criteria requires the consideration of a number of factors and can be assisted by a comparative analysis of similar places.

The Panel observes that it is generally expected that for individual places intactness is usually higher than for contributory places. However, there might be cases where places have lower intactness but have a high degree of integrity and that intactness does not necessarily impact on significance at the end of the day.

The Panel has not relied on the identification of 'typically externally intact' as a characteristic in the definition of Significant heritage place in Clause 22.04 for its consideration of whether a place reaches an appropriate threshold of significance. The Panel does not consider that the test for whether a place meets the threshold for local heritage significance lies in this definition. Its use is for a different purpose, namely the application of local policy which distinguishes between significant and contributory places. Nor does the Panel accept that 'typically externally intact' can be interpreted as referring to places in the main being 'highly' or 'mostly' intact. The Panel adopts the position observed in Melbourne PSA C305 [2020] PPV that PPN01 "*provides the guidance on assessing potential heritage places and there should be no influence beyond this scope*".

The process for determining whether something is intact or not intact or applying qualifiers as to the degree of is not an exact one. It is a contextual term and impacts the way in which a particular place might be read and understood.

As identified above comparative analysis plays a role in understanding the context for intactness. While the Panel acknowledges and most experts accepted that some level of change is normal or commonplace in the CBD, acceptance of this this should not be the starting point or the breakeven point for benchmarking. While the benchmarking process applied in the Heritage Review is useful and transparent and provides appropriate context, the Panel considers that the key questions, in each case, should be:

- is there still sufficient fabric in place to assist our understanding and appreciation of the particular place including its original use, era and design?
- do the extant changes and alterations impact on our understanding and appreciation of the particular place?
- are we still able to appreciate its significance and why it is significant?

In some instances, buildings changes and alterations are ephemeral, such as painting, addition of signs and other simple additions and can be considered reversible. Such changes have minimal impact on a building's integrity. However, changes that obliterate building elements that are important to the buildings original design or enable it to be read as representing a particular period, style or theme can significantly diminish integrity. This is particularly the case for postwar places where plazas, ground level entries, colonnades and loggias have been greatly altered or removed or important ground floor structural elements have been removed or upper level materials have been overclad. Such changes are not so easily reversed without significant cost or realistic to expect could be made without further impacting integrity.

Some submissions focused on whether the level of changes to the ground level were of less significance in determining integrity if the greater proportion of taller postwar buildings remained unchanged. The Panel considers that while in some instance this approach might be true, there were some examples where the lower level changes were so markedly different to the original design that they were not diminished because the bulk of the building remained largely intact and displaying aspects of the era or class. This reinforces the challenges in applying a common or typical approach and the need to assess sites on a case by case basis.

The Panel does not accept submissions that Council has set the bar too low for determining a benchmark for intactness and integrity. While the benchmarking approach used in the Heritage Review might at one level be subject to criticism if it is applied too generically and without analysis, the Panel is satisfied that it has not been relied on absolutely or unduly narrowed the analysis of intactness and integrity across the board. It has been used for guidance and for a study of this nature, including such tools is applauded. While there will be differences between experts about whether a place is appropriately intact, this reflects the complexity of applying a standardised analysis to the question of intactness and impacts on integrity.

The Panel considers that, in addition to the benchmarking within the Heritage Review to ascertain 'relative intactness' in the context of the CBD, the final citation and Statement of Significance should reflect the 'actual intactness' to ensure confidence that the assessment is accurate. The citation could provide a small explanation about intactness in the context of the CBD, however as a statutory document, the Statement of Significance needs to reflect accurate conditions to avoid confusion in future decision making.

(iv) Conclusion

The Panel concludes:

- That the level of intactness of a place is a critical threshold consideration for heritage significance
- The threshold level for building intactness in the Heritage Review has not been set too low
- The Statement of Significance should clearly reflect the actual intactness of a place to provide clarity and assist decision making
- While the wider context of typical building alterations in the central city is an appropriate contextual and comparative analysis consideration, the analysis of intactness and impact on heritage significance should be undertaken on a case by case basis and contemplate whether:
  - there is sufficient fabric remaining in place to assist in understanding and appreciating the place
  - the extant changes and alterations impact on our understanding and appreciation of the particular place
  - it be appreciated that the place is significant and why it is significant relevant to the particular criteria.

5.2 Comparative analysis

(i) The issue

The issue is whether the level of comparative analysis contained in the Heritage Review is adequate.

(ii) Evidence and submissions

Many submissions and a number of experts were critical of the generic and limited nature of the comparative analysis contained in the Heritage Review, particularly for postwar places.

572 Lonsdale Pty Ltd (Lonsdale P/L) submitted the comparative analysis lacked a qualitative assessment or analysis that compared places and did not identify features or associations that made a place 'superior in the pack'. It effectively just included images similar buildings of the era and type and mostly those proposed in the Amendment.

Sunsuper observed that a comparative analysis needed to establish a yardstick.

Phileo considered that a comparative analysis was an essential prerequisite to the assessment of heritage significance. It characterised the comparative analysis undertaken as a list of similar places and pictures that asserted comparison without explanation why.

Mr Raworth acknowledged that when looking at a study of a new phase, comparisons could be difficult. This did not mean however that the bar should be lowered by the use of a generic assessment. He considered that many of the buildings were simply not historically significant and was wary of observations that it was too hard to make comparisons. In providing evidence for Phileo, he considered the comparative analysis was limited to a standard series of buildings, some which were similar, some not.

Ms Riddett providing evidence for Black Swan Properties Pty Ltd (Black Swan) opined that comparative analysis lacked a framework to identify a transparent conclusion.

Mr Trethowan considered that the examples used for comparative analysis were not a comprehensive or thorough representation of the postwar typology. He considered there was a greater stylistic breadth and architectural quality that should be reviewed in order to understand this typology.

Council submitted that the level of comparative analysis included:

- the analysis contained within the Postwar Thematic History (including specific mention of places considered examples of particular themes and subthemes)
- the contextual history within the place citations and in the comparative analysis with photographs and commentary within the place citations for each of the individual places proposed for inclusion within the Heritage Overlay
- the Heritage Review's identification of places that were not progressed because of substantial alteration, low integrity, low architectural quality or the existence of better or earlier examples in the Heritage Overlay.

It considered an appropriate range of places and sufficient level of analysis had been undertaken and was at least equivalent to that used in other heritage studies and consistent with PPN01. In the context of postwar buildings, it identified that comparisons with existing Heritage Overlay places was difficult as there were so few of them, including those on the Victorian Heritage Register (VHR). Given that the Heritage Review represented the first major review of postwar buildings it was not unreasonable to include in the comparative analysis the places identified in the Heritage Review (including those excluded from qualifying) and VHR places.

Council cautioned the comparison of places to a 'forensic' level and that it was often difficult to say one building was better than another when the design merits and characteristics of comparators were different or different criterion were applied. It further observed that given that the later collection of postwar buildings was more eclectic, it was risky and not particularly useful to further divide buildings of smaller subsets as this would artificially affect the analysis, for example provide a basis for rarity.

Mr Gard'ner agreed with this approach. He considered that the comparative analysis undertaken for each place appropriately considered the level of integrity, architectural detail, the quality of expression of their architectural style or period, their history or their function. Where relevant, places were also compared in terms of their identified architect.

(iii) Discussion

The Panel agrees that a comparative analysis is a fundamental and critical step in determining whether the threshold of heritage significance is reached. It enables an understanding and qualitative assessment of the relative quality and value of a place and whether it stands out or compares favourably with similar in terms of architectural quality, remaining intactness and integrity, and their ability to demonstrate key characteristics or stylistic and technical developments of a period. It requires therefore more than just a list of places or services of photos of similar period or classes of building to serve this task.

PPN01 confirms the role of the comparative analysis, identifying that to apply a threshold:

> … some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay.

PPN01 does not identify what level of analysis is required, nor does it limit the analysis to just those places within a Heritage Overlay. In the context of postwar buildings in the Hoddle Grid, the Panel is of the view that the approach adopted by the Heritage Review to consider the comparative analysis other places in the study area and in the VHR (in a measured way), is entirely reasonable. This is particularly the case when looking at places that have not been comprehensively covered before. In some instances, it is also reasonable to consider comparators outside the Hoddle Grid but still within the City of Melbourne.

The process of comparative analysis for local level significance does not require places to be better than others but they should compare at least as well as others that are similar phase, era or class). This is important to ensure the integrity of existing places included in the Heritage Overlay is not diminished. It also ensures that it is not just the grand and landmark buildings that are identified but also allows for the humbler places to be recognised as contributing to the heritage significance of a city, town or precinct.

This exercise will not always be clear cut as not all places display the same characteristics or reasons for significance. Some comparators while similar in era, typology or class may have different attributes which contribute to their significance in different ways. Some existing Heritage Overlay places may have been assessed under different thresholds or when some attributes were not considered important at the time. The Panel considers that this is perhaps one reason why PPN01 does not try to establish a particular approach to the exercise. While the Panel appreciates the positions expressed by some parties and experts that the Heritage Review's comparative analysis is somewhat simplistic and generic, it is not required to be an exacting exercise or an exhaustive and detailed analysis. Project budgets simply don't enable such a high degree of analysis and even then, would be subject to differences of opinion and make the process prohibitive.

During the Hearing several parties and experts referred to the former Scottish Amicable Building (126-146 Queen Street) which is included in the citation comparative analysis of a number of the postwar buildings. The Panel notes that Scottish Amicable Building was the only postwar office building in the Hoddle Grid with an individual Heritage Overlay, therefore providing the only comparator as a place that had officially reached the threshold for significance to warrant inclusion in the Planning Scheme for its heritage values. While historically significant for its associations with postwar commercial architecture in Melbourne it was invariably used as a standard benchmark for Criterion A, D and E by some parties and experts to either support or oppose the application of the Heritage Overlay. As identified above, it is not a straightforward task to directly compare buildings when their criteria are different, or when in this case the statement of significance was applied without the context of the Heritage Review or Postwar Thematic History. Regardless, the fact that the building is now demolished makes its value as a comparator historically interesting but ineffective. It should be removed from the Heritage Review as a comparator as it provides little comparative value today.

The approach adopted in the Heritage Review is consistent with that applied in other area wide studies. In this instance it is underpinned by a thematic history and citations which, while sometimes brief, in the main do include an analysis statement. What differs in this instance is the opinions of experts about how extensive the analysis is or should be. It is clear to the Panel that in this instance a comparative analysis has been undertaken and completed in a manner consistent with PPN01. It is considered adequate to inform decisions regarding threshold and does not curtail wider analysis and assessment.

Mr Reeves' evidence on postwar places included a high level analysis of primary and secondary sources from his own database including contemporary photographs, press coverage and publications. The Panel found this information to provide interesting context but was not determinative. He was criticised for referring to press coverage that were considered by some parties and experts to be 'puff pieces', prepared by architects or building owners to promote their buildings, or that someone taking photos of a place or mentioning a place in a journal conferred noteworthiness, greater significance or important recognition. It was clear to the Panel that Mr Reeves had not relied on this information in this way. Rather he considered the information helped establish most of the postwar buildings possessed some level of interest to be candidates for review.

The Panel considers that contemporary information can be relevant and contribute to a wider understanding or appreciation of a place but requires a degree of cautious analysis to avoid overly conflating significance and before it can be relied on as a basis for comparative analysis or as a threshold test. It would be simplistic to equate a mention in a journal or newspaper as demonstrating significance or importance. Conversely the lack of commentary or contemporaneous photos and articles cannot be a basis for concluding a place was not significant or important.

(iv) Conclusion

The Panel concludes that overall, the level of comparative analysis undertaken in the development of the Heritage Review is adequate and consistent with PPN01.

5.3 Threshold levels

(i) The issues

The issues are:

- what are the appropriate thresholds of local heritage significance that should be applied and whether they have been set too low, particularly for Criterion A and D
- what is role of the VHRG in determining significance thresholds
- whether competing policy interests should impact on threshold considerations
- what is the role of the definition of significant heritage place in Clause 22.04 in determining significance thresholds.

(ii) Guidance tools

In addition to PPN01 the following guidance documents were referred to by parties and experts.

The Burra Charter

The Burra Charter provides guidance for the conservation and management of places of cultural significance and sets a standard of practice to assist in making decisions about undertaking works to places of cultural significance. It includes the Burra Charter process to assist the practice for the identification and understanding of significant places through an investigation of the place and its values and an assessment of significance using relevant criteria and developing statements of cultural significance and periodic review of studies and statements of significance. The Burra Charter is supplemented with a series of Practice Notes including *Understanding and assessing cultural significance*, November 2013.

The Burra Charter is commonly used by heritage practitioners in the conduct of heritage studies and individual place assessment. It is a policy consideration at Clause 15.03-1S and referred to in Clause 22.04.

Heritage Council Victoria Guidelines

The VHRG outlines key considerations in determining whether a place or object is of state level cultural heritage significance and could be included in the VHR. It uses the same criterion used in PPN01 and identifies a two-step process:

- Step 1: A basic test for satisfying a criterion
- Step 2: A basic test for determining state level significance for each criterion.

The Step 1 for each criterion (as relevant to the criterion most frequently used in the statements of significance for this Amendment) is:

- Criterion A:
  - The place/object has a CLEAR ASSOCIATION with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history; and
  - 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; and
  - The EVENT, PHASE, etc is of HISTORICAL IMPORTANCE, having made a strong or influential contribution to Victoria.
- 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; and
  - The EVENT, PHASE, etc is of HISTORICAL IMPORTANCE, having made a strong or influential contribution to Victoria; and
  - The principal characteristics of the class are EVIDENT in the physical fabric of the place/object.
- Criterion E:
  - The PHYSICAL FABRIC of the place/object clearly exhibits particular aesthetic characteristics.

  The criterion Reference Tool identifies aesthetic characteristics as:

  …the visual qualities of a place or object that invite judgement against the ideals of beauty, picturesqueness, evocativeness, expressiveness, grotesqueness, sublimeness and other descriptors of aesthetic judgement. The visual qualities of a place or object lie in the form, scale, setting, unity, contrast, colour, texture and material of the fabric of a place or object.
- Criterion G:
  - Does evidence exist that the place/object demonstrates social value to a community or cultural group in the present day in the context of its cultural heritage significance? Evidence must be provided that the following three facets of social value are all met as defined below:

    a) Existence of a community or cultural group.

    b) Existence of a strong attachment of a community or cultural group to a place or object.

    c) Existence of a time depth to that attachment.

  The criterion identifies social value as:

  … a collective attachment to a place or object that embodies meanings and values that are important to a community or cultural group. The reasons for the attachment may be spiritual, religious, cultural, political or derived from common experience. The attachment of the relevant community with the place/object may be evident in its

physical fabric and/or revealed through background research, direct community engagement, observational techniques or media analysis that demonstrate customary usage, access, symbolism or other community function.

- 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; and
  - 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; and
  - 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.

For each criterion it includes exclusion guidelines and illustrative examples where a criterion has been satisfied. It also includes definitions of:

- Class:
  generally refers to a sub-category of a broad place type, such as 'WWI memorials' (within the broad 'war memorials' place type) or 'grammar schools' (within the broad 'schools' place type). A class is generally defined by a specific purpose or use, era, design characteristic, construction technique, materials used or some other recognisable quality. A class should be readily discernible as a sub-category of a broad place type and should not be narrowed by multiple qualifiers (for example, timber constructed, Edwardian era, rural theatres).
- Intactness:
  refers to the degree to which a place or object retains its significant fabric. Note: Intactness should not be confused with condition – a place may be highly intact but the fabric may be in a very fragile condition
- Integrity:
  refers to the degree to which the heritage values of the place or object are still evident and can be understood and appreciated (for example, the degree to which the original design or use of a place or object can still be discerned). If considerable change to a place or object has occurred (through encroaching development, changes to the fabric, physical deterioration of the fabric etc) the significant values may not be readily identifiable and the place or object may have low-level integrity

The Heritage Council of Victoria has also produced further guidance for Criterion G titled *Guidance on identifying places and objects of state-level social value in Victoria,* April 2019. It identifies key terms such as 'community' (including self-identified and informal community) and 'attachment', 'time depth' (at least 25 years) and 'resonance' (to exert an influence). It includes example methodologies and types of evidence (ranging from direct engagement, observation or online communication) required to demonstrate social value at the state level.

(iii) Evidence and submissions

A number of submitters were concerned that the bar for threshold significance, particularly for Criterion A and D, had been set too low. The AIA submitted that the bar for heritage significance in the CBD should be high with a focus on the best examples rather than 'over reaching'.

The National Trust agreed that that the assessment for significance and thresholds being met was rigorous and robust. It considered that it was not appropriate to set a higher benchmark for places just because they were in the CBD.

Julliard submitted that the threshold that is adopted is an important and influential factor in applying the Heritage Overlay. Much depends on it. It identified that if the hurdle was too low

then most buildings will be included. Conversely if it was too high then few buildings would be included, and therefore the balance lay somewhere in between.

By way of example, it was possible for someone to say that virtually every building could fit the one or more of the PPN01 criteria. All buildings can tell us something about the pattern of development and most demonstrate through typical features the principal characteristics of class. All buildings could be anonymised to a point where they could be said to contribute to our understanding. Applying thresholds, Julliard submitted that this process should not amount to the art of Tasseography (reading tea leaves) where meaning was read where there was none. What was required in applying an appropriate threshold was a matter of judgement and a balance of factors rather than a tick a box technical exercise.

Other submissions raised concerns about the level of importance being applied in the context of just the Hoddle Grid rather than the City of Melbourne as a whole.

Council submitted that while the Heritage Review identified that the methodology used to refine the list of potential heritage places included consideration of whether a place was "… *identified as either particularly early, rare or fine examples, or having exceptionally strong historic or other heritage values …*", this was a preliminary prioritising tool. Being particularly early, rare or fine or having exceptional strong values was not a precondition for all buildings recommended for inclusion within the Heritage Overlay.

Threshold assessment tools

Parties and experts generally agreed that the appropriate tool for assessing threshold was PPN01. Most experts however based their evidence on the VHRG because PPN01 provided little guidance beyond the observation that the Statement of Significance needed to clearly establish the importance of the place and addresses the identified heritage criteria.

Mr Gard'ner considered the VHRG useful to thrash out the criteria and help with assessments at the local level and Panels have variously considered their appropriateness. He identified they needed to be used with caution, particularly Step 2, as they have been written deliberately and it was not enough to replace 'State' with 'local'.

Mr Reeves stated that while it was explicit the VHRG are to be used determining State significance, it was a useful reference and helped in providing definitions and providing food for thought. He identified that they should not be applied in the same flow chart, stepped manner to establish local significance. To do so would create a distorted methodology.

Mr Raworth considered the VHRG helpful and that there was plenty of precedent for them to be used as a tool with a local threshold in mind. He said they assisted in the intellectual process that the criteria exist, and that the threshold condition needs to be considered beyond the basic level. He acknowledged however, they needed to be applied with discretion and care.

Ms Riddett considered the VHRG provided a helpful contextual framework for critical thought rather than a checklist. This was particularly the case when considering descriptors such as 'better than most others', 'well resolved, good, fine' which were not contained in PPN01.

Mr Trethowan's evidence considered the VHRG useful to understand thresholds of significance. He also referred to Significant heritage place in Clause 22.04.

The National Trust agreed that the VHRG were useful for guiding assessments at a local level, but that some caution needed to be exercised in their use at the local level as the bar for reaching the

State level heritage significance threshold was clearly much higher. It identified that some guideline tests were less relevant or required modification when applied in a local heritage context.

Council's Part B submission identified:

> In addressing the threshold, it is important to identify and acknowledge the difference between criteria by which a threshold may be established, and the threshold itself. Every single site contained within the HGHR must meet the relevant threshold of local significance prior to its inclusion within the Heritage Overlay. This does not mean that every site must meet all criteria.

This required the approach to thresholds to apply appropriate weight to the guidance in Clause 22.04, PPN01 and the VHRG. Council noted that the VHRG have as their explicit purpose threshold considerations for inclusion of buildings on the VHR and that they were not an appropriate substitution when assessing local significance. Council referred to several panel reports which confirmed a largely consistent position that the VHRG provide useful guidance but should be used with caution. Council submitted that the appropriate approach for considering thresholds was PPN01, noting that it does not set a threshold of 'early' or 'fine' or identify that places be 'the best', or 'better than most'.

The role of policy in applying a threshold

As identified in Chapter 3 some submissions suggested that broader policy issues should influence threshold considerations given the strategic significance of the CBD to Melbourne and the state.

A number of parties made reference to the definition of 'Significant heritage place' in Clause 22.04 as a basis for whether a building met the threshold of significance including whether it: [Panel's emphasis]

- was of <u>historic, aesthetic</u>, scientific, <u>social or spiritual</u> significance to the municipality
- <u>may</u> be <u>highly valued</u> by the community
- was <u>typically</u> externally <u>intact</u>, and/or
- has <u>notable</u> features associated with the place type, use, period, method of construction, siting or setting.

Council did not support the legalistic interpretation applied to the definition. It submitted that in applying the definition of Clause 22.04 only one of the criteria of historic, aesthetic, scientific, social or spiritual significance needed to be satisfied, typical intactness was not always required, and a building did not need to be valued by the community. It noted that the definition did not align the PPN01 criteria (with D effectively excluded) or the PE Act. It submitted however that it was required to take Clause 22.04 into account when preparing an amendment but that its role was principally directed to management of heritage places once they have been included in a Heritage Overlay.

Council provided an overview of Amendment C258 which introduced the definition and considered that its principal purpose was to assist with the conversion of A-D gradings to Significant and Contributory. It said that it cannot be taken that places which meet PPN01 criteria cannot be significant heritage places in Melbourne because those particular criteria were not listed in the definition. It further identified that the term 'notable' was not defined and as such needed to be given its ordinary meaning. Rather than a prescriptive tool or

precondition for application of the Heritage Overlay, the definition is descriptive and illustrate.

Applying criterion thresholds

Whether buildings met the thresholds for Criterion A and D was the most common issue for submitters and the primary focus of the heritage experts at the Hearing. The primary difference between the witnesses was where they set the threshold to be met.

Criterion A - Historical significance

There was substantial discussion throughout the Hearing with regard to the appropriate application of Criterion A, and specifically whether it had been applied too broadly with regard to postwar buildings which shared the same historical association collectively. It was observed that many of the Statements of Significance used similar phraseology such as:

> … has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence.

Several experts observed that for some buildings the historic use or function was not immediately legible in the fabric of the building particularly for warehouses.

Council submitted that VHRG Step 2 of the of the basic test for achieving State level significance was that the place allows the event or phase of historical importance to be understood "*better than most other places or objects in Victoria with substantially the same association*". It observed that neither local policy nor PPN01 sought that a place of local significance be 'better than most' to warrant inclusion within the Heritage Overlay. It submitted that the proper assessment required a comparative analysis of other similar places (not better or worse places).

Mr Gard'ner's evidence was that the buildings recognised under Criterion A are a number of largely intact buildings constructed in the same important period. While they possessed individual or distinct styles, owners or purposes, they shared a historic narrative and were variations of the modernist movement of the postwar period. He considered the group shared a common, rather than generic association. His evidence was that Criterion A is satisfied if the place was constructed in a significant period, or important purpose and retained sufficient intactness to its period of construction. A place needed to demonstrate the association at least as well as other local examples with the same association.

Mr Gard'ner opined that the Heritage Review had undertaken an appropriate level of research to support the historical associations required to achieve Criterion A. While such research is never totally exhausted, it was sufficient in this instance.

In the context of an association with the phase or period being evident in the fabric, Mr Gard'ner observed that there was a relatively small number of building types that could clearly demonstrate their association by building fabric alone. Exceptions included churches, or where there were design features which characterise a place, for example a fly tower of a theatre. Setting aside these examples, he considered that the majority did not have their use/history writ large. This did not mean that they were not worthy of recognition. He noted the VHRG identified that historic values did not just need to be evident in the place but could also be evident in documentary sources.

Mr Reeves opined that while most of the postwar place reached the threshold for heritage significance at the local level, some of the citations had a tendency to understate the significance ascribing historical significance in a generic sense. For example, broad associations with postwar development in the Hoddle Grid, rather than more specific associations with particular phases of development and/or the owners/occupants.

Mr Raworth was particularly critical that there had been little analytical assessment in the application of Criterion A. Just because a place was constructed in a particular period and was intact did not mean they were significant and worthy of a Heritage Overlay. Nor had it been demonstrated through events such as the growth in the presence of financial institutions which was common to most periods in most cities and was too generic to be important. The vast majority of buildings should not be able to meet the threshold.

Mr Trethowan agreed, considering Criterion A had been applied too broadly and without rigour.

Ms Gray identified that Criterion A was effectively about history. It was desirable that a place contained something of note rather than just the phase in history or a generic description. The phase itself needed to be significant. Association with a phase itself was not enough to suggest historical significance as all places could satisfy such a test.

Ms White observed that it was not sufficient for a place to be part of history, rather it needed to be important from a heritage perspective.

Wadback Pty Ltd (Wadback) submitted that what was required for Criterion A was a clear association with the phase or period. It was not enough to be of historic interest.

103 Queen Street Pty Ltd 103 (Queen Street P/L) identified that to meet Criterion A, a place needed to be important to an era, not just reflect it. A place needed to be above the mundane, ordinary and undistinguished.

Shahin Enterprises Pty Ltd (Shahin) submitted that any associations in the fabric with a phase was irrelevant if the place was not of importance to the phase in Melbourne.

Black Swan identified that for Criterion A to be met, a clear association that was strong and influential was required. Reliance on documentary evidence made establishing significance harder even for the well-informed ordinary person.

The submissions of Phileo and Collins Property observed that Criterion A was applied in a broad, general and generic nature and in a similar way particularly for nearly all 55 postwar buildings. Phileo considered this cheapened the criteria.

Other parties made similar submissions that focused on a place needing to be of importance to a pattern of history, and that this was not demonstrated by reference to the construction in a period or the existence of several characteristics consistent with other places of the period.

<u>Criterion D - Representativeness</u>

Submissions and associated evidence were critical about the generic way in which Criterion D was applied to a class of building including common characteristics. It was observed that many of the Statements of Significance used similar phraseology such as:

> … a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular in the 1950s, particularly in central Melbourne.
>
> … clearly demonstrates typical characteristics of …
>
> … demonstrate important aspects of the Post-War Modernist style.

Council submitted that qualified use of Step 2 of the VHRG could be of assistance by referring to the descriptors of a notable example including 'fine example', 'highly intact example', 'influential example' and 'pivotal example'. Importantly not all these definitions needed to be satisfied or all of the qualities of a 'fine example' met, adjustment was required for local level use. The descriptors provided guidance to analysis rather than a checklist.

Council noted that under PPN01 a place needed to be 'important'. It accepted that this required consideration of "*how well resolved or 'good' or 'fine' the place is, how intact it is and whether it is more than merely standard or generic*". Council considered it unhelpful to add qualifiers and thresholds to the assessment of local significance that are not contained within policy or PPN01, particularly if they set the standard for local significance artificially high. It submitted that for this reason the breadth of class needed to be appropriately set so as to not be artificially high (if too broad it would have to many significant comparators) or too narrow with few comparative places.

Council observed that although representative and aesthetic significance are not used interchangeably in the HERCON criteria, it appeared to be the practice of some heritage consultants to conflate and overlap them, a practice which tended to confuse and obscure the distinction between Criteria D and E.

Mr Reeves was critical that some of the citations had ascribed architectural significance in a more generic sense by invoking Criterion D. This included considering buildings as a "*fine and representative example of the PostWar Modernist style*" without also invoking Criterion E.

The evidence of Mr Raworth considered the consistent repetition of Criterion A and D was problematic, with Criterion D consistently referring to architectural elements. He said a place needs to be more than a typical example of its class to meet Criterion D. Mr Raworth accepted that a notable example reference tool in the VHRG for Criterion D was an "*either/or*" proposition rather than a requirement on its own. He considered that simply having a catalogue of characteristics did not elevate the building to a threshold level. He also opined that the VHRG probably weren't written with the postwar Modernist commercial building in mind.

Under cross examination Mr Trethowan considered that under the VHRG, meeting a large number of critical characteristics was potentially enough to meet Criterion D, however using this approach every building could tick the box. The question should be is it a good building?

Ms White observed that most buildings of a period would have a combination of typical characteristics but what was required was a consideration based on merit and how well those characteristics were applied. She considered that architectural elements could be used to demonstrate Criterion D by reference to the accomplishment of the design, but not to the same standard as was required for Criterion E.

The submission of Owners Corporation 336942V (Owners Corp) adopted Mr Raworth's evidence observing that later the date of construction in the postwar period, the more likely it was to have the features of the class and a higher level of intactness.

Wadback submitted that to meet the threshold for Criterion D required a place to be a notable or fine example of a class not just a typical example.

Shahin submitted that aspects of what was important needed to be identified for Criterion D not just elements present.

Collins Property submitted that the 'principal characteristics' referred to in Criterion D had not been identified, rather what had been presented in the Heritage Review was a list of elements.

Black Swan submitted that a test or framework was required for Criterion D that was not too low. This included applying terms such as 'well resolved', 'good' or 'fine'.

(iv) Discussion

The Panel considers that when contemplating applying the Heritage Overlay an appropriate threshold must be met. Applying a Heritage Overlay is an encumbrance that should only be applied where there is sound justification. The bar should not be set so low as to allow places that are of marginal interest or value. This diminishes the contribution made by buildings that are significant and important, impacts on other policy objectives and the objectives of the PE Act, does not provide net community benefit and can lead to future decision making that considers heritage as a peripheral matter, rather than as a matter of serious consideration, commensurate with the significance of the place. Conversely setting the bar too high excludes places which can be important at the local level or may be under-represented. That said the exercise should not be about taking an approach that is numeric or seeks to collect a lolly bag assortment of buildings demonstrating different eras, themes or classes. A place should be significant in its own right. The approach should also exclude notions of architectural taste. Whether a building is ugly or a 'mongrel' (referring to some of the building descriptors used at the Hearing) is not particularly relevant to whether or not they might be of heritage significance. Similarly, terms such as 'unloved' unless supported by appropriate evidence, are not useful.

Significance is a complex matter – who determines what is significant to a community, or different groups within the community. The foundation is generally established in the Thematic Environmental History which sets the framework as to those places that demonstrate important phases. As demonstrated in the Heritage Review, the Thematic Environmental History is reviewed and evolves over time as community values changes. When it comes to assessing the significance of individual places, the Thematic Environmental History, is an important starting point the starting point for context and establishing important themes and classes of building. Ultimately, applying thresholds at a local level involves applying a level of considered judgement, informed by a combination of heritage factors (such comparators, intactness and integrity) and appropriate guidance tools.

Threshold assessment tools

The Panel considers that PPN01 should be the primary tool for considering whether a place is of local heritage significance. It provides an appropriate methodology and is not silent on thresholds, applying in criteria descriptors terms such as 'importance to' (Criterion A, D, E

and F) and 'strong and special association' (Criterion G and H). PPN01 provides for a consistent approach to applying the Heritage Overlay at the local level across the state.

The Panel acknowledges, as did Council and the many heritage experts involved in this matter, that there is limited guidance in PPN01 about the factors that might interrogate or inform different criteria thresholds. The VHRG is therefore widely utilised by heritage practitioners for guidance. They usefully include guidance for the meaning of concepts such as integrity and intactness and what a class of place is. However, they should be applied with caution because they are specifically prepared for potential places of state significance.

The VHRG Step 1 criterion elements can be of assistance when considering how importance or strong association might be considered, but they do not need to be met. Step 2 introduces new concepts or qualifiers including:

- 'better than most' (Criterion A)
- 'notable example' (Criterion D)
- widely appreciated or valued by the community through 'critical recognition' and 'acknowledgement of exceptional merit' (Criterion E).

While Step 2 of Criterion D draws attention to the nuances of what represents a good, typical or fine example, buildings don't need to achieve this same standard at the local level. Buildings do not need to be 'better than most' or 'notable examples' (including influential or pivotal) to be of potential local heritage significance.

The Panel notes that all experts used the VHRG in an inconsistent manner. This is not a criticism but rather a reflection that there is a more contextual nuanced process to establishing local significance. To apply the VHRG without appropriate caution risks creating a distorted outcome by introducing a higher level consideration of significance. The Panel considers they provide guidance to analysis rather than act as checklist.

The thresholds of PPN01 (for at least one criterion) are ultimately what needs to be met for local significance. Whether they do in each case is effectively a matter of judgement and relative contextual merit. The fundamental question is whether a place is sufficiently significant to be recognised in the planning scheme?

The Panel more generally observes, as other panels have, that further guidance to assess local significance is needed. The Panel notes that this need has also been identified by the Heritage Council in its State of Heritage Review. This would assist in reducing the level of dispute regarding thresholds that was evident in this matter.

Role of policy

As identified by the Panel in Chapter 3, the role of policy is not relevant when it comes to determining whether or not a place is of heritage significance. There does not need to be a higher threshold applied merely because the places are in the central city. The planning permit stage is where the balancing of the range of planning policy considerations comes into play.

The Panel agrees with Council that the definition of 'Significant heritage place' in Clause 22.04 does not act as a qualifier for a place to be identified as having local heritage significance. When assessing a new place in the City of Melbourne a place does not have to satisfy or demonstrate all elements of that definition to be considered significant. Indeed, the definition excludes a range of PPN01 criterion that are otherwise relevant and applicable

across the state. Its role is for the application of policy to planning permit application decision making not as a threshold for local significance.

Applying a threshold

Given the focus of submissions and evidence on Criterion A and D the Panel has focused its comments on these criteria, although its comments and observations apply broadly to all the criteria.

Criterion A - Historical

Criterion A requires a place to be of ***importance*** to the course or pattern of our cultural or natural history (Panel's emphasis).

There is some risk that if the pattern or theme is too generic any building consistent with it could meet the criterion. This clearly is not satisfactory, the theme or pattern in itself needs to be important to the municipality and then the place needs to clearly demonstrate it. The Panel is satisfied that for this Amendment the pattern (phase or era) or themes of significance have been appropriately established in the Melbourne Thematic History and Postwar Thematic History. The question is how well each place demonstrates or has a clear association with that theme to be considered important.

The Panel acknowledges that many of the statements for Criterion A were largely the same, other than nuanced to include additional information about architects and builders or occupants where known. In some instances, the Statements of Significance contain information that is not particularly relevant to how importance is achieved.

The Panel considers that to meet Criterion A requires importance to the theme, place or era to be clearly established. To be important at the local level requires a building or place to be better than typical, but not necessarily better than most, particularly if there are few extant comparators. Within the local context there can be places that are exceptional and outstanding, but this is not the benchmark that has to be achieved.

The ability to read the extant fabric that is characteristic of a theme or era is important although in some cases it will need to be augmented by documentary evidence. Only in some instances will documentary evidence alone be sufficient. Again, this relies on a case by case judgement.

Criterion D - Representativeness

Criterion D requires a place to be of ***importance*** in demonstrating the principal characteristic of a class of cultural or natural places or environments (Panel's emphasis).

The Panel is satisfied that for this Amendment, the classes of place identified for both pre-war and postwar buildings are clearly established in the Heritage Review and linked to thematic histories.

The Panel acknowledges that many of the statements for Criterion D were largely a similar list of common features of buildings built in the same era or of the same class. For the postwar places this is not entirely unreasonable or unexpected given the buildings share commonality to the identified class and a large number have been brought forward via this Amendment.

The VHRG for Criterion D uses the test that the fabric of a place demonstrates the principal characteristics of a class. This is a useful concept when considering what is meant by 'importance'. The Panel considers that to meet Criterion D requires more than a checklist approach of attributes so that buildings are not able to satisfy the threshold simply by possessing a handful of common characteristics. The threshold needs more than this, particularly if some of those characteristics are also common to other classes. Places need to demonstrate the principal characteristics of the class, which implies most of those characteristics. While the statements for Criterion D in some of the Statements of Significance may be written in a generic way, the Panel is generally comfortable that the Heritage Review (including the Postwar Thematic History) provides a sound basis for understanding the principal characteristics of postwar Modernist commercial buildings.

The question is how well each place demonstrates representativeness with a class to be considered important. While places do not need to meet superlatives such as 'landmarks', 'exceptional', 'remarkable' or be notable (including pivotal or influential) at the local level, they should be better than typical. Again, the level of intactness and integrity and the comparative analysis plays a key role in demonstrating this or setting an appropriate benchmark. A representative place should demonstrate most of the principal characterises of the class in a manner that is clearly evident.

Care also needs to be taken when determining how well a criterion is demonstrated and observable and understood and who it is understood by. During the Hearing a range of 'observer' tests were applied for both Criterion A and D – the 'person on the Clapham Omnibus', 'the well-educated', 'the curious' or the 'well informed observer' and other permutations. It is the Panel's view that buildings in the main should be able to be readily read and appreciated, although why they are important will not always be evident and sometimes require access to documentation particularly for Criterion G and H.

There seems little point in including places in the Heritage Overlay if the wider community is not able to appreciate them or convey important and tangible information of our history for current and future generations and it becomes an exercise for heritage purists. A level of balance is required so that the reasons for importance are not overly obscure or places merely ordinary. Ultimately the determination of significance lies with experienced or qualified practitioners bringing to bare appropriate tools and professional opinion and objectivity. Even then experts will have different opinions. A level of expertise is important to apply ensure a 'level playing field or benchmark'. This ensures that important places are included on merit and not because they are popular landmark buildings (although this may be a factor in its significance) or clearly understood to be of an era or theme and avoids the application of subjectivity and taste.

(v) Conclusions

The Panel concludes:

- That PPN01 is the primary tool for determining thresholds for places of local heritage significance, informed by the consideration of intactness and integrity and a comparative analysis.
- The VHRG provide useful guidance but should be used with care to avoid introducing a higher level consideration of significance at the local level.
- Planning policy is not a relevant threshold consideration for heritage significance.

- A place is not required to satisfy the definition of 'Significant heritage place' in Clause 22.04 in order to meet the threshold of local heritage significance.
- The application of thresholds requires the application of judgement.
- To meet Criterion A and Criterion D requires a place to be demonstrably important to its phase (theme, period or era) and class respectively. The Heritage Review has not set these thresholds too low.

5.4 What are the respective roles of the citation and Statement of Significance for identifying significance thresholds?

(i) The issues

The issues are:

- whether the citation or Statement of Significance should be relied on to understand significance
- what should be included in the Statement of Significance.

(ii) Evidence and submissions

Phileo's submission raised concerns about the relative content of the citation and Statement of Significance and the importance of the Statement of Significance articulating what was significant rather than relying on the citation. This was because the Statement of Significance was an incorporated document and as such had greater weight in the Planning Scheme as a decision making tool, whereas the citation would in effect be a background document. It submitted the Amendment should be judged on what was in the Statement of Significance.

In a response to a question from the Panel, Phileo identified that there were many Heritage Overlay places that because of the time of their introduction into the Planning Scheme do not have an incorporated Statement of Significance. In those instances, decision makers needed to rely on the content of heritage studies that were background or reference documents to work out why a place was significant. Where there was an incorporated Statement of Significance it should be relied on rather than a background document.

Council submitted that the Statement of Significance was not the only tool by which significance is articulated in the Planning Scheme which included:

- the Heritage Overlay map and Schedule to Clause 43.01. It noted the decision guidelines of Clause 43.01 include consideration of heritage studies and that the phrase 'as appropriate' did not render the citations irrelevant to the exercise of discretion
- incorporation of the Significant or Contributory status of the place in the Heritage Inventory
- incorporation of the Statements of Significance in the Planning Scheme
- referencing the Heritage Review in Clause 22.04. It noted that Clause 22.04 definition 'assessed significance' referred to the significance identified in the relevant Statement of Significance, as contained in the place citation.

Accordingly, it submitted that while statements of significance carry greater weight, it was incorrect to assert that only the Heritage Overlay and the statement of significance are

relevant in understanding why a place is included in the Heritage Overlay. It submitted that the citations would continue to be a relevant consideration.

Council requested the Panel to recommend instances where it thought information from the citations needed to be included in the Statements of Significance. This included circumstances where additional or better quality images may be required.

(iii) Discussion

Place citations are important. They provide context and valuable background information as to why a place was identified in the first instance. While in this instance the citations are included in the Heritage Review, which is a reference document, they do not carry the same weight in decision making. They should not be relied upon to understand what is important about a place. The Statement of Significance is an incorporated document and is therefore a key document in understanding why a place is significant and to establishing what is significant when making decisions and managing place outcomes. It should clearly articulate what is significant and why the place is important and not be generic. Critically, any significant information contained in the citation pertaining to the significance of a place should be included in the Statement of Significance.

Given the scope and format of Statements of Significance set out in PPN01, it is unrealistic to expect that all information will be able to be included. However, the key justification and citation details should be in the Statement of Significance. PPN01 suggests that in identifying 'What is significant' "*there should be no doubt about the elements of the place that are under discussion*" as well as elements that are not significant.

The identification of what the significant elements of a place are is usefully assisted by the inclusion of images of those element elements. This aids identification and provides a clear understanding of what is important. In many instances the Statements of Significance used older images which did not reflect existing conditions, where obscured by vegetation or used oblique angles which failed to show significant elements clearly. Some Statements of Significance did not include clear images of other buildings referred to or side street elevations, or where identified as significant, sculptures or external artwork. Many of the images included in Mr Gard'ner's evidence and evidence slides included superior images. In addition to specific recommendations for additional images to be included in particular individual place Statements of Significance identifies in Chapters 6 and 7, the Panel considers it necessary for Council to review the images used in the exhibited Statements of Significance. This is to ensure they are current and best identify the significant building elements. This could include using Mr Gard'ner's images in some instances where they are clearer.

Details in the Statements of Significance should however be consistent with those in the citation including construction dates, architects and designers and other key criterion detail. While the Panel has focused its recommendations on changes to Statements of Significance the citations included in the Heritage Review should also be updated accordingly and any consequential changes (as necessary) made to:

- the Schedule to Clause 43.01 Heritage Overlay.
- the following incorporated documents included in the Schedule to Clause 72.04:
  - Heritage Precincts Statements of Significance February 2020 (Amended July 2020)
  - Heritage Places Inventory February 2020 Part A (Amended July 2020)

- Heritage Precincts Statements of Significance February 2020 (Amended July 2020).

(iv) Conclusions and recommendation

The Panel concludes:

- Statements of Significance have greater weight than citations and should be relied upon to understand what is significant about a place including the significant elements and why it is significant.
- Critical information about the significance of a place should be contained within the Statement of Significance.

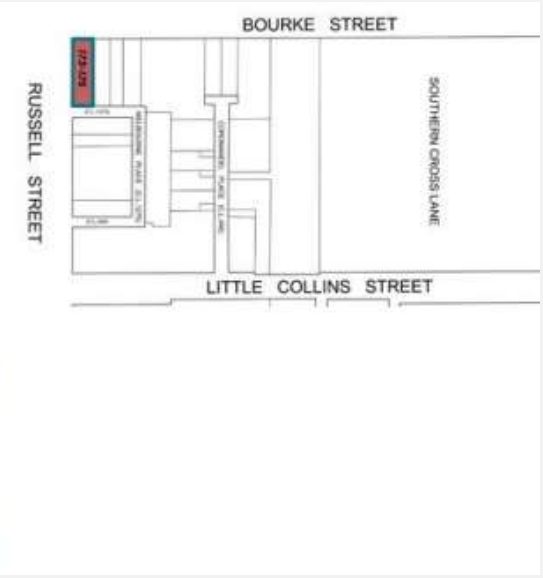
The Panel recommends:

Review all Statement of Significance images to ensure that they clearly identify the heritage building or place and the significant elements of the place and reflect current condition.

6 Pre-1945 individual heritage places

6.1 173-175 Bourke Street, Melbourne (HO1238)

Exhibited Statement of significance



What is significant?

The complex of buildings at 173-175 Bourke Street (142 Russell Street), Melbourne, comprising; a three-storey corner building dating from 1857, a three-storey addition either replacing or extending an existing building from 1920 (142 Russell Street), and a pair of adjoining shops rebuilt in brick in the 1920s, also facing Russell Street (138-142 Russell Street). Elements that contribute to the significance of the place include (but are not limited to):

- The buildings' cohesive external forms (two and three storeys), with consistent banding continuing across the façade of each section;
- The three-storey corner building's high level of integrity to its 1937 design;
- The three-and two-storey Russell Street buildings' high level of integrity to its original design;
- Pattern and size of original or early fenestration (Bourke and Russell streets), including the early ground floor arched opening at 142 Russell Street; and
- Large square industrial steel-framed windows (Little Collins Street).

More recent alterations, including the modern cantilevered verandah and ground level shopfronts, are not significant. How it is significant?

How is it significant?

173-175 Bourke Street (142 Russell Street), Melbourne is of local historic and representative significance to the City of Melbourne.

Why is it significant?

173-175 Bourke Street is historically significant as a complex of retail buildings dating from 1857, with additions in the first decades of the twentieth century that reflect key phases in the expansion of retail development in the City of Melbourne. The building complex is historically significant for its association with the Hordern family, a well-known Australian retailing dynasty who first came to prominence as merchants and retailers in Sydney, and who owned both the corner site and the Russell Street frontages until 1872. 173-175 Bourke Street, is historically significant for its long occupation by Richard White's Shoe Store from the mid-1890s to the 1970s. **(Criterion A)**

173-175 Bourke Street is significant as an early commercial building, but with its current presentation dating from the interwar period and incorporating both nineteenth and twentieth century elements. The corner building remains legible in scale and form to its 1857 design by architect Albert Purchas despite two major alterations to its elevations. The elements of the 1857 building are evident in the three rectangular openings on each of the upper levels on the Bourke Street façades, and the pattern of tripartite and single rectangular windows.to the Russell Street façade. Evidence of the previous two separate buildings facing Russell Street is provided by the arched ground level opening with timber doors and fanlight. The substantial alterations and extensions by Godfrey & Spowers in 1920, incorporating 138-142 Russell Street, contribute to the interwar character of the Russell and Bourke Street corner. **(Criterion D)**

(i) The issue

The issue is whether 173-175 Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1378) on a permanent basis.

(ii) Evidence and submissions

Mr Andrew Barrett's submission at the Hearing[17] supported the Amendment and the identification of the building achieving Hercon Criterion A and D. However, he recommended that the citation history be further researched to include more on the building's associations with the Hordern family, in addition to its long-term tenant, Thomas Welton Stanford. The Statement of Significance should be updated accordingly for Criterion A. He considered that absence of this narrative understated the building's value and its contribution to the cultural value of the city. His submission offered to share the information he had on the Horderns and Stanford with Council including details about the length of ownership of the site by the Hordern family which was longer than identified in the Statement of Significance.

Mr Barrett provided an additional written submission to the Panel. His submissions identified that Mr Stanford was one of the industrialist Stanford family of California, a local distributor for Singer sewing machines and acted as the US Honorary Vice Consul-General. He was also known for hosting of séances upstairs in the building following his wife's death. The submission contends that the identification of Stanford would recognise the arrival of Americans during the Gold Rush in Melbourne, in particular from San Francisco and the Californian Goldfields and the building's early international links. He considered that these associations suggested that the site also met Criterion H (associative significance).

Mr Gard'ner's evidence in reply considered that the exhibited citation adequately acknowledged Stanford's occupation of the building and that it was therefore appropriate to include reference to it in the Statement of Significance under Criterion A. He did not consider however that sufficient information existed to establish a special, close or enduring association between the place and Stanford and meet the basic test of Criterion H under the VHRG. He considered the citation and Statement of Significance appropriately acknowledged the association with the Hordern family but that this association again did not satisfy Criterion H.

[17] Document 33

Council's closing submission proposed that the Statement of Significance for the place should be amended to include reference to the long-term use of the building by Stanford & Co. as identified within Mr Gard'ner's evidence in reply.

(iii) Discussion

There is no submission opposing the inclusion of the place in the Heritage Overlay. The Panel considers that the place does meet the threshold tests for Criterion A and D.

The Panel supports the changes proposed by Mr Gard'ner to the Statement of Significance relating to the acknowledgement of Stanford and removing the specific date reference to occupation of the site by the Hordern family. The citation already recognises the association of the Stanfords with the building so it appropriate to acknowledge this in Criterion A in the Statement of Significance. This is not a significant change and does not alter the degree to which the place satisfies the threshold for Criterion A.

The Panel agrees with Mr Gard'ner that the threshold for Criterion H is not sufficiently made out in relation to both the Horderns and Stanfords.

Appendix D1 includes the Panel's preferred version of the Statement of Significance which includes the changes proposed by Mr Gard'ner in his evidence in reply.

(iv) Conclusions and recommendations

The Panel concludes:

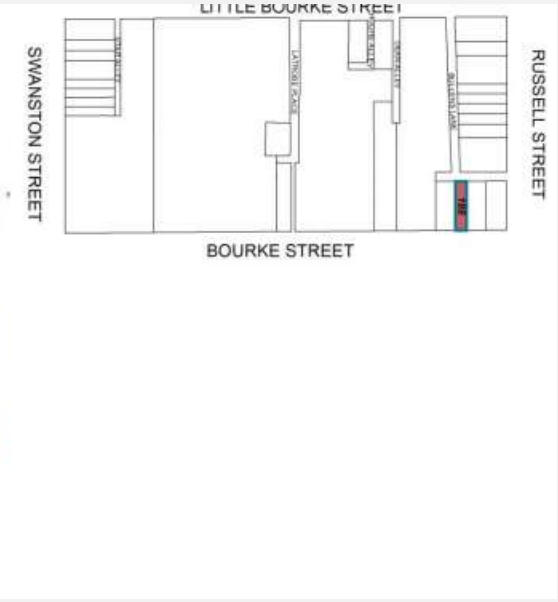
- 173-175 Bourke Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1378) on a permanent basis.
- The Statement of Significance should be amended as set out in the reply evidence of Mr Gard'ner (Document 45) and as set out in the Panel's preferred version in Appendix D1.

The Panel recommends:

> **Amend the Shops Statement of Significance (173-175 Bourke Street, Melbourne), July 2020 consistent with the Panel's preferred version in Appendix D1.**

6.2 188 Bourke Street, Melbourne (HO1303)

Exhibited Statement of significance



What is significant?

The former Rockman's Showroom at 188 Bourke Street, Melbourne, a three-storey retail building constructed in 1937 is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale;
- Original symmetrical façade geometry and fenestration, including vertical glazed panels, projecting mullions and rooftop fins and articulated parapet; and
- Original steel windows at the second-floor level.

The awning and alterations at the street-level shopfront and replacement aluminium frame windows at the first level are not significant.

How is it significant?

188 Bourke Street, Melbourne, is of local historical and representative significance to the City of Melbourne.

Why is it significant?

The former Rockman's Showrooms Pty Ltd building at 188 Bourke Street is historically significant for the evidence it provides of an important phase in Melbourne's retail history; the rise in popularity of the chain store retailers from the 1920s in the central city. To accommodate growing demand for retail stores in central Melbourne, by the 1930s, former businesses in the block east of Bourke Street mall were quickly replaced with clothing retailers and chain stores. Designed in 1937 by architects H W & F B Tompkins and occupied by frock sellers Rockman's Showrooms, who established a chain of fashion stores across regional Victoria and New South Wales, it is representative of the wave of smaller-scale commercial development in central Melbourne during the later interwar period that replaced the low scale masonry buildings dating from the late 19th and early 20th century. **(Criteria A and D)**

188 Bourke Street is architecturally significant as a finely detailed, modestly-scaled example of a Jazz Moderne commercial building in central Melbourne. Jazz Moderne was an extremely popular style in the later interwar period. Such buildings utilised the engineering benefits of steel and concrete frame structures to maximise window areas and to provide flexibility for external articulation and decoration, and the dynamic and streamlined aesthetic of Art Deco detailing. The building is

also notable as a work of the eminent firm of Melbourne architects H W & F B Tompkins, who designed a number of other Melbourne buildings in the Jazz Moderne style during the same period. **(Criterion D)**

(i) The issue

The issue is whether 188 Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1303) on a permanent basis.

(ii) Evidence and submissions

Submission 50 on behalf of the owner of 188 Bourke Street objected to the inclusion of the site within a Heritage Overlay. The objection was made on the basis that while retaining some original features, significant alterations to the place have occurred. This included ground floor alterations, new shopfront and awning, the loss of first floor window detailing and the recessive entrance and finishes. The submission identified that these changes have diminished the integrity of the building and that the application of the Heritage Overlay could impact future development.

The evidence of Mr Gard'ner identified that the alterations to the building did not diminish the ability to understand and appreciate the place as an example of an interwar retail building. He considered the level of alteration to be commensurate with buildings of similar age and architectural style in the Heritage Overlay.

(iii) Discussion

The issue of the impact of applying the Heritage Overlay to future development is addressed by the Panel in Chapter 4.2 and is not repeated here. The same observations and conclusions apply in this instance.

The Panel acknowledges that significant alterations have been made to the building at ground level and to a lesser degree to first level window detailing. The Panel agrees however with Mr Gard'ner that these changes have not impacted on the ability to read the building as a retail building of the 1930s. The upper level Art Deco style elements including projecting mullions and finials and steel framed multi-paned windows, as well as the overall form are clearly legible and remain dominant built form elements. While not superior, it compares well with other similar commercial buildings of the interwar period identified in the comparative analysis.

The Panel considers that the Criterion A description for the site is broad in nature and that there are perhaps better examples of the phase and class. The Panel considers that the case for the threshold for Criterion A to have been met is marginal. However, the Panel considers that the threshold for Criterion D is met, and in doing so further supports the case for Criterion A.

(iv) Conclusion

The Panel concludes 188 Bourke Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1303) on a permanent basis.

6.3 384-386 Bourke Street, 365-367 Little Bourke and 2-6 and 8-14 Rankins Lane, Melbourne (HO1052)

Exhibited Statement of significance

What is significant?

384-386 Bourke Street, 365-367 Little Bourke Street and 2-6 and 8-14 Rankins Lane, Melbourne, the former Thomas Warburton Pty Ltd complex comprising buildings constructed over stages in 1865, 1887 and 1912. Elements that contribute to the significance of the place include (but are not limited to):

- original two-storey form and scale, original loadbearing brick walls finished with painted render, and pattern of openings on the upper level, as well as the Italianate style decorative details including pilaster, cornices, parapet with open balustrade, central pediment and key stones (384-386 Bourke Street);
- original three-storey form and scale incorporating rear warehouses, original loadbearing brick walls finished with painted render (street frontage), original loadbearing face brick walls with bichrome detailing (along Warburton Lane), pattern of openings on the upper level façade, pattern of openings on the Warburton Lane elevation including the cement sills with brackets and splayed edges (except for the altered ground level openings and rectangular upper level openings) as well as the Italianate style decorative details including pilasters, cornices, flat parapet with dentilation below, alternated windows shapes with rendered surrounds and key stones (365-375 Little Bourke Street); and
- original three-storey form and scale, original loadbearing face brick walls, and patterns of openings on the upper level, bays divided by plain pilasters and terminated with semi-circular arches, recessed spandrels, corbel heads, reinforced concrete lintels, and other original or early details such as hoists, any original timber or steel window frames and sets of double doors including those on the loading doors (rear of 384-386 Bourke Street in Warburton Lane, and 2-6 and 8-14 Rankins Lane).

Later changes, including alterations to the ground-level shopfronts (384-386 Bourke Street and 365-367 Little Bourke Street), new projected signages (384-386 Bourke Street), and infill of ground-level openings (rear of 384-386 Bourke Street), are not significant.

How is it significant?
The complex of buildings at 384-386 Bourke Street, 365-367 Little Bourke Street and 2-6 and 8-14 Rankins Lane, Melbourne, is of local historic and representative significance to the City of Melbourne.
Why is it significant?
The complex of buildings at 384-386 Bourke Street, 365-367 Little Bourke Street, 2-6 and 8-14 Rankins Lane, constructed over stages in 1865, 1887 and 1912 by Thomas Warburton Pty Ltd is historically significant. Developed and owned by a single company, the group of adjoining buildings provide important tangible evidence of the evolution of a prominent business in this area of central Melbourne that was known for horse bazaars, ironmongery and hardware merchants from the 1840s. A notable ironmonger and hardware supplier, Thomas Warburton established his business at 384-386 Bourke Street in 1865, buying a block running through to Little Bourke Street, on which the Warburton family gradually developed their business and other warehouses creating an extensive complex that comprised 11 buildings by the mid-1920s. Thomas Warburton Pty Ltd was directly associated with the site for more than 100 years. Thomas Warburton Pty Ltd was one of the key manufacturing and wholesaling businesses that once thrived in the immediate area. The company survives today as Thomas Warburton Pty Ltd, owned by the multinational Wurth Group. **(Criterion A)** The former Thomas Warburton Pty Ltd complex is significant as a representative example of a building complex associated with manufacturing and wholesaling, which was once common in central Melbourne but is now unusual. Developed for the same owner, the complex retains a substantial cluster of buildings that are reflective of their respective types (shops with residences above, storage and warehouses) and time periods (mid- and late Victorian and Federation/Edwardian periods). The design aesthetics of each respective time period is reflected in the designs of each building in the complex. The 1865 building at 384-386 Bourke Street is an early example of Italianate style shop and residence building in central Melbourne. Sharing similar stylistic elements, the design of 365-367 Little Bourke Street represents a shift in preference towards highly ornamented designs over the more plainly decorated variations of the earlier decades. The rear three-storey warehouses fronting Warburton and Rankins lanes are representative of Federation-era face red brick warehouses with utilitarian characteristics. Overall, the former Thomas Warburton Pty Ltd complex is highly important as a collection of substantially intact buildings that provide tangible evidence of an important pattern of development in central Melbourne. **(Criterion D)**

(i) The issue

The building at 365-367 Little Bourke Street is already a building of individual heritage significance (HO1052) and it, along with the buildings at 2-6 and 8-14, are identified as contributory in the existing Guildford and Hardware Lanes Precinct (HO1205). The Amendment proposes to include the building at 384-386 Bourke Street and the Rankins Lane buildings within the curtilage of HO1052.

The issue is whether the curtilage of HO1052 should be extended to include the buildings at 384-386 Bourke Street and 2-6 and 8-14 Rankins Lane on a permanent basis.

(ii) Evidence and submissions

Submission 57 objected to 2-6 Rankins Lane (Figure 2) being included in a Heritage Overlay considering it would be very onerous and expensive to maintain the buildings.

Figure 2 2-6 Rankins Lane, Melbourne

Source: Jim Gard'ner PowerPoint presentation (Document 43)

The evidence of Mr Gard'ner concluded that the former Thomas Warburton Pty Ltd complex was locally significant for, providing important tangible evidence of the evolution of a prominent business in this area of central Melbourne (Criterion A), being a representative example of a building complex associated with manufacturing and wholesaling (Criterion D) and as a collection of substantially intact buildings that provide evidence of an important pattern of development in central Melbourne (Criterion D).

Mr Gard'ner's position was adopted by Council and it did not propose any further changes to the Amendment.

(iii) Discussion

The impact of applying the Heritage Overlay on the costs of maintenance is addressed by the Panel in Chapter 4.2 and is not repeated here. The same observations and conclusions apply in this instance.

The Panel considers that the integrity and level of intactness of the Rankins Lane buildings to be high and an important component of the former Thomas Warburton Pty Ltd complex, satisfying both Criterion A and D.

While no submission was made about the building 365-367 Little Bourke Street, the Panel considers its inclusion in the Heritage Overlay appropriate. While it has significant ground floor changes, the upper level detailing remains substantially intact (with the exception of a projecting signs which is a reversible change). It remains clearly legible as a Victorian period shop and with its relationship to former Thomas Warburton Pty Ltd complex satisfies the threshold for Criterion A.

The Panel considers that the Statement of Significance should be amended to include images of the significant building elements identified including the Rankins Lane and Warburton Lane elevations.

(iv) Conclusions and recommendation

The Panel concludes:

- The buildings at 384-386 Bourke Street and 2-6 and 8-14 Rankins Lane are of local heritage significance (historical and representativeness).
- The curtilage of HO1052 should be extended to include the buildings at 384-386 Bourke Street and 2-6 and 8-14 Rankins Lane on a permanent basis.

The Panel recommends:

Amend the Former Thomas Warburton Pty Ltd Statement of Significance (365-367 Little Bourke, 384-386 Bourke Street, and 2-6 and 8-14 14 Rankins Lane, Melbourne), July 2020 to include images of the Rankins Lane and Warburton Lane building elevations.

6.4 393-403 Bourke Street, Melbourne (HO1307)

Exhibited Statement of significance

What is significant?

The Foundry (former Danks & Son) building at 393-403 Bourke Street, Melbourne, a six-storey steel and reinforced concrete building built in 1915-18 to a design by Sydney Smith & Ogg. Elements that contribute to the significance of the place include (but are not limited to):

- The original building scale and form; and
- The original painted render principle façade and pattern of fenestration, including cornices, semicircular arches, brackets, rusticated end bays, decorative floral garlands, pattern of window openings and curved oriel windows at the second, third and fourth levels.

Later alterations made to the street level facade are not significant.

How is it significant?

393-403 Bourke Street, Melbourne, is of local historic, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

The Foundry (former Danks & Son) building, a six-storey commercial warehouse built in 1915-18 as a retail outlet for hardware manufacturers John Danks & Son Ltd is historically significant. It exemplifies a key phase in Melbourne's development when, in the first decades of the twentieth century during recovery from the economic depression of the 1890s, an increasing number of investors constructed multi-storey premises in the city to house the growing retail industry. The site is historically significant for its long association with and use for, in part and whole, hardware retail. It operated virtually uninterrupted for 148 years from c1859 to 2007 as a retail and wholesale outlet firstly as John Danks & Sons Ltd, retail and wholesale hardware, from the 1890s to 1957; then McEwans Ltd, retail hardware, from 1965 to 1993. **(Criterion A)**

The former Danks & Son building at 393-403 Bourke Street, constructed in 1915-18, is significant as a largely intact example of the first wave of early twentieth-century mid-rise warehouse building development in central Melbourne. Through its architecture, the building demonstrates the confidence of companies such as John Danks & Son in early twentieth-century Melbourne in constructing a substantial and richly detailed building for retail and warehouse use. Its detailing is characteristic of the Federation Free Style while utilising the new materials of structural steel and

reinforced concrete to allow for larger windows and increased building heights. **(Criterion D)**

The building is aesthetically significant for its well-executed use of eclectic Art Nouveau and earlier Victorian details, including cornices, semicircular arches, brackets, rusticated end bays, decorative floral garlands, pattern of window openings and oriel windows. The aluminium replacement windows replicate the configuration and leadlight sashes of the original windows, thereby maintaining the repetitive pattern of the windows and their compatibility with the articulation of the façade. The building is notable as having been designed by architects Sydney Smith & Ogg, who were influential during the Edwardian period, designing houses, shops, banks, hotels and churches. **(Criterion E)**

(i) The issue

The issue is whether 393-403 Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1307) on a permanent basis.

(ii) Evidence and submissions

Submission 40 opposed the application of an individual Heritage Overlay to 393-405 Bourke Street given recent redevelopment of the site which retains heritage elements of the building within the facade of 399 Bourke Street. Should the Amendment proceed, the submission sought the reduction of the Heritage Overlay curtilage to the façade of 399 Bourke Street.

Mr Gard'ner's evidence agreed that the heritage values of the site are now limited to the ornate six storey façade and its return elevations given the construction of the 30-storey tower since the initial Heritage Review survey was undertaken by Context. He considered it appropriate to reduce the mapped extent of the proposed Heritage Overlay to align with the principal heritage form of the building more closely. He considered this portion of the building was significant for, its association with hardware retail (Criterion A), as a largely intact example of the first wave of early twentieth-century mid-rise warehouse building development (Criterion D) and for its well-executed use of eclectic Art Nouveau and earlier Victorian details (Criterion E).

Council supported the position of Mr Gard'ner and reinforced its earlier position following the consideration of submissions, that the mapped curtilage of the Heritage Overlay should be reduced to align with remaining heritage fabric following recent works.

(iii) Discussion

The Panel considers that the threshold for Criterion A, D and E are met for this place but for the remaining significant elements of the building only rather than for the whole site. The Panel agrees with the evidence of Mr Gard'ner that the curtilage of the proposed Heritage Overlay should be reduced accordingly. Given the side elevation elements remain visible it is considered that the curtilage should not be limited to the earlier street façade only.

The Panel supports the reduced curtilage and related changes to the Statement of Significance provided by Council. The Panel has included these revisions in its preferred version of the Statement of Significance in Appendix D2. Council should make consequential changes to the citation and other Amendment documentation including the Schedule to Clause 43.01 and the Heritage Places Inventory February 2020 (Amended July 2020).

(iv) Conclusion and recommendation

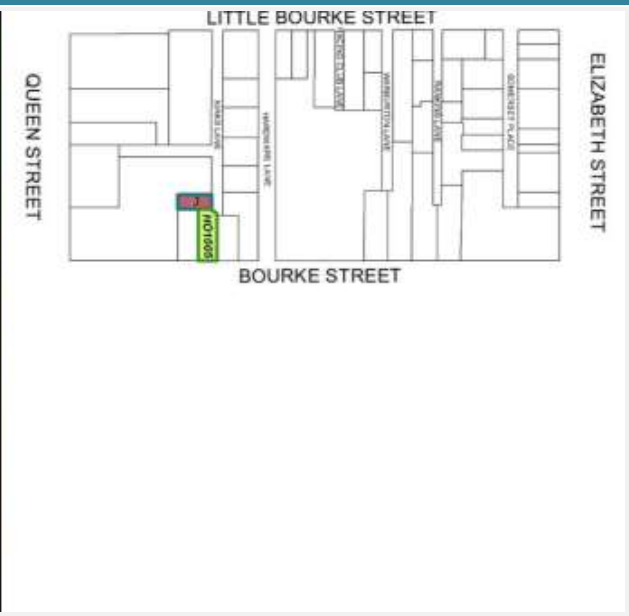
The Panel concludes that the local heritage significance (historical, representativeness and aesthetic) of 393-403 Bourke Street is limited to part of the site only and the curtilage of Heritage Overlay (HO1307) reduced, and the Statement of Significance and Citation amended consistent with the evidence of Mr Gard'ner and the Panel's preferred version (Appendix D1).

The Panel recommends:

> **Amend the Former John Danks & Son Statement of Significance (393-403 Bourke Street, Melbourne), July 2020 consistent with the Panel's preferred version in Appendix D2.**

6.5 418-420 Bourke Street and 3 Kirks Lane, Melbourne (HO1005)

Exhibited Statement of significance



What is significant?

The former Gothic Chambers and its warehouse at 418-420 Bourke Street and 3 Kirks Lane, Melbourne, a pair of four-storey warehouses built in 1890 for the City Property Company. Elements that contribute to the significance of the place include (but are not limited to):

- The original building form and scale (Bourke Street & Kirks Lane);
- The original face brick principle and rear façades and pattern and size of original openings (Bourke Street and Kirks Lane);
- Original roof form to both buildings including the transverse gable roof to the front section of Bourke Street;
- Gabled parapet;
- The distinctive façade with Venetian Gothic Revival elements and other ornamental detailing to the façade (Bourke Street);
- The original timber double-hung sash windows (Bourke Street and Kirks Lane) and full height glazed timber loading doors (Kirks Lane); and
- Evidence of original warehouse details including central projecting hoist beam and suspended loading platforms, as well as other refined detailing including the use of curved bricks around the openings (rear of Bourke Street and Kirks Lane).

More recent alterations, including those to the ground floor shopfronts in Bourke Street and changes to openings to the rear of 418-420 Bourke Street, are not significant.

How is it significant?

The former Gothic Chambers and warehouse at 418-420 Bourke Street and 3 Kirks Lane, Melbourne, is of local historic, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

The Gothic Chambers and warehouse are historically significant for their association with a key phase in Melbourne's development when, during the economic boom of the 1880s and the early 1890s, an increasing number of investors constructed architect-designed multi-storey factory and warehouse premises in the city to house the growing manufacturing and retail industry. Built in 1890 in an industrial area near the famous Kirks' Horse Bazaar as an investment property of the City Property Company, the place is distinguished for its long-term industrial use and association with

Melbourne's small-scale manufacturers. The City Property Company developed a number of key city properties in the 1880s and early 1890s during Melbourne's land boom, including the former nearby Clarke's Buildings (demolished in the 1960s), and a number of landmark city properties. The Kirks Lane warehouse's longstanding and continued use as a low scale warehouse/factory building into the present day contributes to its significance. **(Criterion A)**

The Gothic Chambers and warehouse are significant as a highly intact example of a pair of warehouses built in the late Victorian period. Constructed in 1890 to a design by architect Charles D'Ebro, the buildings provide tangible evidence of the industrial expansion in central Melbourne during this period. Their function and structure represent the warehouse typology once very common across the city blocks within the Hoddle Grid. The Gothic Chambers' Bourke Street frontage features Gothic Revival style elements. The Kirks Lane elevations of both buildings have very high integrity externally with minimal changes and display highly utilitarian elements such as face brickwork and loading doors on upper floors. This combination of stylistic devices is representative of a type of building complex associated with manufacturing and wholesaling built within Hoddle Grid. The location of the Kirks Lane warehouse in a minor street or laneway with side access to facilitate the movement of goods and materials in and out of the building is also characteristic of its type. **(Criterion D)**

The Gothic Chambers at 418-420 Bourke Street is of aesthetic significance for its use of Venetian Gothic Revival style elements, which was unusual for a small-scale warehouse. The construction of Gothic or Medieval Revival style buildings in central Melbourne predominantly occurred in the period between 1880 and 1893, mostly built for financial institutions and organisations. The use of detailing inspired by Venetian Gothic and Romanesque architecture in the Bourke Street building distinguishes it from other contemporary warehouses that more commonly utilised the widely popular Italianate style. The Venetian Gothic and Romanesque inspired elements include the transverse gable roof behind a gabled parapet with corbel table and arcade and pointed-arched openings on either side of the gable end; pointed-arched openings set between pilasters with decorative capping and base at the building's edges. Other highly refined detailing to the façade includes the letters `CPC' (City Property Company) entwined on a moulded cement shield between a pair of equilaterally arched windows; rendering over the windows debossed with a leaf motif; a band of brickwork laid in chequerboard pattern between the first and second floors; the Romanesque inspired frieze within the iron balustrade and on post moulding; splayed or chamfered edges of the openings; and the two pilasters with simple capital, finished in painted render on the ground floor. **(Criterion E)**

(i) The issue

The Amendment proposes to revise existing HO1005 by extending its curtilage to include the associated warehouse building at 3 Kirks Lane (Figure 3).

Figure 3 3 Kirks Lane, Melbourne

Source: Jim Gard'ner PowerPoint presentation (Document 43)

The issue is whether the curtilage of HO1005 should be extended to include 3 Kirks Lane on a permanent basis.

(ii) Evidence and submissions

Submission 62 opposed the application of the Heritage Overlay to 3 Kirks Lane considering there was limited justification for it and because it had not been identified in previous studies.

Mr Gard'ner's evidence considered that the assessment methodology and level of information provided in the citation and Statement of Significance to be satisfactory to warrant inclusion in the Heritage Overlay. He assessed the building as being locally significant for the following reasons; its association with the economic boom of the 1880s and the early 1890s and the construction of architect designed multi-storey factory and warehouse premises (Criterion A), as a highly intact example of a pair of warehouses built in the late Victorian period (Criterion D) and for its use of Venetian Gothic Revival style elements, which was unusual for a small-scale warehouse (Criterion E).

(iii) Discussion

The Panel discussed the issues of previous study classifications at Chapter 4.3 and does not repeat them here. Those observations apply in this instance.

The Panel agrees with the evidence of Mr Gard'ner that the case for satisfying Criterion A, D and E for the place as a whole has been well made in the Heritage Review.

The Panel considers that the Statement of Significance should include images of the significant building elements identified including the 3 Kirks Lane elevation.

(iv) Conclusions and recommendation

The Panel concludes:

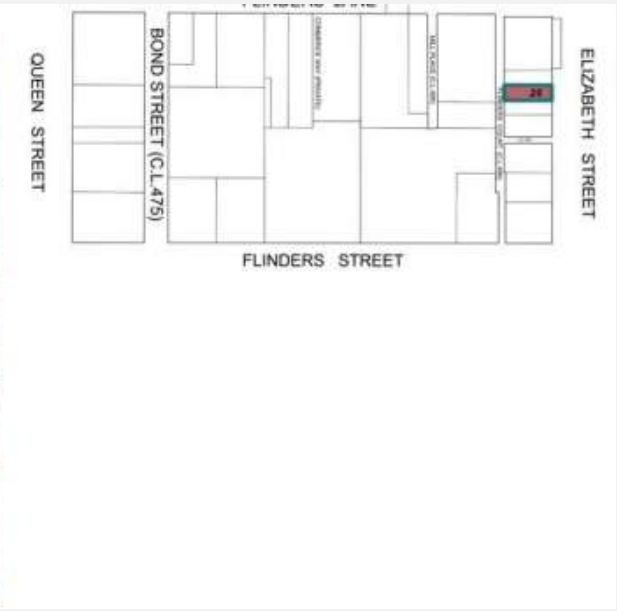
- 3 Kirks Lane is of local heritage significance.
- The curtilage of HO1005 should be extended to include the warehouse at 3 Kirks Lane on a permanent basis.

The Panel recommends:

> **Amend the Former Gothic Chambers and warehouse Statement of Significance (418-420 Bourke Street and 3 Kirks Lane, Melbourne), July 2020 to include an image of 3 Kirks Lane.**

6.6 25 Elizabeth Street, Melbourne (HO1247)

Exhibited Statement of significance



What is significant?

25 Elizabeth Street, a five-storey commercial building designed by architect William Salway and built in 1889. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original form, materials and detailing;
- Detailing of the upper façade, particularly the remaining stucco decoration at the upper and outer edges which includes the parapet, a full entablature with deep moulded cornice, a dentil band and decorative scroll brackets, pilasters;
- Pattern and size of original fenestration; and
- Early window joinery at the first floor.

Later alterations, including those to the ground level shop front, are not significant.

How is it significant?

25 Elizabeth Street is of local historic, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

25 Elizabeth Street is of historical significance for its association with Melbourne's retail development during the boom years of the 1880s. Built in 1889 for Celia Hordern, the wife of merchant William Hordern, 25 Elizabeth Street was one of three adjacent buildings designed by architect William Salway: the subject building (built 1889); 21-23 Elizabeth Street (built 1890); and 17-19 Elizabeth Street (built 1885). 25 Elizabeth Street is significant for its association with the Hordern Australian retailing dynasty, who operated stores and other ventures in Australia from 1844 until 1970. The building continued to be owned by members of the Hordern family for over 80 years until its sale in 1956. **(Criterion A)**

25 Elizabeth Street demonstrates its Victorian origins despite its altered form and somewhat stripped back façade, The scale, height and form continue to demonstrate a typical commercial building from the late nineteenth century. **(Criterion D)**

25 Elizabeth Street is aesthetically significant for its remaining 1880s decorative stucco detail and the pattern of upper floor windows, including the joinery of the first-floor windows. Aesthetic significance is also attributed to no.25 as part of the group of three adjacent buildings by William Salway. **(Criterion E)**

(i) The issue

The issue is whether 25 Elizabeth Street is of local heritage significance and should be included within a Heritage Overlay (HO1247) on a permanent basis.

(ii) Evidence and submissions

Shahin objected to the inclusion of the site within the Heritage Overlay on the basis that its individual significance had not been adequately demonstrated, its architectural significance was overstated and its significance as part of a group had not been adequately analysed or demonstrated. Further, the submission considered that the building was not historically significant, was merely 'typical' or 'demonstrative', whereas the purpose of the Heritage Review was to identify "*particularly early, rare or fine examples, or having exceptionally strong or other historic values*".

Shahin posited that 25 Elizabeth Street was investigated in the Heritage Review because a B grading was attributed to a property noted as 21-33 Elizabeth Street in the (unpublished) 2002 Review and this address error was carried over and referred to in the Heritage Review. The 2011 Review attributed a B grading to 21-23 Elizabeth and 25 was not included and remained D graded. It was submitted that all previous studies undertaken in the City of Melbourne had a comprehensive understanding of the importance of the Victorian era and this building was never identified as being individually important.

Mr Statham of Lovell Chen was called to give evidence by Shahin. He considered that:

- the building was a much altered example of a Victorian commercial building, having lost much of its character and ornamental fabric in circa 1960. Consequently, it no longer forms a useful representative example of this class of building nor was it legible as an example of the work of architect, William Salway
- no substantial association with the site and the notable Hordern retailing dynasty was established in the Heritage Review. The relationship between Celia Hordern (daughter-in-law) and the Hordern dynasty was tenuous and this elevation in the Statement of Significance was unwarranted and was detail that belonged in the citation
- the group at 17-25 Elizabeth Street (including 17-19, 21-3 Elizabeth Street and the subject building at number 25) in its current, altered state was, not meaningfully legible as a Victorian commercial streetscape, a useful example of the Free Italianate style or the work of William Salway and only Elizabeth Chambers at 21-3 Elizabeth Street embodied these aspects of significance
- because of the building's alterations it does not compare favourably with other comparators. On this basis the building, in isolation or as part of the associated streetscape, was not considered to be of sufficient significance to be included in the Heritage Overlay.

The evidence of Mr Gard'ner identified that the significance of the building was adequately demonstrated in the citation and Statement of Significance. He considered the place demonstrated a clear historical association with Melbourne's retail development and the retailing boom of the 1880s. He acknowledged that while the Hordern family was one of several prominent retailers from this time, it was accepted that Criterion A "*placed undue emphasis on the Hordern family rather than role of the building in reflecting the wider historical association with retail growth in this part of the Hoddle Grid*". He recommended

that the Statement of Significance be amended to clarify the expression of the building's historical significance.

Mr Gard'ner considered that substantial aspects of the architectural ornamentation of the façade remained, including to the first-floor level, the parapet with deep moulded cornice, the dentil band and decorative scroll brackets, and the elaborate flanking pilasters, and noted that the windows to the second, third and fourth floors had their decorative mouldings removed in the 1960s.

Upon reviewing historical photographs, comparing 21- 23 Elizabeth Street (HO1015) (also designed by William Salway), and noting the loss of the decorative features, Mr Gard'ner accepted that the intactness of the original design has been reduced to the point that it did not meet the threshold for Criterion E. Despite the level of intactness, he considered 25 Elizabeth Street had aesthetic value as one of a grouping of 19th century Boom Style shops including 17-19 and 21-23 Elizabeth Street. In his reply evidence he considered that this grouping could not be considered a precinct because it was too small.

Regarding Criterion D, Mr Gard'ner accepted that while 25 Elizabeth Street did not retain the same level of architectural detail as 21-23 Elizabeth Street, it could still be read as a representative building type that is important in Melbourne's development. There were 28 other places excluded[18] from the Heritage Review because they did not retain the many attributes this building does. He considered that while a large proportion of the Italianate detailing had been removed, the building still demonstrates the principal characteristics of the class and '*retains an appropriate degree of legibility*'.

It remained his opinion that the building still achieved Criterion A and that it's scale, height, form and architectural detail was representative of this class of commercial building, therefore meeting Criterion D.

Mr Gard'ner explained that the B grading attributed to 21-33 Elizabeth Street and referred to in the Shahin submission had no bearing on why 25 Elizabeth Street was included for assessment in the Heritage Review. He identified that the building was considered on its own merit and did not rely on the B grading for its inclusion. Having regard to submissions, Mr Gard'ner considered that the Statement of Significance should be amended to delete Criterion E given the loss of decorative features and to alter Criterion A's emphasis on the Hordern family.

Council relied upon the expert evidence of Mr Gard'ner including his suggested changes to the Statement of Significance. It submitted that 25 Elizabeth Street was part of a group of three buildings that shared the same architect and characteristics. It noted that 21-23 is already included in the Heritage Overlay and 17-19 is proposed to be included in the Heritage Overlay under this Amendment and was not subject to submission. These buildings shared the Salway connection with 25 Elizabeth Street and this, it said, justified the use of Criterion E. However, Council's closing submission supported amending the Statement of Significance to delete Criterion E and amend Criterion A "*to provide a more balanced description of associations and better reflect the connection between the building and the Hordern family*".

[18] Hoddle Street Heritage Review, Volume 2a Appendix 6

(iii) Discussion

The Panel accepts that changes to shopfronts at street level are common in the Hoddle Grid and that places within the Heritage Review have been assessed with that in mind.

However, this building is much altered. In terms of its class, it is a Boom Style Italianate multi-level shop building, where intricate façade detailing is a key feature. The majority of the detailing on the face of the building, which demonstrates its period of construction and is a principal characteristic of the Boom Style, has been removed. These are not minor changes – the size of the fenestration on the whole façade has been changed and detailed mouldings have been stripped, which the exception of the pilasters running along the edges of the façade and the parapet.

The Panel agrees with Mr Statham that this building has had a comprehensive 1960s makeover. For buildings of this class, the detailed façade is a key component to understanding its period of construction and historical origins. While the remaining decorative pilasters, parapet and scale of the building do point to its class, when considering this building as an individual building on its own merits, the building compares very poorly to other late Victorian multi-level shops already within the Heritage Overlay, as well its neighbours.

In relation to Criterion A, the association of 25 Elizabeth Street with Salway is significantly diminished given the substantial changes to Salway's original design. The Panel notes Mr Gard'ner's concession that the reference to the Hordern family is over-emphasised and its significance under this criterion was limited to the building's association with Melbourne's retail development during the boom years of the 1880s.

Regarding Criterion D, the Panel notes that 25 Elizabeth Street is a Boom Style shop building and a key feature of that period is the elaborate façade detailing. As demonstrated by Mr Statham's evidence and the Panel's site visit, most of the face of the building has been completely stripped back, with the exception of the parapet and the pilasters. It is a poor comparator with its neighbour 21-23 Elizabeth Street which 'lifts' and provides context to the subject building.

The Panel considers that, at best, 25 Elizabeth Street could have been considered as a contributory building as part of the small group of three buildings designed by the same architect and during the same period, however that is not proposed in this Amendment and the Panel must consider this building on its own merits.

Based on its substantially altered state, the building does not reach the threshold of individual heritage significance to warrant inclusion in the Heritage Overlay.

(iv) Conclusion and recommendation

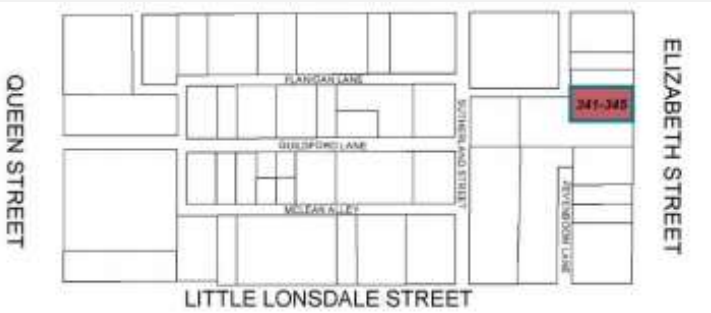
The Panel concludes that 25 Elizabeth Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1247) to the former Universal House at 25 Elizabeth Street, Melbourne.**

6.7 341-345 Elizabeth Street, Melbourne (HO1329)

Exhibited Statement of significance



What is significant?

341-345 Elizabeth Street, Melbourne, a three-storey warehouse built in 1923. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original building form and scale;
- The original pattern of fenestration and decorative elements including decorative pilaster capitals;
- The external wall surfaces of painted cement render; and
- The original multi-pane steel framed windows to the upper floors.

Later alterations made to the street level facade, including the shop fronts and awning, are not significant.

How is it significant?

341-345 Elizabeth Street, Melbourne, is of local historical and representative significance to the City of Melbourne.

Why is it significant?

The building at 341-345 Elizabeth Street, Melbourne, constructed in 1923 for Cassells Tailors Pty Ltd, is historically significant for the evidence it provides of the 1920s boom period in manufacturing. At this time, industrial workshops and small factories increasingly took over the northwest area of the city as manufacturing led Melbourne's recovery from the economic depression of the late 1920s-early 1930s. **(Criterion A)**

341-345 Elizabeth Street is architecturally significant as a modestly scaled, but highly intact early example of the interwar Chicagoesque style that characterised the early phase of this new wave of development. The use of reinforced concrete structural frames allowed these buildings to be constructed with larger windows and more open floor areas, than earlier load bearing building systems, and provided flexibility for external articulation and decoration. The building exhibits many of the main characteristics of the style, such as a strong vertical emphasis resulting from projecting pilasters, topped with simple capitals and stylised garland detailing, terminating in a parapet and substantial dentilled cornice. As an early, finely detailed example of the Chicagoesque style, the building demonstrates some detailing derived from classical motifs. **(Criterion D)**

(i) The issue

341-345 Elizabeth Street is currently identified as contributory within the Elizabeth Street West Precinct (HO1204). The Amendment proposes to identify the building as individually significant (HO1329) and as significant in the Elizabeth Street West Precinct (HO1204).

The issue is whether 341-345 Elizabeth Street is of local heritage significance and should be included within a Heritage Overlay (HO1329) on a permanent basis.

(ii) Evidence and submissions

Submission 11 opposed the application of the Heritage Overlay to 341-345 Elizabeth Street as an individual place and the change of grading to Significant in the Elizabeth Street West Precinct. It considered that there was no basis for elevating the significance of the building beyond contributory (noting that the adjoining building at 347 Elizabeth Street was also graded contributory). In any event, it was submitted, Clause 22.04 would still apply if it remained as a contributory place in the precinct.

Submission 64 identified that a planning permit (TP-2020-463) had been issued for the site providing for its redevelopment and as such the Heritage Overlay was not warranted.

The evidence of Mr Gard'ner opined that the significance of the building is adequately demonstrated in the citation and Statement of Significance. He considered that the building "*exhibits fine detailing and architectural features which elevates its aesthetic significance above the adjacent property which displays typical rather than exceptional characteristics of the period in which it was constructed*". Further, the building displays a similar level of intactness and integrity to other buildings of this period that are included in the Heritage Overlay and/or have been assessed as being Significant.

Council's submission identified that Planning Permit TP-2020-463 provided for partial demolition of the building and construction of a multi-storey tower. In supporting the application of the Heritage Overlay to the place it identified:

> This building was categorised as Significant within the Guildford and Hardware Laneways Heritage Study 2017 by Lovell Chen. This Study was implemented by Amendment C271. During the Panel for Amendment C271 Council became aware of a discrepancy in the map forming part of the advertising material sent to property owners that showed this property as Contributory whereas it was identified as Significant within the Study. In accordance with Council's request, the C271 Panel recommended that the property be categorised as Contributory, noting that the category could be changed as part of a future amendment process. The property is to be re-categorised to Significant and included within an individual Heritage Overlay under this Amendment.

(iii) Discussion

The Panel has previously addressed the issue of planning permits in Chapter 4.1 and does not repeat it here. Those observations and conclusions apply for this site. The Panel's inspection of the site identified that the planning permit had not yet been acted on and no information was provided by Council to indicate that this was not the case.

The Panel observes that Clause 22.04 does not apply in the same way to Significant and Contributory places and that a higher order of management is required for Significant places than those that are contributory.

The Panel notes the background information provided by Council which indicates that the place was originally identified in the Laneways Heritage Study as Significant. Despite the ground floor changes, the Panel accepts the evidence of Mr Gard'ner and considers that the building does meet the threshold for Criterion A and D supported by the Heritage Review citation. The above ground floor facade elements are highly intact and legible as a building of its class and era.

While the evidence of Mr Gard'ner did not comment on 347 Elizabeth Street, the Panel observes that the citation identifies:

> Adjoined to the subject building, 347 is a narrower module, and lacks the substantial pilasters of 341-345. The façade is also of three equal width vertical panels, but separated by narrow masonry mullions.

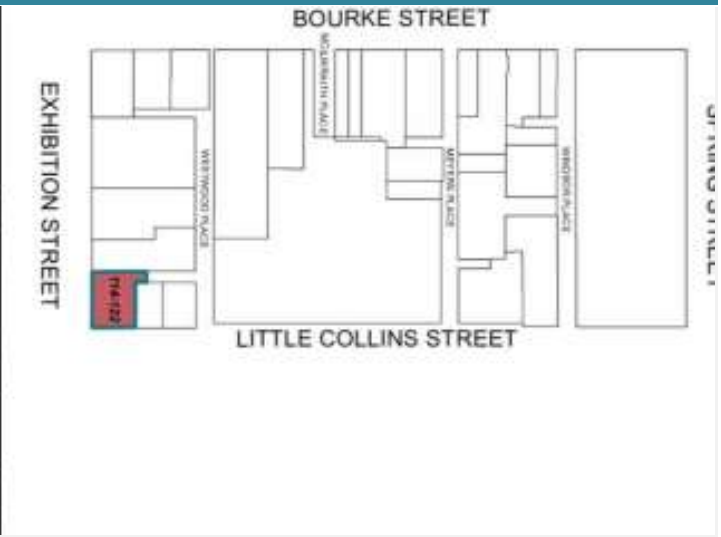
While 347 Elizabeth Street is visually linked stylistically with 341-345 Elizabeth Street, the Panel considers it does not compare as well and appears appropriately identified as a contributory building.

(iv) Conclusion

The Panel concludes that 341-345 Elizabeth Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1329) on a permanent basis.

6.8 114-120 Exhibition Street, Melbourne (HO1330)

Exhibited Statement of significance



What is significant?

Former Morris House at 114-122 Exhibition Street, Melbourne, built in 1924 for the the Charity Organisation Society (Victoria), is significant. Elements that contribute to the significance of the place include (but are not limited to):

- the building's original external form, materials and detailing;
- the building's high level of integrity to its original design;
- pattern and size of original fenestration;
- tall narrow steel framed windows with mullions and transoms; and
- decorative elements including the pilasters, moulded and recessed panels between pilasters, parapet with moulded string course and entrance porch.

More recent alterations and addition, including those undertaken at ground level, first-floor balcony and a roof deck with glazed balustrade, are not significant.

How is it significant?

Former Morris House at 114-122 Exhibition Street, Melbourne is of local historical and representative significance to the City of Melbourne.

Why is it significant?

Morris House at 114-122 Exhibition Street, Melbourne, built in 1924, is historically significant for its association with the Charity Organisation Society (Victoria), an influential organisation established in Melbourne in 1887 as an offshoot of its British antecedent. The organisation was enduring, later becoming the Citizens Welfare Society. The Charity Organisation Society pioneered the co-ordination of charitable, religious and educational institutions and private benefactors who made significant contributions to social welfare. Its importance was in helping to pioneer 'case-work' and lay the foundations for the profession of social work and play a leading role in the distribution of unemployment relief in the 1930s. 114-122 Exhibition Street is significant as the offices of the Charity Organisation Society from 1924 to the early 1950s. During this time it also attracted other like organisations to occupy tenancies within the building. The Victorian Society for the Prevention of Cruelty to Children (VSPCC) was one of the long-term tenants in Morris House, moving into the building in 1924. As a local branch of an international non-denominational organisation, VSPCC was established in 1894 to investigate and report child abuse and neglect in Victoria. VSPCC operated from the building into the mid-1950s, employing paid officers to perform its investigatory and prosecution work.

The building, from its foundation in 1924 as the office of the Charity Organisation Society and the Victorian Society for the Prevention of Cruelty to Children, has historical significance on account of its long association with child welfare and the 'child rescue' movement from the mid-1920s, which would have almost certainly included the welfare of Aboriginal children. One of the founding members of the COS was Ann Fraser Bon, who was a leading advocate of Aboriginal welfare in Victoria. **(Criterion A)**

114-122 Exhibition Street is historically significant for its ownership and use by the AustralianAmerican Association from 1957 to 1973, specifically as clubrooms for female members. The Association was founded by Sir Keith Murdoch in 1941 in order to strengthen cultural ties between Australia and America. It served as one of a few private clubs for women in the central city. **(Criterion A)**

114-122 Exhibition Street is significant as an example of the interwar classical revival style that was popular for government buildings, banks and other commercial premises built during the decades after World War One. The style is notable for its conservative and restrained design that reinterpreted nineteenth century classicism at the same time that it incorporated new construction technology. In 114-122 Exhibition Street this is evident in the scale and form, rhythm of the street façades with steelframed decorative windows, stucco pilasters that extend over the two storeys with moulded, recessed panels, window spandrels and a moulded string course beneath the parapet. **(Criterion D)**

(i) The issue

The issue is whether 114-122 Exhibition Street is of local heritage significance and should be included within a Heritage Overlay (HO1330) on a permanent basis.

(ii) Evidence and submissions

Wadback submitted that 114-122 Exhibition Street has neither historical nor representative significance. It submitted that the place lacks a 'clear association' to the charitable movement and that the average bystander would be unable to identify the Charitable Organisation Society and Australian-American Association as former historical uses as they are no longer referenced in the building's fabric.

In addition it was submitted that neither the Charitable Organisation Society nor the Australian-American Association were widely known or appreciated compared with similar groups. It submitted that there has not been an evident shift in the social or cultural values that underpin the local community's understanding of the site.

Wadback Pty Ltd relied on the evidence of Mr Raworth. He considered that the historical uses of the place were not well-known to the community, and no longer associated with the building and that it now appeared as a hotel, its current use for the past 20 years. His evidence was that there are a considerable number of ongoing religious and secular charitable organisations represented in the Hoddle Grid. These included those with longstanding associations with specific sites such as the Salvation Army, Brotherhood of St Lawrence and St Vincent's Society and others that have moved around the CBD. He considered the history of the Charitable Organisation Society of interest but that it was only one of many other welfare-based organisations that had established in the CBD during the interwar period.

Mr Raworth acknowledged that there is an increasing emphasis on historical significance, however just because the building has a history, it does not mean that it has historical significance. This would require both the organisation and the activities/use of the building

to be significant. He agreed that while the theme of welfare was important, the importance of this particular organisation had not been established.

Mr Raworth considered that the citation or the Statement of Significance did not adequately establish the importance of the work that the Charitable Organisation Society did in the context of Melbourne or its historic standing. Furthermore, it was not clear what role the American Australian Association had in Melbourne. The fact it was opened by Prime Minister Menzies only demonstrated how important they hoped the organisation would be, not how important they actually were. Throughout its 16-year occupation of the building, it is not clear if the use or organisation itself was important or just part of the history of the building.

Mr Raworth identified that although earlier City of Melbourne heritage studies had covered the interwar era, none of these studies identified the site as significant to warrant an individual Heritage Overlay.

Mr Raworth used the VHRG as the basis for his evidence. In considering threshold test for Criterion A, he referred to Step 2 which required that "*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 Melbourne with substantially the same association"*. He considered this association no longer evident in the fabric or its current use. He considered that longevity of association to be a factor, and the nexus between a historical tenant and building important. He opined that the significance of the link with the American Australian Association was particularly tenuous. In this context he considered that the site compared poorly to the Mission to Seafarers at 717 Flinders Street, which clearly reflected its use and history in the fabric of the building.

Mr Raworth considered the changes made to the building since 2003 to facilitate the hotel use have "*appreciably compromised*" it, in particular the upper level balcony, roof top addition and the recessed corner entry. He considered that the Heritage Review's assessment did not give any weight to the extent of change to the building which noted that the overall integrity of the building is 'good'. Mr Raworth considered the overall integrity of the building to be low and "*antithetical to its original use"*.

On comparison with interwar commercial buildings (for Criterion D), he considered more useful comparisons would be the former warehouse at 226 Flinders Lane (graded contributory in the Flinders Lane Precinct - HO506), Cyclone House, 17-19 Hardware Lane (graded significant in the Guilford and Hardware Laneways Precinct - HO1205), and the interwar buildings at 13-15 Hardware Lane and 408 Bourke Street (Hardware Lane façade). Despite changes at the ground floor, these buildings retained the 'architectural language' of the interwar office or commercial building, whereas the building class of Morris House has been over-written by the new use and associated works.

Mr Gard'ner gave evidence that the site satisfied Criterion A for its association with the Charity Organisation Society (for which the building was originally constructed), the Victorian Society for the Prevention of Cruelty to Children and the Australian-American Association for the reasons outlined in the Statement of Significance. Caring and welfare is a fundamental part of the story of Melbourne's CBD and this historic theme is demonstrated on this site.

In terms of the legibility of historical use, Mr Gard'ner considered that, unless the building has a particular iconography associated with its use, such as a church, it is very common for

commercial buildings to not externally express their specific historical uses, and it is appropriate to consider the written record as well to guide the understanding of the history of the site, consistent with the VHRG Step 1 test.

He considered Morris House satisfied Criterion D as a largely intact example of an Interwar Classical Revival building. He acknowledged the building's alterations with the corner elements and balcony being most impactful, and the matt black paint which diminishes the building's architectural detailing. He considered the original form was not compromised by the glazed roof top addition. Overall, he considered these changes were "*ephemeral*", largely reversible and did not undermine the legibility of the building's architectural form and detailing.

Council submitted that Morris House is an excellent example of how the emphasis of heritage studies can change over time, with the benefit of greater access to historical information due to technology, changing social values and a deeper understanding of history from different points of view.

Council submitted that the theme of caring for the sick and poor was an important one for Melbourne, and since the heritage studies of the 1980s and 1990s, there had been a greater recognition of contemporary Aboriginal history including stolen generations and the impacts of policy and charitable organisations. It identified that the site was also associated with the theme of early social movements which included postwar clubs for women and the fact that it was used by multiple organisations did not diminish its importance as a historical place.

Council agreed with Mr Gard'ner's view that most of the changes made to the building were reversible, including the external painting, the glass balcony, awnings and the glass rooftop additions. It provided evidence that the detailing above the ground floor entrances beneath the fabric awnings remained intact.[19]

(iii) Discussion

The Panel notes that Morris House was initially identified within a proposed Little Collins Street Precinct as a contributory building. Upon peer review by GJM Heritage, the precinct was recommended to be deleted and instead the building was assessed as an individual building.

The Panel considers the citation and Statement of Significance clearly articulates the importance of the site's historical associations with the social welfare movement and its impact on Victoria's delivery of welfare services in Victoria, including the breadth of services as well as process and practice of service delivery. Having regard to the historical themes that are important to Melbourne, the Panel considers that Criterion A is satisfied due to its construction and use for offices of the Charity Organisation Society and the Victorian Society for the Prevention of Cruelty to Children from the 1920's to the mid 1950's.

The Panel finds that the second incarnation of the building by the Australian-American Association from 1957 to 1973 is of historical interest and part of the story of the building. It is not significant for this use alone.

Importance has been demonstrated for Criterion A.

[19] Document 139

The Panel notes the threshold tests in the Heritage Review, which under '*Relating integrity to significance*' (page 77) states:

> A useful question to ask is whether the place is still legible in terms of the values for which it is significant. This is hard to do without the basic information of what the building was used for and when it was built and changed, because it goes beyond the fabric of what is seen. Determining legibility in terms of the values for which a place is significant is a different question to 'what is its level of alteration?' However, the level of alteration still forms part of the consideration of integrity.

On '*Balconies added to the front façade'* the Heritage Review states:

> Balconies added during conversion from office use to residential use may change a place's presentation profoundly and may be a factor in a place not reaching a threshold.

The Panel agrees with Mr Gard'ner's observation that it is very common for interwar commercial buildings to not externally express their specific use. This is a building type that provides a 'loose fit' for a range of operations, and in this context, it is appropriate to consider the written record as well to understand the place.

The current paint colour, signage and awnings are all reversible and are 'surface' changes and the building can still be 'read' as an interwar building. However, the current state of the building, especially the presence of the balcony, does have a significant impact on understanding the building, and profoundly confuses the building's original uses and class.

Morris House now presents as a hotel/pub and it is no longer legible as an office/commercial building. In this regard the building, its current state, has low integrity as it relates to the uses that have important historical associations with it. The Panel agrees with Mr Raworth's assessment that the building in its current state is the antithesis of its history for welfare services.

Although importance is demonstrated under Criterion A, the legibility and therefore integrity of the building to warrant heritage controls is low.

The building does not meet the threshold for Criterion D. It compares poorly with other stripped classical examples of interwar commercial buildings in the CBD. It presents as a pub and not a commercial, office or government building as posited in the Statement of Significance.

This is a case where a plaque in proximity of the site and/or availability of documentary material to commemorate the site's historical uses would be an appropriate response rather than inclusion of the building in the Heritage Overlay.

(iv) Conclusion and recommendation

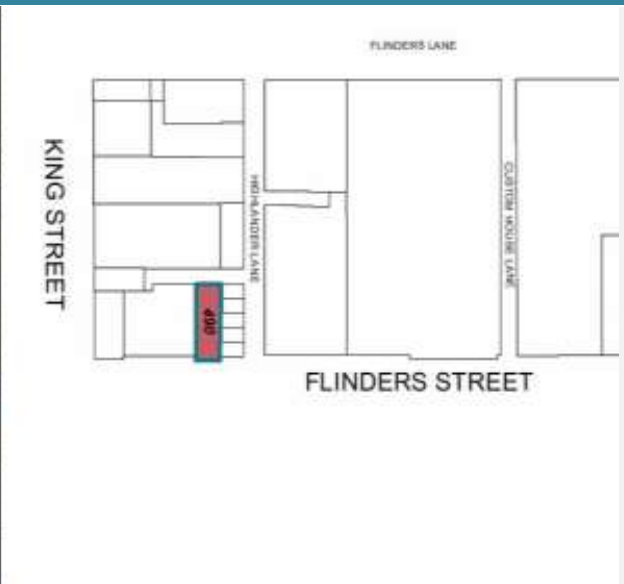
The Panel concludes that Morris House at 114-120 Exhibition Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1330) to Morris House at 114-120 Exhibition Street, Melbourne.**

6.9 490 Flinders Street, Melbourne (HO1337)

Exhibited Statement of significance



What is significant?

Willis' Buildings at 490 Flinders Street, Melbourne, a pair of two-storey shop and residence buildings, built in 1869-70. Elements that contribute to the significance of the place include (but are not limited to):

- The original building form and scale;
- The original painted render and face brick walls and pattern of fenestration including rusticated pilasters, cornice, parapet and pediment with moulded lettering and window openings at the above ground levels with projecting moulded sills and architraves with a semicircular arch with a keystone;
- The cement rendered chimney and shopfront base masonry sections clad in green glazed tiles; and
- The original timber double hung windows.

The later alterations made to the street level facades, such as the awnings and plate glass shopfronts, are not significant.

How is it significant?

Willis' Buildings at 490 Flinders Street, Melbourne is of local historic and representative significance to the City of Melbourne.

Why is it significant?

The pair of two-storey shop buildings at 490 Flinders Street, Melbourne, originally three two-storey shop residences, constructed in 1869-70 for and by builder George Willis, is historically significant for the evidence the building provides of the need for and provision of daily retail points with associated residences in a part of the city that, during the mid-Victorian period, thrived with port-related activities. The buildings have been continuously occupied by a number of retail and service businesses through to the present day, including grocery, general store and tailoring businesses for the first 50 years after the building was completed, and used as combined shop residences until the c1920s. **(Criterion A)**

The former 'Willis' Buildings' at 490 Flinders Street is significant as largely intact two-storey shops and residences constructed in the pre-boom period in 1869-70 in the Victorian Italianate style. Increasingly rare in terms of their use and building typology in this part of the city, they are otherwise typical of retail buildings of the Victorian era where the ground floor operated as a shop and the

shopkeeper and their family lived in the residence above. The building is also typical of the modestly scaled and fine-grained retail expansion in central Melbourne until development slowed during the economic depression of the 1890s. The building has the classical detailing often applied to small scale examples of this type in central Melbourne. Elements characteristic of the classical style include its rusticated pilasters, cornice, parapet and pediment with moulded lettering and projecting moulded sills and architraves with a semicircular arch with a keystone on the first level window openings. The building also retains components of its early twentieth century shopfront. **(Criterion D)**

(i) The issue

The issue is whether 490 Flinders Street is of local heritage significance and should be included within a Heritage Overlay (HO1337) on a permanent basis.

(ii) Evidence and submissions

Havenport Investments Pty Ltd[20] (Havenport) objected to the buildings at 490 Flinders Street being included within the Heritage Overlay. It submitted that the benefits from current Planning Permit No. TP-2018-519, which includes demolition of the existing Willis' building and setting the new building in line with the adjoining properties would provide a considerable improvement to the immediate public realm and pedestrian amenity and outweigh its demolition.

Havenport identified that the site was previously graded 'D' in the 1985 Study and 'C' in the 1993 Review. It outlined heritage advice from Mr Raworth who commissioned on behalf of the owner at the time of the planning permit application, in 2018, which identified:

> The exclusion of 490 Flinders Street from the Heritage Overlay is appropriate given the relatively low degree of significance of the pair of shops, and their isolated location in a non-heritage environment. Individual Heritage Overlays are only normally applied to 'A' or 'B' grade (Outstanding) buildings. The shops on the subject site do not fall into this category, and on this basis at least to not warrant an individual Heritage Overlay.
>
> Sites of a lower 'C' or 'D' grading may be included within wider heritage precincts on the basis that they contribute to and support a wider streetscape context characterized by a high proportion of other heritage structures, typically including buildings of a higher grading. The shops on the subject site are not located in such a context. They sit in a modern environment, with the adjacent properties containing modern buildings including highrise development dating from the late twentieth century to more recent times. This is a varied and inconsistent streetscape. As such, there is no basis for the inclusion of the site in a wider heritage precinct as a contributory building, given the absence of either more highly graded buildings in the immediate vicinity to anchor such a precinct. In effect, these shopfronts are D grade buildings in a Level 3 streetscape. Even if they were within a precinct, as D3 buildings they would be deemed non-contributory according to the definitions set out in the original guiding document associated with that grading system, Urban Conservation in the City of Melbourne 1985.

Havenport submitted that a Heritage Overlay should not be applied as:

- the site is subject to a planning permit that allows demolition of the building

[20] Submitter 65

- while the buildings might be of contributory significance if located in a precinct, it is instead located within a modern context and is not of a level of significance that warrants an individual listing
- the buildings are not of aesthetic significance and have been substantially altered including the demolition of one shop (so it now presents as a pair of shops, instead of three), alterations at ground level (now covered by hoarding), modern canopy and defacing of the upper level façade
- the buildings do not demonstrate an importance to the history of Melbourne other than in a very general sense and the citation or Statement of Significance do not make the case as to why the building is important enough to warrant an individual Heritage Overlay
- while the Heritage Review acknowledges the buildings are typical of their type, it does not adequately demonstrate why the place is individually important in demonstrating representativeness
- shops with residences above are commonplace in the CBD and there are better examples including, Clarke's Shop and Dwellings, 203-205 Queen Street, 1869 (HO1070); 470-472 Little Lonsdale Street, 1872 (Interim HO1281); 171 Bourke Street, 1867 (Interim HO1237); 189-195 Exhibition Street (HO630); 201-207 Bourke Street, 19874 (Interim HO1239); and Bourke Street East Post Office, 35-37 Bourke Street, 1872 (HO527).

It was submitted there was no evidence that the place was highly valued by the community and that it had typical rather than notable features. This it said was insufficient, as the building had to be significant in its own right. It would be a low threshold if the typical (previously contributory) becomes significant.

Mr Gard'ner opined that the significance of the Willis' Buildings was adequately demonstrated in the citation and Statement of Significance. He identified that a building did not need to be 'remarkable' to warrant inclusion in the Heritage Overlay. He explained that during the mid-Victorian period this area of Melbourne thrived with the port-related activities and this building was a rare surviving example of a shop within this part of the Hoddle Grid and has a clear association with a phase of development in Melbourne.

Mr Gard'ner considered that the Victorian Italianate style building was "*highly intact at first floor level*", however during cross examination he conceded that this building was "*one of the poorest of the buildings being taken forward*".

Council questioned the relevance of previous gradings raised by Havenport. The current context is a "*diminished pool of mid-Victorian shops in the city*" and a greater appreciation of historic and representative values over the last 30 years since the early heritage studies were undertaken. This building should now be assessed under the current PPN01 framework.

Council submitted that this early building type, constructed in 1869, is now increasingly rare in this part of the city. In terms of intactness, the graffiti on the upper floor is easily reversible, the ground floor hoarding covers some remaining original detailing at ground level (which can be seen in the photograph in the citation) and other changes to the shopfronts are typical of the changes to shopfronts in the Hoddle Grid.

There was some speculation by Havenport about whether the chimney referred to in the Statement of Significance was still extant. Council as part of its closing submission provided

a recent photograph which identified that the chimney was clearly visible from the oblique street view.

(iii) Discussion

The Panel notes that the citation states that the building is 'largely intact'. It then explains that:

> Changes include the demolition of the western shop and alterations to the original shopfront at street level. The building retains its original scale; painted render principal façade at the first floor with pilasters, cornices, pediment and masonry window surrounds, as well as the original cement rendered chimney. It substantially retains its original fenestration, pattern of openings and timber frame windows. The integrity of the building is diminished by alterations on the ground floor including the replacement of the original shopfronts. The early twentieth century configuration with base masonry sections clad in green glazed tiles dates from the early-twentieth century modifications and remains extant. The street-level awnings are an unsympathetic addition. Overall, the building is of high integrity.

The citation describes the buildings as a 'terrace pair', although it was originally built as three two-storey shops, with the shop at 492 Flinders Street demolished in 1973.[21]

The Panel finds it difficult to reconcile, given the history of changes to the building, most notably the demolition of one of the group, that the building can be described as 'largely intact' and considers that it could be more accurately described as a 'remnant'. The Statement of Significance description of the building as 'intact' is not accurate.

While early surviving shops might be increasingly rare, there are many shop/residences in the CBD that are included within the Heritage Overlay and are considerably better examples which appreciably remain as they were designed (excluding shop front changes).

In considering this site, the Panel is mindful of the threshold that ought to apply to an individual heritage place. That is, the place is sufficiently important and significant that it should be recognised in the Planning Scheme. This building may have once been a candidate as a contributory building within its early streetscape setting, however the Panel finds that the building does not reach the threshold for individual local significance. Criterion B, rarity, has not been evoked and although it is early, there are better early examples of shops/residences in the CBD already included in the Heritage Overlay, including in the western part of the Hoddle Grid.

(iv) Conclusion and recommendation

The Panel concludes that 490 Flinders Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

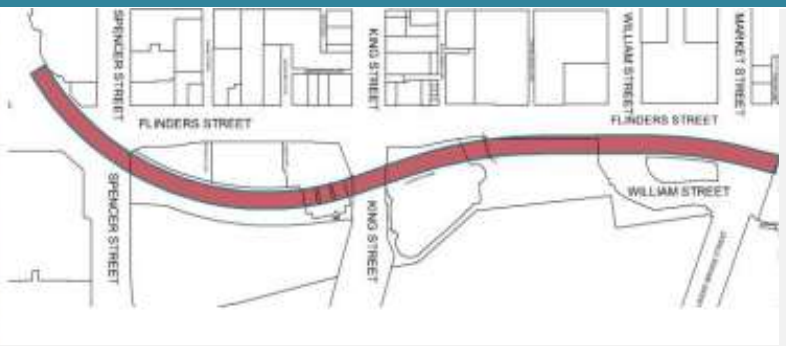
The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1337) to the Willis' Buildings at 490 Flinders Street, Melbourne.**

[21] Hoddle Grid Heritage Review Volume 2a, page 656

6.10 Flinders Street Railway Viaduct, Melbourne (HO1378)

Exhibited Statement of significance



What is significant?

The Flinders Street Railway Viaduct, expanded in three major stages completed in 1891, 1917 and 1978.

Elements that contribute to the significance of the place include (but are not limited to)::

- The overall form and geometry of the viaduct;
- The main steel/iron riveted composite post and beam structure, balustrades etc;
- The face brick piers including bluestone and sandstone detailing such as plinths, end pedimentswith sandstone detailing, spandrels and quoins, and double-blind arches; arches;
- The brick vaults and undercrofts; and
- The substation.

How is it significant?

The Flinders Street Railway Viaduct, Flinders Street, Melbourne is of local historic, rarity, aesthetic and technical significance to the City of Melbourne.

Why is it significant?

The Flinders Street Railway Viaduct is historically significant as a key component of the Melbourne railway network. Constructed to connect Flinders Street and Spencer Street railway stations in 1888- 91. The Viaduct was constructed by engineers Mixner, Shaw & Dunlop, and Robison Brothers, Campbell & Sloss Ltd to a design by William Henry Greene, chief engineer of the Victorian Railways and carried two lines. It was a substantial structure for its time, spanning Flinders, Spencer and Market streets. The viaduct provides important evidence of the expansion of the rail network in the 1880s and 1890s under the management of Victorian Railways, and in 1911-17 by engineer Mephan Ferguson and Victorian Railways engineer, F K Esling as demands on Melbourne's railway system increased. Another two lines were added to the existing four lines of the viaduct in 1978 as part of the construction of Melbourne's underground City Loop railway project. The Viaduct is historically significant as a major work of public infrastructure constructed in central Melbourne in the late nineteenth century. Such works comprised the railway system, including stations such as Flinders Street and Spencer Street, and other elements such as Princes Bridge. These projects not only provided well-engineered solutions to public transport needs, they utilised high quality designs and materials and demonstrated high levels of attention to detail. Despite the many, in some cases insensitive, alterations and upgrades that have occurred during the second half of the twentieth century, the viaduct continues to demonstrate these qualitative characteristics. **(Criterion A)**

The Flinders Street Railway Viaduct is significant as the only major-scale railway viaduct constructed in central Melbourne in the late nineteenth century. The complex geometry of the railway viaduct that was required to thread its way through the edge of central Melbourne is highly significant. Constructed in the similar time period, the Sandridge Railway Bridge (1888), Princes Bridge (1888) and Queens Bridge (1890) feature linear designs and serve different functions and purposes. The Flinders Street Railway Viaduct was purpose-built as a railway viaduct above the busy city streets

connecting Melbourne's two earliest urban railway stations, whereas the other examples were built to cross water. **(Criterion B)**

The Flinders Street Railway Viaduct is aesthetically significant for the application of high-quality design, attention to detail and use of materials to a major work of public infrastructure which forms a prominent element on the southern edge of central Melbourne. The brick piers in particular, dating from the first and early part of the second construction phases, are of high-quality orange face brickwork. They exhibit design features such as bluestone plinths, double blind arches, end pediments with sandstone detailing, spandrels and quoins in both bluestone and sandstone, and decorative details such as crosses picked out in contrasting coloured bricks. The composite steel/iron superstructure carrying the rail lines continues the geometric and detail themes of the brick supports, and features arched beams spanning the space between the piers and elegant curved beams and outrigger supports. While this attention to detail and use of high-quality materials was not unusual for major public works dating from the second half of the nineteenth century, the viaduct exhibits these characteristics to a high degree notwithstanding the extent of later insensitive alterations and upgrades. **(Criterion E)**

The Flinders Street Railway Viaduct is technically significant as an early example of the combination of traditional and 'modern' materials to provide a structure capable of carrying the significant loads imposed by what was at the time a modern railway system. Traditional construction methods and materials were not able to meet these requirements, so for the viaduct constructed during the first and early second phases, the use of an engineered steel/iron structure made up of riveted composite post and bream elements provided the carrying capacity of 160 tons. The spans of riveted steel superstructure that comprise the Flinders Street Railway Viaduct are a very early use of structural steel in bridge making. In addition, the span over the Spencer Street-Flinders Street corner of the viaduct is recognised for its accomplished engineering because of a lack of a supporting pier; known in engineering circles as the 'Great Melbourne Skyhook'. The supporting piers were 'dressed' with an external cladding of face brick with stone detailing to provide the aesthetic delicacy required to meet late Victorian and early Edwardian tastes. The steel/iron superstructure also incorporated some of these details, and features arched beams spanning the space between the piers and elegant curved beams and outrigger supports. **(Criterion F)**

(i) The issue

The issue is whether the Flinders Street Railway Viaduct is of local heritage significance and should be included within a Heritage Overlay (HO1378) on a permanent basis.

(ii) Evidence and submissions

Submission 53 supported the application of the Heritage Overlay noting some of the structural elements of the viaduct structure (use of rubber bearings on skew piers) and the value of the viaduct for walking. The submission supported the protection of view lines from the Yarra riverbank and adjoining streets which form part of the historic walking environment.

No evidence was provided on the structure by Mr Gard'ner as it was a supporting submission.

Council identified that it used Design and Development Overlay controls sparingly to protect view lines to places of very high heritage value that were designed to terminate specific vistas (for example, the Shrine of Remembrance and the Royal Exhibition Building) and that their application was out of scope of the Amendment.

In response the technical aspects of design relating to rubber bearings on skew piers, Council's closing submission identified that without appropriate evidence it was unable to satisfy itself that this assertion was correct. It identified that that while the viaduct was identified as meeting the Criterion F threshold, there was no submission or evidence

provided to show that this component of the structural support was important in demonstrating a high degree of creative or technical achievement, or innovation. It considered that in such circumstance, and in the absence of a submission from VicTrack, it was inappropriate to amend the Statement of Significance to record this information.

(iii) Discussion

The Panel considers that the Flinders Street Railway Viaduct clearly meets the threshold of Criterion A, B, E and F supported by the information contained in the citation and Statement of Significance.

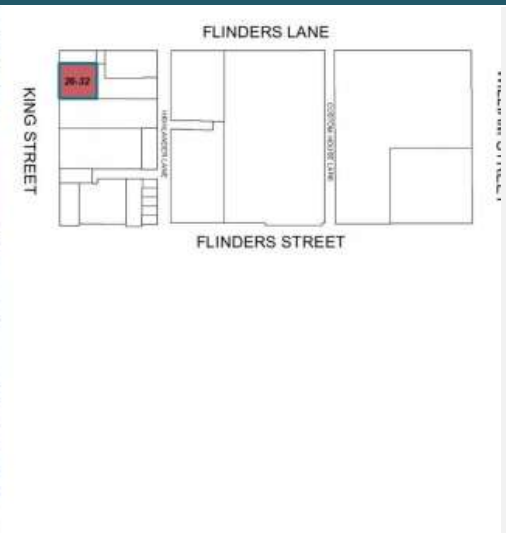
The Panel agrees with the Council submission that without appropriate analysis by a heritage expert it is inappropriate for it to conclude that reference to the rubber bearings as part of the structural support should be included in the citation or Statement of Significance. The Panel notes that the case for Criterion F is already well made. If additional information is provided to Council to satisfy itself that this information is of importance the Statement of Significance and citation could be amended in the future.

(iv) Conclusion

The Panel concludes that the Flinders Street Railway Viaduct is of local heritage significance (historical, rarity, aesthetic and technical) and should be included within a Heritage Overlay (HO1378) on a permanent basis without further changes to the Statement of Significance.

6.11 26-32 King Street, Melbourne (HO1338)

Exhibited Statement of significance



What is significant?

26-32 King Street, Melbourne, a four-storey warehouse building built in 1911 with the principal elevation refaced in c1923. Elements that contribute to the significance of the place include (but are not limited to):

- The 1911 built form and scale;
- The original pattern of fenestration and c1923 decorative elements;
- The external wall surfaces of painted cement render; and
- The early multipane steel framed windows (c1923) to the upper floors.

Later alterations made to the street level facades are not significant.

How is it significant?

26-32 King Street, Melbourne, is of local historic and representative significance to the City of Melbourne

Why is it significant?

The warehouse at 26-32 King Street is historically significant as surviving evidence of warehousing in this part of the city of Melbourne. Located near Melbourne's early transport infrastructure, the first port and Spencer Street Railway Station (opened 1859), it was built to service Melbourne's trading port. From 1877 until c1950s, Zander's Bonded Stores was located on this site; the current five-storey building (built 1911, refaced in c1923), was known as Zander's Bonded Stores No 4 and No 5, and replaced the earlier Zander's two-storey warehouse that existed on the site. 26-32 King Street was part of an extensive store complex owned by produce merchant and wholesale shipper, Patrick John Doyle. Used for storage from 1911 to the 1950s, the building remains as evidence of the importance of warehousing in this part of the city, which was integral to the economic activity of the original port that continued into the 1950s. **(Criterion A)**

26-32 King Street is significant as a substantially intact example of the wave of warehouse development in the western port area of Melbourne during the late Edwardian and early interwar period that replaced the low scale masonry warehouses of the nineteenth century. The more substantial warehouses from the early interwar period of development commonly utilised the interwar Chicagoesque style. The King Street façade (refaced in c1923) which features a strong vertical emphasis from projecting pilasters with large windows separated by recessed spandrels at each floor), is an intact and representative example of this Chicagoesque stylistic tendency. **(Criterion D)**

(i) The issue

The issue is whether 26-32 King Street is of local heritage significance and should be included within a Heritage Overlay (HO1338) on a permanent basis.

(ii) Evidence and submissions

Submission 26 considered that the citation did not provide a convincing basis for including 26-32 King Street in the Heritage Overlay, and no longer exhibited its original fabric as a result of alterations. It was submitted that the building did not reflect its associations with the port or growth of the CBD and was unremarkable. It further identified that the application of the Heritage Overlay would undermine efforts to consolidate it with the adjoining site and create a more flexible development footprint.

Mr Gard'ner's evidence identified that the place was of historical significance as "*a surviving example of a substantial warehouse associated with the shipping and merchant trades that were constructed in this part of the city in the late nineteenth and early twentieth centuries*". As a surviving remnant of the extensive Zanders Bonded Stores that occupied most of the northern half of the block between Highlander Lane and King Street in the late nineteenth century, he considered that it had a clear association with early warehousing in the area and the shipping and merchandising industries within this part of the city to the 1950s. He opined that the building was "*an intact example of a substantial warehouse that compared favourably with other examples within the City of Melbourne with both the 1911 built form and scale and the c1923 decorative features contributing to the significance of the place*". Mr Gard'ner noted that the building had not been identified as aesthetically significant (Criterion E), but rather it was of representative significance (Criterion D) for demonstrating the principal characteristics of the Chicagoesque style.

(iii) Discussion

The issue of the impact of applying the Heritage Overlay to future development is addressed by the Panel in Chapter 4.2 and is not repeated here. The same observations and conclusions apply in this instance.

While there have been changes at the ground floor level including to windows and additional door openings, replacement of brickwork and introduction of signage, the upper levels (with the exception of painted brickwork and spandrels and projecting signage) remain largely intact and legible as a warehouse building of the interwar period. The ground floor alterations have been undertaken in a way that still matches the fenestration/pilaster pattern of the upper levels and do not significantly impact the building's integrity.

The Panel accepts the evidence of Mr Gard'ner that the building satisfies Criterion A and D and considers that it is comparable to other buildings identified in the citation most of which have undergone change at the ground level although in a more considered manner.

(iv) Conclusion

The Panel concludes that 26-32 King Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1338) on a permanent basis.

6.12 204-208 King Street, Melbourne (HO1341)

Exhibited Statement of significance

What is significant?

The two-storey hotel building at 204-208 King Street, Melbourne, built in 1864 and extended in c1920. Elements that contribute to the significance of the place include (but are not limited to):

- The original building form and scale
- The c1920s addition
- The original loadbearing brick walls (later rendered and painted) and pattern of fenestration including pilasters, corner quoins, cornices and parapet, window openings with quoins and projecting sills and rear wings to Brown Alley; and
- The original or early double hung timber frame windows.

Later alterations made to the street level facades and the steel profile sheeting above the parapet are not significant.

How is it significant?

204-208 King Street is of local historic, representative and social significance to the City of Melbourne.

Why is it significant?

The former Great Western Hotel is historically significant as a substantial early-Victorian purpose-built hotel in Melbourne. It operated continuously as a hotel for 153 years, from 1864 to 2017, initially under the name the Star of the West Hotel, and from 1892 to 2017 as the Great Western Hotel. Additions in the c1920s were associated with and provide evidence of the continued operation of the hotel under new liquor licensing requirements that required provision of adequate accommodation and other facilities. **(Criterion A)**

The former Great Western Hotel at 204-208 King Street is significant as a largely intact example of a substantial early Victorian hotel building on a prominent corner site. The building façades retain characteristic architectural features of the Victorian Italianate style, albeit in a restrained and rustic manner with minimal decoration or design sophistication. Extended and modified in the 1920s, the addition replicated the building's original form and detail to create a 'seamless' extension to the north along King Street, while the original building remains legible. The former Great Western Hotel is comparable with other examples of HO listed hotels in central Melbourne with similarly early construction dates and long history of use as a hotel. **(Criterion D)**

The former Great Western Hotel is of social significance for its long connections with the city, serving as a social meeting place for a diverse clientele for more than 150 years. For city workers, and the legal and media fraternity, the Great Western Hotel served as a place to meet, socialise and share stories. Regarded as 'old-fashioned', it attracted a clientele seeking the simple traditional pub-style – a bar, good beer, and simple, modestly-priced food. Closure of the hotel in October 2017 was

> marked by many regulars with farewell visits and online posts expressing a strong sense of connection to the hotel and an appreciation of its ambience, offering a traditional pub style then rare amongst city hotels. **(Criterion G)**

(i) The issue

The issue is whether 204-208 King Street is of local heritage significance and should be included within a Heritage Overlay (HO1341) on a permanent basis.

(ii) Evidence and submissions

Argo Group Pty Ltd (Argo) opposed the Heritage Overlay for the former Great Western Hotel at 204-208 King Street. It considered there was insufficient justification for heritage controls based on lack of significance and that permits had been issued for the site's redevelopment.

Argo, relying on the evidence of Mr Trethowan, submitted the site did not meet Criteria A, D or G required under PPN01 and did not satisfy the definition of 'Significant heritage place' for purposes of Clause 22.04. The site had not been identified having individual heritage significance by previous studies.

In relation to Criterion A, Argo accepted the subject site was a 'reasonably intact' traditional corner hotel, however it submitted that just because it was an example of a Victorian hotel, did not mean that it had the 'importance' necessary to justify inclusion in the Heritage Overlay.

It was submitted that the Statement of Significance did not ascribe any particular significance to the building's architect, or builder (or builders), or to any owners or operators of the hotel over time. Rather, it was '*simply asserted that it has historical importance because it is an example of a Victorian hotel that was in operation for a considerable period of time*' (between 1864 and 2017).

On Criterion D, Argo was critical of the citation because it did not sufficiently identify the principal characteristics of the class of place and establish, through a proper comparative analysis, that it had importance in demonstrating those characteristics.

It submitted:

> The citation notes that the subject site is of the hotel building typology, and states that the "architectural features of the façade are generally representative of the Victorian Regency/Italianate style, albeit quite a restrained and rustic version with minimal decoration or design sophistication".
>
> However there is no discussion of the principal characteristic of the class; and no comparison to other examples of the typology with identification of similarities and differences, which would allow the Panel to objectively determine whether or not the subject site reaches the necessary threshold of "importance" for Criterion D.

For the application of an individual Heritage Overlay to be justified, it had to be demonstrated that the subject site is of individual significance to the municipality – and not just the Hoddle Grid. It was submitted that traditional hotel typology were not scarce or disappearing in the municipality (with 27 examples in the Hoddle Grid alone) and that a large number of them (12 in the Hoddle Grid) remained operational in the municipality. This it said had not been taken into account.

On Criterion G, social significance, it was submitted that the threshold should be a 'strong association' and a 'present day one', neither of which was evident. Argo submitted that the hotel did not meet the tests in the Heritage Review's own Social Value Checklist and the perceived attachment to the hotel was in response to its imminent closure. In addition, the community that was said to be served by the hotel was a diverse and disbursed community that was an 'ordinary group of drinkers'. Submitting that Criterion G was not met, it identified that:

> No record of a particular 'group' at the pub but when it closed 2 years ago there was significant online backlash (articles and social media). Interestingly, people protesting closure tended to be younger generation upset about the closure of corner pub as a typology, and because it was an affordable, accessible place for people from different classes, rather than necessarily being patrons themselves. From what I read, patrons were older, from more working-class backgrounds (not well represented in articles or social media comments) - the pub was appreciated as an unpretentious place where you could buy cheap food and beer.

Argo was also critical of the comparative analysis, because it either included examples that were not directly comparable or had more robust Statements of Significance. It was submitted that the Metropolitan Hotel (also being introduced by the Amendment) while established in 1854 was rebuilt in a different era (1925) in a different style and historical context and was also ascribed with Criterion B (rarity). The Duke of Wellington and Imperial Hotel were on the VHR and therefore not comparable. In addition, the Duke of Wellington was a pre-gold era hotel, and the Imperial Hotel had a different locational context (opposite Parliament House). The Duke of Kent's Statement of Significance referenced the architect, as well as historical and social associations with The Argus and compared much better than the former Great Western Hotel.

Argo concluded that there was no evidence, or suggestion, that the hotel was highly valued by the community. While the building may have the features of a corner pub in Melbourne, the Statement of Significance did not identify features of this pub (associated with the place type, use, period, method of construction, siting or setting) that raised it above the large number of other traditional corner pubs around Melbourne or the Hoddle Grid, to make it individually important at the local level.

Mr Gard'ner advised that the Heritage Review identified that early properties, such as those from the 1850s-1870s were increasingly valued more highly due to their rarity. He considered the Great Western Hotel to be one of only a small number of early Victorian purpose-built hotels that remain in central Melbourne.

He concluded that the site warranted identification as an individually significant place for the reasons set out in the citation and Statement of Significance and considered that it met Criterion A as an early building and one of very small number of Victorian purpose-built hotels, Criterion D as an example of its building type and typical of its era and Criterion G for its social meeting place for over 150 years. He considered the Metropolitan, Imperial Hotel and Duke of Wellington were comparable despite their different contexts.

In cross examination, Mr Gard'ner conceded that when considering the Heritage Review's social value checklist, there was no evidence of a 'particular group' associated with the former Great Western Hotel and agreed the community ascribed in the Statement of Significance was a 'vague' group and the demonstration of community connection was not strong.

Council provided a list of remaining hotels in the Hoddle Grid, of which 14 were still used as hotels and 15 have been adaptively reused. It was submitted that all but four were covered by the Heritage Overlay with nine included for their social significance.

Council submitted that the hotel had served as a traditional hotel for over 153 years and was important in the context of a decline in the number of hotels from over 100 to about 15. The former Great Western Hotel was purpose-built in the early Victorian era and having remained a hotel from 1864 to 2017, was a significant building.

Council identified that the building did not claim to be elaborate and cautioned the Panel against using the Imperial Hotel as a comparison as its elaborate features were not original and the result of reconstruction works.

Council submitted that Heritage Review's social values checklist, identified an initial likelihood of social significance for hotels that were historic or iconic. The subsequent step was challenging when assessing significance with community typologies that are informal and dispersed. In this instance in situ and online research was valid. It was submitted that a combination of direct and indirect methods were used including social media and documentary research and that the documentary evidence was not just based on online backlash of its closure, but a deeper analysis. It submitted that the approach undertaken compared well with the 2011 Review which identified three hotels (Batman's Hill, Oxford Hotel and Elms Family Hotel) as having social significance. Council submitted that the Heritage Review applied a much higher degree of analysis and methodology to determine social significance.

Council submitted that, despite its closure in 2017, the former Great Western Hotel re-opened in 2018 as Hotel Animal. Accordingly, its social significance to the community of hotel patrons is ongoing.

Both Argo and Council confirmed that two permits apply to the site including:

- TP-2016-1105, which allows partial demolition to the existing building and development of a 26 storey (80 metre) mixed use tower. An extension of that permit has been granted, and it will expire if works are not commenced by 4 August 2022, and must completed by 4 August 2024
- TP-2020-33, which allows demolition of the existing buildings (with the exception of the street walls 204 – 208 King Street) and construction of a multi-storey mixed use building. This permit retains the approved built form for 204 – 208 King Street under TP-2016-1105 and includes additional sites to the north at 210 – 230 King Street. Plans have been endorsed pursuant to this permit. Argo Group advised that the TP-2020-33 was waiting on demolition permit approval, and that as soon as it was received, demolition and site preparation would commence with construction anticipated the early 2022.

Council identified that, for both permits, the facades of the former Great Western Hotel are to be retained.

(iii) Discussion

The Panel has considered the citation and Statement of Significance for this place and the submissions and evidence presented to the Hearing. It considers that the former Great Western Hotel, by virtue of its early construction the context of the history of Melbourne

and use over 150 years, as described in the Statement of Significance, meets the threshold for Criterion A.

The Panel considers that the former Great Western Hotel clearly demonstrates its class and is highly legible and satisfies Criterion D. Considering its intactness and integrity and comparing it to other examples identified, the Great Western Hotel, with its restrained early Victorian features, and alterations arising from the 1920s liquor licensing requirements retains a high degree of integrity.

In relation to Criterion G, the Panel accepts that the initial 'sieve' in the Heritage Review identified that it is possible that the hotel could meet social significance. Although the analysis detailed what the hotel is known for, cheap food and a homely atmosphere, the assessment identified that the community for which this place is special is 'general hotel patrons'. The Panel considers that that connection is met by virtue of continuous use since 1864. The Panel finds that Criterion G is not met in that there is not a particularly strong connection with a particular group and that a special connection from the wider community may have been perceived and elevated by the impending closure of the Hotel.

Aspects of the type of pub (as a venue) and clientele are details that can be included in Criterion A, which contextualises the historical use of the hotel over the last 150 years.

The Panel considers that the former Great Western Hotel is of heritage significance so far as Criterion A and D are concerned, but not Criterion G. Regardless, the Panel considers that the place warrants inclusion in the Heritage Overlay.

(iv) Conclusions and recommendation

The Panel concludes:

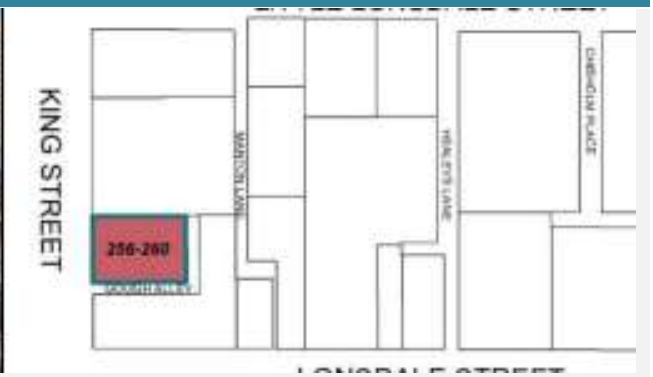
- 204-208 King Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay on a permanent basis.
- The Statement of Significance should be amended to remove reference to Criterion G and include historical information currently in Criterion G, within Criterion A.

The Panel recommends:

Amend the Great Western Hotel Statement of Significance (204-208 King Street, Melbourne), July 2020 to remove Criterion G and include historical information currently in Criterion G, within Criterion A.

6.13 256-260 King Street, Melbourne (HO1342)

Exhibited Statement of significance



What is significant?

The former Paramount House at 256-260 King Street, Melbourne, a two-storey commercial building built in 1929-30 to a design by architect Eric C Beedham. Elements that contribute to the significance of the place include (but are not limited to):

- The original building form and and scale;
- The original painted render (possibly originally unpainted) and face brick walls and pattern of fenestration including cornice, parapet, decorative recessed semicircular arches above and rectangular panels below upper floor windows, painted render lintels and pattern of window openings; and
- The original multi-pane steel frame windows.

Later alterations made to the street level façade are not significant.

How is it significant?

The former Paramount House at 256-260 King Street, Melbourne, is of local historic and rarity significance to the City of Melbourne.

Why is it significant?

The former Paramount House at 256-260 King Street, Melbourne, constructed in 1929 is historically significant for its ability to demonstrate one aspect of Melbourne's social and cultural history related to the provision of entertainment and the transmission of American popular culture through film from the interwar period. Through its association with American film company Lasky Films Ltd (later Paramount Films), the building also demonstrates the increased distribution of American films in Melbourne and Australia at a time when sound was introduced to picture making and film production had increased in America. With this expansion, American film companies established 'exchange' centres for the distribution and marketing of films in countries such as Australia. By the 1970s, the building was occupied by Cinema International Corporate Pty Ltd (later CIC-Fox and United International Pictures), a combined distributing venture for American film studios including Paramount Pictures, Universal Pictures, Metro-Goldwyn-Mayer (MGM), United Artists, 20th Century Fox and Walt Disney Productions. The building was long associated with the moving picture industry, from its construction in 1929 to 1989. The building at 256-260 King Street, opened by Lasky Films Ltd, and including a small private theatre at which trade showings were given, provides tangible evidence of this component in the film distribution industry. **(Criterion A)**

The former Paramount Film Service building at 256-260 King Street is significant as a rare surviving example of a purpose-built interwar commercial building associated with the film industry. Constructed in 1929 to act as a headquarters of prominent international film distribution companies, the building originally incorporated offices, film vaults and storage accommodation and a small picture theatre for trade showings. Its exclusive long-term use (from 1930 to 1989) as the core distribution centre is significant, as no other building of its type within Hoddle Grid is known to have such long-term associations. **(Criterion B)**

(i) The issue

The issue is whether 256-260 King Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1342) on a permanent basis.

(ii) Evidence and submissions

Lonsdale P/L objected to the inclusion of the site within the Heritage Overlay on the basis that the Amendment did not provide for the economic and sustainable development of the site, did not provide sufficient evidence to demonstrate heritage significance, overstated cultural heritage significance, that the built form is only moderately intact and unremarkable in its architectural expression. It was considered a standard example of an interwar commercial building. The submission noted the low grading of the site in previous heritage studies.

Lonsdale P/L submitted that the comparative analysis was not adequate and that "*it is not sufficient for a comparative analysis to simply list a handful of other buildings asserted to be of the period or type*". Furthermore, it submitted the subject site was the subject of an existing permit (PA1900742), which allows complete demolition of former Paramount House. It anticipated development commencing in early 2022.

Mr Raworth and Mr Trethowan provided evidence for Lonsdale P/L.

Mr Trethowan considered that film distribution was a minor and peripheral aspect of the whole film industry. He opined "*we haven't had another building that is associated with this and I doubt that the community would consider it to be an important place. It is low key and tenuous part of the theme of film, compared with other examples of the film industry, ie. The theatres".*

Mr Trethowan advised that Melbourne still retains the Regent on Collins Street operated by the Hoyts Group, which accommodates a series of offices on the upper floors which are associated with film distribution. The private cinema remains. This was a better example having regard to its inclusion in the VHR, and direct association with and physical proximity to the cinema, and is a much more tangible than the former Paramount House.

Mr Trethowan did not consider the building to be intact to its original use. The theatrette has been removed. Externally, he considered the most significant change are the shopfronts and the rendering of the original contrasting red brickwork which gave it a more modern appearance.

He considered, in its present form, the building bares no relationship with its original use and could be mistaken as an office building or a series of shops. Externally there was no hint that this building had anything to do with cinema. He maintained that the former use was not expressed in the built fabric and its use was of little importance. He said there needed to be some association that anchors it to the use and there was none. It does not have the language of cinema buildings, of showbiz and vibrancy, that were designed to have a visual impact to the street.

In cross examination, Mr Trethowan acknowledged that a building solely associated with the offices of a film distribution company was rare, however he considered anything could be considered rare if the frame of reference is reduced and refined.

Mr Raworth outlined the changes to the building including, changes to window treatments from deep reveals to flush; removal of two flag poles; signage removal at the parapet; and the rendering of brickwork. He disagreed with the description in the citation that the building was 'relatively intact' and had 'moderate/high integrity'. While recognised as an interwar building, it had lost much of its intactness.

Mr Raworth observed that the Melbourne Thematic History included the theme '*Enjoying the city*' and cinemas were an example of the theme although not specifically referenced in the Thematic Environmental History. He considered an office building associated with film distribution to be obscure and less appreciable within this theme. He said it was a 'long bow' to draw to ascertain any importance in the use. Mr Raworth dismissed that the building as rare because there were too many qualifiers and subcategories applied to the assessment. He considered that the building did not present as having an important association with the entertainment industry, the way cinemas do.

Mr Gard'ner opined that former Paramount House was intact to its principal upper level façade and retains its decorative panels, cornice, fenestrations, patterns of openings and steel framed multi-pane windows. He considered the ground floor alterations to be commensurate with other individual Heritage places.

The place has a clear association with Melbourne's film industry as a commercial building constructed in Melbourne in 1929 as a headquarters for prominent international film distribution companies. It is also significant as a rare surviving example of a purpose-built interwar commercial building associated with the film industry, a use that differs from the cinemas themselves. Mr Gard'ner contended that this association was evident in the tripartite articulation of the first-floor façade with flanking pavilions.

In response to Mr Trethowan and Mr Raworth's evidence, Mr Gard'ner considered that former Paramount House had a moderate degree of intactness and remained legible. The details of the building in tandem with documentary evidence established an association with the entertainment industry:

> It is my opinion that the building's historic use, which is well documented in historical sources, remains sufficiently evident in the extant fabric through its tripartite, theatre-like composition of a central element and flanking pavilions, and the employment of decorative motifs typical of those utilised in buildings constructed for the cinema and theatre industries. The design features restrained Art Deco influences and utilises abstracted classically-inspired decorative mouldings below the windows in the flanking pavilions. The tympanum of the semi-circular pediments above these windows is elaborated with cartouches/shields and stylised Rococo-like scrolls. While the use of symmetry and projecting and recessive elements on the façade of Interwar buildings is, as Mr Raworth states, common-place, this is also a feature of theatre design of this period and contributes to the legibility of its historic purpose. The two-storey building form and central pediment with smaller flanking pediments evident on 256-260 King Street is more typical of the theatre or cinema type than the examples provided at Figures 12 (114-122 Exhibition Street), 13 (124-130 Russell Street) and 14 (17-19 Hardware Lane) of Mr Raworth's evidence.

Mr Gard'ner acknowledged that the comparative analysis considered a broader range building types of the interwar period because there were no other 'like for like' buildings used for film distribution.

Council supported Mr Gard'ner's assessment of the building and its inclusion in the Heritage Overlay.

(iii) Discussion

Having regard to the assessment in the Heritage Review, the Panel notes that the former Paramount House is identified as significant for its historical importance and rarity. Central to the consideration of whether the place is significant or not is whether the former use of the building for film distribution has '*Importance to the course or pattern of our cultural or natural history'.*

The Panel notes that the Melbourne Thematic History identified 'Shaping Cultural Life and Enjoying the City' as a key theme in the City of Melbourne. The Panel observes there is no reference in the Thematic Environmental History to the film industry or cinemas, even though cinemas are clearly an important contributor to the life of Melbourne, and recognised in the VHR, and best demonstrated by the Regent, the Capitol and The Forum. By extension, the distribution of film, while not central to the activity, is part of this activity. Having considered the evidence, the Panel considers the phase of development of the film industry in Melbourne in its 'heyday' in the 1920s is demonstrated, not only in the glamorous large cinemas in the CBD, but also in this building which points to the business side of this international industry, based in Melbourne.

Having regard to the evidence before it, the Panel considers that what makes the former Paramount House comparatively significant, compared with the Regent example with its internal distribution offices (referred to by Mr Trethowan), is that the building was purpose-built for the film industry for distribution, and its built form reflects this. The Panel agrees with Mr Gard'ner's position that the building has a theatre-like composition and design features that are typical of those utilised in buildings constructed for the cinema and theatres in the interwar period. While operating as a commercial building, the former Paramount House has been designed with reference to theatre and this is legible in its built form.

Despite the changes made to former Paramount House over time including removal of the building name, rendered façade and alteration to the ground floor window profile, which means it is not completely intact, the Panel agrees with the heritage assessment that it possess a moderate to high integrity.

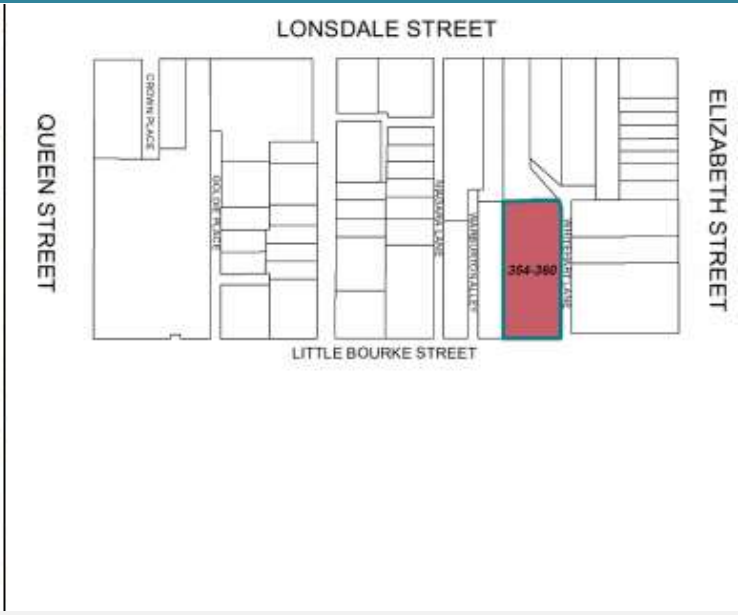
The Panel considers that the former Paramount House is of local heritage significance and meets the Criteria A and B.

(iv) Conclusion

The Panel concludes that 256-260 King Street is of local heritage significance (historical and rarity) and should be included within a Heritage Overlay on a permanent basis.

6.14 354-360 Little Bourke Street, Melbourne (HO1345)

Exhibited Statement of significance



What is significant?

Melbourne House at 354-360 Little Bourke Street, Melbourne, a six-storey commercial and manufacturing building of reinforced concrete built in 1923. Elements that contribute to the significance of the place include (but are not limited to):

- The original building form, materials and detail;
- Pattern and size of original fenestration;
- External wall surfaces of painted cement render; and
- Decoration to the lintel at the base of the first floor.

Alterations at the street-level shopfront and replacement of glazing at the principal and side elevations are not significant. They have not resulted in a major adverse impact on the integrity of the place.

How is it significant?

Melbourne House is of local historical and representative significance to the City of Melbourne.

Why is it significant?

Melbourne House at 360 Little Bourke Street is historically significant as a relatively intact example of the first wave of tall buildings constructed between World War One and World War Two that replaced the low-scale buildings dating from the nineteenth and early twentieth century. This wave of development evidences the rapid expansion of Melbourne's business and manufacturing sector. **(Criterion A)**

Melbourne House at 360 Little Bourke Street is historically significant as a purpose-built building for the business A G Healing & Co. Alfred George Healing established a wholesale motorcycle and bicycle trading business in Richmond in 1896, moving to Niagara Lane by 1902 and to 354-360 Post Office Place (the subject site), by 1910. The commissioning of 360 Little Bourke Street in 1923, corresponded with an interstate expansion of the company, which by the 1930s, had made A G Healing & Co into the largest motorcycle manufacturer and retailer in Australia. A G Healing & Co moved from Melbourne House in 1927. **(Criterion A)**

Melbourne House is significant as a relatively intact, competent and representative example of the interwar Chicagoesque style, which demonstrates the exploration of building styles that adapted

> classical traditions to the new taller forms. The building exhibits a strong vertical emphasis resulting from projecting pilasters and mullions and a substantial cornice. Articulated spandrels at each floor separate the horizontally proportioned windows. In spite of changes to upper level window joinery and glazing the building retains its original pattern of fenestration and the broad character of the original building. Built in 1923 to a design by well-known commercial architects Sydney Smith, Ogg & Serpell, Melbourne House is significant as a modest example of the widespread adoption of reinforced concrete structural frame technology which allowed buildings to be constructed to greater heights, with larger windows and more open floor areas than earlier load bearing building systems allowed. Its use of the patented Monier system of reinforced concrete construction, promoted by the Reinforced Concrete & Monier Pipe Construction Co. from 1905, is a relatively late example. **(Criterion D)**

(i) The issue

The issue is whether 354-360 Little Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1345) on a permanent basis.

(ii) Evidence and submissions

Submission 1 did not support the application of the Heritage Overlay to 354-360 Little Bourke Street. It identified that the site was not identified in the Laneways Heritage Study and was graded D in the 1985 Study and graded C in the 1993 Review, and has a current planning permit for the demolition and redevelopment of the site.

Mr Gard'ner's evidence supported the inclusion of the place within the Heritage Overlay. He opined that the building's shop front, window frame and glazing changes were a common intervention and that despite these changes the building's original design remained legible. He said that the broader comparative analysis undertaken as part of the Heritage Review (in comparison with that of the Laneways Heritage Study) confirmed that Melbourne House displayed a similar level of intactness and integrity to other buildings of the period included in the Heritage Overlay and/or have been assessed as being 'Individually Significant' in the Heritage Review. He considered Hardware House at 386-392 Little Collins Street comparable (graded Significant in the Laneways Heritage Study).

Council supported the position of Mr Gard'ner and the application of the Heritage Overlay without change. It further identified that:

- Planning Permit TP-2018-527 was issued in 2018 which proposed complete demolition of built fabric on the site and construction of a multi-storey tower
- Planning Application TP-2020-804 (lodged on 21 December 2020) proposed part demolition and construction of a multi-storey tower above the existing building and was likely to be determined soon.

(iii) Discussion

The issues of the impact of applying the Heritage Overlay to future development, existing permits and previous study gradings, planning permits is addressed by the Panel in Chapter 4 and not repeated here. The same observations and conclusions apply in this instance.

The citation identifies:

> The building is relatively intact. Its original scale and form have been retained, with no upper floor additions. The original pattern of fenestration and window openings have been retained at the upper levels and the broad character of the building survives in its

> presentation to Little Bourke Street. The external wall surfaces of the traditional materials are also intact, as is the decoration to the lintel at the base of the first floor.
>
> Alterations include the alteration of the street-level shopfront window, and replacement of the original windows at the principal and side elevations.
>
> Overall the building is of high integrity.

The Panel agrees with the evidence of Mr Gard'ner that despite ground floor changes, the upper levels of the building are largely intact, and the building's original interwar design remains legible.

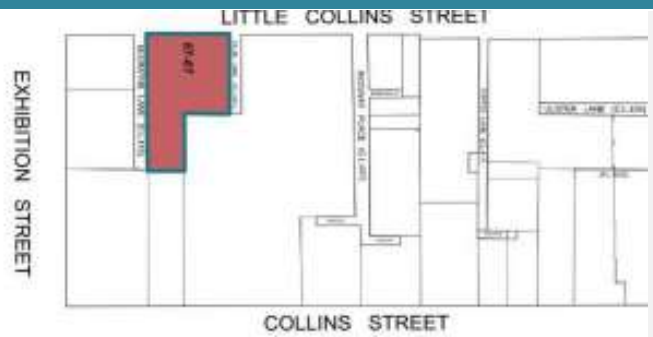
The Panel is satisfied that the Statement of Significance and Criterion (including the comparative analysis) supports the building meeting the threshold for Criterion A and D.

(iv) Conclusion

The Panel concludes that 354-360 Little Bourke Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1345) on a permanent basis.

6.15 57-67 Little Collins Street, Melbourne (HO1348)

Exhibited Statement of significance



What is significant?

57-67 Little Collins Street, Melbourne, built in two major stages in 1912 and 1925 for Craig, Williamson Pty Ltd, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- The buildings' original external form (incorporating buildings from 1912 and 1925), materials and detailing;
- The 1925 three-storey building's high level of integrity to its original design composed of a masonry pier and beam structure;
- Earlier two-storey face brick masonry components (from c1880s and 1912) of the former Craig, Williamson Pty Ltd complex in McGrath and Club Lanes;
- Pattern and size of original fenestration (Little Collins Street, McGrath Lane and Club Lane); and
- Large square industrial steel-framed windows (Little Collins Street).

More recent alterations, including the ground level shopfronts, replacement of glazing, infill to window openings and roof deck with glazed balustrade, are not significant.

How is it significant?

57-67 Little Collins Street, Melbourne, is of local historical and representative significance to the City of Melbourne.

Why is it significant?

The complex at 57-67 Little Collins Street, Melbourne, incorporating structures from c1880s, and built in 1912 and 1925 for drapery, clothing and furniture business Craig, Williamson Pty Ltd, demonstrates the growth in manufacturing that was part of the buoyant new economy in early twentieth century Melbourne following the economic depression of the 1890s and new federal tariffs introduced in the early 1900s. Craig, Williamson Pty Ltd, who were also major retailers with premises in Elizabeth Street from the 1890s, as well as in Bendigo and Ballarat, consolidated their manufacturing and storage at 57-67 Little Collins Street in the city centre close to their retail operations. **(Criterion A)**

The building is significant for its association with the Commonwealth Postmaster-General's

Department from 1932-88. Having acquired the building in 1927, in preparation for the future automation of Melbourne's telephone system, the first PMG Research Laboratories were established on the upper two floors. The premises are historically significant as the site of the Mayser or 'atomic clock' that supplied accurate timekeeping to all master clocks in Australia. **(Criterion A)**

57-67 Little Collins Street is representative of an interwar industrial building and maintains its rhythm, scale and form from the 1925 period. This is evident along Little Collins Street where the masonry framework is inset with large metal-framed windows. The interwar characteristics are evident to the upper floors of the Little Collins Street elevation with restrained stucco mouldings over brickwork. Earlier parts of the building are also evident along McGrath and Club lanes where the red brick elevations form part of the urban landscape. **(Criterion D)**

(i) The issue

The issue is whether 57-67 Little Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1348) on a permanent basis.

(ii) Evidence and submissions

Black Swan objected to the application of a Heritage Overlay and submitted that the former Craig Williamson Pty Ltd complex did not meet the thresholds of Criterion A or D.

Ms Riddett provided evidence for Black Swan. Her evidence contained an extensive overview of external changes to the building including the McGrath Lane and Club Lane elevations. This included shop front changes, and on the laneway elevations, aluminium window frames, vents, bricking up of doors and windows, creation of new openings, the addition of balustrades and an upper level deck. She noted that the gable and stable elements were of interest but heavily altered and the side elevations while visible were not part of the urban landscape. What remained was an "*architectural mish-mash*" and a plain black painted structure with typical steel framed windows, completely altered at ground level.

In relation to the Commonwealth association, Ms Riddett identified that internal changes had been extensive and there was no fabric that told of this association remaining. She considered that reliance on documented sources alone to understand an association was appropriate only in exceptional circumstances. She considered Criterion A was not met. In relation to Criterion D, she opined that about all that could be said about the building was that its form, rhythm and scale reflected the period and no more so than many others in the Hoddle Grid.

Ms Riddett was critical of the comparative analysis considering it merely a list of buildings and compilation of facts without analysis, assessment or ranking. She considered other identified comparators were better architecturally. She considered that Statement of Significance's identification of what is significant was simply a list of elements of interest and did not identify what was important. Numerous buildings of its type would have the common features of this building type she opined. This building was unremarkable.

Black Swan submitted that the comparative was insufficient and needed to establish more than typical aspects of the building's era and class. Criterion A it said had not been applied in a way to establish a strong and clear association, and that reliance on documentation made it harder to establish importance by the well-informed ordinary person. While the building revealed interesting aspects of the period, there was nothing important about it or that supported a position that it was a fine or good example. It provided the Panel with a

copy of an initially proposed Little Collins Street Precinct which identified the building as contributory[22]. The Panel notes this also identified Morris House as contributory. Council advised that the precinct was not pursued because it was considered too small.

Mr Gard'ner's evidence supported the application based on the citation and Statement of Significance. His evidence identified that the application of Criterion A did not rely solely on the association with Craig Williamson Pty Ltd but on the evolution of manufacturing in this part of Melbourne in the early twentieth century. The building also housed the Mayser or 'atomic clock' which performed an important public service across Australia. He considered the 60 year use of the site by the Commonwealth strongly contributed to the historical significance of the place.

Mr Gard'ner identified that the architectural expression of the building was not highly elaborate but was clearly representative of commercial buildings of this type and period. He noted that the citation acknowledged the level of alteration to the building but said its level of integrity of the building remained largely intact and clearly legible in terms of form, rhythm and architectural detailing and was a representative example of a factory/ warehouse building of the early twentieth century.

Council considered that Ms Riddett had, overstated the impacts of alterations on the intactness and integrity of the building, had given insufficient weight to documented evidence establishing historic associations and had set the threshold for significance too high. It noted the citation made no claims for rarity.

Council submitted that that the façade above ground level was highly intact, consistent typical ground level changes to Hoddle Grid buildings, and that the side elevation changes did not impact intactness. It said the importance of the association with the Commonwealth was a clear and important theme.

(iii) Discussion

The Panel acknowledges that there have been a number of changes to the building that have impacted its integrity. These were usefully set out in Ms Riddett's evidence which included images of the McGrath Lane and Club Lane elevations and which identified other fabric including the stables. The most significant of these changes has been the changes to the Little Collins ground floor with the insertion of shop fronts. While much of the ground floor fabric at Collins Street has been lost, the inserted window/shop front elements have maintained a proportionality to the window sections in the upper levels and vertical pier forms and do not significantly impact on the integrity of the building overall to reflect its period and class.

The Panel disagrees with Ms Riddett's opinion that the laneway elevations were not part of the urban landscape. The laneway elevations do form visible, key and important of elements of the views to the building from within Little Collins Street. They include extensive remnant fabric that relates to the building's stages of development, era and class. While they contain many alterations, this is not particularly unusual for laneway 'back of house' elevations. Unlike Morris House, these changes do not significantly impact on the integrity of the

[22] Document 123

building. The impacts of the current darker paintwork are deceptive. Much of the upper level detailing is retained and the paintwork is reversible 'surface' change.

The Panel acknowledges that any significant association with the Commonwealth is not evident in the building fabric. The lack of building fabric to demonstrate such association is not particularly surprising with the passing of time. In this instance there is a reliance on documentary sources to understand this association that is otherwise unknown to all but the well-informed observer. Such a reliance in not fatal. The Panel considers that it is an association that has established linkages in the Postwar Thematic History and is of some importance. Criteria A does not however rely on it, but rather the association with the interwar period and establishment of warehouses and industrial buildings in this area to support nearby retail operations. From this perspective the Panel considers the building compares as well to other comparators despite its changes.

The Panel had considered the possibility that the building along with Morris House could be considered contributory within a precinct as initially examined in the Heritage Review. This option was not ultimately supported by the Heritage Review, evidence or suggested as an alternative approach by Council. It is not one the Panel can therefore reasonably explore as part of this Amendment. However, the question for the Panel is whether the building can achieve a threshold that would extend it to a significant grading.

The building is not required to be remarkable or notable to meet the threshold of significance for Criterion A or D. Its intactness above ground level is relatively high, it contains observable side elevations that reveal much about its use and era and are in a moderate state of intactness. On balance the Panel considers the building achieves an acceptable threshold for Criterion A and D.

The Panel observes that the Statement of Significance would be improved with the addition of images of the McGrath and Club Lanes.

(iv) Conclusion and recommendation

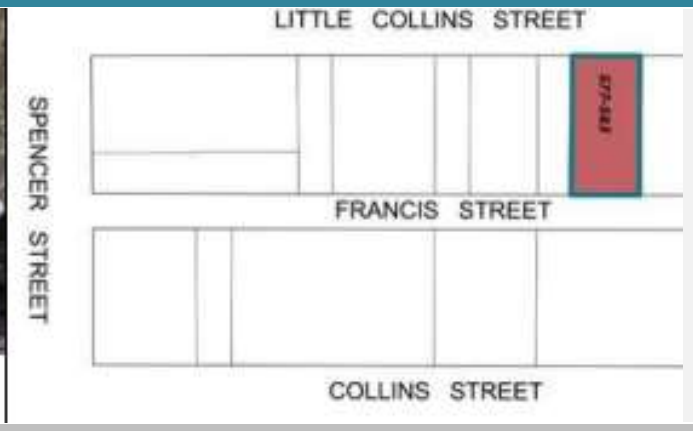
The Panel concludes that 57-67 Little Collins Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1348) on a permanent basis.

The Panel recommends:

> **Amend the Former Craig, Williamson Pty Ltd complex Statement of Significance (57-67 Little Collins Street, Melbourne), July 2020 to include images of the McGrath Lane and Club Lane elevations.**

6.16 577-583 Little Collins Street, Melbourne (HO1278)

Exhibited Statement of significance



What is significant?

The buildings at 577-579 Little Collins Street, Melbourne, built in 1875, and 581-583 Little Collins Street, built in 1887 and altered in the mid-1920s. Elements that contribute to the significance of the place include (but are not limited to):

At 577-579 Little Collins Street:

- The building's original external form, materials and detailing;
- The building's high level of integrity to its original design;
- Simple corniced parapet with arched pediment; and
- Moulded string course; and Round arched window openings with timber sash windows and stone sills (overpainted).

More recent alterations made to the street level façade are not significant.

At 581-583 Little Collins Street:

- The building's original external form and materials;
- The building's high level of integrity to its mid-1920s design;
- Curved parapet with cornice below;
- Original pattern and size of fenestrations; and
- Flat engaged pilasters.

More recent alterations made to the street level façade are not significant.

How is it significant?

The two buildings at 577-579 Little Collins Street and 581-583 Little Collins Street, Melbourne are of local historic and representative significance to the City of Melbourne.

Why is it significant?

The three-storey buildings at 577-583 Little Collins Street are historically significant for their association with manufacturing and warehousing in the City of Melbourne. 577-579 Little Collins Street, together with the interconnected building at 16 -18 Francis Street at the rear, are historically significant as a flour mill complex known as City Flour Mills constructed for Russell and Gillespie in 1875. The firm of Russell and Gillespie, founded by Scotsman George Gillespie were well known for their flour milling operations throughout NSW, Victoria and Queensland, eventually as proprietors of the Anchor Flour Mills. 581-583 Little Collins Street and its extension through to Francis Street is historically significant as a related warehouse occupied by a variety of merchants and importers. **(Criterion A)**

The buildings at 577-583 Little Collins Street and extending through to 16-18 Francis Street are representative examples of brick and render warehouse buildings constructed in the Victorian period

in the City of Melbourne. Both constructed in 1875, with the façade of 581-583 altered in the 1920s, the pair of warehouses demonstrate the warehouse typology that was an important part of the urban landscape of nineteenth century Melbourne. Despite some changes to their exterior windows, particularly to those of 581-583 Little Collins Street, both buildings remain legible, including the view of them from Francis Street. **(Criterion D)**

(i) The issue

The issue is whether the buildings at 577-583 Little Collins Street are of local heritage significance and should be included within a Heritage Overlay (HO1278) on a permanent basis.

(ii) Evidence and submissions

Sydney Road Holdings Pty Ltd[23] (Sydney Holdings) objected to the application of the Heritage Overlay on the basis that it did not provide for the future development of the land; the significance of the place was not substantiated, it did not meet Criterion A and D thresholds, and a planning permit (TP-2018-1163) had been issued for the partial demolition and redevelopment of the site. Sydney Holdings advised the Panel that the permit retained the Little Collins and Francis Street facades, and that it was preparing an application to amend its permit and it is anticipated that commencement will begin within 12 months.[24]

Sydney Holdings considered the comparative analysis insufficient to support Criterion A and D, observing that all five comparators were different other than they shared the same construction period and were warehouses. It considered that the buildings possessed fewer of the typical characteristics of its type that elevated it above the others.

Sydney Holdings said that there was no relationship between the flour mill at 577-579 and the building at 581-583. It submitted that the flour mill building was used for a short 12 year period post construction and had been vacant for long periods and this association was not important or apparent in the building's fabric. Other than the building housed the flour mill, it did not demonstrate the characteristics of the class. While retaining elements of Victorian era design it was not an influential or pivotal building and was not highly intact. At best it was representative.

In relation to 581-583, it was submitted that the extent of façade changes meant that nothing notable remained and it was not even representative of the era but rather contained elements characteristic of a 1920s design.

Sydney Holdings identified errors in the citation and Statement of Significance including:

- under the 'Summary' heading, the citation states that the buildings were "*built separately to accommodate part of a flour mill complex for Russell and Gillespie in 1875*". The buildings were built at different dates and have no association with each other
- under the 'What is significant?' heading, the Statement of Significance refers to building elements that are not original Victorian elements for 581-583 Little Collins. The reference to those elements should be deleted as the changes to the building no longer

[23] Submission 19
[24] Document 104

demonstrate a 'warehouse typology that was an important part of the urban landscape of nineteenth century Melbourne'
- under the 'Why is it significant?' heading, to avoid confusion, the word 'related' should be deleted from the last sentence of the first paragraph; and at the start of the second sentence of the second paragraph the phrase 'Both constructed in 1875…' is incorrect, as 581-583 Little Collins Street was constructed in c1887.

The evidence of Mr Gard'ner considered that the site was locally significant for its association with manufacturing and warehousing in the City of Melbourne, as a flour mill complex and as a representative example of brick and render warehouse buildings constructed in the Victorian period in the City of Melbourne. His evidence was the Statement of Significance did not ascribe aesthetic significance to the buildings, rather they were considered to be of historic and representative significance.

(iii) Discussion

While the buildings at 577-579 and 581-583 Little Collins Street are both former warehouses, they were built at 15 years apart, with 581 – 583 substantially altered in the 1920s and have no joint associations. They are however, broadly complementary in form, scale and materiality. The primary reason for its identification as a single place is that they were consolidated internally, initially for offices in 1975 and then a nightclub in 1994.

The citation acknowledges that:
- at street level both buildings have substantially changed
- at upper levels 577 - 579 Little Collins Street retains much of the Victorian detailing although has been painted
- at upper levels, 581 – 583 Little Collins Street does not retain its original Victorian detailing beyond the cornice, as the façade was altered in the 1920s, with the windows replaced and no other decorative details are evident
- the rear elevation to Francis Street remains relatively intact.

While the ground floor changes along Little Collins Street are apparent, they do not dimmish the ability to read the class of building as warehouses or their era. The interwar changes to 581-583 distinguish it from the adjoining earlier building. While the changes reflect the interwar era, the Victorian period form of its construction is still apparent. The Statement of Significance does not identify any Victorian era qualities under what is significant but instead refers to the integrity of the 1920s design. The Panel notes that the Francis Street facades have potentially a higher degree of intactness and jointly reflect the Victorian era to a greater degree.

The Panel is not convinced that the association with the City Flour Mills is sufficiently important to be historically significant. While potentially important as a theme in Melbourne, and the building at 577-579 was designed and built for that entity, its use as a flour mill was relatively short lived. The Panel is generally satisfied based on the evidence of Mr Gard'ner that a case can be made however for historic significance given the relationship to the Melbourne Thematic History.

The Panel did not find the comparators identified in the Heritage Review particularly useful, being quite different in time frame to 581-583 and more intact than both buildings overall.

The Panel considers that Criterion D is probably satisfied given the balance of evidence, but that case is not strongly supported by the citation or comparative analysis.

The Panel considers that the Statement of Significance should be amended to:

- review the level of significance attributed to the City Flour Mills in Criterion A
- remove the word 'related' in the description of Criterion A
- clarify construction dates in the description of Criterion D
- clarify that the building's original external form, materials and detailing extends to the 16-18 Francis Street elevations under what is significant
- include images of the Francis Street façade.

The Panel notes that the current planning permit while not a factor affecting the Panel's view of the buildings as they currently stand, will transform the site. In that context it is appropriate that Council review such sites in the future following their redevelopment to determine if a Heritage Overlay is still warranted and their remains sufficient significant fabric remaining to protect.

(iv) Conclusions and recommendation

The Panel concludes:

- 577-583 Little Collins Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1278) on a permanent basis.
- The Statement of Significance should be amended to provide greater clarity about what is significant and why. Related changes should also be made to the citation.

The Panel recommends:

Amend the Warehouse Statement of Significance (577-583 Little Collins Street, Melbourne), July 2020 to:

a) reduce the level of significance attributed to the City Flour Mills in Criterion A

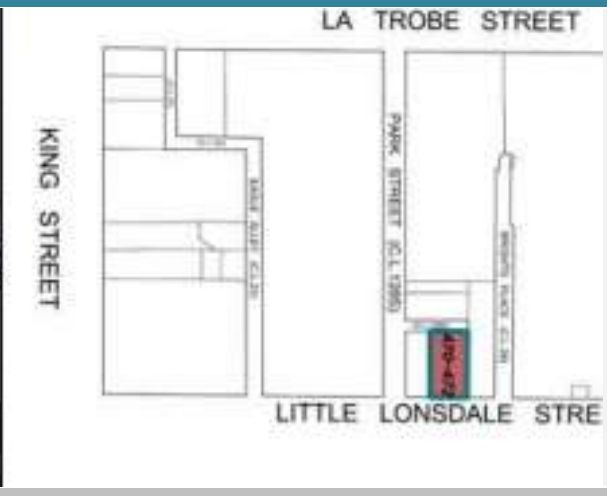
b) under 'What is significant?' clarify that the building's original external form, materials and detailing extends to the 16-18 Francis Street elevations

c) under 'Why is it significant?' remove the word 'related' in the last sentence description of Criterion A, and replace the words 'Both building constructed in 1875' with the correct construction dates in the description of Criterion D

d) include images of the Francis Street elevations.

6.17 470-472 Little Lonsdale Street, Melbourne (HO1281)

Exhibited Statement of significance



What is significant?

The pair of shops at 470-472 Little Lonsdale Street, completed in 1872. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing;
- The building's high level of integrity to its original design;
- Rendered masonry façade with simple detailing reflective of the pre-1880s construction date;
- Pattern and size of original fenestration, and moulded architraves;
- Timber double-hung sash windows on the upper-level;
- Rustication on the edges of the building; and
- Parapet with simple moulded cornice with dentilation and scrolls.

More recent alterations, including the ground level shopfronts and wrought iron window baskets, are not significant.

How is it significant?

The pair of shops at 470-472 Little Lonsdale Street is of local historic and representative significance to the City of Melbourne.

Why is it significant?

The pair of two-storey shops at 470-472 Little Lonsdale Street, constructed in 1872 by builder John Parry and originally built as residences, is historically significant as a once common building typology demonstrating integrated uses of both retailing and housing. The building demonstrates a once common type of housing for city dwellers within the Hoddle Grid in the 1870s. **(Criterion A)**

The pair of shops at 470-472 Little Lonsdale Street is a fine example of a mid-Victorian residential and commercial building. Once used as daily retail points, a number of these surviving shops are found in both the main streets and smaller streets of the Hoddle Grid. While the use of upper storey residences has become largely outdated, the ground floors of these examples continue to operate as retail outlets. The pair of buildings are legible and reasonably intact, with typical Victorian detail of rendered masonry, cornices with dentil features, scroll details, rusticated quoins, and Victorian-era windows with moulded architraves still evident to the upper façade. **(Criterion D)**

(i) The issue

The issue is whether 470-472 Little Lonsdale Street is of local heritage significance and should be included within a Heritage Overlay (HO1281) on a permanent basis.

(ii) Evidence and submissions

Submission 9 identified that the property was previously graded C and not upgraded in subsequent reviews. It stated that the building's many changes had diminished its integrity and heritage character.

Mr Gard'ner considered that the building's alterations were commensurate with other Heritage Overlay places, were limited and reversible and had not diminished the ability to understand and appreciate the place as an example of a Victorian shop and residence. His evidence concluded that overall, the place retained notable features and warrants inclusion in the Heritage Overlay satisfying Criterion A and D.

(iii) Discussion

The Panel's observations and conclusions regarding pervious heritage study gradings in Chapter 4.3 are not repeated here but are relevant the issues raised in the submission. The key question for the Panel in whether this site meets the threshold for heritage significance.

The citation identifies that:

> The upper façade of the building remains relatively intact. Wrought iron window baskets are a recent addition. Significant alterations have occurred at street level, with no evidence of the original shopfronts.

In terms of the comparative analysis the citation identifies that:

> The shops at 470-472 Little Lonsdale Street are among rare examples of small-scaled shops and residence type from the late Victorian period. The subject buildings are reasonably intact at the upper floor level, and, stylistically speaking, compare well with other examples remaining in the city. Being smaller than surviving corner shops at 215-217 Elizabeth Street and 203-205 Queen Street, the shops at 470-472 Little Lonsdale Street represent the shop and residence type developed in the residential 'outer area' within the Hoddle Grid.

While the ground floor building alterations to accommodate shop fronts have largely obliterated any original fabric (aside from the brick piers), the first-floor level is highly intact including the Victorian detailing and which is not compromised with the addition of the window boxes. The shop and dwelling typology remain clearly legible in the current fabric and representative of the 1870s building type. The Panel considers that the threshold for Criterion A is met.

The Panel is concerned that taking a standard yardstick approach to integrity and intactness by comparison to the prevailing ground floor condition in the CBD has the potential to weaken the relative significance of existing places. In this instance however, despite the extensive ground floor changes, the Panel thinks that on balance that Criterion D is also met. This conclusion is based on the comparative analysis and their relative rareness in this part of the city and legibility as a pair of shop and residences of the late Victorian period.

The Panel however, questions whether the use of the phrase 'a fine example' in the Statement of Significance for Criterion D is appropriate given the extent and nature of ground floor changes and the condition of buildings identified in the comparative analysis. The Panel disagrees with the evidence of Mr Gard'ner that such changes were reversible given little ground floor fabric remains.

(iv) Conclusion and recommendation

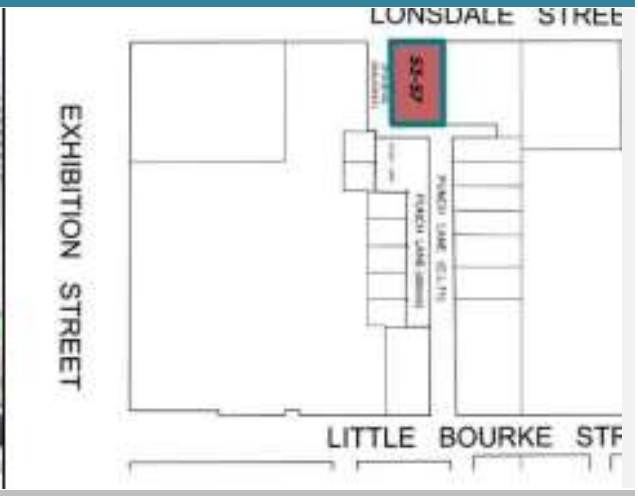
The Panel concludes that 470-472 Little Lonsdale Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1281) on a permanent basis.

The Panel recommends:

> **Amend the Shops Statement of Significance (470-472 Little Lonsdale Street, Melbourne), July 2020 to replace the words 'a fine example' with 'an example' for Criterion D.**

6.18 53-57 Lonsdale Street, Melbourne (HO1253)

Exhibited Statement of significance



What is significant?

The row of shops at 53-57 Lonsdale Street, completed c1880-81. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing;
- The buildings high level of integrity to its original design;
- Simple parapet;
- Engaged pilasters with scroll detail and decorative markings;
- Deep moulded cornice with rosettes;
- Segmented arched window openings with moulded architraves;
- Minor cornice connecting spring point of window arches;
- Original wall vents;
- Double hung timber windows;
- Minor moulded cornice at bottom of upper façade; and
- Brick chimneys.

Later alterations made to the street level façade, the wrought iron window baskets and single storey extensions at the rear of the site are not significant.

How is it significant?

53-57 Lonsdale Street is of local historic, representative and associative significance to the City of Melbourne.

Why is it significant?

53-57 Lonsdale Street is historically significant for its links with Melbourne Italian restauranteur families who conducted eating houses in the building from 1901 to 2001.These families included the Rinaldis (1901-12), the Molinas (1922-51), and the Triacas (1964-84). The building is historically significant for its demonstration of the flourishing Italian café society that developed in the first decades of the twentieth century prior to Italian migrants establishing restaurants and pizza cafes in the inner-city area in the 1950s and 1960s. The influence of Italian culture upon Australian culinary traditions continues to have enduring presence and value in Melbourne today. **(Criterion A)**

53-57 Lonsdale Street is a fine example of a small-scaled shop and residence from the mid-late Victorian period, built at a time when Melbourne was developing rapidly as a retail and commercial centre. 53-57 Lonsdale Street is a modest example of the work of noted civic and institutional architects Crouch and Wilson, whose practice operated in Melbourne between 1854-1881. The façade of 53-57 Lonsdale Street is characterised by classical Victorian-era detailing with paired segmented arched windows, pilasters, scrolls and cornice detail typical of the period. The rear

facades and chimneys are largely intact and contribute to the building's integrity. **(Criterion D)**

53-57 Lonsdale Street is significant for its long association with Italian restaurants, restauranteurs and their clientele for nearly a century (1901-2001) as part Melbourne dining traditions, serving generations of Melbournians and reflecting the celebrated 'Italianisation' of food and wine culture during the twentieth century. It is significant for its direct and long-standing associations with several important Italian restaurateurs/families who have significantly influenced Melbourne's culinary culture, and who introduced new cuisines and dining styles to Melbourne. From 1922 to 1951 the Molina family operated Molina's Café d'Italia at the subject site, and for some time lived at the upstairs residence. David Triaca ran Café Latin at the subject site from 1964 to 1984, followed by Bill and Cheryl Marchetti trading as Marchetti's Latin from 1984-2001. **(Criterion H)**

(i) The issue

The issue is whether 53-57 Lonsdale Street is of local heritage significance and should be included within a Heritage Overlay (HO1253) on a permanent basis.

(ii) Evidence and submissions

Calder Place Investments Pty Ltd (Calder Place)[25] objected to the inclusion of the site within the Heritage Overlay on the basis that the significance of the building had not been adequately demonstrated, the periodic use of the building as a restaurant did not demonstrate a 'flourishing Italian café society', the building was a rudimentary example of the work of the architects. At the Hearing, Calder Place called evidence from Ms White and only pursued the changes she proposed to the Statement of Significance.

Ms White considered the site to be an altered, but typical and representative example of a small 1880s shop/dwelling group and accepted the historical and representative significance of the site under Criterion A and D. She recommended several changes to the Statement of Significance including:

- correcting the building's construction date to 1881
- simplifying the 'What is significant?' section to identify that the Italianate detailing to the Lonsdale Street façade contributes to the significance of the place as a whole, rather than identifying specific elements individually and include the Punch lane elevations as an element that is not significant
- clarifying and rewording of the 'How is it significant?' section to accurately reflect the historical and representative significance of the place, and to remove reference to associative significance
- rewording and adding historical information and corrections under 'Why is it significant?' and deleting of the sentence "*The rear facades and chimneys are largely intact and contribute to the building's integrity*" under Criterion D
- deleting associative significance (Criterion H) as it is more appropriately recognised as part of the building's historical significance (Criterion A).

Calder Place considered that the application of Criterion H calls for more than a rephrasing of Criterion A. Rather than relying on identifying a group of Italian restauranteurs, the citation does not identify any association between the building and any particular person(s) of importance. It identified that:

[25] Submission 13

> The problem with this approach is that the identified Italian families are not, individually or as a group, of importance to the history of Melbourne. The history of Italian cuisine in Melbourne is more than just the restaurants and cafes operated at 53-57 Lonsdale Street. The operators of these restaurants and cafes at this place were part of this culinary culture but that is not enough. To qualify under criterion H they need to be a recognised group in their own right.

Mr Gard'ner opined that site had a clear association with "*Italian 'culinary traditions' and Italian restaurateur families through the long-term use and occupation of the site as Italian restaurants periodically from 1922 until 2001*". It predated the postwar boom of Italian restaurant culture in other locations within the City of Melbourne, such as Lygon Street. He identified that the place is recognised as an example of the work of architects Crouch and Wilson, however the property is not asserted to be significant for this association but rather as a 'fine example of a small-scaled shop and residence' satisfying Criterion D.

Mr Gard'ner he supported amending the Statement of Significance broadly along the lines proposed by Ms White including:

- identifying the construction date as 1881
- simplifying the elements of what is significant, considering both approaches proposed valid, but that simplification potentially lessened the risk of omitting a significant. However, he did not support the suggested identification of the Punch Lane elevation as not significant
- amending the Criterion A and D description with the exception of deleting the reference to the rear wings, roof form and chimneys as this ignored that they remained intact and visible from the public realm (Punch Lane).

While acknowledging some overlap between Criterion A and H, Mr Gard'ner's reply evidence did not support the deletion of Criterion H identifying that:

> 53-57 Lonsdale Street has a direct and long-term association with Italian restaurateurs, a group that has made a strong and influential contribution to Melbourne. This association has, across a number of different proprietors, spanned the whole of the twentieth century. While Ms White provides examples, including those on the Victorian Heritage Register, of other places that share this association, it is clear in my view that this historical association is evident in 53-59 Lonsdale Street and this should be explicitly recognised in the Statement of Significance through the selection of Criterion H.

Council's Part C closing submission proposed that the citation and Statement of Significance be amended to include the further information provided by Ms White with regard to the construction date, and suggested changes to the Statement of Significance, as identified within Mr Gard'ner's evidence in reply.

(iii) Discussion

The Panel was appreciative of the evidence of Ms White. It included considerable historical information and useful images of the buildings including its side and rear elevations that added to the citation and evidence of Mr Gard'ner and assisted the Panel's understanding of the place.

The evidence of Mr Gard'ner and Ms White agreed that Criterion A and D are met. The Panel supports that position. The remaining issues in relation to the citation and Statement of Significance were essentially the appropriateness of referencing rear building fabric and the application of Criterion H.

The Panel considers that the original rear building elements that remain visible above the rear single storey extension remain clearly legible from the rear laneway and public realm. They convey an important aspect of the buildings type, era and residential use and assist in distinguishing them with views to the roof form, chimneys and windows. The Panel agrees with Mr Gard'ner that reference to these elements should not be removed from Criterion D. The Panel does however support the clarification that this relates to 'above ground floor level' as the lower level elevations are either obliterated or covered up by the lower level additions.

The Panel is of the view that Criterion H on balance is satisfied and is not merely an extension to the association identified in Criterion A. Under PPN01 the threshold for Criterion H is that there is a "*Special association with the life or works of a person, or group of persons, of importance in our history*". While Ms White relied on the VHRG to support her position that Criterion H was not met, this is not the test that needs to be applied, rather it is a guide to the type of factors that might be considered. The Panel considers that as a group, the Italian restaurateurs who have had a direct and long-term association with the buildings were an important group to the cultural history of Melbourne and the CBD.

In terms of other suggested changes to the Statement of Significance, the Panel supports the listing of significant elements as exhibited. This format is consistent with all other Statements of Significance included in the Heritage Review and is consistent with PPN01. The Panel does not consider it necessary to refer to the Punch Lane elevations as not being significant as this is already included in the reference to the 'single storey extensions'. It considers however that the lower level of the western elevation which is now exposed to the new laneway are not significant.

The Panel's preferred version of the Statement of Significance is included in Appendix D3.

(iv) Conclusion and recommendation

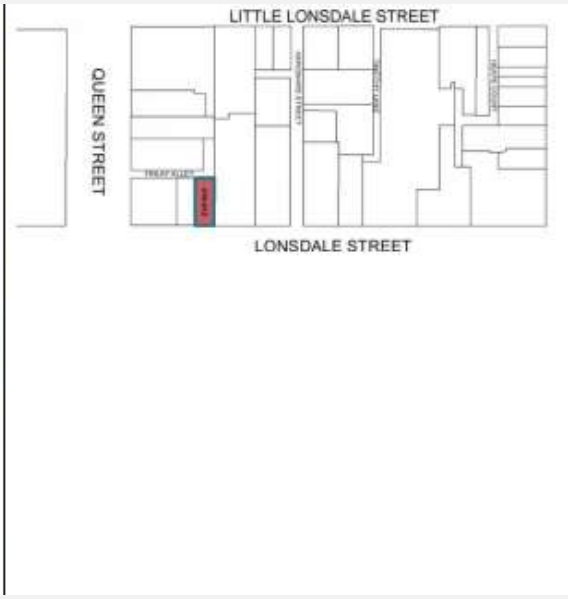
The Panel concludes 53-57 Lonsdale Street is of local heritage significance (historical, representativeness and associative) and should be included within a Heritage Overlay (HO1253) on a permanent basis conclusion subject to changes to Statement of Significance and consequential changes to the citation.

The Panel recommends:

> **Amend the Shops and residences Statement of Significance (53-57 Lonsdale Street, Melbourne), July 2020 consistent with the Panel's preferred version in Appendix D3.**

6.19 410-412 Lonsdale Street, Melbourne (HO1360)

Exhibited Statement of significance



What is significant?

The warehouse at 410-412 Lonsdale Street, a narrow fronted five-storey warehouse building built in 1923 in the interwar Chicagoesque style. Elements that contribute to the significance of the place include (but are not limited to):

- The original building form and scale;
- The original pattern of fenestration;
- The external wall surfaces of painted cement render;
- The original steel framed windows to the upper floors; and
- The external decoration to the façade, including pilasters, parapet, substantial dentilled cornice supported by a brackets and decorative spandrels.

Later alterations made to the shopfront and first floor level spandrels are not significant.

How is it significant?

The warehouse at 410-412 Lonsdale Street, Melbourne, is of local historic and representative significance to the City of Melbourne.

Why is it significant?

The five-storey building at 410-412 Lonsdale Street is historically significant for its association with development that proliferated in this part of the city, between Bourke and Lonsdale streets, from the 1880s to 1920s. Commonly comprised of three- or more-storeys these buildings were used for retail, factory and warehouse purposes. The building continued to be associated with hardware and electrical industry for almost 40 years. The building at 410-412 Lonsdale Street exemplifies a key phase in Melbourne's development when, during the economic boom of the 1920s, an increasing number of commercial enterprises constructed architect designed multi-storey premises in the city to house retail and manufacturing outlets and associated warehouses. **(Criterion A)**

The building is significant as a highly intact example of the wave of development in central Melbourne during the early interwar period that replaced the low scale masonry buildings dating from the late nineteenth and early twentieth century. This early wave of building most commonly featured the interwar Commercial Palazzo or Chicagoesque styles, which utilised the engineering benefits of steel and concrete frame structures. This allowed for window areas and open floor areas to be maximised, and provided flexibility for external articulation and decoration. The building at 410-412

> Lonsdale Street is a modestly scaled, restrained and highly intact example of the interwar Chicagoesque style. It retains key characteristics of the style, such as a strong vertical emphasis resulting from projecting pilasters and mullions, terminating in a substantial cornice, and with large windows separated by recessed spandrels with decorative panels and faux Juliet balcony, and the top floor level is differentiated from the other levels by a flush spandrel and minor cornice at each floor. The building is also notable as a work of the eminent firm of Melbourne architects H W & F B Tompkins. **(Criterion D)**

(i) The issue

The issue is whether 410-412 Lonsdale Street is of local heritage significance and should be included within a Heritage Overlay (HO1360) on a permanent basis.

(ii) Evidence and submissions

Submission 28 considered that the case for permanent controls required further examination and justification including a more detailed methodology in the context of the central city and previous C grading. It was submitted that the Heritage Overlay would preclude redevelopment opportunities which included the adjoining properties.

Mr Gard'ner's evidence considered the threshold for local heritage significance had been demonstrated through the citation and Statement of Significance. He agreed that the building was a highly intact example of its type. Council supported the position of Mr Gard'ner and concluded that the Heritage Overlay should be applied to the place.

(iii) Discussion

The issues of applying the Heritage Overlay to future development potential impacts and previous study gradings is addressed by the Panel in Chapters 4.2 and 4.3 and is not repeated here. The same observations and conclusions apply in this instance.

The Panel acknowledges that there have been substantial changes at the ground floor as a result of shop front changes but that the upper levels appear highly intact as noted in the citation:

> 410-412 Lonsdale Street, Melbourne is highly intact with few changes visible to original or early fabric. The building retains its original scale and built form including the original pattern of fenestration, pilasters, decorative spandrels, window openings and steel framed glazing, cornice and parapet. Alterations include deepening of the spandrel at first floor level and replacement of the original shopfronts with contemporary glazing and entry doors. Overall the building is of high integrity.

The Panel considers the building compares well with the comparators included in the citation and the overall integrity of the building is high and readily identifies as a building of its class and era. The building meets the thresholds of Criterion A and D.

(iv) Conclusion

The Panel concludes that 410-412 Lonsdale Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1360) on a permanent basis.

6.20 594-610 Lonsdale Street, Melbourne (HO1362)

Exhibited Statement of significance

What is significant?

The former Andrew Jack, Dyson & Co factory at 594-610 Lonsdale Street, Melbourne, constructed in 1924. Elements that contribute to the significance of the place include (but are not limited to):

- The original building layout, form and scale, including the courtyard
- The original pattern of window openings, fenestration and decoration, such as the projecting pilasters and recessed articulated spandrels; and
- The external wall surface finish of course render similar to Shanghai plaster.

Later alterations made to the ground level facades, and windows replaced with modern glazing, are not significant.

How is it significant?

The former Andrew Jack, Dyson & Co factory at 594-610 Lonsdale Street, Melbourne, is of local historic and representative significance to the City of Melbourne.

Why is it significant?

The building at 594-610 Lonsdale Street, Melbourne, constructed in 1924 for Andrew Jack, Dyson & Co Pty Ltd, stationery and printing merchants, to a design by architect R M King, is historically significant for the evidence it provides of the rise in manufacturing in the city from the 1920s, of the long-term industry and warehouse concentration in this part of the city, and of the many printing and linotype companies established from the interwar period in this northwest part of the city, including in 1926 the Argus Building. It is historically significant for its long association with printers and stationary merchants, initially with Andrew Jack, Dyson & Co Pty Ltd who occupied the building as their business offices, warehouse and factory for around 40 years, from 1924 to the early 1960s. By 1965, printers McCarron Bird Pty Ltd had purchased the premises and operated from there until the early 1980s, at a time when most city manufacturers had moved to the suburbs or closed. **(Criterion A)**

594-610 Lonsdale Street is significant as a relatively intact example of the wave of development in central Melbourne during the early interwar period that replaced the low rise masonry buildings dating from the late nineteenth and early twentieth century. This early wave of building most commonly utilised the interwar Chicagoesque styles. The building exhibits many of the main characteristics of this style. This includes a regular rhythm resulting from projecting pilasters and recessed articulated spandrels at each floor with large horizontally proportioned window openings. More unusually the wall surfaces are treated with a course render similar to Shanghai plaster. **(Criterion D)**

(i) The issue

The issue is whether 594-610 Lonsdale Street is of local heritage significance (historical and representative) and should be included within a Heritage Overlay (HO1362) on a permanent basis.

(ii) Evidence and submissions

The submission from 600 Lonsdale Street Pty Ltd AMF 600 Lonsdale Street Partnership[26] considered that the citation did not reflect the effects of building alterations on its heritage significance or consider the wider economic policy imperatives for the CBD or reflect a 'live' planning permit (No.PA1900615) which allowed for the demolition of the building. It advised it was waiting on demolition permit approval and would commence site preparation once received with construction anticipated in the first quarter of 2022.[27]

The evidence of Mr Gard'ner considered that the building retains a high degree of integrity in fabric, form and detail. While the building has undergone some alterations, he considered this did not diminish the ability to understand and appreciate the place as a fine example of an interwar factory.

Council supported the evidence of Mr Gard'ner and proposed no changes to the citation or Statement of Significance.

(iii) Discussion

The citation for the former Andrew Jack, Dyson & Co factory at 594-610 Lonsdale Street provides a detailed account of the building's history and historical context. It includes the identification of a number of changes to the building including removal of the original multi-pane windows and replacement with opaque glazing. Despite these changes the citation observes:

> 594-610 Lonsdale Street, Melbourne is relatively intact with some changes visible to original or early fabric. The building retains its original footprint with internal courtyard, and its original scale and form as a low rise but large-scale printing factory have been maintained, with no upper floor additions. Much of the original pattern of fenestration and window openings has been retained, especially on the Lonsdale Street elevation, although all of the original multi-pane industrial windows had been replaced. The external wall surfaces of course render are also intact.
>
> Overall the building is of high integrity.

The building has a more modest utilitarian form and simple detailing, and its setting is somewhat dominated by a backdrop of large modern tower buildings. While relatively demure, it is relatively intact (despite the window glazing changes) along both street frontages and maintains a level of integrity that relates to its era and class. As demonstrated in the citation the building had a 40-year association with the printing merchants for whom the building was designed and built for, and similar industries that were located in this part of the city during the interwar period.

The comparative analysis identifies that:

> The subject site is especially comparable to the warehouse building at 295-305 King Street, constructed slightly earlier in 1919, as the buildings are of a similar scale and exhibit many of the characteristics of the Chicagoesque style, albeit in the restrained fashion as commensurate with a horizontally proportioned low rise industrial building. Built in 1923, 215-233 Franklin Street (HO1157) is also comparable in terms of its relatively formal treatment of the façade for a utilitarian building type.

[26] Submission 32
[27] Document 104

> The subject building is distinguished from other examples of similar low-rise warehouse type buildings for its use of reinforced concrete construction in 1924, when brick was still preferred building materials for low-rise utilitarian buildings.

The Panel agrees that the closest comparator is former factory at 295-305 King Street. It has similar levels of detailing and is highly intact and retains its earlier window glazing forms. 594-610 Lonsdale has au usual low-rise form, and as observed in the citation, a more unusual course render application.

The Panel was challenged with this site as to whether a necessary threshold has been reached. However, based on the citation, comparative analysis and the only evidence provided for this site, the Panel considers that on balance Criterion A and D are met.

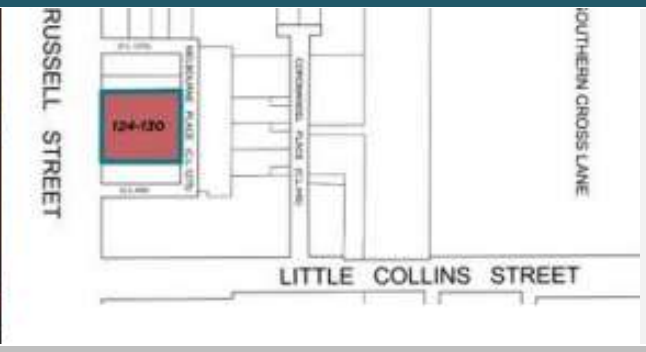
The Panel notes that current planning approval allows the demolition of the site and is likely to be activated shortly. In this context Council should review its position on this site prior to adoption of the Amendment in the context of its findings and recommendation at Chapter 4.1.

(iv) Conclusion

The Panel concludes that 594-610 Lonsdale Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1362) on a permanent basis.

6.21 124-130 Russell Street, Melbourne (HO1261)

Exhibited Statement of significance



What is significant?

Russell House at 124-130 Russell Street, Melbourne, built in 1923 as a car showroom and offices and used from 1972 as the office of the Melbourne Theosophical Society. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing;
- The building's relatively high level of integrity to its original design;
- The original size and pattern of fenestration;
- The pedimented parapet, spandrels, columns and rendered geometric shapes;
- The round solid metal feature with star motif; and early signage; and
- The marble tiles and bronze shopfront window frames at street level.

Later alterations made at ground level are not significant.

How is it significant?

124-130 Russell Street, Melbourne is of local historic, representative, aesthetic and social significance to the City of Melbourne.

Why is it significant?

Russell House at 124-130 Russell Street is historically significant for its demonstration of car sales in the early years of motoring in Victoria. With car ownership concentrated in Melbourne in the 1920s, motor garages represent an important use for a small number of buildings in the central city.

124-130 Russell Street is historically significant for its association with the Melbourne Theosophical Society, which was formed to encourage the study of comparative religion, philosophy and science. The Society was formed unofficially in Australia in 1890 following its New York formation in 1875, and became a chartered organisation in 1895. Since 1936 the Melbourne Theosophical Society was located at 181-187 Collins Street, then subsequently leased the Athenaeum Hall (188 Collins Street), and in 1972 purchased Russell House, converting several floors to suit its purposes in 1972. **(Criterion A)**

As a commercial building designed in the interwar classical style, 124-130 Russell Street is significant for its form, scale and façade detail of the period, and its level of integrity. **(Criterion D)**

124-130 Russell Street is aesthetically significant for its relatively intact façade. This is evident in the simple rendered geometric patterns to the rendered surfaces including the parapet with circular motifs and a round solid metal feature inscribed with a star motif - the emblem of the Theosophical Society. Aesthetic significance is attributed to the original cantilevered verandah and the wide entry with steps leading from street level and clad with marble tiles and bronze shopfront window frames. **(Criterion E)**

124-130 Russell Street is of social significance for its long-standing associations with the Melbourne Theosophical Society as its headquarters and the location of its library, bookshop and meeting spaces. 124-130 Russell Street is of social significance as a long-standing meeting place where those interested in theosophy meet, learn and exchange ideas. **(Criterion G)**

(i) The issue

The issue is whether 124-130 Russell Street is of local heritage significance and should be included within a Heritage Overlay (HO1261) on a permanent basis.

(ii) Evidence and submissions

Submissions 4-7, 15,17, 42 and 43 supported the application of the Heritage Overlay to the place and objected to the issue of a permit for the demolition and redevelopment of the place in addition to a number of other sites.

Submission 63 on behalf of the land owner objected to the inclusion of the building within a Heritage Overlay and considered it unnecessary on the basis that a planning permit (TP-2020-9) has been issued for the demolition of the building and redevelopment of the site for a multi-storey tower. It identified that contractors had been engaged and demolition was anticipated in June 2021.

The evidence of Mr Gard'ner considered that the site was of local significance for its demonstration of car sales in the early years of motoring in Victoria and for its association with the Melbourne Theosophical Society (Criterion A), as a commercial building designed in the interwar classical style (Criterion D), its relatively intact façade (Criterion E) and for its long-standing associations with the Melbourne Theosophical Society (Criterion G).

Council's closing submission identified that site inspections on the 16 September 2021 had confirmed that scaffolding had been erected along the street frontage with internal demolition likely to have commenced.[28]

(iii) Discussion

The issue of existing planning permits is addressed by the Panel in Chapter 4.1 and is not repeated here. The same observations and conclusions apply in this instance although the Panel notes, based on Council's advice, that demolition may have commenced.

The Panel notes the various ground floor elevation changes and other building changes which the citation observed:

> The upper façade is relatively intact, although windows are non-original. At the street level, the building has been altered, with shop fronts replacing the original showroom openings. Some alteration to window openings at the rear was carried out in the early 1970s along with changes to the ground and first floor interiors.

The Panel agrees with the evidence of Mr Gard'ner that the Statement of Significance and citation (including the comparative analysis) supports the position that Criterion D and E are met.

The Panel has no other evidence before it that would suggest that the case for Criterion A and G being met in terms of the building's associations with the Melbourne Theosophical Society. It notes the long and ongoing connection of the Melbourne Theosophical Society to the building and considers both criteria met to an adequate threshold.

[28] Document 130 – Council Part C Closing submission (Appendix B)

(iv) Conclusion

The Panel concludes that 124-130 Russell Street is of local heritage significance (historical, representativeness, aesthetic and social) and should be included within a Heritage Overlay (HO1261) on a permanent basis.

7 Postwar (1945-1975) individual buildings

7.1 376-378 Bourke Street, Melbourne (HO1306)

Exhibited Statement of significance

What is significant?

The former Coles & Garrard Building at 376-378 Bourke Street, Melbourne, a curtain-walled postwar commercial building built in 1957 to a design by Meldrum & Noad, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale; and
- Original non-loadbearing curtain wall.

Later alterations, particularly at street level, are not significant.

How is it significant?

The former Coles & Garrard Building at 376-378 Bourke Street is of local representative and associative significance to the City of Melbourne.

Why is it significant?

The former Coles and Garrard Building at 376-378 Bourke Street is significant as a highly intact example of the Post-War Modernist style offices utilised for commercial development in central Melbourne during the late 1950s and early 1960s. These buildings represented the new modernism in their modular, industrial Bauhaus inspired aesthetic incorporating features such as consistent access to daylight and open floor plans to meet new standards for commercial office accommodation. The building, designed by architects Meldrum & Noad, reflects the growth and progress in 1950s and 1960s Melbourne of locally established companies, resulting in many architecturally designed buildings being erected in the city. **(Criteria D)**

The former Coles & Garrard Building is significant for its long-term association with Victorian optometrists and spectacle makers, Coles & Garrard. The building was constructed for Coles & Garrard and the firm occupied the building for some 28 years, from 1958 to c1986. Coles & Garrard Pty Ltd, a Victorian-based company established in Melbourne in 1922, grew to become Melbourne's largest optometry firm, until it was taken over by OPSM in 1988. **(Criterion H)**

(i) The issue

The issue is whether 376-378 Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1378) on a permanent basis.

(ii) Evidence and submissions

Submission 44 from the building's property manager, objected to the application of the Heritage Overlay to 376-378 Bourke Street. The submission considered that the building's structure and presentation was poor and requires significant upgrading. The application of the Heritage Overlay was considered to impact on the ability to undertake such works and attract tenants, and therefore its property value.

The evidence of Mr Gard'ner considered that the building met the threshold for local heritage significance as articulated in the citation and Statement of Significance. Council supported this position and considered the application of the Heritage Overlay appropriate.

(iii) Discussion

The Panel has discussed issues associated with the costs of maintenance, future development and economic impacts in Chapter 4.2 and does not repeat them here. The observations and conclusions apply in this instance.

The citation identifies that:

> The building is highly intact with very few changes visible to original fabric. The original non-loadbearing aluminium curtain wall with its alternating vertically glazed and solid panels remains intact. At street level, shop fronts have been altered and a heavy suspended box awning added. The building also retains its original built form and scale, materials and stylistic details. Overall, the building is of high integrity.

The Panel's observation of the site concurs with the citation's analysis of integrity, noting the ground floor alterations are perhaps more obvious as a result of the ground floor tenant's signage and associated colour scheme. Nonetheless these changes do not significantly impact on the integrity of the building as a postwar Modernist office building.

The Panel considers that in this instance there are direct full-glazed curtain wall building comparators identified in the comparative analysis (including 276-278 Collins Street and buildings proposed to be included in this Amendment) that have similar levels of integrity. This building is a lower scale representative example of the full-glazed curtain wall building typology. The Panel considers that Criterion D is met.

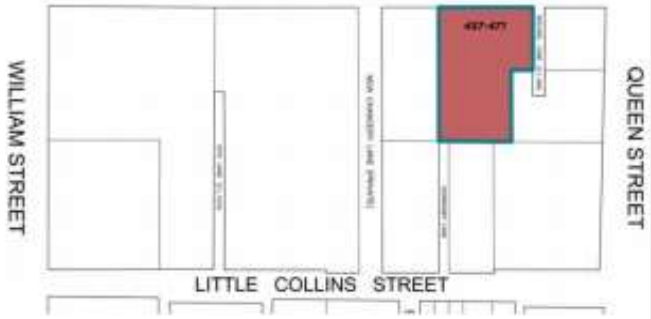
The Heritage Review applies Criterion H to this site for its 28 year association with opticians Coles and Gerrard Amendment from 1958-1986. The citation identifies that while Coles and Gerrard first occupied 370-374 Bourke Street (since demolished) when they occupied 376-378 Bourke Street they were the largest optometry firm in Melbourne with regional branches established in the 1940's and 1950s. While the association with Coles and Gerrard is not visible in the fabric of the building, it can readily be found in documented materials and the building clearly reads as a postwar office building. The wider role of Coles and Garrard in Melbourne, period of association (almost 30 years) and the buildings adjacency to the first Coles and Garrard office, in the Panel's mind establishes a reasonable level of threshold being met under Criterion H.

(iv) Conclusion

The Panel concludes that 376-378 Bourke Street is of local heritage significance (representativeness and associative) and should be included within a Heritage Overlay (HO1378) on a permanent basis.

7.2 457-471 Bourke, Melbourne (HO1309)

Exhibited Statement of significance



What is significant?

The Former Dalgety House, 457-471 Bourke Street, a multi-storey office building constructed in 1966- 68. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later alterations made to the street level frontage are not significant.

How is it significant?

The Former Dalgety House at 457-471 Bourke Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed in 1966-68 to a design by Peddle Thorp & Walker in association with Meldrum & Partners, the Former Dalgety House has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A).**

The Former Dalgety House is a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular in the 1960s to the mid 1970s, particularly in central Melbourne. Constructed as an 18-storey building, the Former Dalgety House clearly demonstrates typical characteristics of a 1960s to mid 1970s structure, including two adjacent grid-like curtain walls (front and west sides) of dominant vertical mullions and piers with rows of aluminium framed glazing and opaque brown glass spandrels, as well as the use of materials such as opaque glass and aluminium cladding and window frames. These demonstrate important aspects of the Post-War Modernist style **(Criterion D)**

(i) The issue

The issue is whether 457-471 Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1378) on a permanent basis.

(ii) Evidence and submissions

The initial submission from 461 Bourke Street Pty Ltd (461 Bourke)[29] opposed the inclusion of the site within the Heritage Overlay and noted its intention to provide a more detailed submission following the receipt of heritage advice. This was not provided, however it made a submission at the Hearing. Its submission considered that the building did not satisfy Criterion A or D or Clause 22.04, had not been identified in earlier studies and had been highly altered at ground level and that any integrity it had, was no longer legible.

461 Bourke relied on the evidence of Mr Trethowan. He identified a number of changes to the building at ground level including addition of a new entrance and introduction of shops, and changes to the entry plaza piers and original five element canopy overclad. He opined that the changes at the lower level had obliterated its overall appearance. He noted there had been limited changes to the side elevation and under cross examination that the building was highly intact above ground level. He considered that the building's expression was limited to the Bourke Street façade and its contribution was limited to the streetscape rather than to the form of the city.

461 Bourke submitted that the building did not meet Criterion A and that the building's importance had not been established beyond forming part of a representative group with exactly the same association. In relation to Criterion D, it submitted that there was no evidence to suggest it was a pivotal or influential example or analysis to support that it was a fine and highly intact example.

Mr Trethowan was critical of the comparative analysis and the approach to Criterion A, which he considered generic, too broadly applied and lacking explanation. While indicating that it could be said the building met Criterion A, this was not enough – it needed to be better than most. He described the building overall as 'semi-intact' and it demonstrated a number of characteristics of the International style but not a 'large range' or in a way that was balanced or 'fine'.

Mr Gard'ner's evidence considered Dalgety House to be locally significant as a place which had a clear association with the postwar building boom and was a fine and highly intact representative example of a postwar Modernist commercial building, satisfying Criterion A and D.

Mr Reeves opined that the place met the threshold for an individual Heritage Overlay. He also considered that the citation ascribed significance on a generic basis and should draw specific attention to important associations with Dalgety & Company, as well as ascribing significance to the fact that the building was rare as one of only two buildings designed by Peddle Thorp & Walker in Melbourne.

Council submitted that Mr Trethowan's evidence had, set the bar too high for Criterion A and D, incorrectly identified that meeting Criterion A alone was insufficient, had overstated the impact of building changes on integrity and had applied a quantitative approach that could not be reconciled.

[29] Submission 14

(iii) Discussion

Consistent with the Panel's observations in Chapter 5, for a place to be of local heritage significance it only needs to meet one of the criteria of PPN01, although it should clearly meet that threshold. This assessment is aided by the VHRG but does not require the Step 1 tests to be met and certainly does not require Step 2 to be met. It is unnecessary that a place must be better than most to meet Criterion A or be a notable example to meet Criterion D. Instead, a balanced judgement is required aided by comparative analysis and accounting for levels of intactness and integrity.

It was a common position of all experts that the building was highly intact above ground level and conceded that the side elevations were also highly intact. What was in dispute was the impact the ground level changes have had on the integrity of the building and therefore its representativeness to the class and association with an important phase.

The Panel considers that the ground level changes have altered the original design intent and the way in which the ground level interacts with its recessed plaza and its original sense of entry. The buildings vertical extrusion to ground floor still remains highly legible (although the piers are overclad at the ground level) as does the form of the double height podium (although the fascia has been reclad obscuring the individual sections which reinforced the vertical design emphasis). The sense of plaza still exists, and while the space has been altered with a change to the step arrangement and intruded on some elements (including the planters and glazed canopy), these are visual distractions rather than critical design impacts.

The Panel considers that the integrity of Dalgety House to its postwar Modernist style of commercial building is high. It compares favourably with other 'Beyond the curtain wall' postwar Modernist buildings given its high level of intactness to its original design. The Panel considers the use of 'fine' in this instance to be a reasonable descriptor without tying its meaning to the VHRG. The Panel considers that building satisfies the threshold under Criterion D. It was generally accepted by the experts that it meets Criterion A. The building also has relevant associations with Peddle Thorp & Walker in association with Meldrum & Partners that further contribute to the threshold of Criterion A being met.

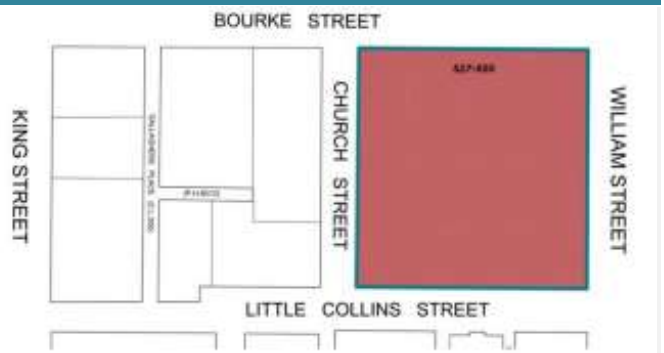
The Panel does not support the further additions to the Statement of Significance suggested by Mr Reeves including attributing rarity to the building. While there might be additional information that comes forward that confirm the importance of this understanding it was not fully explored or set out by Mr Reeves or articulated by Council. It does not materially change the fact that, the building meets the threshold of local significance without this addition, or that Criterion A already acknowledges Dalgety & Company and Peddle Thorp & Walker.

(iv) Conclusion

The Panel concludes that 457-471 Bourke Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1378) on a permanent basis.

7.3 527-555 Bourke Street, Melbourne (HO1310)

Exhibited Statement of significance



What is significant?

AMP Tower and St James Building Complex, 527-555 Bourke Street, a multi-storey office building and plaza complex constructed in 1965-69. Elements that contribute to the significance of the place include (but are not limited to):

- The original external form, materials and detailing of both buildings
- The high level of integrity to the original design of both buildings
- The form of the public plaza.

Later alterations made to the street level facades of both buildings and the roof-top addition to the St James Building are not significant. The garden beds, ramped walkways and in-built furniture within the plaza are not significant.

How is it significant?

The AMP Tower and St James Building Complex at 527-555 Bourke Street is of historical, rarity, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

Constructed in 1965-69 to a design by Skidmore Owings & Merrill in association with Bates Smart & McCutcheon, the AMP Tower and St James Building Complex has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A)**.

The AMP Tower and St James Building are fine and intact representative examples of Post-War Modernist commercial buildings. Lead design by American architects Skidmore Owings & Merrill, the buildings strongly reflect the style which was popular in the 1960s to the mid-1970s, particularly in central Melbourne. Constructed as a 26-storey office tower on a prominent corner site, the freestanding AMP Tower clearly demonstrates typical characteristics of a 1960s to mid-1970s structure, including four identical grid-like walls formed from dominant vertical piers and repetitive square window and spandrel units, a podium base and deep crowning cornice, and the use of materials such as reconstructed granite-faced precast concrete panels, bronze-tinted glazing and

anodised aluminium window frames. Utilising the same materials, the sloping and angled grid-like walls of the low-rise St James Building similarly demonstrate typical characteristics of a grid-like 1960s to mid-1970s structure. Despite alterations and additions made to the two buildings, the AMP Tower and St James Building clearly demonstrates the principle characteristics of a postwar multistorey commercial complex **(Criterion D)**.

The AMP Tower and St James Building Complex is a well-considered and carefully detailed example of a designed urban space in the Melbourne CBD. Widely discussed and illustrated in contemporary architectural journals during and after construction, the site – with prominent corner tower, L-shaped building which encloses the site and associated public plaza – presents as a well-designed and now rare urban space in the CBD. Despite alterations, including the removal of the original Clement Meadmore sculpture 'Awakening' from the plaza, the overall form of the original 1960s urban space can be understood and appreciated **(Criterion B & Criterion E)**.

(i) The issue

The issue is whether 527-555 Bourke Street is of local heritage significance and should be included within a Heritage Overlay (HO1310) on a permanent basis.

(ii) Evidence and submissions

Julliard opposed the inclusion of AMP Tower and St James Complex at 527-555 Bourke Street within the Heritage Overlay. It submitted that, although the complex was associated with the postwar boom and the involvement of the American architects Skidmore Owings and Merrill with Bates Smart & McCutcheon, it was not of historical importance to Melbourne and did not satisfy Criterion A.

On Criterion D, Julliard described changes to the complex including the two-storey addition to the tower along Bourke Street, the increase of the St James Building by three floors on top of the original six in a discontinuous architectural style, the infill of the plaza with a substantial new canopy of the west side and the shop front incursions into the south side and removal of the sculpture. It submitted that the changes had compromised the site to the extent that "*reduced its legibility as an example of post-war modernism"*.

Regarding Criterion B and E, Julliard acknowledged that opinions varied. While it could be argued that the complex was "*making a statement"* when it was constructed and considered a bold new approach to city architecture, in its built form it is considered an urban design disaster. As a result, the complex has been modified over time and there will continue to be to make changes.

Julliard submitted that, as a result of changes, the composition of the complex was "*no longer making a statement about 'Chicago architecture' in Melbourne"*.

It was submitted that while the complex had architectural interest, because of its design shortcomings, ongoing improvements and adaption to its utility and urban design quality should not be impeded by a Heritage Overlay. Applying the Heritage Overlay would make it more difficult to meet contemporary urban design objectives. It submitted that all objectives of Planning Scheme needed to be considered and the existing building needs to be made to work for the community, regardless of any heritage values.

Julliard submitted that although the place was graded B in the 1985 Study, and A in the 1993 Review, the place was not important enough to be recommended for Heritage Overlay protection in the 2002 or 2011 Reviews. It was not identified for protection in the initial Heritage Review in 2018.

Mr Biles was called by Julliard to give evidence on urban design. Mr Biles did not dispute the heritage assessment within the Heritage Review. However, he considered that the complex had extensive challenges in its current form to make it a comfortable and pleasant environment, commensurate with urban design standards that Council is seeking within the CBD through Design and Development Overlay controls.

It was Mr Biles' view that the orientation of the complex was based on northern hemisphere conditions, resulting in an overshadowed and inhospitable environment for the plaza. He explained that changes in 2011-2012 had been made to the plaza and complex to improve functionality of the place.

It was his view that the Heritage Overlay could impede the ability to realise better urban design responses both within the site, in the plaza, and at the site's interface. Mr Biles explained that Council is currently revising the DDO1, focused on urban design, which encourages public interfaces to provide a visual connection between the public realm and interior spaces, avoid blank walls visible from the public realm and provide continuous weather protection on main streets. He said there were objectives of the DDO1 that will be difficult to realise for the St James Complex if heritage needs to be considered.

The evidence of Mr Gard'ner considered that the Heritage Review's assessment provided sufficient justification for the Heritage Overlay. He acknowledged changes to the complex including the canopy addition along the western part of the public plaza, additional canopy along Little Collins Street, addition of retail spaces, additional hard and soft elements into the plaza and addition of glazed levels on top of low-rise angular built form of the St James building. He did not consider the addition of the glazed walls diminished the intactness of the building and said the complex was still clearly legible to appreciate its historical associations, period of construction, tower and plaza form.

Mr Gard'ner's evidence opined that the complex was a fine and intact example of a major postwar high-rise and plaza combination and an exemplar of its type. In his opinion the complex was a considered and carefully designed postwar example and contains a rare, reasonably intact plaza. Mr Gardner accepted that changes had been made to the plaza with new landscaping elements, due to climatic conditions. However, he considered that the original fabric of the place, and the plaza, remained highly legible. He considered that the place clearly met the threshold to be included in the Heritage Overlay.

Mr Gard'ner agreed with Mr Biles that that the plaza had climatic challenges, however he considered that the changes made to the plaza had not diminished the ability to '*read the building*'.

In his evidence, Mr Reeves did not consider changes to the complex had impacted on its significance. He acknowledged the addition to the St James building however he considered it did not completely overwhelm the original building and "*one can distinguish old and new"* and *'the design has been undertaken in a sophisticated way*'.

Mr Reeves considered the Statement of Significance should contain more specific information including:

- more explicit attention be drawn to the fact that it was conceived as the headquarters of a major Australian firm with which the site remains strongly associated to the present day

- the sheer scale of the project, incorporating a 26 storey tower (unusually tall for the mid-1960s) with a low-rise but still substantial annexe block and an expansive L-shaped plaza, was testament to the building's status (as noted in a contemporary report) as "*a visual symbol of an enterprise which has grown with Australia*"
- incorporating some of the more superlative remarks made by the National Trust such as the complex being "*one of the three finest examples of a freestanding tower in Melbourne*" and "*unique for including a freestanding office tower juxtaposed against a lower building*"
- references to, and influence of, contemporary American corporate architecture.

In response to Mr Biles' evidence Council submitted that, notwithstanding the provisions of urban design policy requiring site responsive design, there was no guarantee that heritage considerations would be taken into account in the absence of a Heritage Overlay. Council deferred to the Heritage Review's findings of significance of the AMP Tower and St James Building Complex and maintained that the site was of individual heritage significance.

(iii) Discussion

Considering the evidence and submissions before it, the Panel considers that the AMP Tower and St James Building Complex is of individual significance at a local level and a strong contender for heritage recognition under the Heritage Overlay.

The Panel considers that the complex is of historical significance, important in demonstrating the postwar phase of development in the Hoddle Grid. It considers suggestions made by Mr Reeves in his evidence regarding the association with the AMP headquarters should be included within the Statement of Significance under Criterion A as it contextualises the postwar history of the site, the scale and its scale.

The Panel considers that the changes made to the complex, including the addition to the angular office wall and additions in the Plaza, do not compromise the heritage values of the site. On the contrary, they are a largely sympathetic example of how changes can be incorporated in a postwar setting.

The Panel has been provided with insufficient information to establish whether the further changes to the Statement of Significance suggested by Mr Reeves are appropriate. Council did not propose any changes in response. The Panel considers that his suggestions regarding additional information and influence of American corporate architecture could be included in the citation if the Council sees fit.

In terms of urban design, the Panel observes that urban design controls in various guises have been introduced into the Melbourne Planning Scheme over a long period of time, and apply to heritage streetscapes and buildings in different parts of the CBD. No evidence was provided that tested the scenario that improved urban design outcomes would compromise the heritage values of the site. It is expected that these are matters that would be negotiated and tested through the planning permit process at the appropriate time.

(iv) Conclusions and recommendation

The Panel concludes:

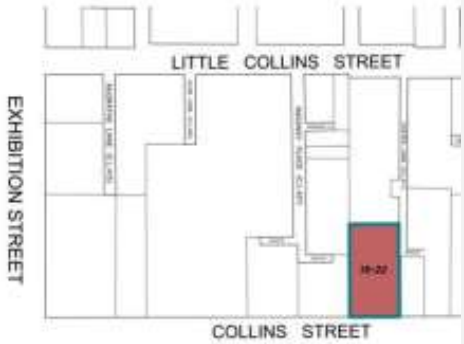
- 527-555 Bourke Street is of local heritage significance (historical, rarity, representativeness and aesthetic) and should be included within a Heritage Overlay on a permanent basis.
- The Statement of Significance should be amended to include reference to the AMP headquarters in Criterion A.

The Panel recommends:

Amend the AMP Tower and St James Building Complex Statement of Significance (527-555 Bourke Street, Melbourne), July 2020 to include reference to AMP headquarters in Criterion A.

7.4 18-22 Collins Street, Melbourne (HO1312)

Exhibited Statement of significance



What is significant?

The Coates Building, 18-22 Collins Street, a multi-storey office building constructed in 1958-59.

Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's very high level of integrity to its original design.

Later alterations made to the street level facade are not significant. Air conditioning units are not significant.

How is it significant?

The Coates Building at 12-22 Collins Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed in 1958-59, to a design by John A La Gerche, the Coates Building has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A)**

The Coates Building is a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular in the 1950s, particularly in central Melbourne. Constructed to the prevailing 40m (132 foot) height limit of the time, the Coates Building clearly demonstrates typical characteristics of a 1950s structure with a curtain wall street façade. The front façade of horizontal rows of framed glazing and vertical mullions which divide the facade into a grid-like pattern, and the use of materials such as aluminium window frames, demonstrate important aspects of the Post-War Modernist style. The fully glazed and transparent front façade is both unusual and distinctive in the Melbourne context **(Criterion D)**

(i) The issue

The issue is whether 18-22 Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1312) on a permanent basis.

(ii) Submissions

Submission 6 supported the application of the Heritage Overlay to The Coates Building.

No place specific evidence was provided on the property by Mr Gard'ner or Mr Reeves.

Council supported the application of the Heritage Overlay to the place.

(iii) Discussion

While this site has only a supporting submission, the Panel observes that the citation identifies:

> The Coates Building, including the original form and the detailing of the exterior of the building, remains highly intact to its original construction in 1959.
>
> Overall, the building retains a very high degree of architectural integrity to the Post-War Modernist style in fabric, form and detail. While the building has undergone minor alterations (eg re-clad entrance at street level and the insertion of air conditioning units into the principal facade), these do not diminish the ability to understand and appreciate the place as a fine example of a Post-War Modernist multi-storey commercial building.

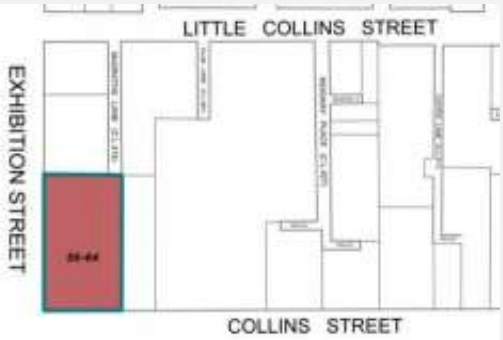
While not specifically addressed in Mr Reeves' evidence, his identification of contemporary sources supplemented the information included in the citation, referencing the 1993 Heritage Review (A grading) and citing Melbourne's Marvellous Modernism, MELMO, RAIA's Register of 20th Century Significant Buildings and Goad's Melbourne Architecture.

(iv) Conclusion

The Panel concludes 18-22 Collins Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1378) on a permanent basis.

7.5 56-64 Collins Street, Melbourne (HO1313)

Exhibited Statement of significance



What is significant?

The Former Reserve Bank of Australia, 56-64 Collins Street, a multi-storey office building constructed in 1964-66. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later alterations made to the street level facades are not significant.

How is it significant?

The Former Reserve Bank of Australia at 56-64 Collins Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed in 1964-66 to a design with input from Prof. Brian Lewis, C. McGrouther, C. D. Osborne, R. M. Ure, and F. C. Crocker, the Former Reserve Bank of Australia has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A).**

The Former Reserve Bank of Australia is a fine and highly intact representative example of a Post War Modernist office building. The building strongly reflects the style which was popular in the postwar period, particularly in central Melbourne. Constructed as a dominant 16-storey building on a corner site, the Former Reserve Bank of Australia building clearly demonstrates typical characteristics of a postwar curtain-wall structure. The cuboid form, with facades displaying a regular grid composed of horizontal bands of glazing with dark spandrels and contrasting vertical columns, as well as the variety of materials, including granite and marble cladding and aluminium window frames, demonstrate important aspects of the Post-War Modernist style **(Criterion D)**

(i) The issue

The issue is whether 56-64 Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1313) on a permanent basis.

(ii) Evidence and submissions

Dexus objected to the inclusion of the former Reserve Bank of Australia (RBA) building at 56-64 Collins Street in the Heritage Overlay.

The submission advised that in May 2020 planning permit (PA1900656) had been issued for 60 and 52 Collins Street allowing the demolition of the two office towers on the site (the second located to the rear of Melville House) and construction of a 26-storey tower. The permit retains Melville House, which is on the VHR.

With regard to Criterion A, Dexus submitted that the site's association with the RBA was not particularly important and there were many Commonwealth departments with an office in Melbourne, as well as the other capital cities. It was submitted there was nothing in the citation, or the Heritage Review's Postwar Thematic History that identified that the RBA played a significant role in Melbourne. It was entirely possible that the RBA at this location had a subsidiary role in the organisation, with principal meetings and decisions being made in the head office in Canberra.

Dexus acknowledged that, while the Postwar Thematic History identifies the creation of the Reserve Bank as a significant banking event in Australia in 1959, this was part of a broad landscape of changes in Australian life, rather than of an importance to Melbourne. It was submitted that these events had no particular connection with Melbourne, other than a government department housed in its own building.

Dexus did not attribute any importance of Professor Lewis in the building's design and considered that the building was not previously highly regarded as it was designed by a Panel and lacked the 'pizazz' of an architect. While Professor Lewis, a Melbourne identity, was asked to assist in the design process as the member of a Panel, this was an interesting footnote and not an important component of the site's relative importance.

Dexus submitted that there was a serious error in that the assessment which described the white marble columns as part of the building, yet this element was no longer in situ. This discrepancy had not been identified by Mr Gard'ner and Mr Reeves.

Dexus submitted that highest grading the RBA building had reached was 'D', in the 1985 Study, and was not graded in the 1993 Review. The original version of the Heritage Review (2018) did not identify the building.

Mr Raworth gave evidence for Dexus. He considered that when comparing the original building with its current condition it now appears as a post-modern building, but was not an important or fine or highly intact example. He said it needed to be better than typical.

Mr Raworth explained that the building was originally designed to appear freestanding, confounding the notion of load bearing walls, with the white marble columns extending from the ground to the top of the building with no sense of a cap to the building. The original design included a deep concourse, which was an important gesture to the public realm, augmented by the Nolan mural.

Mr Raworth noted that the citation did not acknowledge the two new projecting stone cornices that delineated the ground and first floors, as well as the horizontally oriented windows that have been introduced between the granite panelled columns and curved aluminium framed glass wall to Collins Street. In addition, the citation did not recognise that all the vertical marble elements to the upper floors of the tower had been replaced or overclad with segmented stainless steel, and the original spandrel panels at the top of the building had been replaced with a cornice.

Mr Raworth considered that one can no longer appreciate the original building's design and "*a critical component of the architecture's stylism has been lost*", a cornice has been introduced, marble has been segmented with steel cladding and the base is now a post-modern classic revival.

He considered the description in the Heritage Review that the former RBA building 'including the original form and the detailing of the exterior of the building above street level, remains highly intact from its original construction in 1964-66' was demonstrably incorrect. He noted that using the Heritage Review benchmark indicators the upper floors would fit the 'below benchmark' indicator of 'wall surfaces changed by recladding' and the highly altered ground floor would also fit the same indicator.

Mr Raworth considered that Professor Lewis's design involvement did not extend beyond a Panel role and disagreed with the extent of his contribution ascribed in the citation and in the Statement of Significance.

In relation to Criterion A, Mr Raworth agreed that there were historical associations with the RBA however he considered them unimportant. Using the VHRG, he opined that individual places at the local level should be able to be understood better than other places. There was nothing special in the notion that it was a government department and no evidence at all about any historical association arising from the Reserve Bank's contribution to Melbourne. References to the postwar building boom in Melbourne were generic and this building was of the garden level variety.

On Criterion D, Mr Raworth considered that the RBA building has lost many of its characteristics as a postwar tower and these changes had "*badly affected integrity of the building*". While the 1985 Study identified notable features such as the marble and mural, they no longer exist. Mr Raworth opined that the Heritage Review had failed to understand how much the building had been changed.

Mr Raworth acknowledged the building was a contributory building in the Collins East Precinct (HO504) and suggested that the precinct Statement should be amended (through a separate process) to recognise a number of modernist buildings that were identified as contributory within it.

Mr Gard'ner's evidence acknowledged the loss of materials, building fabric and building alterations (particularly at ground floor). However, he considered that the overall character, architectural expression and presentation of the building remained sufficiently intact and the original design intent remained evident. His evidence was that, despite the changes, the building could be understood and appreciated as a fine example of a postwar Modernist multi-storey office building.

Mr Gard'ner disagreed with the extent of the changes in the upper portion of the building described by Mr Raworth and the impact of the changes on the building's significance. He

did not agree that "…*the original spandrel panels at the summit of the building have been replaced by a cornice*" and advised that no cornice had been introduced and the terminating form of the tower remained the same. The main change had been in the replacement or over-cladding of the uppermost spandrel panels in stainless steel. The building retained its butterfly-roofed caretaker suite on top floor and was legible as modernist building. He suggested that the description in the citation should be amended to clearly reflect the replacement of vertical marble engaged piers with stainless steel.

Regarding Criterion A Mr Gard'ner considered that the fact that this building was constructed for the RBA, links the building to the historic themes of 'Governing, administering and policing the city' and 'Building the commercial city' and the sub-themes of 'Commonwealth government' and 'Business and finance' within the Thematic Environmental History. This history and association with important connections with the Reserve Bank justifies the building's assessment under Criterion A.

In relation to Criterion D, Mr Gard'ner considered that the form, architectural expression, fenestration patterns and a substantial proportion of its materials remained highly intact above ground floor level and the RBA building remains highly legible to its original form and could be clearly understood as a Modernist building of the postwar period.

He considered that the objection and Mr Raworth's evidence was seeking a higher threshold. He opined:

> I do not accept that to meet the local threshold the building needs be of higher quality or demonstrate a greater range of characteristics than another well-resolved and detailed example of this class of place. Mr Raworth appears to be advocating for a higher threshold be applied to this building than might, for instance, be applied to a building from the nineteenth century or the first half of the twentieth century. I note that it is relatively rare for locally significant heritage places of any era to feature in stylistic reference documents or publications. This is in contrast with those places included on State registers or the National Heritage List which are more commonly found in architectural reference works particularly where these are innovative, seminal or influential examples. Notwithstanding this, the former Reserve Bank of Australia Building does appear in two publications of which MELMO: Modernist Architecture in Melbourne notes it as '… an important building at the eastern end of Collins Street'.

Mr Gard'ner considered that while the subject building was located within the Collins East Precinct, it did not demonstrate any of the key attributes of the precinct identified within the Statement of Significance and falls outside the period of significance (mid 1800s-1940). It was therefore appropriate to apply an individual Heritage Overlay to recognise the individual heritage values of the building.

The evidence of Mr Reeves supported the application of the Heritage Overlay, considering it met the necessary threshold of significance and clearly ascribed with Criterion A. He considered that the Statement of Significance could be improved:

> by ascribing historical significance more specifically than just as a generic manifestation of the post-WW2 building boom in the Hoddle Grid. By definition, each state capital requires only one branch of the Reserve Bank of Australia. As such, the Melbourne building has historical associations that are unique in the Hoddle Grid, and uncommon across the State of Victoria. The only other building in Victoria to have such direct associations with the Reserve Bank of Australia is the Note Printing Works on the Hume Highway at Craigieburn (1981). Its pre-WW2 counterpart, the Commonwealth Note & Stamp Printing Works at 115 Victoria Parade, Fitzroy (1924), has similar associations, although, strictly speaking, it predates the creation of the Reserve Bank in 1959. As such, the Reserve Bank's premises in Collins Street is the

> only building in the subset of 55 places to have historical associations with a nationwide resonance.

He also considered the Statement of Significance should be updated to elevate the importance of the contribution of Professor Lewis with reference to Criterion A (for the unusual historical circumstance of Lewis being appointment as consulting architect for this major Commonwealth project), Criterion B (for rarity, as one of Lewis' few recorded architectural projects) or Criterion H (for special associations with this influential academic and sometime practitioner).

In cross examination, Mr Reeves accepted the description of the building within the Heritage Review had not considered the extent of changes described in submissions in his evidence. While he was aware that the building had been changed, he did not consider that it was particularly important. He acknowledged that the contribution of the (former) marble clad columns and changes to the fenestration has reduced the building's continuous vertical emphasis however he considered that the original façade articulation could still be appreciated. Essentially, he considered the building was substantially intact.

Council acknowledged changes to the upper levels and the cladding of the columns and considered it is appropriate to reflect these changes in the citation. However, despite these changes the building remained easily recognisable as a postwar office building, which justified Criterion D.

Council submitted that the creation of the RBA in 1959 was an important historical event and vital to Australia's function. It was submitted that the RBA building was one of the handful of examples under the Commonwealth sub-theme within the Postwar Thematic History.

It was Council's view that, while the intactness of the building compared less favourably to other postwar buildings in the Heritage Review, its historical importance was very high. Balancing the level of intactness and historical significance, Council considered Criteria A and D were satisfied.

(iii) Discussion

The Panel considers that the description of the building in the Statement of Significance as 'highly intact' is not accurate and one could be forgiven for thinking that the assessment was prepared based on the original design of the building, rather than the existing conditions.

While there are numerous cases in the Heritage Review where changes to a building is accepted as not having a fundamental impact on the building's integrity, and that one can still appreciate the original design intent of a building, this is not the case here.

The deep concourse and colonnade forming the base of the building has been obliterated and replaced with a black marble base with horizontal features, in a post-modern classical style. The Panel considers that the vertical accentuation of the building's façade has also been completely changed. While it could be said that the former RBA building is 'legible as a postwar office building', in its scale and form, in reality the building does not present as the same building that was originally designed. While the Panel appreciates the Heritage Review's baseline position that ground floor changes are usual in the Hoddle Grid, the overall changes to the building impact on the integrity of the building.

The Panel notes the acceleration of building activity in Melbourne in the postwar era as a destination for establishing government offices, including State and Commonwealth entities, as described in the Postwar Thematic History. The Panel considers that the original RBA building design conveyed an elegance and sophistication in its design, as well as generous and welcoming street level treatment that espoused the ethos of modernity and a public entity.

The Panel acknowledges that there are cases where integrity of a place can remain, even when intactness of a place has been diminished. While the former RBA building demonstrates its period of postwar construction, it is a building that is a shadow of its former self. In addition, in its highly altered current form, it is not in a state that demonstrates the contribution of the design Panel, including Professor Lewis.

The Panel is cognisant that the threshold is of individual significance at the local level. The Panel does not consider that the former RBA building has the integrity to demonstrate its historical associations or representative (beyond scale and form), to reach the threshold of local significance and justify being individually included in the Heritage Overlay.

Although importance is demonstrated under Criterion A, the legibility and therefore integrity of the building to warrant heritage controls is not sufficient to justify individual significance.

The Dexus' submission referred to the officer assessment report for permit application PA1900656 which commented on the heritage considerations:

> Although Council's Heritage advisor is of the view that 60 Collins Street contributes to the significance of the precinct, from a planning perspective, the Statement of Significance does not refer to this or any other modern building and focuses exclusively upon pre-Second World War structures, which are identified as significant and a key attribute of the precinct.

The Panel considers that, separate to this Amendment, the precinct's Statement of Significance should be revisited to account for the postwar buildings which are identified in the precinct as contributory.

(iv) Conclusion and recommendation

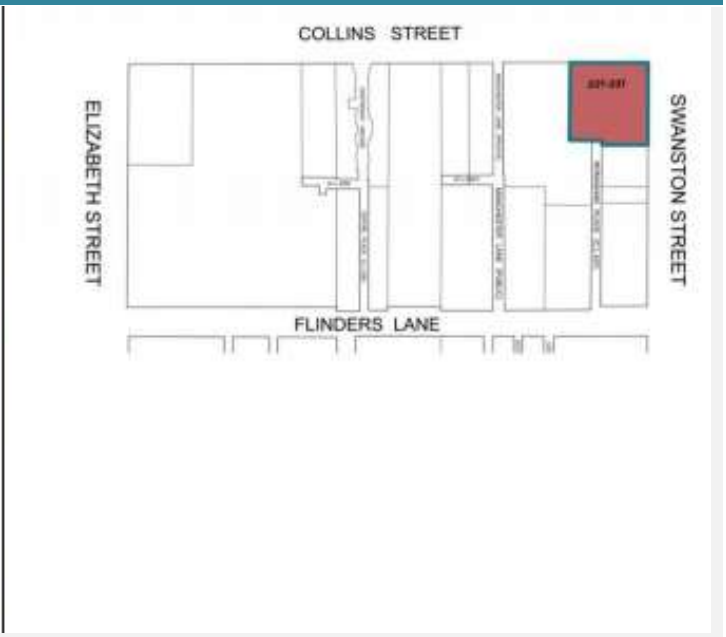
The Panel concludes that 56-64 Collins Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

The Panel recommends:

> **Abandon the application of the Heritage Overlay (1313) to the former Reserve Bank of Australia at 56-64 Collins Street, Melbourne.**

7.6 221-231 Collins Street, Melbourne (HO1315)

Exhibited Statement of significance



What is significant?

Wales Corner, 221-231 Collins Street, a multi-storey office building constructed in 1964-66. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later alterations made to the street level facades are not significant.

How is it significant?

Wales Corner at 221-231 Collins Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed in 1964-66 to a design by Stephenson & Turner, Wales Corner has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A)**.

Wales Corner is a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular in the 1960s to the mid 1970s, particularly in central Melbourne. Constructed as a 16-storey building on a prominent corner in Collins Street, Wales Corner clearly demonstrates typical characteristics of a 1960s to mid 1970s structure, including a solid exterior of three grid-like glazed curtain wall facades containing alternating rows of glazing and solid spandrels, broad dividing mullions and fine horizontal members, a podium base and the use of materials such as metal spandrel cladding, aluminium framed windows and reconstructed stone facing. These demonstrate important aspects of the Post-War Modernist style **(Criterion D).**

(i) The issue

The issue is whether 221-231 Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1315) on a permanent basis.

(ii) Evidence and submissions

Submission 31 considered that the significance of the building had not been demonstrated (including criteria for establishing 'early', 'rare' or 'fine') and was disproportionate to the value of other buildings included in the Heritage Review. It was submitted that the Amendment was contrary to PPN01 which did not support the inclusion of the Heritage Overlay that was individually significant and also in a precinct.

The evidence of Mr Gard'ner considered that the citation and Statement of Significance adequately identified the criteria used to assess the place consistent with PPN01. He agreed that the site satisfied Criterion A and D and was a fine and highly intact representative example of a Post-War Modernist commercial building. He opined that while the property was located within The Block Precinct (HO502) it did not demonstrate any of the key attributes of the precinct identified within the Statement of Significance and falls outside the period of significance (c.1880s-1940). It was therefore appropriate to apply an individual Heritage Overlay to recognise the individual heritage values of the building.

While not specifically addressed in Mr Reeves' evidence, his identification of contemporary sources supplemented the information included in the citation. It included photos by Fowler, Sievers and Willie and identification in the *Building Ideas* architectural journal (March 1965).

(iii) Discussion

In response to the submission the Panel notes that the Statement of Significance does not seek to attribute rarity or aesthetic significance to the building. Notwithstanding the Panel's previous comments about the sometimes-generic nature of the Statement of Significance descriptions for Criterion A and D, in this instance it is comfortable that the necessary threshold is reached for both criteria. This is because the citation provides a sound basis on the buildings high level of intactness and integrity that it is a highly representative example of a postwar Modernist commercial building. In this context the use of the word 'fine' in the Statement of Significance for Criterion D is reasonable.

The citation identifies:

> Wales Corner, including the original form and the detailing of the exterior of the building above street level, remains highly intact to its original construction in 1964-66. Works to the building at street level have altered the original design.
>
> Overall, the building retains a high degree of architectural integrity to the Post-War Modernist style in fabric, form and detail. While the building has undergone alterations at street level, these do not diminish the ability to understand and appreciate the place as a fine example of a Post-War Modernist multi-storey commercial building.

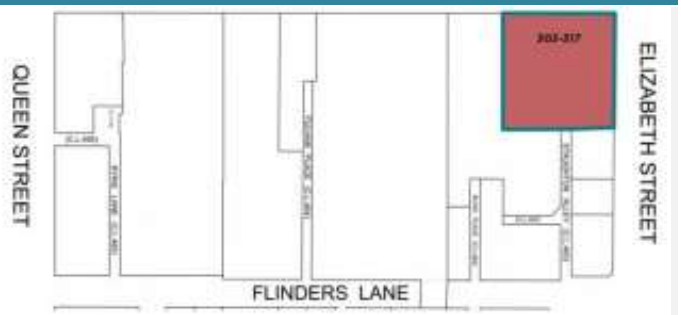
The Panel agrees with this description. Its own observation of Wales Corner is that the building's original architectural design remains highly legible, including the vertical expression to its base at ground level and the distinctive contrasting first floor level. The building's architectural integrity is not diminished by the ground floor alterations and the upper levels have not been overclad or significantly altered.

(iv) Conclusion

The Panel concludes that 221-231 Collins Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1315) on a permanent basis.

7.7 303-317 Collins Street, Melbourne (HO1319)

Exhibited Statement of significance



What is significant?

The Former MLC Building, 303-317 Collins Street, a multi-storey office building constructed in 1970-73. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later additions made to the forecourt are not significant.

How is it significant?

The Former MLC Building at 303-317 Collins Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed c1970-73 to a design by Civil and Civic Pty Ltd in association with Demaine, Russell, Trundle, Armstrong & Orton, the Former MLC Building has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A).**

The Former MLC Building is a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular from the 1960s to the mid 1970s, particularly in central Melbourne. Constructed as a 30-storey structure, the Former MLC Building clearly demonstrates typical characteristics of a later postwar commercial building including grid-like walls of clearly expressed structure, and the use of materials such as granite-faced precast concrete panel cladding. These demonstrate important aspects of the Post-War Modernist style. The adoption of a curved form to clearly display the trabeated system of construction is unusual and distinctive. **(Criterion D)**

(i) The issue

The issue is whether 303-317 Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1378) on a permanent basis.

(ii) Evidence and submissions

Phileo's submission relied on the evidence of Mr Raworth and considered that the site did not warrant inclusion in the Heritage Overlay on the basis that significant modifications had been made to the building since construction, its typical materials and detailing were not innovative, and there was a lack of connection to the postwar building boom given the 1973 date of completion. The submission also notes the lack of identification of heritage significance in previous heritage studies.

It was submitted that the building has sat for almost 50 years at one of the most prominent corners of the Hoddle Grid and has never been recognised as an important building, by either experts or lay people. It has not been photographed, written about, or discussed by lay people, or people with a passion for Post-war modernist buildings or a keen interest in the history of Melbourne. Prior to October 2019, it had never been identified in any heritage study as a building of interest, let alone importance. The Statement of Significance has not demonstrated 'importance' (central to Criterion A and D), and that terms such as 'fine', 'representative, 'recognisable', 'typical' and 'very typical' do not necessarily demonstrate importance and should not erode, or be a substitute for, its original meaning.

Although the building was built within a period in Melbourne's cultural history, the postwar era, that alone does not give it importance in the course or pattern of Melbourne's history. In addition, although the building displays some typical characteristics of the postwar office building, this alone does not give it importance in demonstrating principal characteristics of the postwar boom in Melbourne that Criterion D requires.

Mr Raworth considered that the building was not of sufficient representative (architectural), or historical significance to warrant a Heritage Overlay control.

He explained that the original tower and plaza design, comprised a concave tower form to create a generous forecourt with the rotunda as a focal point and the relationship of the rotunda to the tower and the circular lift shaft was a key aspect of the design. The entire plaza and circular forms at ground level were removed and later replaced with a multi-level podium extending to the street boundaries.

He considered that the loss of the forecourt, rotunda and landscaping has undermined the logic of the curved plan form, regardless of the remaining intact tower above the podium. As a result of these changes, he considered that the architectural (representative) significance of the former MLC Building has been appreciably compromised and the citation's description of the podium as 'low-rise' gives a misleading impression of its visual impact.

He considered that changes to the building were understated in the building's assessment and citation and the construction of a new podium over the forecourt goes well beyond the typical alterations to the ground floor of postwar offices or buildings, which typically involved new glazing/shopfronts, entrances and awnings.

He considered that, from the outset, the building's design was 'anti-urban' in character and not well-resolved in the first place; its concave design was contrary to the historic practice of design in Melbourne and 'spurned' the Hoddle Grid. He considered it was an unusual but poorly resolved design in Melbourne at the time, whereas the former BP House (in City of Port Phillip), with its concave form is a celebrated and better resolved postwar example of corporate architecture as it turns itself into the corner.

He considered that there is little importance to the fact that it was a building built for a major insurance company and that large companies had always been attracted to Melbourne's CBD by nature of the fact that it is the State's capital. Furthermore, he did not consider that the building represents a major milestone in Melbourne's architecture.

Mr Gard'ner's evidence was that the alterations to the forecourt of the MLC Building were acknowledged in the Heritage Review and did not diminish the architectural integrity or the ability to understand and appreciate the place as a fine example of a postwar commercial building. He considered that the building has a clear association with postwar building boom and is "*a fine and highly intact example*". He considered that the citation duly notes the demolition of the rotunda and plaza and replacement with podium and the massing, form and is highly legible. He considered that the remaining upper levels have a dramatic curved form and the podium addition is only a small part of the building's principal elevation. He maintained that the building retains sufficient integrity to demonstrate value of period of boom.

While Mr Raworth considered that the building is not notable, Mr Gard'ner explained that the citation makes no claim that it is a pivotal example, nor that it must be notable.

Mr Gard'ner acknowledged that the plaza and rotunda were prominent part of the original building and typical of the time and that the architectural relationship between the circular form of plaza and tower is no longer legible now.

However, given the Heritage Review's more lenient approach in terms of intactness of lower levels, the overall building retains integrity and continues to represent characteristics of its class. It was a tower and plaza, and is now a tower and podium. It retains its postwar façade articulation, expressed lift core, proportion, use of modular precast materials, a relationship between the building to its site (atypical) and has a large range of typical features. These characteristics made it a worthy postwar example. He considered that it is well-resolved in an architectural sense to the point that it is representative of modernism to meet Criterion D. He confirmed that the citation did not contend that this was a place that meets Criterion E.

Mr Reeves supported the application of the Heritage Overlay to the building and considered that it represented a 'break through the sky' at the time of its construction.

He considered that the Statement of Significance was too generic and that its historical significance could have been more explicitly described including its association with evolving planning regulations that allowed for taller buildings, its status in corporate architecture evidenced by publicity and opening by Premier Rupert Hamer, and its longstanding association with MLC, a major insurance company that was based on the site since 1938.

He considered that Criterion E should also be invoked as the building was an early and rare surviving example of the curved tower form with "*no truly pertinent comparator within the Hoddle Grid*". He considered that the Statement of Significance did not give enough reference to the "*very unusual curved, quadrant plan*", potentially only comparable with the Sydney MLC Centre, which become more common in the 1980s.

Mr Reeves did not consider the implications of changes and intactness of this building. He accepted the podium's impact as described in the Heritage Review and its methodology as it applied to this site. It was his view that significance was not contingent on the intactness of the ground floor.

Council submitted that, despite changes to the original design at ground level, the upper levels were highly intact. What has happened with the MLC building is common to other buildings, and its original condition can be understood through documentary evidence. It is reasonable to conclude that this is a highly legible and intact building having regard to the proportion of the building that remains.

At the Hearing there was debate among the parties about the designers of the building, and the relative contribution of Civil and Civic, Mr Kudilicki, a building designer employed by Civil and Civic, and Demaine Partnership Pty Ltd. Council relied on Philip Goad's *Australian Modern* reference that both Civil and Civic and Demaine were associated with the design of the building.

(iii) Discussion

Whether the design of the MLC Building was to the particular taste to Melbournians, it is a building that, as designed, was striking in its atypical design. Its original tower and plaza form was an early example of curved tower (whether convex or concave) in corporate office development.

Having regard to the Postwar Thematic History, the Statement of Significance as it relates to Criterion A, is too broad in relying on its association of the postwar era. Aspects of the building such as its plaza/tower combination, demonstrating planning controls that traded off higher buildings with public spaces in the form of plazas, its experimental corporate office design, all have a direct relationship with this phase of development within the city. This is a substantial shortcoming of the assessment and the respective Statement of Significance for this building.

Having considered the evidence, the Panel considers that the building's importance under both Criterion A and D could potentially be demonstrated by focusing on elements of the buildings design. However, the building needs to be assessed in the context of its existing state. The original development with its plaza, rotunda and circular landscape features was a key component of the overall design of the complex and represented a key place type. The building, with its remaining tower might be *proportionally* intact, however the design intent of the overall complex has been substantially changed. This change has impacted on the integrity of the building as it was originally designed as a tower/plaza. While the podium can be 'read' as a new addition, the Panel considers that it has changed the design intent of the overall complex that can no longer be read.

The changes at the ground level are not innocuous or typical of those where one can understand or appreciate the building as it was originally designed in the postwar era. The state of the building could be considered contributory but does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

While there was considerable discussion, evidence and submissions made regarding the authorship of the building's design, it appears that there is no definitive information currently before the Panel that confirms the designer or architect. In this instance this is not determinative and the way it is currently expressed in the Statement of Significance and citation is adequate.

(iv) Conclusion and recommendation

The Panel concludes that 303-317 Collins Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

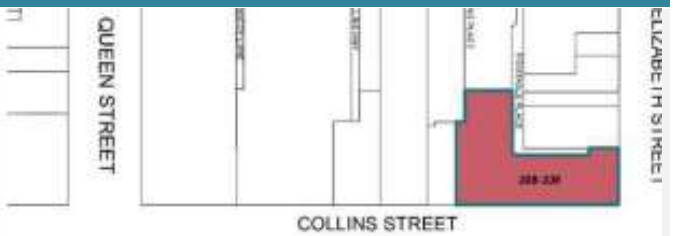
The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1319) to the former MLC Building at 303-317 Collins Street, Melbourne.**

7.8 308-336 Collins Street, Melbourne (HO1320)

Exhibited Statement of significance

sculpture



What is significant?

The former Colonial Mutual Life Assurance Society building, built in 1959-63 to a design by Stephenson & Turner, and publicly accessible plaza with bronze 'Children's Tree' sculpture, created in 1963 by Tom Bass at 308-336 Collins Street, Melbourne, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale;
- Original publicly accessible plaza setting with bronze 'Children's Tree' sculpture, created in 1963 by Tom Bass;
- Original pattern of fenestrations; and
- Original double height building base with granite cladding and aluminium windows.

Later alterations, particularly at street level, are not significant.

How is it significant?

The former Colonial Mutual Life Assurance Society Building with Plaza and 'Children's Tree' sculpture at 308-336 Collins Street is of local historic, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

The former Colonial Mutual Life Assurance Society building, constructed in 1959-63 to a design by Stephenson & Turner, for the Colonial Mutual Life Assurance Society (founded in Melbourne in 1873), is significant as part of the post-World War Two development and the rapid growth of the corporate architecture of the 1950s-1970s. Its development reflected the expansion of large national and international companies opting for construction and naming rights of new city office buildings as a form of promotion and fund investment. The former Colonial Mutual Life Assurance building is significant historically as a reflection of the growth of insurance and assurance companies in Victoria during the 1950s-60s resulting in many company-named buildings being commissioned and constructed. **(Criterion A)**

The former Colonial Mutual Life Assurance Society building and plaza is also historically significant as an example of a postwar office site that provided a publicly accessible plaza, demonstrating one of the key aspects of the postwar corporate buildings in Melbourne. Many postwar office towers also played a gallery role as sculpture, paintings and tapestries were installed in their foyers, meeting rooms and forecourts. The provision of the forecourt or plaza in the curtilages of building allotments created a specific urban form in the central city. The former Colonial Mutual Life Assurance Society building and plaza is an important example that still retains the ground level plaza and commissioned artwork by sculptor Tom Bass, 'Children's Tree'. **(Criteria A** and **D)**

The former Colonial Mutual Life Assurance Society building is a good example of post war development in central Melbourne that retains its original form, scale and characteristic stylistic details which reflect the era and original design in which it was constructed. It exhibits a design aesthetic characteristic of its type, medium/high rise commercial office buildings that combine expansive glazed panel with solid sections to achieve a distinctive expressed aesthetic. Key stylistic details include the regular grid pattern of windows above ground level and the original double height building base, clad in granite and retaining the original aluminium framed windows. It is unusual in retaining its original plaza and bronze sculpture 'Children's Tree' created in 1963 by Tom Bass specifically for this space. **(Criterion D)**

The bronze sculpture 'Children's Tree', created in 1963 by celebrated Australian sculptor Tom Bass, and set within its original plaza setting is aesthetically significant. The aesthetic qualities of the place are enhanced by the incorporation of an outstanding piece of publicly accessible artwork in the plaza, which was commissioned by the Colonial Mutual Life Assurance Society. The sculpture and plaza were integral parts of the original design of the building at 308-336 Collins Street, by architects Stephenson & Turner. **(Criterion E)**

(i) The issue

The issue is whether 308-336 Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1378) on a permanent basis.

(ii) Evidence and submissions

AMP Capital Investors Pty Ltd (AMP) on behalf of Sunsuper objected to the application of the Heritage Overlay to the former Colonial Mutual Life Assurance Society Building (CML) because:

- the place was not of sufficient historical, representative or aesthetic significance
- the ability of the place to demonstrate any such significance has been compromised by its diminished integrity and intactness, following a significant refurbishment in 2003
- for Criterion A, the place only demonstrated postwar development of the CBD generically and to the extent that it was a 1960s office building of which there were many other examples. The alterations have largely replaced the postwar Modernist style with a contemporary architectural character
- for Criterion D, the place did not display anything other than typical characteristics of postwar office development, and the alterations had transformed the original features
- for Criterion E, there was no visual or thematic connection between the building and the Tom Bass sculpture. The sculpture did not form an integral part of the place and its siting was diminished and cluttered with the various changes to the building and plaza.

Mr Raworth and Mr Edwards provided evidence for Sunsuper.

Mr Raworth considered that the CML Building did not meet the criteria thresholds (A, D and E) to support a Heritage Overlay. He opined that the criteria should be met not just in a simple or generic manner, but to a degree that was better than many or most other

examples at a local level, or to a degree that was comparable to other examples that are subject to the Heritage Overlay.

In relation to Criterion A, Mr Raworth considered the former CML Building demonstrated postwar office tower development in the CBD, but only in the most generic sense insofar as it is a multi-storey office building dating from the 1960s. The same he said, would apply to numerous other postwar office towers in the CBD, but this was not to say they would all meet Criterion A.

Applying the VHRG he considered the building's association with the postwar construction boom was not understood better than most other places in Melbourne with the same association. In addition, the ability of the building to demonstrate the central Melbourne's postwar phase of development was compromised by its diminished integrity and intactness when it was altered in 2003-2004.

Mr Raworth considered the CML building was comparable to 458-466 Bourke Street which was not included in the Amendment based on its intactness. It was also comparable to the former Reserve Bank of Australia at 56-60 Collins Street which he did not consider worthy for inclusion in the Heritage Overlay due to its intactness (among other reasons) and that the CML building had undergone similar changes. Eagle House at 473 Bourke Street, on the VHR he considered to be better, more architecturally sophisticated and more intact than the CML Building.

Mr Raworth advised that further changes to the CML façade were inevitable as the aluminium composite panels installed in 2002-2003 had been found to contain a flammable material and would need to be removed. While he understood that the original travertine facing was extant under the aluminium cladding, this did not mean the original architectural character of the building was easily recoverable.

In relation to Criterion D, Mr Raworth considered the building did "*not display characteristics of a higher quality than is typical for postwar Modernist office buildings"*. The principal characteristics of the building as described in the Heritage Review, including the use of a concrete and steel frame, the regular grid pattern of aluminium framed windows and solid cladding and double height podium with stone facing, were standard for multi-storey buildings of the era. Regardless of this, he maintained that the postwar Modernist character of the building was not easily understood or appreciated on account of its low intactness. In addition, the building was not special in displaying the evolutionary phase of development and was subject to mixed reviews and, at times, luke-warm commentary in publications such *Australian Modern: The Architecture of Stephenson and Turner*, and *Melbourne's Marvellous Modernism* with unflattering commentary in *MELMO* especially in relation to the building's conservative style.

On Criterion E, Mr Raworth acknowledged that aesthetic significance was posited to arise from the public plaza and presence of the Tom Bass sculpture, and not the CML building itself. However, he considered the citation did not properly recognise the extent to which the plaza had been diminished in extent (notwithstanding that it does not seem to have been especially large in its original state and more accurately described as a small piazza) and the additions at the front of the building had reduced its already 'meagre size'. He did not consider the Tom Bass sculpture related to the architectural character of the building and it could be appreciated in the public realm on its merit, without reliance on the building.

Although postwar plazas were now relatively rare in the CBD, this did not elevate the importance of this one.

Mr Edwards curatorial consultant provided evidence regarding the Tom Bass sculpture 'Children's Tree' and its contextual relationship to the CML building and plaza. It was his evidence that the sculpture was a much-loved and readily accessible work of public art – "*in fact, one of the most engaging and enduring in the Hoddle Grid"*, and a popular city attraction for over 50 years. However, except for proximity, it had little relationship to the CML building stylistically, with its organic and pictorial character of the sculpture with no reference to the building's architectural style. It did not relate to its setting as it did not connect with or frame the entrance. This is contrasted with other works by Bass, which integrated with the building's design, including 'The Trial of Socrates' at Wilson Hall at University of Melbourne which he considered a superior example of sculpture designed for, and integrated within, the building.

Mr Edwards considered the principal merits of the Children's Tree were 'unequivocal' citing its "*lyrical modernist style, the consummate modelling of its forms, the sympathetic treatment of subject and the suitability of its scale as a work in the public realm"*. He considered the Children's Tree should be valued and carefully preserved.

However, Mr Edwards considered that the attributes of the sculpture were intrinsic to the sculpture itself and that it could be transferred to another suitable civic location of comparable scale. In respect to how Criterion E was applied in the Heritage Review, he did not consider the sculpture to be integral to its current location in the sense of it 'contributing importantly' to an 'understanding' of the history or social significance of the site'. This was unlike Bass's work at Wilson Hall, which if removed would substantially deplete the building. The Children's Tree could stand on its own and be appreciated. Similarly, the building stands on its own without relying on the sculpture.

In terms of inspiration for the sculpture, Mr Edwards advised that Bass was interested to create children's sculpture, creating works that appealed to families and children, and following a trend of creating sculptures that children could play on. This was a general interest for Bass and Mr Edwards did not consider CML influenced the theme of the sculpture. He considered it an autonomous work of art. It was worthy of recognition/protection however it did not rely on this particular location to be appreciated. In cross examination he considered the sculpture's retention on the site was a good option, but that it could also sit elsewhere in the Hoddle Grid.

Mr Gard'ner considered that the citation and Statement of Significance provided sufficient justification for the Amendment. He considered that while the CML building had been altered it remained largely intact to its original form and scale and changes to the facade had not diminished the ability to understand and appreciate the place as one of the finer and representative examples of postwar office buildings in the CBD. Along with other postwar office buildings in the Heritage Review, the building illustrated the advancement of construction techniques from the 1960s through to the mid-1970s and demonstrates the broad range of design approaches of the period. He identified that the building/public plaza combination was important and an increasingly rare typology in the Hoddle Grid. His evidence considered the relationship of the building to the plaza was integral to its significance and the partial infilling of the return of the plaza and construction of a cantilever canopy had not substantially reduced the legibility of building/plaza relationship and the

'Children's Tree' sculpture. He identified a clear link between the 'Children's Tree' sculpture and the plaza as it was commissioned specifically to sit within this space.

Mr Gard'ner acknowledged the original design intent of the façade had been somewhat diminished through the early 2000s work. However, given the need to re-address the cladding issue, there is opportunity to reinstate the original grid-like pattern of the façade. Unlike Mr Raworth, Mr Gard'ner considered the recladding of the CML building had not dramatically changed the expression of the building.

Mr Gard'ner considered that although the Collins Street colonnade and turning into Elizabeth Street had been removed and filled in with shops and a 'two storey box' added onto the Elizabeth Street frontage, these changes to the ground floor level were of a nature that still retained a high degree of integrity to its original form. He considered the complex comprising the tower, combined with the plaza (albeit small), and 'Children's Tree' sculpture (more accessible than the Melbourne University example), displayed a high degree of integrity.

He maintained the building was locally significant for the rapid growth of corporate architecture of the 1960s, is a representative example of postwar development, and its plaza and importantly the bronze sculpture that was commissioned for CML.

Mr Reeves agreed with Mr Gard'ner's assessment of the CML building and complex. He considered that the conservative design of the building was not an adequate basis for it to be immediately dismissed as an unremarkable example of the firm's work and cited evidence that Stephenson & Turner themselves considered the CML Building to be a noteworthy project for the firm.

Mr Reeves made no analysis of the impact of the changes made to the building and simply accepted the citation as described. He provided evidence the sculpture was integrated with the development of the building. In response to Mr Edwards' evidence, Mr Reeves stated:

> It is well documented that the sculpture was commissioned by CML as part of the broader building project, which is sufficient to demonstrate a historical link between the sculpture and its context. This is certainly distinct from a sculpture that might have been installed in a building's plaza some years later, without necessarily having been designed especially for it (eg Fremiet's equestrian statue of St Joan of Arc in the forecourt of the State Library of Victoria). In Tom Bass's published memoirs, the artist himself confirmed that the theme for the sculpture was specifically requested by the commissioning clients. He recalled: *When they first said they wanted a children's sculpture there, I thought how inappropriate it was to have something for children in such a busy noisy place. But I went along with the idea and the more I worked on it the more I realised how important it was to create this little incident in the heart of a great bustling city that would remind people of their childhood. It would also be a place where children brought into the city could find some little thing that related to them*.
>
> Certainly, a thematic link between the sculpture's subject and the company's remit was noted at the time it was unveiled, and by no less an authority than The Age newspaper's art critic, the erudite and highly-regarded art historian and academic, Bernard Smith. In his weekly column for 17 December 1963 (reproduced in full in Appendix B), Smith wrote: *Bass has provided his patrons with a sculpture successful in several ways. Firstly, he has found a theme congenial to both patron and artist. Childhood is precious enough, the patrons wish to say, to serve financial protection. Childhood's acute and tremulous vision of reality is precious enough to be protected too, says the artist – and says it simply and efficiently*.

Council supported the evidence of Mr Gard'ner and Mr Reeves and maintained its position that the CML building, plaza and sculpture should be included in the Heritage Overlay.

(iii) Discussion

Having regard to all of the evidence, the site's context and the assessment, the Panel considers that CML building is of local significance under Criterion A, D and E.

The Panel finds that the CML Building is an excellent example of postwar commercial development in the CBD and its combination of tower/plaza and artwork demonstrates a key development phase, both in corporate architecture, as well as new approach for planning in the City, clearly articulated in the Thematic Environmental History and the Statement of Significance. The Panel considers Criterion A and D are met in this regard.

In terms intactness, while parts of the original concourse have been glazed and 'boxed in' at the ground level to create new shops, its pillars remain with the black travertine and the glazing enables one to still appreciate the building's design (albeit altered) in its entirety. This is unlike the Reserve Bank of Australia, where all aspects of the ground floor's original design have been removed (glazing and pillars), fundamentally changing the design of the building.

Despite a reduction in the size of the plaza due to the 'box-like' addition on the Elizabeth Street frontage, the plaza is still retained and able to be appreciated as the forecourt to the CML building. This is contrasted with the MLC building on the next corner at 303-317 Collins Street, where the plaza no longer exists.

While the façade has been altered with vertical and horizontal elements, the Panel does not consider this element changes the understanding of the building. The Panel notes that further changes will be needed. Given the understanding of the postwar attributes of the building and its significance, this can assist in informing a more sympathetic response in the future and is a matter for future decision making under a planning permit. In the context of this Amendment, the Panel considers that the façade as it presents today does not put the building into the category that it is so altered that its integrity is diminished.

The Panel is persuaded by the evidence provided by Mr Reeves, that Bass designed the sculpture with his client, CML, and for the location. The intent of the sculpture, at ground level and physically accessible to passers-by is a completely different context to his Wilson Hall commission.

Having regard to Mr Edward's evidence, the Panel considers that the Children's Tree is an important sculpture for Melbourne in its own right and can be appreciated on its own. However, this does not diminish the fact that it also forms part of a composition of elements on the site, the tower/plaza/artwork. Furthermore, the Panel considers that the stylistic difference between the tower's architecture (especially the ground floor), in hard surfaces and clean lines, and the organic form of the sculpture, as well as the busy city location and subject matter of the sculpture presents as a juxtaposition but has been designed as such, considering Mr Reeves' evidence.

The Panel is satisfied that the sculpture and the building have a relationship and that Criterion E is satisfied.

The Panel finds that the complex, as a whole, has a high degree of integrity and the Statement of Significance as it is written provides clear justification that the place is local heritage significance.

The Panel considers that the Statement of Significance would be enhanced with the inclusion of images of the sculpture and plaza setting.

(iv) Conclusion and recommendation

The Panel concludes that 308-336 Collins Street is of local heritage significance (historical, representative and aesthetic) and should be included within a Heritage Overlay on a permanent basis.

The Panel recommends:

> **Amend the former Colonial Mutual Life Assurance Society Building with Plaza and 'Children's Tree' Sculpture Statement of Significance (303-336 Collins Street, Melbourne), July 2020 to include of images of the Children's Tree sculpture and plaza setting.**

7.9 430-442 Collins Street, Melbourne (HO1010)

Exhibited Statement of significance

What is significant?

The Royal Insurance Group Company's head office at 430-442 Collins Street, Melbourne, completed in 1966 and designed by Yuncken Freeman. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing; and
- The building's high level of integrity to its original design.

Later alterations, particularly at street level, are not significant.

How is it significant?

The Royal Insurance Group building at 430-442 Collins Street is of local historic, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

The Royal Insurance Group building is historically significant for its association with the rapid growth of high-rise office buildings in the 1960s-mid 1970s postwar period, and with the expansion of large companies undertaking construction and naming rights of new city office buildings as a form of promotion and fund investment. **(Criterion A)**

The Royal Insurance Group building is a fine, intact and representative example of a modern office tower, many of which were designed by the prominent architectural practice of Yuncken Freeman during the 1960s. As one of the largest architectural firms in Australia, with a reputation for modern, high quality design and meticulous detailing, Yuncken Freeman were one of the most successful and prominent architectural practices during the 1960s and 70s. The Royal Insurance Company's head office building is a fine example of its class, having retained most of its original external features. **(Criterion D)**

The Royal Insurance Group building is aesthetically significant for its attributes that include the black granite pre-glazed concrete panels that are expressed in the façade, its podium level of tall glazing carried on columns and its mezzanine level. The aesthetic value of the building is expressed through its highly repetitive façade reflecting the construction system but exploiting this through refined detailing of the jointing design and the colour and finish of the concrete panels. The Royal Insurance Group building is recognised through the awarding of the Victorian Architecture Medal in 1967 and by inclusion on the Australian Institute of Architects Twentieth Century Buildings Register. (**Criterion E)**

(i) The issue

The issue is whether 430-442 Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1010) on a permanent basis.

(ii) Evidence and submissions

Julliard did not support the application of the Heritage Overlay to the former Royal Insurance Group (and other sites it owned) considering it unwarranted and that it required ongoing significant work to remain commercially viable. It identified that it had commercial aspirations for the site along with the demolition of Cowan House (to the rear and fronting 457-469 Little Collins Street and also subject to the Amendment).

Julliard submitted that the building had no particular association with the postwar era that rendered it important. Nor was its construction for an insurance company remarkable. It identified that there had been significant changes to the building including new canopies, removal of the original foyer and incursion into the setback and these had affected the building's symmetrical aspects of its original composition. The existing concrete cladding element referred to in Criterion E, may need to be replaced in coming years for maintenance. It noted that despite being recognised in previous studies and receiving the Architecture Medal in 1967 it still had not been proposed for a Heritage Overlay until now.

Julliard's submission noted the setback at the rear of the building (currently containing a low level structure) and the Temple Court Place laneway provided an opportunity to extend the building. It submitted that if the Panel were to support the Heritage Overlay, that the Statement of Significance should be amended to acknowledge that the rear northern façade in particular and the eastern façade are not of primary significance.

The evidence of Mr Gard'ner was that the site was of local heritage significance for its association with the rapid growth of high-rise office buildings in the 1960s-mid 1970s postwar period, as a fine, intact and representative example of a modern office tower and for its attributes that included black granite pre-glazed concrete panels that are expressed in the façade, its podium level of tall glazing carried on columns and its mezzanine level.

Mr Reeves' evidence considered the building met the threshold for an individual Heritage Overlay and noted the building's receipt of the Victorian Architectural Metal in 1967, its consistently high gradings in four previous Hoddle Grid heritage reviews and its classification by the National Trust as a building of state significance. Mr Reeves suggested identifying the building's form and detailing in the Statement of Significance under Criterion F for its creative and technical achievement.

Council considered there was no basis for acceding to Julliard's request to emphasise the significance of southern and western façades of this building.

(iii) Discussion

The Panel notes that the former Royal Insurance Group was one of the buildings provided with interim heritage controls initially through Amendment C186 (Part 2).

The Panel agrees with the evidence of Mr Gard'ner and Mr Reeves that the building is a fine, intact (particularly above ground level) and representative example and meets the threshold of Criterion A, D and E.

While there have been some changes to the building, in comparison to other postwar examples that feature in this Amendment they are relatively modest and do not impact on the integrity of the building. The building's four facades are highly intact above ground level. It can be read 'in the round' and its original architectural design and aesthetic (through to ground level) remains highly legible.

While the Panel notes the suggestion of Mr Reeves to amend the Statement of Significance to apply Criterion F, it does not consider that this has been sufficiently assessed or justified. Regardless, Council did not propose that change and the broader aspects of the architectural form and detailing are adequately represented in Criterion F.

The Panel's observations about the impacts of the Heritage Overlay on the capacity to make building changes and undertake maintenance have already been set out in Chapter 4.2. Such changes are properly the consideration of the planning permit stage.

(iv) Conclusion

The Panel concludes that 430-442 Collins Street is of local heritage significance (historical, representativeness and aesthetic) and should be included within a Heritage Overlay (HO1010) on a permanent basis.

7.10 516-520 Collins Street, Melbourne (HO1326)

Exhibited Statement of significance

What is significant?

The office building at 516-520 Collins Street, a multi-storey commercial building constructed c1974. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later alterations made to the lower levels of the building are not significant.

How is it significant?

The office building at 516-520 Collins Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed in c1974, the office building at 516-520 Collins Street has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A)**.

The office building at 516-520 Collins Street is a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular in the 1960s through to the mid 1970s, particularly in central Melbourne. Constructed as a 16-storey structure, the building clearly demonstrates typical characteristics of a later postwar commercial building, including a strong horizontal emphasis and highly distinctive spandrels. These demonstrate important aspects of the Modernist style **(Criterion D)**

(i) The issue

The issue is whether 516-520 Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1326) on a permanent basis.

(ii) Evidence and submissions

Collins Property opposed the proposal to include the building at 516-520 Collins Street in the Heritage Overlay and submitted that the Amendment was not justified for the building.

It submitted:

- no analysis was provided in the citation of the relative merits of the comparable buildings selected or their relevance or relationship to the subject building. This made it difficult to see how the comparative analysis provided insight into the threshold for local significance for this building
- the building had not been identified in previous studies or surveys
- the building presents as a late and unremarkable example of a postwar Modernist commercial building.
- the design might have been the work of an architect, however, no link with an architect (or a notable architect) had been established. This was not intended to suggest that only architect designed buildings would meet Criterion D or that the significance of this example would be elevated if such an attribution is made. However, the Statement of Significance specifically emphasised that many similar commercial towers were designed by architects (albeit in the context of Criterion A) and therefore this feature must presumably remain a feature when assessing representativeness under Criterion D. It submitted then that this apparently important feature, was irrelevant in the context of the building.

The submitter advised that works associated with an existing permit had commenced, which included demolition of the existing canopies (central and flanking), ground floor façade including shopfronts, forecourt, plinths and shopfronts and a central section of fins at first floor level. The works involve bringing the building line out to the street edge over the existing forecourt with an entirely new architectural treatment including a striking projecting angled black metal canopy element. It was submitted that the works will further and substantially erode the intactness of the building's 1970s design by introducing an asymmetrical feature at ground level. Collins Property submitted that there was an '*analytical deficiency*' in the Heritage Review because it should have taken into account the intactness of the building as a whole, rather than dismissing the changes to the lower floors.

Ms Gray and Mr Trethowan gave evidence on heritage for Collins Property.

In relation to Criterion A, Ms Gray noted the Statement of Significance articulated the following associations and attributes - a clear association with the postwar building boom which transformed Melbourne into a modern high-rise city, design attributes related to commercial demand and prestige of the central city and many buildings were architect designed. However, she considered beyond its status as a development project of the early to mid-1970s, it was not clear that the subject building had any historical associations or demonstrated particular qualities that would elevate it over any other commercial office building of the 1970s for reasons of historical significance. She said it did not demonstrate the key developmental themes in a way that would be distinguished from other examples.

With regard to Criterion D, Ms Gray considered that it was not clear how 516-520 Collins Street was assessed as a 'fine example' meeting Criterion D at a level indicative of local 'representative significance'. Specifically:

> The building has not been identified in any of the previous surveys of postwar period buildings in central Melbourne and is not referenced in the National Trust of Australia's Melbourne's Marvellous Modernism, established as a baseline survey.
>
> The building presents as a late and unremarkable example of a Post-War Modernist commercial building (at 1974 it comes toward the end of the identified period), constructed at a time when other forms of architectural expression were emerging, notably Brutalism.
>
> It is very likely that the design was the work of an architect (either in-house at Hanover or external), but no link with a notable architect has to date been established. This comment is not intended to suggest that only architect-designed buildings would meet Criterion D or that the significance of this example would be elevated if such an attribution is made. Equally, the statement of significance for 516-520 Collins Street specifically references the fact that many of these commercial towers were designed by architects. This may be a generic part of the statement, but in the absence of a known architect seems not to be particularly relevant to the subject building.
>
> The building does not appear to have been considered to be of note when constructed and was one of many projects being undertaken by the developer Hanover across Australia in this period. The company tailored its development approach to the context (city, suburbs, regional centres); in this case the context was the central city and the building reflects that, just as Hanover's 168 Exhibition Street development, completed two years before, in 1972, and not assessed in the Review, does.
>
> The aspects of the design that are identified in the statement of significance as demonstrating 'important aspects of the Modernist style' are identified as its 'strong horizontal emphasis' and 'highly distinctive spandrels'. The horizontal emphasis is of no particular note – being common across the breadth of buildings of the period – while the use of horizontal concrete elements was already well-established in Melbourne, notably at BP House, and pre-cast concrete panels were also widely used. The curved detail to the spandrel ends here is noted but this is not considered an attribute that would elevate the significance of the design in a heritage context.

Having considered the comparative analysis within the citation, the most direct comparison was the earlier Bates Smart McCutcheon design for 251-257 Collins Street (1971-73). It presented with some similarities in terms of its narrowness and overtly horizontal treatment (albeit through a structural, rather than curtain wall façade, with deeply set windows). The later Former Australia Pacific House by McIntyre & Partners at 136-144 Exhibition Street (1975-78) with its bow-shaped edge beams presented similarly but again was a far heavier structural expression. She considered the other examples were related in scale and form but not particularly in façade articulation, while others were of very limited relevance.

Ms Gray considered the comparative analysis did not provide insight into the building's relative importance beyond that there are surviving 'fine and highly representative' examples of this building type that have 'sufficient integrity to demonstrate this class of place' and the majority have been modified at street level.

Ms Gray considered that while 516-520 Collins Street was part history, all places were and for the Heritage Overlay to be applied, an importance needed to be established. The citation did not provide a compelling case for importance.

In his evidence, Mr Trethowan applied Step 1 of the VHRG but calibrated to the local context of the Hoddle Grid to guide his assessment. He considered that Criterion A had been applied too broadly in the Heritage Review in relation to the multi storey office buildings and the criterion should be applied more selectively, to around 20 buildings rather than the 55 assessed. He considered one test was to assess the how the individual building contributed to the change of appearance in the Hoddle Grid as a consequence of the postwar building

boom. Alternatively, its place within the area of the Hoddle Grid (principally around the former Western Market, and at the intersections of William and Bourke streets, Queen and Bourke Streets, Elizabeth and Collins streets and in stretches of street connecting and immediately these key nodes) which underwent the most dramatic change as a consequence of office development in the postwar period. Mr Trethowan found that 516-520 Collins Street fell into this area and therefore its significance under Criterion A was justified. Nevertheless, because Criterion A had been applied so broadly, it would be inappropriate to designate a building as significant solely on this criterion.

Considering Criterion D, Mr Trethowan interrogated whether 516-520 Collins Street is a '*Notable example of [its] class*.' He considered that the comparative analysis should have been narrowed to consider examples of the International Style as a distinct postwar style, rather than the broader 'postwar Modernist style'. Under this sub-category he compared the building to 344-350 and 251-257 Collins Street, which he considered adopted the northern orientation principle, and both buildings were well detailed and considered. 136-124 Exhibition Street was the most structurally expressive and perhaps was better classified as Brutalism. He considered these buildings the best examples within the Hoddle Grid that enabled the architecture of office buildings within this sub-category period to be 'better understood', leaving the subject site as secondary in comparison. The most important example of this sub-category was is not located within the Hoddle Grid (former BP Building in St Kilda Road, 1962-64, architects Demaine, Russell, Trundle, Armstrong and Orton). This building was important for several reasons but was the earliest and largest application of the continuous spandrel concept in Melbourne. The spandrels face north giving shade to the exterior with the distinctive form of the building taking its cue from the curve of Albert Road. Looking at the criteria required for a 'fine building' on a collective basis, 516-520 Collins Street fell short.

Mr Reeves' evidence considered that the building did not meet the threshold for individual heritage significance. He considered the citation vague on detail and that the building was the only postwar place where the designer could not be confirmed. He stated that the lack of architectural attribution made it difficult to understand the building's stylistic influences and it presented as a typical high-rise office block of the 1970s rather than being notable or distinctive. He identified that the spandrel and window bay detail was demonstrated better at other earlier examples (such as 251-257 Collins Street) or later superior examples (Australia Pacific House in Exhibition Street).

At the Hearing Mr Reeves suggested that, if there was an agglomeration or grouping of postwar offices, 516-520 Collins Street might be considered contributory, but it was not individually significant.

Mr Gard'ner opined that the place was significant for its clear association with the postwar building boom and as a fine and highly intact representative example of a Post-War Modernist commercial building.

He considered that even though no architect had been identified, the building's design was to a high standard and it was a refined example of a postwar office building. Its location, form and architectural expression reflected the key development themes of the time. He considered most buildings in Melbourne are not viewed within the round and the 'slab-like' block was an important typology within Melbourne. He considered the building (above ground floor) was highly intact to its original form and had a high degree of integrity which

would not be diminished by the current building works. He did however acknowledge that the symmetrical elements at ground level would be lost.

In response to submissions and evidence, Mr Gard'ner considered that class type and period of postwar office building was not too broad to establish historical significance. Furthermore, in his evidence in chief at the Hearing expanded that 516-520 Collins Street was an example of a developer-driven building for the market. Mr Gard'ner acknowledged that this building was built at the end of the property boom and "*tells a different part of the story*", as a modest speculative offer at the end of the postwar boom, compared with other commercial buildings in the Heritage Review which were purpose-built for a client or flagship headquarters. He did not agree that something modest and at the tail end was less important.

Council submitted this was a building constructed in 1974, and in the comparative analysis ten buildings were constructed between 1971-1975. They submitted that the example of the smaller speculative buildings helped explain the spectrum of economic investment of the city. Council relied on Mr Gard'ner's evidence and maintained that the Heritage Overlay ought to apply.

(iii) Discussion

The Panel considers that Criterion A has been too broadly applied to this building. This was evidenced by the reference to architect designed buildings driven by the commercial prestige of the city, however no architect has been identified for this building. In this context, it appears that a major reason for applying Criterion A in this Amendment for postwar buildings does not apply to this site. What is left, is that the building was established in the postwar era.

The Panel notes Mr Gard'ner's explanation at the Hearing that the building was developed as a speculative development at the end of the boom. The Panel agrees that this phase is evident in the scale of the building and that this building has a different association within the period compared with corporate examples. However, the importance of this sub-class has not been drawn out in Postwar Thematic History as a phase and class of development in the City of Melbourne, let alone in the citation and Statement of Significance.

The Panel considers, Criterion A within the Statement of Significance is generic and does not explain what makes this building of historical importance in its own right.

On Criterion D, the building does convey the characteristics of its class, as a postwar office building, and more specifically, as described by Mr Trethowan, in the International Style. Its composition and curved features at the end of the concrete spandrals are well-resolved and the building is very intact at the upper levels, beyond the second storey. However, the Panel is mindful that in considering Criterion D, this is to be considered in the context of a threshold of importance in demonstrating the class. Having considered the Statement of Significance and the evidence before it, the Panel does not consider that importance is established, either for the class of building or its architectural style.

The Panel agrees with Mr Reeves that the building could be considered contributory within a group, however its importance is not elevated to the threshold where it is considered important or significant.

(iv) Conclusions and recommendation

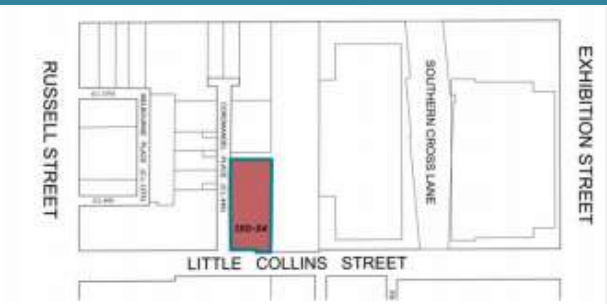
The Panel concludes that 516-520 Collins Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1326) to 516-520 Collins Street, Melbourne.**

7.11 130-134 Little Collins Street, Melbourne (HO1349)

Exhibited Statement of significance



What is significant?

The Former Methodist Church Centre, 130-134 Little Collins Street, a multi-storey office building constructed in 1966-67. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later alterations made to the street level facades are not significant.

How is it significant?

The Former Methodist Church Centre at 130-134 Little Collins Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed in 1966-67 to a design by Bates Smart & McCutcheon in association with F C Armstrong, the Former Methodist Church Centre has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. Constructed as the administrative centre for the Methodist Church, the building was used to coordinate the Church's activities throughout the State for over 50 years. **(Criterion A)**.

The Former Methodist Church Centre is a fine and highly intact representative example of a Post-War Modernist office building. The building strongly reflects the style which was popular in the 1960s to the mid 1970s, particularly in central Melbourne. Constructed as a 7-storey building, the Former Methodist Church Centre clearly demonstrates typical characteristics of a 1960s to mid 1970s structure, including a solid grid-like front façade of regularly spaced, frameless glazed openings set in a dark brick wall, an accentuated first floor level and subtle recessed podium, and the use of materials such as mosaic tiles to the side façade. These design features demonstrate important aspects of the Post-War Modernist style **(Criterion D)**

(i) The issue

The issue is whether 130-134 Little Collins Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1349) on a permanent basis.

(ii) Evidence and submissions

Submission 61 on behalf of the owners of 130-134 Little Collins Street opposed the inclusion of the building in the Heritage Overlay considering it unnecessary in light of an approved planning permit (TP-2017-826) involving the demolition of the building and its redevelopment. The submission identified that contracts have been signed with a demolition contractor, with demolition anticipated in July 2021.

Council's closing submission identified that it appeared that internal demolition of the building had commenced.

Submissions 3-5, 7, 15, 17, 27, 42, 43 and 49 also referred to the building, raising concerns about its demolition.

The evidence of Mr Gard'ner considered the site had a clear association with the postwar building boom and was a fine and highly intact example of a Post-War Modernist office building.

Mr Reeves provided no evidence on this place.

(iii) Discussion

The Panel's observations of the building and the citation confirm that above ground level the building remains highly intact along both its Little Collins Street and Coromandel Place elevations.

While acknowledging the limitations of the use of generic descriptions for Criterion A and D in the Heritage Review, in this instance the Panel agrees with the evidence of Mr Gard'ner and the citation's observations that the building retains a high degree of architectural integrity to the Post-War Modernist style in fabric, form and detail and is a good example of that style from the late 1960s. In this instance the ground level changes do not diminish the ability to understand or appreciate the building as a fine example of the style. It compares favourably to other similar comparators given its lower scale, level of intactness including the regularly spaced grid brickwork and frameless window openings. While the building has undergone alterations at street level, the Panel agrees that these do not diminish the ability to understand and appreciate the architectural design or the place as a fine example of a postwar Modernism.

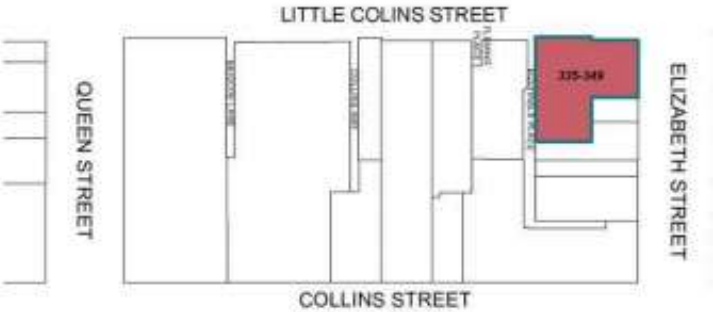
The Panel has addressed the issue of planning permits in Chapter 4.1 and does not repeat it here. The Panel does observe however, that it is likely that the building is currently being demolished or is now demolished, with Council understanding that some demolition activity had commenced before the conclusion of the Hearing. Consistent with the Panel's discussion and recommendation in Chapter 4.1 if demolition has substantially commenced by the time Council considers the Panel's report, the Heritage Overlay should not be applied to the site as there would be no remaining fabric to manage.

(iv) Conclusion

The Panel concludes that 130-134 Little Collins Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1349) on a permanent basis.

7.12 335-349 Little Collins Street, Melbourne (HO1350)

Exhibited Statement of significance



What is significant?

Equitable House, at 335-349 Little Collins Street, Melbourne, comprising two structures, one built in 1925 and the other built in 1968, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original form and scale of both buildings;
- Original composition of façades comprising multiple narrow precast concrete panels with aluminium windows (1968 building);
- External configuration of facades demonstrating aspects of the interwar Commercial Palazzo style and wall surfaces of painted cement render (1925 building); and
- Original steel framed windows on the Equitable Place façade (1925 building).

Later alterations, particularly at street level, are not significant.

How is it significant?

Equitable House at 335-349 Little Collins Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Equitable House, comprising two structures, one built in 1925 and the other built in 1968, is historically significant for the evidence it provides of two waves of retail and office development in Melbourne in the 1920s and post-World War Two. The building reflects the growth and progress in the city in the 1920s and 1960s that resulted in architecturally designed, company-named buildings being erected. The 1925 component of the building at 335-349 Little Collins Street, McEwan House, is historically significant for its long association with wholesale and retail ironmongery business James McEwan & Company Ltd (1852-1965). The business commenced in Melbourne at the corner of Elizabeth and Little Collins streets supplying goods to storekeepers on the Victorian goldfields, and it retained a presence there for some 113 years. The company prospered and, by the 1970s, McEwan's had become one of the largest merchants of its kind, specialising in hardware and builders' supplies, with 23 stores in Victoria, five in Queensland and two in the Australian Capital Territory. McEwan's was acquired by Bunnings in 1993. **(Criterion A)**

The building fronting Little Collins Street, constructed in 1925 to a design by architects Stephenson &

Meldrum, is significant as a relatively intact example of interwar commercial development in central Melbourne, in the interwar Commercial Palazzo style. Along with the Chicagoesque style, the Commercial Palazzo style characterised this interwar wave of development within the Melbourne CBD. The 1925 building demonstrates key characteristics of the style. This includes a strong vertical emphasis resulting from projecting pilasters and mullions, the pilasters dividing the façade into four vertical bays sitting above a strong rusticated base, a substantial cornice, and large horizontally proportioned windows separated by articulated spandrels at each floor. It is unusual in that it is asymmetrical, with a vertical element at the eastern end that is defined by a pair of pilasters, terminating in a decorative pediment above the cornice level. **(Criterion D)**

The building fronting Elizabeth Street, constructed in 1968, is significant as a largely intact example of postwar commercial development in central Melbourne, which utilised the Post-War Modernist style that characterised this new wave of development. Buildings designed in this style represented the new modernism in their modular, industrial aesthetic incorporating features such as external sun shades, consistent access to daylight, open floor plans, air conditioning and centralised lift and service cores to meet new standards for commercial office accommodation. **(Criterion D)**

The façade of Equitable House with multiple narrow precast concrete panels with no formal corner element, which are of particular interest as they are three dimensional with a sloping hood and vertical fins at each end for solar protection and which create repetitive patterns of light and shade across the façade, a characteristic of the Brutalist style. Although the designer of the 1968 building is not known, it is an important 1960s Post-War Modernist building demonstrating a sophisticated and well-detailed resolution to the challenges posed by postwar commercial design. **(Criterion D)**

(i) The issue

The issue is whether 335-349 Little Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1350) on a permanent basis.

(ii) Evidence and submissions

Submission 23 opposed the application of the Heritage Overlay on the basis that it had not been adequately demonstrated that 335-349 Little Collins Street was of heritage significance. It considered the scope of the Heritage Review disproportionate to the value of buildings included and lacked appropriate criteria by which to judge "*early, rare or fine*".

Mr Gard'ner's evidence considered the significance of Equitable House was adequately demonstrated in the citation and Statement of Significance and were relatively intact examples of two waves of retail and office development (1920s and postwar), satisfying Criterion A and D.

Council submitted that the identification of the place as significant was appropriate. It proposed that the architect of the building Meldrum & Partners be included within the citation and Statement of Significance. This was consistent with the evidence of Mr Gard'ner and based on the analysis of Mr Reeves.

(iii) Discussion

The Panel observes that the Statement of Significance does not use the terms 'fine' or 'early' as identified in the submission and Criterion B is not proposed, nor is Criterion E. 'Fine' is not a threshold requirement in Criterion A or D in either PPN01 or under Step 1 of the VHRG.

The Panel considers that in this instance the descriptions and rationale for thresholds for Criterion A and D are well resolved and that the buildings compare well with other comparable buildings particularly given the levels of intactness of both buildings as identified in the citation:

> The 1968 building fronting Elizabeth Street is largely intact with its precast non-load bearing concrete curtain wall and aluminium framed windows to both elevations extant. At street level, shop fronts have been altered over time and there is a heavy cantilevered box awning. Overall the building is of high integrity.
>
> The 1925 building fronting Little Collins Street is relatively intact with its original height and built form legible. The building retains characteristic elements of the interwar Commercial Palazzo style with a strong rusticated base, interim repetitive levels and a prominent cornice. Alterations include an open floor level above the cornice line and a lack of decorative detailing and extensive rustication at the base which was typical for the style, suggesting some details may have been removed in the 2006 alterations. The fenestration pattern appears to be original along both elevations. However, all windows to Little Collins Street and the northern section of Equitable Place have been replaced with fixed aluminium framed windows. Some original windows survive further down Equitable Place. At ground level all shop fronts have been altered over time and a narrow awning added. Notwithstanding these alterations, overall the building is of moderate integrity.

The Panel considers that the Statement of Significance would be enhanced with the inclusion of an image of the building fronting Little Collins Street. The inclusion of the additional information regarding the building being a design of Meldrum & Partner's is supported by the evidence of Mr Gard'ner and Mr Reeves.

(iv) Conclusions and recommendation

The Panel concludes:

- 335-349 Little Collins Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1350) on a permanent basis.
- The Statement of Significance should be amended to include an image of the building fronting Little Collins Street.

The Panel recommends:

> **Amend the Equitable House Statement of Significance (335-349 Little Collins Street, Melbourne), July 2020 to include an image of the building fronting Little Collins Street and identify Meldrum & Partners as the architect.**

7.13 457-469 Little Collins Street, Melbourne (HO1353)

Exhibited Statement of significance

What is significant?

Cowan House at 457-469 Little Collins Street, Melbourne, designed by architects E & G Kolle & Associates and constructed in 1969, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original form and scale;
- Original modular composition of the facades to the office tower comprising precast concrete panels with inset aluminium frame windows and glazed ceramic tiles;
- Original podium form and undercroft, colonnades and loggia; and
- Original materials including glazed ceramic tiles, glazing and rough face concrete blockwork.

Later alterations are not significant

How is it significant?

Cowan House at 457-469 Little Collins Street is of historical, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

Cowan House, designed by E & G Kolle & Associates, and opened in 1969, is historically significant for the evidence it provides of postwar development and rapid growth in Melbourne of corporate architecture of the 1950s-70s. Located in the financial and legal precinct in the western part of the city, it reflects the expansion of large national and international companies opting for construction and naming rights of new city office buildings as a form of promotion and fund investment. Constructed for the Melbourne-based subsidiary of English real estate and investment company Capital & Counties (Australia) Pty Ltd, occupants from 1969-c1983, the building evidences the significant investment made in city building after World War Two by overseas companies. **(Criterion A)**

Cowan House is significant as a highly intact example of postwar commercial development in central Melbourne in the Post-War Modernist style that characterised this new wave of development. These buildings represented the new modernism in their modular, industrial Bauhaus inspired aesthetic and incorporated features such as consistent access to daylight and open floor plans to meet new standards for commercial office accommodation. The building exhibits key attributes of the Post-War

Modernist style that characterised this wave of development, including concrete post and slab construction, a non-loadbearing precast concrete panel façade with a repetitive modular geometry and a street level undercroft and colonnade which wraps around two sides of the building. Cowan House is also representative of the early wave of high-rise commercial buildings constructed following the abolition of the 40 metre (132 foot) height limit for buildings in the city centre. The building is notable for its incorporation of a colonnade and loggia to the Gurners Lane frontage. **(Criterion D)**

Cowan House is aesthetically significant as a highly intact example of the later postwar development in curtain wall design during the 1960s, where a mix of materials was utilised to create a greater modularity and three-dimensional quality to the facades. Its aesthetic significance resides in the fine attention to detail on all four elevations and for the variety of materials used, of differing colours and textures including precast concrete panels, glazed ceramic wall tiles and rough-cast concrete blockwork, with each elevation being well considered and detailed. **(Criterion E)**

(i) The issue

The issue is whether 457-469 Little Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1353) on a permanent basis.

(ii) Evidence and submissions

Juilliard opposed the inclusion of 457-469 Little Collins Street (Cowan House) in the Heritage Overlay on the basis that it does not have heritage significance and does not satisfy Criterion A, D or E.

On Criterion A, Julliard disputed the significance of Capital & Counties (Australia) Pty Ltd, a subsidiary of an English real estate and developer Counties Properties Company Ltd, as being ascribed within the Statement of Significance as important. Neither the Australian company nor the English parent had any important connection with the postwar boom period, was not an important or well-known name and only occupied the building for a short time. It submitted the association with the postwar period was not, in itself, significant. It submitted that Cowan House was named so, well after its construction, for a company not associated with its design.

Mr Trethowan gave evidence for Julliard. He noted the alterations made to the building since construction including realignment of the ground floor shop fronts and upgrades to the entrance foyer, the refinished columns supporting the podium, cladding extended up the façade, dividing the strip windows at first floor and refacing the podium level with stone tiles.

Mr Trethowan considered Cowan House was not an outstanding example of its type and did not meet any of the criteria nor the threshold for inclusion in the Heritage Overlay as an individually significant heritage place.

On Criterion A, he considered one of the initial threshold tests was whether the place could be "*understood better than most other surviving multi storey buildings in the Hoddle Grid".* He suggested one way to determine relative importance was to assess the how the individual building contributed to the change of appearance in the Hoddle Grid as a consequence of the postwar building boom. Alternatively, its place within the area of the Hoddle Grid (principally around the former Western Market, and at the intersections of William and Bourke streets, Queen and Bourke streets, Elizabeth and Collins streets and in stretches of street connecting and immediately these key nodes) which underwent the most

dramatic change as a consequence of office development in the postwar period. Mr Trethowan concluded:

> The building is tucked away in one of the Hoddle Grid's 'little' streets and its impact of the change within the Hoddle grid during the cited period is minimal. In any event the application of Criterion A remains broad. As a result, it would be inappropriate to designate a building as significant solely on the basis of that criterion.

In relation to Criterion D, Mr Trethowan noted the citation advised that the building incorporates three characteristics that are important within the postwar Modernist style, that is the structural design, the panelled facades and the undercroft/colonnade. However, he considered Cowan House lacked other important and critical aspects of the postwar Modernist style because the building's siting and design could not accommodate them, such as material uniformity and consistent treatment of elevations. He considered that the description of the podium and colonnade as a special feature is unwarranted because its design had been compromised.

In terms of other examples of podium developments, Mr Trethowan cited Council House (200 Little Collins Street) and 274 Elizabeth Street. While neither of these buildings were included in the Heritage Review, he considered their podium treatments were better resolved.

In relation to Criterion E, Mr Trethowan did not consider Cowan House to be the best work of the Architect firm E & G Kolle & Associates, who designed several office buildings in the CBD in the late 1960s and early 1970s. He cited their best work as the Houston Building (Aviation House) although noted that this building was unrecognisable today. It was his view that their most successful buildings were those that were designed 'in the round', with a consistency of four elevations. In contrast, he considered that Cowan House had been "*squeezed onto a limited site*" and led to a "*cramped arrangement*" which had compromised the design. The architects could not apply the same treatment on all four sides, while the treatment of the podium, multiple material treatments on different elevations, and sections of the building's upper elevations and the colonnade to Gurners Lane, were unable to be "*tied together into a resolved and unified whole*". While the architects may have carefully considered and detailed the building's external design he opined, the final result was not a success and was not a good example of the International Style.

While he acknowledged that the curtain wall design was a representative feature, he considered Cowan House had several aesthetic shortcomings that could not justify its importance under Criterion E.

At the Hearing Mr Trethowan expressed the view that, considering the context of the CBD and the typology of office buildings, the aim should be to acknowledge and protect "*exemplars not examples*" and rather than considering mediocrity, we should be considering significance. In this context, Mr Trethowan did not consider Cowan House worthy of heritage protection.

The evidence of Mr Gard'ner considered that the assessment of 457-469 Little Collins Street provided sufficient justification for the Amendment. He explained that Cowan House had been identified for its role in representing the important postwar phase of Melbourne's development. He considered Cowan House to be a highly intact, well-considered and designed office building with an imaginative use of design features. He considered Cowan House displayed a greater use of modelling and materiality than other examples in the CBD,

giving it aesthetic significance. He noted changes that had been made to the building including filling in the colonnade, application of vertical fins on the line of the columns below and signalling the entrance. However, despite these changes Mr Gard'ner considered the building clearly demonstrated the tower and podium form, was designed to a high standard, and was a refined example of this building type. Despite the changes, he considered the building retained a very high degree of integrity in its design.

On Criterion A, Mr Gardner did not consider that the building had to change the skyline or be reflected in the skyline to warrant historical significance. In respect of Cowan House, documentary and physical evidence clearly demonstrates that this building was constructed in the postwar period. On Criterion D, he considered the design of the building expressed the postwar architectural movement of the time to a high standard and as a refined and well resolved example of postwar Modernism.

With regard to Criterion E, Mr Gard'ner considered Cowan House had, a greater degree of modelling; layering of different materials; and a sophisticated interplay of elements on the façade. He did not consider that it was necessary for a building to meet the pre-prescribed attributes of the International Modern style as described by Mr Trethowan to be considered to meet Criterion E.

Mr Gard'ner considered Mr Trethowan had applied a higher than local threshold discounting Cowan House on the basis that it is "… *not an outstanding example of the type*". For a place to warrant inclusion on the Heritage Overlay it must meet on or more of the heritage criteria set out in PPN01 at the local level, but it was not necessary for it to be an exemplar or 'an outstanding example' of its type or class.

Mr Reeves considered Cowan House to be a good example of the tower and podium. He considered it was unusual for a small island site to be developed in this manner and architect has made the effort to make decorative sides. He noted other examples of podium developments such as Hosie's Hotel (1954-55) and the RACV Building (1961), and more contemporaneous ones such as the Park Tower flats (1969) and Treasury Gate flats (1971), both in Spring Street, and the Bryson Centre in Exhibition Street (1970-72). He considered, while the podium expression was most typically adopted for multi-storey buildings geared towards accommodation (hotels, apartments and the residential component of a club), it was unusual for an office building, which bolstered the case for Cowan House.

In his evidence in reply, Mr Reeves noted that Grethe Kolle was the architect for the building, which "*tends to put a different slant on the significance of the work of E & G Kolle, given that the work of female architects in private practice tends to be underrepresented in the 1950s and '60s, and especially within the Hoddle Grid*".

Mr Reeves considered, while the 'better examples' (as identified by Mr Trethowan) of E & G Kolle & Associates have been altered, this elevated Cowan House as one of two of the surviving and intact examples of the firm.

Mr Reeves noted that while the citation acknowledged that the building represented an early use of reinforced concrete waffle slab floors, the Statement of Significance did not actually ascribe any technical significance to this aspect by invoking Criterion F.

Council disputed Mr Trethowan's prerequisite that the building needed to have changed the skyline to be of historical significance and maintained that Cowan House possessed the key attributes that justified it to be a representative example, as well as having aesthetic

significance. Council's closing submission while not proposing that Criterion F be identified as suggested by Mr Reeves, proposed that the citation should be amended to indicate that since its opening in 1969 the building was named Cowan House for its ground floor occupants.

(iii) Discussion

The Panel notes the considerable difference of opinion between the experts around the extent to which Cowan House's architectural design is 'well-resolved'. This is to the point where, for example, one expert (Mr Gard'ner) considers the use of a variety of materials as a positive, while the other (Mr Trethowan) held that this was a negative attribute.

The Panel finds that Cowan House does display postwar Modernist characteristics such as the curtain wall, the podium and colonnade and so on. The Panel further notes Mr Trethowan's criticism that the building's design has been compromised by its setting on a small island site.

Having considered all of the evidence, the Panel is persuaded that the overall design has been compromised by its setting and in its treatment of the podium and elevations. While it does display representative characteristics, most notably the curtain wall, the Panel does not consider that the building is necessarily important in demonstrating characteristics of late postwar development to the quality and resolution for which heritage controls are justified. From the evidence submitted, it seems the building is not necessarily well-resolved compared with other examples in the Heritage Review.

The Panel notes that Cowan House is intact. However, considering the evidence of Mr Trethowan, it does not consider that the building possesses a sufficiently high degree of integrity to be considered an important representative example to be protected in the Heritage Overlay.

The Panel is not persuaded that Capital & Counties (Australia) Pty Ltd is a significant aspect of the place that would elevate it for historical significance.

The Panel considers that the building is representative of postwar development in the Hoddle Grid. It might be considered contributory in a group of postwar places, given its period of construction, however as an important and individually significant place, the Panel considers Cowan House that does not reach the threshold.

(iv) Conclusion and recommendation

The Panel concludes that 457-469 Little Collins Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1353) to Cowan House at 457-469 Little Collins Street, Melbourne.**

7.14 588-600 Little Collins Street, Melbourne (HO1355)

Exhibited Statement of significance

What is significant?

Stella Maris Seafarer's Centre at 588-600 Little Collins Street, Melbourne, a postwar club building built in 1972 and extended in 1981, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Early building form;
- The 1981 additions that consolidated and extended the use by Stella Maris; and
- The building's use as Stella Maris Seafarer's Centre.

How is it significant?

The Stella Maris Seafarer's Centre at 588-600 Little Collins Street is of historical and social significance to the City of Melbourne.

Why is it significant?

The Stella Maris Seafarer's Centre is historically significant for the tangible evidence it provides of part of the history of Melbourne as a trading port, and of the prevailing concerns for the religious, moral and social welfare of people in the shipping trade. The place has a long association with the adjoining St Augustine's Church through its role from the late 1960s in continuing the Catholic Church's official missionary work to provide pastoral care, services and support for seafaring people, begun by the Church in the mid-nineteenth century. It is also important for its links to St Augustine's Church (631-653 Bourke Street) built in 1867, one of Melbourne's oldest Catholic churches, and the associated St Vincent de Paul Society, whose members were active in caring for seafarers from the late 1880s. **(Criterion A)**

The Stella Maris Seafarer's Centre is of social significance for its strong association with a Catholic community of lay staff and volunteers, and religious staff, that offer a dedicated mission to seafarers through their work at the Centre and at Melbourne port. The Stella Maris Seafarers' Centre was created through the efforts of this community, and the association is long-standing. The social significance of the Stella Maris Seafarer's Centre is reflected through a strong sense of connection and shared community identity along with a sense of ownership and pride in the Centre as a place and the services offered. **(Criterion G)**

(i) The issue

The issue is whether 588-600 Little Collins Street is of local heritage significance and should be included within a Heritage Overlay (HO1355) on a permanent basis.

(ii) Evidence and submissions

The Roman Catholic Trusts Corporation for the Diocese of Melbourne (Catholic Trust) objected to the Stella Maris Seafarer's Centre at 588-600 Little Collins Street being included within the Heritage Overlay.

The Catholic Trust submitted that the site had not been graded in any previous heritage study and was not of heritage significance architecturally, historically or socially. It submitted that over the last 90 years the Stella Maris organisation has moved three times; initially established at 546 Flinders Street in 1932, moved to 585 Little Collins Street in 1961 and relocated to 600 Little Collins Street when the organisation acquired and built a purpose-built building on the land in 1972. Although there was a social/spiritual attachment to Stella Maris, and the St Augustine church had been involved in the work to support seafarers since the 1870s, this work has been undertaken from numerous sites and was transportable. The Catholic Trust submitted the work of Stella Maris was already recognised and commemorated by the plaque and anchor on the State-registered St Augustine's Church land which occupies the front half of the site, facing Collins Street (while the Stella Maris Centre building serves a 'back of house' function off Little Collins Street).

The Catholic Trust submitted, when considering 'what is significant?', the context of the entire site (including St Augustine's Church) should be considered, not just the 'back of house'. The enduring relationship of providing care for the seafaring community was at the Church (otherwise known as the Mariners Church) as the focus, with various services being located both on-site and off-site. The Stella Maris connection is already recognised in the Statement of Significance for the VHR-listed site and there was no need to control the back half of the site. The work of Stella Maris would continue, whether it was conducted on this site or elsewhere.

It was submitted that the Statement of Significance focused solely on the association and occupation of the land by the Seafarers which was not 'a tangible asset'. It was submitted that the current 1970s building and its early 1980s addition was as a non-descript looking warehouse and, without its sign, no-one would know what the building was used for. The Catholic Trust submitted the building revealed nothing about the historical and social significance of Stella Maris. In the absence of any built form significance, the Heritage Overlay is not an appropriate tool to apply to recognise or protect the historic use of the land. It submitted that the plaque and anchor was adequate testament to "*this very good ongoing and historic work of the Church*".

On Criterion G, the Catholic Trust submitted that evidence of social value must be produced to support the citation. It was not enough for Council and its heritage consultants to "*conjecture*" a social value, nor was it sufficient to rely upon the historical information on the website to assert the association was 'valued' by the community. It was submitted that Criterion G was not about where there is a need or a function of the service but whether there is a social/spiritual connection or community association. Furthermore, it was submitted that the Catholic Trust, as landowner, were not contacted or interviewed as to its views on the social significance of the place.

The Catholic Trust referred to the example of Corner Hotel in Richmond (Yarra Planning Scheme Amendment C191) which considered the extent of research and justification for social significance. In that instance the Panel found that the research did not sufficiently

establish that the value of social significance was held by the community. Furthermore, the Panel suggested that both primary and secondary evidence was required to support such conclusions. The Catholic Trust submitted this test should be applied here.

The Catholic Trust submitted there was already an excellent example with the Mission to Seamen in Flinders Street that demonstrated the connection between the port and this type of use and "*we don't need every example to complete the showbag"*.

Mr Raworth gave evidence for the Catholic Trust. He explained that Stella Maris was established on the site in 1972, at the rear of St Augustine church, during a period when port activities were diminishing, rather than a phase of growth or development of maritime industry. He considered that the Stella Maris component of the site was not a strong historical place in its own right and, although the port's theme was critical to Melbourne, this site was part of a "*broad sweep*" of sites that belong to the theme of port activities. That Stella Maris established at this location, and at that particular time, was a postscript rather than a central part of the story. He considered that the broader picture was the involvement of St Augustine's.

Mr Raworth supported the Heritage Review assessment that found there was no architectural significance to the Stella Maris building and that the site compares poorly to the 1916 Missions to Seamen building at 717 Flinders Street.

On social and historical significance, he considered, while the Stella Maris Seafarers' Centre may reasonably be seen as having some limited historic and social significance as a focal point for seamen's welfare, this significance was not of a degree that warranted heritage control.

Regarding Criterion G, he considered that all buildings possess an identifiable community of users – however whether the place is of a sufficiently elevated importance to society at large to be considered socially significant was the key issue. He stated:

> The presence of the Centre and its activities within the community are not, widely known in Melbourne or considered iconic. Rather, its activities relate to a relatively small number of users and providers within the City of Melbourne. That community is understood as small when compared with those who may be associated with churches, schools or hotel buildings for example, which makes this less of a basis on which to argue for its social significance. The period of Stella Maris's association with the site is also that in which sea transportation arguably became less socially significant to Melbourne than in previous eras due to the introduction of mass air travel.

On Criterion A, Mr Raworth considered that:

> Commencing only in 1972, this association is relatively recent, however, in the context of the intercolonial and international shipping industry that has been active in Melbourne since the 1830s and 1840s. Seamen's welfare organisations were operating around Melbourne much earlier than Stella Maris, as evidenced by the Missions to Seamen building at 717 Flinders Street (1916). The Catholic Church has numerous welfare organisations that are more historic than this, including the associated St Vincent de Paul Society and St Augustine's Church.

He considered there was nothing in the external fabric which identified the subject building as being associated with Stella Maris, the Catholic Church or the social welfare of seamen. While it was recognised that it was built for this purpose, this was not externally apparent in the fabric in any obvious manner. Furthermore, he considered that the design was not unusual or unique.

Mr Gard'ner's evidence considered that the current building had been solely owned and occupied by the Stella Maris and therefore had a clear and direct association with the Stella Maris community. He considered this association to be represented in the building's fabric, as it was purpose-built as the Stella Maris Seafarer's Centre and continues to provide welfare services for that community. This association remained strong due to the ongoing and close relationship between the place, the Stella Maris community and the provision of religious, moral and welfare services to Roman Catholic seafarers. He considered that this was a very different type of building, with the Missions to Seafarers and Lyceum Club as close comparative examples.

In relation to Criterion A, Mr Gard'ner considered that the Stella Maris Centre provided tangible evidence of Melbourne as a trading port and with this part of Melbourne in particular which had long been associated with serving the Port. He found that criticism of the timing of its establishment on the site to be of limited relevance. It was built to address a specific community need, and while he accepted it was a relatively recent place (approximately 50 years), the St Augustine's Church acknowledges its role in supporting seafarers. He considered that objecting submissions and associated evidence understated Stella Maris' historical associations.

On social significance, Mr Gard'ner considered the Stella Maris Centre represented a strong association with a specific community, the seafaring community, and while the group may not be large, this did not exclude it. He considered Criterion G was a long under-represented criterion and the Heritage Review methodology for social significance provided a clear framework for assessing social significance.

On the legibility of the buildings, he considered that the documentary record provided deeper understanding of the building for anyone who wished to learn more about it. He considered additions in 1981 for more overnight accommodation did not compromise the building, and it still clearly retains its function.

Mr Gard'ner referred to PPN01 which considers that, in absence of fabric, recognition of the site can be through a historical marker. However, it was his view that, for this site, there was a clearly extant building where the historical associations could be readily discerned, and fabric remained to be managed. In this context he disagreed that it could be dealt with as a historical marker.

Mr Reeves considered there is justification for the Heritage Overlay for this site. On Criterion G, he agreed with the assessment that the place had social significance. The property was still used for its original purpose, so it was therefore valued. It was an unusual building type and served an unusual community. He considered that ongoing use was indicative of its social value (even if the landowner did not value it). He was satisfied with the citation and that it put forward a compelling case.

Mr Reeves agreed that the building did not overtly say what it was, however, it had a very unusual presence in the city. He considered it had a typological resemblance with the Lyceum Club and appeared "*a bit like a modernist house*" about which the average person on the street would be curious. Combined with documentary evidence and information, the building's significance was able to be understood.

Mr Reeves considered the western part of the Hoddle Grid had a substantial history of maritime industry. Given this was a charity that was connected to the maritime community,

it was important to the city's history. Furthermore, there was little evidence of postwar development in this theme. In this context, he considered that Stella Maris was unique.

Council submitted that while the plaque at the Church is associated with Stella Maris, the actual fabric is still extant and consistent with PPN01, while there was something to be managed, a Heritage Overlay was appropriate. A plaque is suitable only where there was no not fabric remaining. Council disputed that the building looked like a warehouse and submitted that it was possible to read the residential and membership functions of the place. It submitted that, Melbourne was a busy operating port: seafarers are a vulnerable community that need hospitality; and in terms of social significance, the ongoing use was important, special and strong. Council submitted that the location within the Hoddle Grid was important in terms of the history of the port and the building was a record of that association.

Council submitted that it was not appropriate to solely compare this site with the Mission to Seamen as that place was on the VHR.

(iii) Discussion

The Panel has considered the submissions, evidence and undertook a site inspection.

The Panel notes the methodology in 'The Social Value Checklist' in Volume 1. It provides a thorough and comprehensive method to establish social significance and considers that it is robust.

In terms of evidence, the methodology within the Heritage Review requires the following test:

> The evidence needs to be sufficient to demonstrate the key elements of the criteria and answer the 'tests' above. This suggests that each particular community/cultural group needs to be identified, and evidence obtained as to the nature and duration of their association and whether that association has generated feelings of connection that are strong and special.
>
> The methods of data collection should be described and any limitations or issues documented. It is useful to gather evidence from multiple sources, rather than just one source – for example, through an online survey, interviews and observation. In qualitative social research this is described as 'triangulation'. Using more than one method and different sampling strategies to collect data can help assure the validity of the data. As well, different methods may also help capture different dimensions of the same phenomenon.
>
> Generally, the evidence should come directly from the 'particular community or cultural group' however in some circumstances this may not be possible.

The Panel has no doubt that Stella Maris, as an organisation, is enduring and is a longstanding organisation of social significance for the particular group of volunteers and the seafaring community. However, the issue is whether this particular place and this location, (rather than the organisation) has resonance and there is a 'special and strong association' with the place itself. The organisation has moved a number of times over the last 90 years and all experts acknowledged in cross examination that the organisation is transportable. It is noted that support for seamen by the Catholic Church, including the Stella Maris has operated in various guises and in various locations in the CBD, since 1854 and Stella Maris has moved three times over 90 years, most recently in 1972 at the rear of St Augustine's Church complex.

While evidence was cited, from the Stella Maris website, that the organisation provided care to seafarers from dedicated volunteers, staff and priests, no evidence was provided that the particular place or building is held as a place that is important. The Panel agrees that the enduring association, with regard to 'place' is with the St Augustine's Church (referred to in one of the submissions as the 'Mothership') and the work of Stella Maris is aptly commemorated at that place.

The Panel finds that social significance has not been adequately established for this site.

The Panel notes the importance of caring and welfare within the Postwar Thematic History and this is an important theme in the development and operation of the City. That there are two themes here – the ports and caring and welfare. Furthermore, the Panel agrees with Mr Gard'ner that the building is clearly associated with the activity and the Stella Maris community in the last 50 years and that it is a very unusual building and is highly intact.

However, the Panel considers that the historic significance of this organisation is encapsulated in the St Augustine's Church complex where it is aptly commemorated. Its establishment in the 1970s is not associated with a significant phase of development of the port or port-related activities in Melbourne, or in its overall history of caring for seafarers.

(iv) Conclusion and recommendation

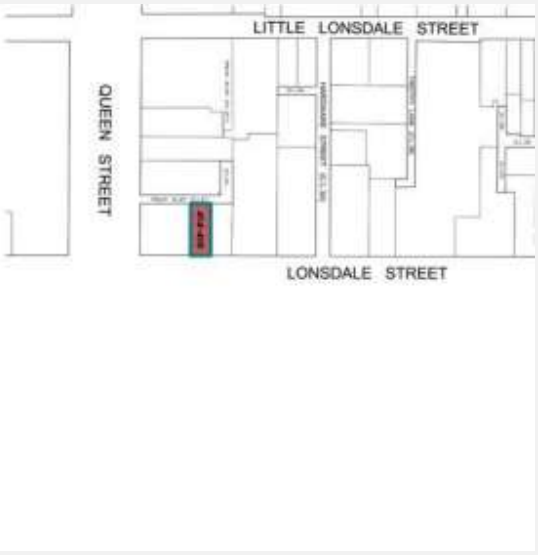
The Panel concludes that 588-600 Little Collins Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1355) to Stella Maris Seafarer's Centre at 588-600 Little Collins Street, Melbourne.**

7.15 414-416 Lonsdale Street, Melbourne (HO1254)

Exhibited Statement of significance



What is significant?

Laurens House, a modernist office building at 414-416 Lonsdale Street, Melbourne, completed in 1956. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing; and
- The building's high level of integrity to its original design.

Later alterations, particularly at street level, are not significant.

How is it significant?

Laurens House at 414-416 Lonsdale Street is of local historical, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

Laurens House built in 1956, is of historic significance for its demonstration of the surge in office development at the time, which reflected not only the adoption of modern architecture, but also widespread economic and political change. From 1949, significant increases occurred in commercial enterprise in Australia in the areas of mining, finance, commerce, and industry, a process facilitated by speculative investment after the Commonwealth government lifted restrictions on share dealings in 1947. This contributed to an increase in the development of city offices. **(Criterion A)**

Laurens House is a representative example of an early curtain-walled office building of the early postwar era (1950s-60s). The building is one of a group of commercial buildings built for insurance and finance companies in the city centre during this period. The modernist aesthetic expressed the ambition and corporate image of these companies. **(Criterion D)**

The eight-storey office building known as Laurens House is distinctively modernist with visual interest derived from the arrangement of building elements across the asymmetrical façade. The lightweight glazed curtain wall contrasts with the more solid masonry elements to one side of the building. This use of solid and void in façade composition distinguishes the early multi-storey curtain wall offices from later examples where glazing was used across the whole façade. Laurens House retains a high level of integrity, comparing favourably with the other examples that have often been refaced or altered significantly at ground level. **(Criterion E)**

(i) The issue

The issue is whether 414-416 Lonsdale Street is of local heritage significance and should be included within a Heritage Overlay (HO1254) on a permanent basis.

(ii) Evidence and submissions

Submission 28 sought further justification for the building's inclusion stating that the Heritage Review lacked a detailed methodology and comparative analysis. It submitted that the building had previously been identified as having a C and D gradings. The submission was also concerned that the Heritage Overlay would preclude redevelopment opportunities on the site and adjoining land.

Mr Gard'ner's evidence identified that the building was one of a number of postwar places that have been assessed as part of the comprehensive review undertaken to address the postwar gap and that the other examples demonstrate that the property is of local significance and the application the Heritage Overlay justified. He considered that the building satisfied Criterion A and D and was a distinctive building with a high level of integrity, providing visual interest from the that the distinct arrangement of building elements across the asymmetrical façade.

Council submitted that the identification of the place as Significant was appropriate.

(iii) Discussion

The Panel has discussed the issue of previous heritage study gradings and impact on redevelopment in Chapter 4.2 and 4.3 and does not repeat them here.

The citation for Laurens House identifies that:

> The upper façade of the building retains a high level of integrity. The shop front has been altered and minor changes have occurred to the stairwell entry. The current recessed glazed shop front does not appear on the original drawings or maps …, suggesting it was installed sometime after 1962. The additional four storeys were completed using the same design.

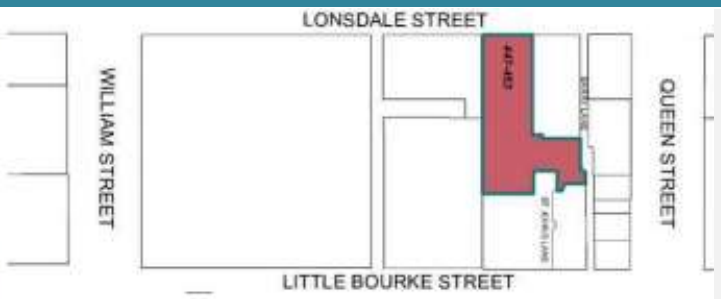
The Panel's observations of the site confirmed that the level of the intactness of the building (including the northern elevation) compares unusually well with other buildings of this era. Despite the shop front changes, the ground floor stairwell entry and upper levels of the building (including original tiles) remain intact. The Panel agrees with the evidence of Mr Gard'ner that Laurens House meets the threshold for Criterion E, as well as Criterion A and D.

(iv) Conclusion

The Panel concludes that 414-416 Lonsdale Street is of local heritage significance (historical, representativeness and aesthetic) and should be included within a Heritage Overlay (HO1254) on a permanent basis.

7.16 447-453 Lonsdale Street, Melbourne (HO1361)

Exhibited Statement of significance



What is significant?

The Lonsdale Exchange Building at 447-453 Lonsdale Street, Melbourne, built in 1969 by PDC Construction to a design by the Commonwealth Department of Works is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale;
- Unpainted face brick cladding and expressed metal perimeter frames, original pattern of fenestration and window openings;
- Recessed ground level entry, black granite tiled cladding, British Coat of Arms, Royal Cypher and 'Lonsdale Exchange Building 447-457 Lonsdale Street' lettering at street level; and,
- Original aluminium frame windows and louvres.

Later alterations, particularly at street level, are not significant.

How is it significant?

The Lonsdale Exchange Building at 447-453 Lonsdale Street is of historical, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

The Lonsdale Exchange Building is historically significant for its ongoing civic function and association with the longer civic use of the site. From 1911 to the present day, the site has been used for the provision of telephone services to the city, and is located within an area which encompassed government, administration and communication services. Construction of the Lonsdale Telephone Exchange demonstrates the breadth of Commonwealth powers in the decades that followed World War Two, a shift that occurred in the postwar period and resulted in increased construction of buildings in city centres by the Commonwealth Department of Works. As a large-scale purpose-built building completed in 1969, replacing the earlier 1911 exchange building and supplementing other earlier postwar telephone exchanges in the city, it also demonstrates the growth and changes in telecommunications by the mid to late 1960s. **(Criterion A)**

The Lonsdale Telephone Exchange is significant as a highly intact and refined example of postwar Commonwealth government development in the City of Melbourne. The Lonsdale Exchange

> Building utilises the Post-War Modernist style that characterised this wave of development, but with aspects of the Brutalist style that are commensurate with its very specific function. It is representative of the modern purpose-built telephone exchange buildings designed by the Commonwealth Department of Works in the 1960s and 1970s to store large technical equipment and switchboards as well as accommodating an expanded workforce. **(Criterion D)**
>
> The Lonsdale Exchange Building is aesthetically significant as a well-executed design by the Commonwealth Department of Works. It is a substantial, disciplined, refined and highly intact example of a Post-War Modernist style multi-storey building incorporating features of the Brutalist style, such as large areas of solid masonry walling and a lack of large areas of glazing. These characteristics are overlaid with the repetitive modularity of the Post-War Modernist style. In the subject building, this external expression of its utilitarian interior functions contributes to its rigid, minimalist design aesthetic. **(Criterion E)**

(i) The issue

The issue is whether 447-453 Lonsdale Street is of local heritage significance and should be included within a Heritage Overlay (HO1361) on a permanent basis.

(ii) Evidence and submissions

The AIA submission cited the application of the Heritage Overlay to 447-453 Lonsdale Street as an example of the potential over-reach of the Heritage Review because it:

- was not designed by a prominent architect
- was not a significant example of Brutalism
- was out of scale with its context and without architectural merit to support its height
- is a unique opportunity site which in the event of demolition, could enable a new building that takes advantage of its context or reinforces the scale and significance of the precinct.

The evidence of Mr Gard'ner considered that the assessment contained in the citation provided sufficient justification for the application of the Heritage Overlay to the building. This included its historical significance in demonstrating the growth and change in telecommunication services in Melbourne and its aesthetic and architectural value as a highly intact Post-War Modernist building.

(iii) Discussion

The citation for 447-453 Lonsdale Street identifies that:

> The Lonsdale Exchange Building is highly intact with very few changes visible to the original or early fabric of the building. The building retains its original built form and scale. The nonloadbearing face brick panels defined by an expressed metal frame and horizontal window openings – some fitted with aluminium sashes or louvres – are also likely to be original. Unusual within the Hoddle Grid, the ground level is also highly intact with the original or early Coat of Arms, Royal Cypher, raised lettering, granite wall cladding and recessed entry with aluminium ventilation louvre extant. The entrance doors are not original. Overall, the building has very high integrity

While not identifying it as an example of the Brutalist style, the citation notes that the building demonstrates elements of the style with its solid massing and stripped back aesthetic.

In this instance the Panel did not find the comparative analysis particularly helpful given the postwar theme being demonstrated. However, the Panel is satisfied that the case for

meeting the thresholds for Criterion A, D and E have been well made out in the citation, supported by the evidence of Mr Gard'ner. The Panel does not consider that the lack of a prominent architect associated with the building impacts its level of heritage significance.

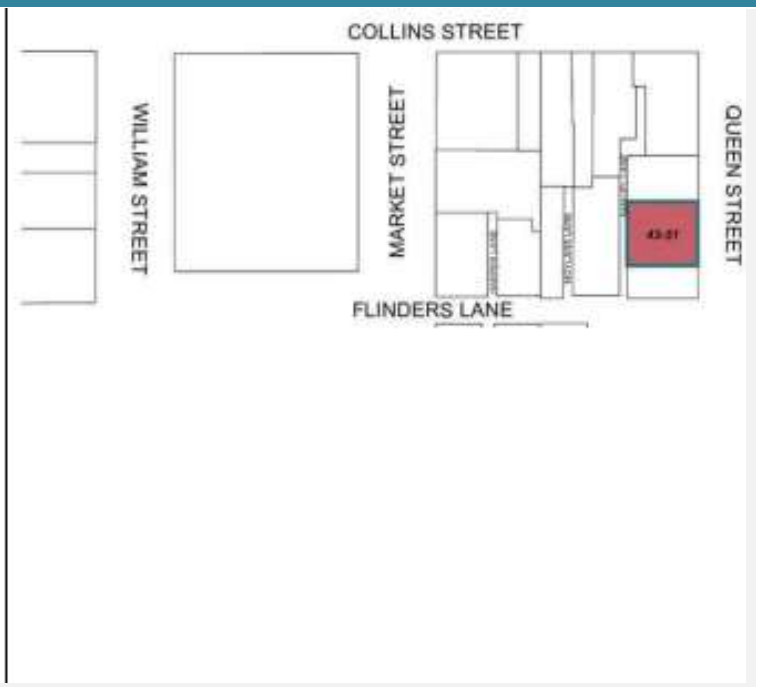
While the Panel acknowledges the observations of the AIA that the building is out of scale with the neighbouring buildings, this does not change the relative heritage values of the building or that there is important heritage fabric to manage. Rather this a factor in the consideration of any future changes to the building or site that will be made in the context of planning policy, the Heritage Overlay and other controls.

(iv) Conclusion

The Panel concludes that 447-453 Lonsdale Street, Melbourne is of local heritage significance (historical, representativeness and aesthetic) and should be included within a Heritage Overlay (HO1361) on a permanent basis.

7.17 43-51 Queen Street, Melbourne (HO1365)

Exhibited Statement of significance



What is significant?

The former Union House building at 43-51 Queen Street, Melbourne, completed to a design by Bates Smart & McCutcheon in 1958, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale;
- Original nonloadbearing curtain wall including natural aluminium frame windows and opaque glass spandrel panels to its principle (Queen Street) façade; and
- Original expressed reinforced concrete spandrels and natural aluminium frame windows to its rear (Samuel Lane).

Later alterations, particularly at street level, are not significant.

How is it significant?

The former Union House building at 376-378 Bourke Street is of local historic and representative significance to the City of Melbourne.

Why is it significant?

The former Union House building, designed by Bates Smart & McCutcheon and built by E A Watts in 1958, is historically significant as a part of the postwar development and rapid growth of corporate architecture in Melbourne of the 1950s-60s. The building was constructed for the international company Union Insurance Society of Canton, who owned and occupied the building from 1958 to 1970. Located in the financial and commercial precinct of Queen Street, the building is significant historically as a reflection of the growth of insurance and assurance companies in Victoria during the 1950s-60s, that cemented Melbourne's pre-eminent role in the state for financial institutions. The building was designed by architects Bates Smart & McCutcheon, the architectural practice responsible for the design of many notable buildings in Melbourne. By the 1950s, at the time the subject site was built, the firm had become one of the largest practices in the country and had become Australia's 'experts' in high-rise office buildings, exemplified in Melbourne by ICI House (1958). **(Criterion A)**

The former Union House building is significant as a largely intact example of an architect-designed

commercial development in central Melbourne, utilising the Post-War Modernist style that characterised the new wave of development in the postwar period. These buildings represented the new modernism in their modular, industrial Bauhaus inspired aesthetic incorporating features such as consistent access to daylight and open floor plans to meet new standards for commercial office accommodation. The building retains defining characteristics of its style, including the lightweight aluminium framed, fine-graded modular curtain wall façade, with alternating clear glazed and coloured opaque glass spandrel panels providing a lightweight grid across the façade, as well as the rear elevation facing Samuel Lane with full width spandrel panels that appear to be of reinforced concrete, separated by rows of aluminium framed windows similar to the pattern of the Queen Street façade.**(Criterion D)**

(i) The issue

The issue is whether 43-51 Queen Street is of local heritage significance and should be included within a Heritage Overlay (HO1365) on a permanent basis.

(ii) Evidence and submissions

The AIA submission cited the application of the Heritage Overlay to 43-51 Queen Street as another example of the potential over-reach of the Heritage Review because:

- it was an infill building of limited merit
- the murals and artwork at the base of the building have been removed
- the site could be better used for future opportunities.

Mr Gard'ner's evidence identified that the citation and Statement of Significance assessments provided sufficient justification for the application of a Heritage Overlay to 43-51 Queen Street. This was because of its historical significance in demonstrating the growth of insurance and assurance companies in the postwar period in Melbourne and its architectural value as a highly intact Bates Smart & McCutcheon designed curtain wall building.

(iii) Discussion

The citation for 43-51 Queen Street identifies that:

> The former Union House is largely intact with some changes visible to original or early fabric. Above first floor level the principle façade facing Queens Street retains its original non-loadbearing aluminium curtain wall with its alternating clear glazed and opaque coloured glass spandrel panels.
>
> The rear façade facing Samuel Lane also retains its precast concrete spandrels and natural aluminium glazing system. Alterations to the Queens Street façade include the first-floor section of the curtain wall being replaced with a projecting modular panel. At street level the retail and office foyer shopfronts have been altered and the original Tom Bass sculpture, Eric Smith mosaic mural and clock have been removed. The original open car parking area fronting Samuel Lane has been built over with the set back above street level maintained. Notwithstanding these alterations overall the building has high integrity.

While the Panel observes that the changes to the ground floor level including the removal of the sculpture, mural and clock, it considers that that the building has a high degree of intactness above ground level and retains its integrity to the postwar period and commercial building theme. The Panel considers that the citation does establish and supports the position that the building meets the threshold of significance under Criterion A and D. The Panel does not agree with the submission that the building has "*limited merit*" and considers

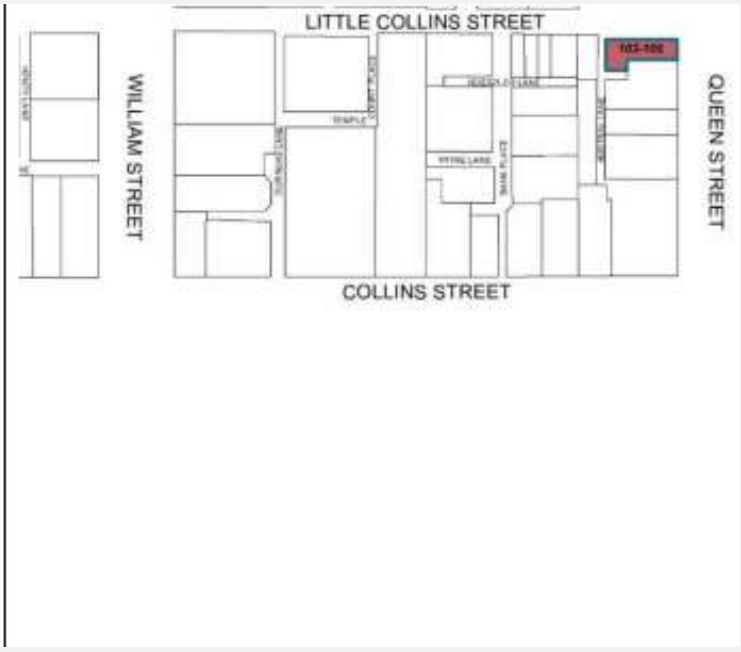
that it is comparable to other identified curtain wall glass examples as well as having an association with Bates Smart & McCutcheon.

(iv) Conclusion

The Panel concludes that 43-51 Queen Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay (HO1365) on a permanent basis.

7.18 103-105 Queen Street, Melbourne (HO1367)

Exhibited Statement of significance



What is significant?

Former Ajax House, at 103-105 Queen Street, Melbourne, constructed to a design by architect H.D Berry in 1956, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale;
- Original pattern of fenestration, including projecting frames around and separating panels of window openings, projecting from a simple recessed masonry form, and pattern of window openings; and
- Original openable multipane steel frame windows.

Later alterations, particularly at street level, are not significant.

How is it significant?

The former Ajax House at 103-105 Queen Street is of local historical and representative significance to the City of Melbourne.

Why is it significant?

Former Ajax House is historically significant as a part of the postwar development and rapid growth of corporate architecture in central Melbourne of the 1950s-70s that reflected the expansion of large national and international companies opting for construction and naming rights of new city office buildings as a form of promotion and fund investment. The building was purpose-built in 1956 for Australian company Ajax Insurance Company Limited to house the company's head office (second level), and its Victorian branch (ground and first level) with the upper two floors reserved as open-plan office spaces for lease. The Ajax Insurance Company occupied Ajax House until 1976. Located in the financial and commercial precinct of Queen Street, the building is significant historically as a reflection of the growth of insurance and assurance companies in Victoria during the 1950s-70s, cementing Melbourne's preeminent role in the state for financial institutions. **(Criterion A)**

Former Ajax House is a significant example of early postwar commercial development in central Melbourne. It retains its original form, scale and stylistic details which reflect the era in which it was

constructed. It exhibits a similar design aesthetic and quality as other examples of its type, being medium-rise commercial office buildings designed to convey a modern and progressive aesthetic. Key stylistic details include the heavily articulated fenestration with projecting frames around and separating the panels of window openings. It is unusual for this articulation to have a strong vertical rather than horizontal emphasis. It also retains its original openable multipane steel frame windows to the upper commercial floors. **(Criterion D)**

(i) The issue

The issue is whether 103-105 Queen Street is of local heritage significance and should be included within a Heritage Overlay (HO1367) on a permanent basis.

(ii) Evidence and submissions

Queen Street Pty Ltd[30] submitted that the former Ajax House did not meet the tests for Criterion A or D and that a Heritage Overlay was not justified.

In relation to Criterion A it submitted that:

- the building is not in a particularly prominent position in the CBD
- the building is not particularly large, impressive or a landmark of any type
- the building was not owned or occupied by a particularly influential business or well-known insurance or assurance company
- any physical recognition of the building being associated with insurance or assurance company has been lost with the removal of the name of the building
- the building is one of many office buildings built in the postwar period, many of which display higher integrity, noting that 103 Queen Street was not specifically identified in the Heritage Review's Contextual History
- the fact that the building is one of many that have a role in '*cementing Melbourne's pre-eminent role in the state for financial institutions*' adds little to its significance except as a comment that Melbourne's CBD contains many financial institutions.

It was submitted that 103-105 Queen Street was not recognisably important to the historical role of Melbourne's CBD.

On Criterion D, it was submitted that the fact that it was a 1950's office building built in the CBD with one remaining feature, the windows (that are unusual but have lost their context), does not make it significant or suitably demonstrative of an era of development to meet a threshold of local importance.

The submission noted that the former Ajax House was not identified under Criterion E; was a simple design, with no notable architect, scale, street presence or integrity. It considered the building to be unattractive, non-descript and, ready for redevelopment and that the Heritage Review elevated ordinary to a level that was not justified.

On intactness, Queen Street Pty Ltd submitted that the Heritage Review relied on its original features and that these were no longer extant. The building is no longer intact to its original design as its distinctive ceramic tiles had been removed, the elevation at ground level has been transformed and opened to Little Collins Street and the elaborate front doors and name of the building have been removed. Although the expressed windows remain, this

[30] Submitter 66

was not enough it submitted, and its integrity had been lost. It noted that previous studies with the building more intact, was still graded D and that the building was therefore contributory at best.

It was submitted that the comparative analysis compared the building to glass curtain wall designs which were different in style and materiality and not comparable. The only appropriate comparator was the former Hosies Hotel, and the former Ajax House did not compare well with it.

Having regard to the Statement of Significance, if the Panel supported the application of the Heritage Overlay to the place, Queen Street Pty Ltd submitted that it should be amended as follows:

- under 'What is significant?' remove "*original building form and scale*"
- under 'What is significant?' replace remove ''*Later alterations, particularly at street level, are not significant*" and replace with "*all alterations are not significant*"
- under 'Why is it significant?' remove any reference to 'significant'
- amend the grading to Contributory.

The written evidence of Mr Gard'ner did not make observations about the merits of the site's inclusion in the Heritage Overlay as the original submission at time of the Amendment's exhibition identified that a detailed submission would be lodged. This was not forthcoming before the Hearing. In his evidence in chief however, he explained that 103-105 Queen Street was an early example of a postwar building reflecting the insurance industry. He considered that the design was an example of the "*dynamism of modern [insurance] companies"* and rise of the insurance sector during the postwar period in Melbourne.

While he acknowledged changes at the ground floor and the removal of tiles and therefore reduced the intactness of the building, Mr Gard'ner considered that the building remains clearly legible as early post-modern and a good representative example.

Mr Reeves considered that former Ajax House was a '*definite contender*' for the Heritage Overlay. He identified that it was an excellent example of one of the early postwar office buildings that were demonstrative of a hybrid approach that combined the emerging curtain wall aesthetic with a more traditional use of masonry or ceramic cladding. He considered the building compared well with the original H C Sleigh Building (1953), Laurens House (1956) and Atlas Assurance Building (1958) which combined curtain wall with masonry and reflected that "*such buildings, indicative of the earliest tentative forays to make modernist commercial architecture more palatable to a still-conservative public, are uncommon survivors today".*

Mr Reeves considered that, had the building remained intact in terms of its façade tiling, signage and ground level treatment, it would be exceptionally rare, and almost certainly of significance at the State level.

Council submitted the principal claims to distinction of this building were its early date and its hybrid design which illustrated an important development in the early postwar period and represented a transition from the pre-war to postwar. It considered the submitter's focus on the notable fenestration pattern to Queen Street overlooked that the design treatment extended along the more expansive Little Collins Street façade. The submitter had also failed to appreciate the composition of the building as a whole in which the glazing

related to the more traditional use of solid masonry. Council maintained a Heritage Overlay was justified.

(iii) Discussion

The Panel finds that the association with the growth of the finance sector in Melbourne's CBD in the postwar period was a major development phase and that the former Ajax House demonstrates this in its current form.

The Panel finds that, although the original ceramic tiles have been removed and changes made to the ground floor (opening up its ground floor façade onto Little Collins Street) this does not fundamentally change the way the building is able to be understood as a late 1950s office block. The building's style, with expressed window detailing and projecting frames on the façade, is a particularly strong design trait and representative of the hybrid of curtain wall and masonry building type.

Given the Postwar Thematic History identifies 40 metre limit controls were abandoned in 1956, the former Ajax House was likely one of the last buildings to be constructed under that specific control. The form and scale of the building is demonstrative of the height controls of the time, which is a key theme in the Thematic Environmental History. This aspect, while alluded to in the citation, should be strengthened in the Statement of Significance.

The Panel considers the comparative analysis adequately compares similar building types and former Ajax House compares well. It retains a relatively high degree of integrity to its era, despite changes to its façade and the lower level. These changes are not fatal to its integrity or the place reaching an appropriate threshold level.

It is recommended that the Statement of Significance be amended to include an image of the Little Collins Street elevation which is equally, if not the more dominant elevation, displaying important characteristics of the building.

The Panel considers that the former Ajax House is of historical and representative significance.

(iv) Conclusions and recommendation

The Panel concludes:

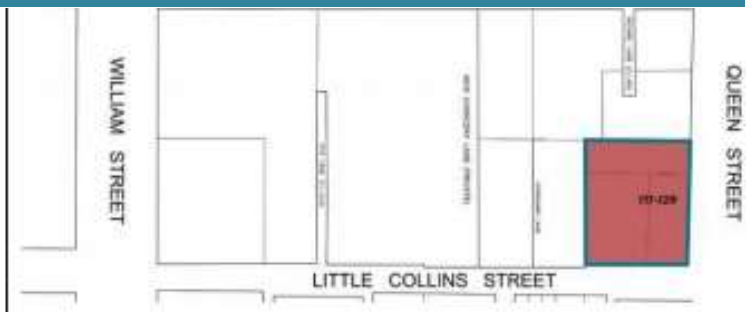
- 103-105 Queen Street is of local heritage significance (historical and representativeness) and should be included within a Heritage Overlay on a permanent basis.
- The Statement of Significance should be amended to include reference to the 40 metre height controls and include a photograph of the Little Collins Street elevation.

The Panel recommends:

> **Amend the Former Ajax House Statement of Significance (103-105 Queen Street, Melbourne), July 2020 to include context and reference to the 40 metre height controls that determined the height of the building in 1956 in Criterion D and include an image of the Little Collins Street elevation.**

7.19 111-129 Queen Street, Melbourne (HO1368)

Exhibited Statement of significance



What is significant?

The former Royal Automobile Club of Victoria building at 111-129 Queen Street, Melbourne, completed in 1961 and designed by Bates Smart McCutcheon. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing; and
- The building's high level of integrity to its original design.

Later alterations, particularly at street level, are not significant.

How is it significant?

The former Royal Automobile Club of Victoria building at 111-129 Queen Street is of historical, representative, aesthetic, social and associative significance to the City of Melbourne.

Why is it significant?

The former Royal Automobile Club of Victoria building is historically significant as the headquarters of the large and influential RACV who were advocates for the rights of motorists, including the spending of significant public money on infrastructure for motorised transport. In the 1950s and 60s the RACV was highly influential in the promotion of tourism in Victoria. **(Criterion A)**

The former Royal Automobile Club of Victoria building is a fine example of a recreational club in the city centre. Built in 1961, and designed by noted modernist architects Bates Smart McCutcheon, it expresses its function through the glazed lower floors for public use and the masonry-clad residential tower above. In design it is a relatively early example of a modern tower departing from the curtain wall of the 1950s. Its construction program was purportedly an early example of the fast-track method that enabled construction to commence concurrently with detailed design. **(Criterion D)**

The former Royal Automobile Club of Victoria building is aesthetically significant for its composition, of which the three-storey transparent cantilevered podium is a notable feature. Despite some alterations that have filled in the undercroft, the podium is still legible. Other attributes of aesthetic value include the main structural columns visible in a recessed glass clerestorey window above the podium and the butterfly roof over the tower block. **(Criterion E)**

The former Royal Automobile Club of Victoria building is of social significance for its strong and longstanding association with the RACV Club members, staff and board. Designed as a central city

meeting place for members, the club facilities served as a place of social congregation for RACV members for more than 45 years. Members used the Club as a place for business and for personal celebrations and events, resulting in a strong and continuing sense of connection to the premises even after the club had moved to its new premises. **(Criterion G)**

The former Royal Automobile Club of Victoria building is historically significant as the headquarters of the State's premier road lobbyist, as a major tourism promoter, and as a private club serving Melbourne's business, professional and social elite that has hosted many significant political and public events for more than four decades. It has remained a highly influential organisation over several decades with many amongst its wide membership also highly influential within Victorian society. **(Criterion H)**

(i) The issue

The issue is whether 111-129 Queen Street is of local heritage significance and should be included within a Heritage Overlay (HO1368) on a permanent basis.

(ii) Evidence and submissions

Eighth Grange Pty Ltd (Eighth Grange) opposed the application of a Heritage Overlay to the building on the basis that its significance was not appropriately supported or justified. It was critical that the citation was vague and simplistic, overstated and unsupported and did not clearly identify the important fabric or acknowledge changes to the building over time.

Mr Barrett provided written evidence for Eighth Grange but was not called. His evidence supported the application of the Heritage Overlay and made suggestions to correct or improve the Statement of Significance. This included combining Criterion H with the Criterion G statement.

Mr Gard'ner's evidence considered that the citation and Statement of Significance supported the assessment of the building to justify the application of the Heritage Overlay. He considered that the main alterations to the building's exterior have occurred at the ground floor level and have had only a minor impact on the character, appearance, and presentation of the place. He considered the place's contextual history included a detailed analysis of high-rise development within the Hoddle Grid in the 1950s and 1960s and provided a strong basis for the comparative analysis. He identified that as only a limited evaluation of postwar buildings within the Hoddle Grid had previously occurred, few buildings from the early postwar period were included in the Heritage Overlay. The building was one of a number of postwar places that have been assessed to address this gap.

The evidence of Mr Gard'ner identified that the majority of buildings occupied or associated with clubs within the CBD generally predated the former RACV Building and were generally not relevant comparators, with the exception of the Lyceum Club at 2-18 Ridgway Place, which was included in the Amendment.

In his reply evidence Mr Gard'ner acknowledged that a more comprehensive list of changes made to the building could be identified in the citation and Statement of Significance.

The evidence of Mr Reeves considered that the building met the threshold for significance as "*a fine example of a recreational club in the city centre*" and was an important example of the work of architects Bates, Smart & McCutcheon.

Council did not agree with Mr Barrett's suggestions regarding Criterion H but supported a revised citation that had been prepared and agreed by Council and Eighth Grange.[31]

(iii) Discussion

The Panel agrees with the evidence of Mr Gard'ner, Mr Reeves and Mr Barrett that the former Royal Automobile Club of Victoria building meets the threshold critiera under Criterion A, D, E, G and H. While there has been change at the lower three levels, the first and second storey elements can still be read, while the levels above are largely intact, with the building retaining its overall integrity.

While the Panel has already acknowledged a number of criticisms about the broad nature of the comparative analysis for postwar buildings, it considers that this building compares well to thoise identified in the citation.

The Panel supports the amended citation provided by Council in discussion with the submitter and includes it in Appendix D4 as its preferred version of the citation. The Statement of Significance should be amended consitent with the amended citation.

(iv) Conclusions and recommendation

The Panel concludes:

- 111-129 Queen Street is of local heritage significance (historical, representativeness, aesthetic, social and associative) and should be included within a Heritage Overlay (HO1368) on a permanent basis.
- The Statement of Significance and citation should be amended consistent with the Panel's version of the Citation in Appendix D4.

The Panel recommends:

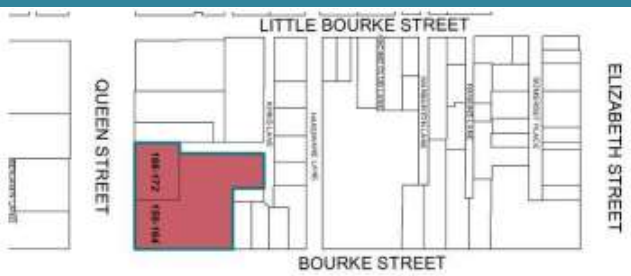
Amend the Former Royal Automobile Club of Victoria Statement of Significance (111-129 Queen Street, Melbourne), July 2020 and citation consistent with the Panel's preferred version in Appendix D4.

[31] Document 48

7.20 158-164 and 166-172 Queen Street, Melbourne (HO1369)

Exhibited Statement of significance

Buildings (H C Sleigh Building & former Sleigh Corner)



What is significant?

The former Sleigh Corner building at 158-164 Queen Street, and the former H C Sleigh Building at 166-172 Queen Street, Melbourne, both completed to a design by Bates Smart & McCutcheon, are significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale (158-164 & 166-172);
- Original asymmetric solid painted render form and nonloadbearing curtain wall to its principal (Queen Street) façade, square windows to southern end wall (166-172);
- Original masonry wall with fenestration pattern and windows to its rear (off Kirks Lane) façade (166-172);
- Original concrete peripheral columns and recessed foyer and shopfronts along both street frontages at ground level (158-164);
- Original non-loadbearing curtain wall, horizontal fenestration pattern, and applied concrete panels, expressed concrete structure and non-loadbearing bagged brick lift shaft (158-164);
- Recessed office foyer and adjacent setback lift shaft and plaza (158-164); and
- Tom Bass sculpture known as 'Transportation' (1963) in its original plaza setting (158-164).

Later alterations, particularly at street level, are not significant. investment.

How is it significant?
The former Sleigh Buildings, comprising the H C Sleigh Building at 166-172 Queen Street, and the former Sleigh Corner, at 158-164 Queen Street, are of local historical, representative and aesthetic significance to the City of Melbourne.
Why is it significant?
The former Sleigh Buildings are historically significant as a part of the postwar development and rapid growth of corporate architecture of the 1950s and 1960s. Located in the financial and commercial precinct of Queen Street, they reflect the expansion of large national and international companies opting for construction and naming rights of new city office buildings as a form of promotion and fund The buildings were built for Australian company H C Sleigh Ltd (estab. 1895), founder of the Golden Fleece brand of petrol and service stations. H C Sleigh owned and occupied the building at 166-172 Queen Street from 1955 to 1964, before moving to their new, purpose-built premises next door at 158-164 Queen Street. The building at 166-172 Queen Street is notable as the first postwar city office block to be constructed in Melbourne for a private company. It is further significant as a very early example of a curtain-walled office building, the design of which predates the earliest fully gazed example (Gilbert House, constructed in 1955), and as an early and well-executed design in the the Post-War Modernist style by noted architectural firm of Bates, Smart & McCutcheon. **(Criterion A)** Viewed together, the former Sleigh Buildings highlight the shift away from the earlier use of uniform glass curtain wall systems in the 1950s to a greater three dimensional quality, achieved during the 1960s through the use of assertive textures and precast concrete cladding panels. The two buildings also illustrate the rapid development of the Post-War Modernist style over a decade, from the mid1950s to the mid-1960s, and the enthusiasm with which large corporations embraced the style to reflect their rapid growth and status. At almost twice the height of its eight-storey neighbour at 166-172 Queen Street, and incorporating a publicly accessible plaza, the 15-storey former Sleigh Corner building illustrates the mid-1960s changes in city planning associated with the lifting of the 40 metre (132 foot) height restrictions after 1958. **(Criterion A)** The H C Sleigh Building at 166-172 Queen Street is representative of the earlier development of the Post-War Modernist style that prevailed prior to the 1960s abolition of the 40 metre (132 foot) height control that had been in place since 1916. The principal façade to Queen Street exhibits an asymmetrical combination of a solid modernist form, painted but originally blue tiles, with an offset projecting curtain wall which dominates the principal façade and extends from the first to the eighth floor. The building clearly expresses the key characteristics of its style and time of construction through retention of the simple strong modularity derived from its 1953-55 design. The former Sleigh Corner building, at 158-164 Queen Street, demonstrates later developments in the Post-War Modernist style. With its use of applied concrete panels over an expressed structural system, the former Sleigh Corner is a fine example of the Post-War Modernist style of the 1960s that moved away from the use of uniform glass curtain wall systems to more heavily modulated facades giving a threedimensional quality to the buildings. **(Criterion D)** The former Sleigh Corner building is aesthetically significant as a refined and substantial example of later development in curtain wall design. Constructed in 1964 it utilises a mix of materials to create a greater modularity and three-dimensional quality to the facades. Its aesthetic significance lies in the retention of the original building form, including original entry foyer and shopfront setback to both street frontages, the plaza setback and original sculpture on the rear wall of the publicly accessible plaza. The plaza form was once a common type for buildings of this era, created in response to the site plot ratio regime between 1964 and 1999, but which is becoming increasingly rare within the Hoddle Grid. The aesthetic significance is further enhanced by retention of the original Tom Bass sculpture 'Transportation', attached to the rear wall of the plaza (lift shaft). **(Criterion E)**

(i) The issue

The issue is whether 158-164 and 166-172 Queen Street are of local heritage significance and should be included within a Heritage Overlay (HO1369) on a permanent basis.

(ii) Evidence and submissions

Submission 41 on behalf of the owner of 166-172 Queen Street Pty Ltd opposed the inclusion of the building in the Heritage Overlay because:

- the building does not meet the threshold of significance and is comparable to other intact buildings constructed in the postwar period
- the building lacks distinctiveness and is not a notable example of a class or reflective of a period of historic significance
- the building is not important to the pattern of Melbourne's cultural history and contains no evident fabric to indicate this
- the reference to Criterion E related only to the Sleigh Corner building (158-164 Queen) and has been incorrectly applied to the building
- the architectural and design features referred to have been changed and removed over time.

Mr Gard'ner's evidence considered that the citation and Statement of Significance supported the assessment of the pair of buildings to justify the application of the Heritage Overlay. He identified that the buildings were built for the same owners and by the same architects, "*as a direct result of the rapid expansion of the HC Sleigh company in the postwar period, the two buildings clearly demonstrate the 'postwar development and rapid growth of corporate architecture of the 1950s and 1960s*." He said that the buildings were also visually linked through the rear wall of the plaza to Sleigh Corner and the Tom Bass 'Transportation' sculpture, which assisted in understanding and appreciating the relationship between the buildings.

He opined that while the architectural and design features, such as the tiles have been changed and other details removed over time, the HC Sleigh Building remained sufficiently intact to its original form, scale and configuration and had not diminished the ability to understand and appreciate it as a postwar Modernist style office building. In combination, "*the Former Sleigh Buildings clearly illustrated the advancement of construction techniques from the 1950s through to the mid 1960s and are part of a group of fine and highly intact representative examples of postwar office buildings within the Hoddle Grid that demonstrate the broad range of design approaches of the period*".

Council submitted that the identification of the place as Significant in the Amendment was appropriate.

(iii) Discussion

The citation for the former Sleigh Buildings identify that:

- The former Sleigh Corner building (158-164 Queen) is highly intact and despite removal of the grey-blue tile cladding and replacement of the ground floor shop fronts:

  > the original non-loadbearing curtain wall with horizontal glazed and applied concrete panels, expressed concrete structure and non-loadbearing bagged brick lift shaft remain extant. The original recessing of the office foyer shopfronts to both street frontages and a publicly accessible plaza created adjacent to the lift shaft remain. The Tom Bass sculpture 'Transportation' also remains in its original location within the plaza.
  >
  > …

The building's original built form and scale, some materials and key stylistic details remain clearly legible and overall the place is of very high integrity.

- the H C Sleigh Building (166-172 Queen) has had visible fabric changes including removal of original tiles, shopfronts replacement of the original street level multipane windows, replacement of upper level multipane window sashes and opaque panel modules with a single pane of clear glazing and addition of a cornice and parapet. Despite these changes it retains important defining characteristics of its architectural style and period that can be read including its scale, built form, modular pattern of fenestration and configuration.

While Mr Reeves' evidence did not comment specifically on the former Sleigh Buildings, his identification of contemporary sources supplemented the information included in the citation and the evidence of Mr Gard'ner. He cited press coverage journal references and identified that the building was identified in Melbourne's Marvellous Modernism, MELMO and Tall Buildings.

While noting the Panel's comments for other sites regarding the general nature of how Criterion A and D have been applied in the Heritage Review, in this instance the Panel accepts the evidence of Mr Gard'ner that both buildings are considered to be of local historical and representative significance.

The buildings are important collectively for their common associations with H C Sleigh Limited and architects Bates Smart & McCutcheon as well as their general intactness and integrity to the postwar Modernist period. As a pair they demonstrate different phases of the postwar Modernist style and are visually linked through the small plaza space. The Panel agrees that aesthetic significance should be only to 158-164 Queen Street given the building is more intact than 166-172 Queen Street and also features the Tom Bass sculpture. The Panel considers that both building compare favourably with the comparative analysis set out in the citation.

The Panel observes that the Statement of Significance could be enhanced with the inclusion of the Tom Bass 'Transportation' sculpture and a more direct 'front on' image of 166-172 Queen Street, consistent with the images used in Mr Gard'ner's evidence presentation.

(iv) Conclusion and recommendation

The Panel concludes that 158-164 and 166-172 Queen Street are of local heritage significance (historical, representativeness and aesthetic) and should be included within a Heritage Overlay (HO1369) on a permanent basis.

The Panel recommends:

> **Amend the Former Sleigh Buildings Statement of Significance (158-172 Queen Street, Melbourne), July 2020 to include an image of the Tom Bass sculpture 'Transportation' and an alternate 'front on' image of 166-172 Queen Street, Melbourne.**

7.21 114-120 Russell Street, Melbourne (HO1374)

Exhibited Statement of significance

What is significant?

The former Russell Street Automatic Telephone Exchange and Postal Building at 114-120 Russell Street, Melbourne, originally constructed as a nine-storey telephone exchange and postal hall in 1948- 54 is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale;
- Original pattern of fenestration, including projecting glazed terracotta (faience) clad horizontal and vertical frames to window openings and horizontal bands of glazing;
- Recessed entry on the Russell Street frontage including a faience-clad lintel supported by circular columns clad in granite;
- Original steel/aluminium frame windows; and
- Bas relief sculpture to the Russell Street façade at the ground level.

Later alterations are not significant.

How is it significant?

The former Russell Street Automatic Telephone Exchange and Postal Building at 114-120 Russell Street is of historical, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

The former Russell Street Telephone Exchange and Postal Building, opened in 1954, is historically significant for the evidence it provides of the broadening of Commonwealth powers after World War Two, a shift that resulted in increased construction of Commonwealth buildings in city centres including Melbourne. The former Russell Street Telephone Exchange and Postal Building is historically significant as one of the first large buildings constructed in the city after World War Two, and is the last to express the solid masonry, architectural traditions typical of the era prior to World War Two. The building also reputedly contained the first air-conditioned postal hall in Australia. **(Criterion A)**

The former Russell Street Automatic Telephone Exchange and Postal Building is significant as a largely intact example of a substantial public building in central Melbourne built to the 40 metre (132 foot) height limit then in force. The interwar Functionalist style adopted for the building was popular during the interwar and early postwar periods, often for low rise industrial buildings, schools and

> institutional buildings, for its modern, progressive aesthetic. Designed by the Commonwealth Department of Works, which was responsible for a number of high quality major public buildings during the period (such as the telephone exchange building at 376-382 Flinders Lane), the building demonstrates a commitment to the high-quality architectural design for major public buildings by the Commonwealth Department of Works. **(Criterion D)**
>
> The former Russell Street Automatic Telephone Exchange and Postal Building has several unique features that contribute to its aesthetic significance. Although built following World War Two, the building exhibits elements of the interwar Functionalist style that are characteristic of a pre-World War Two modernist character.This includes its large and dramatic recessed entry space on the Russell Street frontage, surmounted by glazed terracotta lintel and supported on three circular granite columns adjacent to a Bass relief sculpture attached to the facade. **(Criterion E)**

(i) The issue

The issue is whether 114-120 Russell Street is of local heritage significance and should be included within a Heritage Overlay (HO1374) on a permanent basis.

(ii) Submissions

Submissions 3, 4, 5, 7, 15, 17, 42 and 43 (owners and occupiers of apartments at 118 Russell Street, referred to as the 'Hero Building') supported the application of the Heritage Overlay to the site.

(iii) Discussion

The Panel has received no opposing submissions to the inclusion of 114-120 Russell Street in the Heritage Overlay. No evidence was provided on the property by Mr Gard'ner or Mr Reeves although Mr Reeves' evidence noted a number of references to it in his evidence relating to contemporary sources including its identification in Melbourne's Marvellous Modernism. The citation identifies that the building was formerly graded B in the 1993 Heritage Review. The citation identifies that the original nine storey 1954 building:

> is largely intact with the original face brickwork, projecting steel framed windows with projecting glazed terracotta faience frames, glazed terracotta lintel to the entry supported on three granite clad circular columns and bas relief sculpture still evident.

As noted in the citation while the modern six storey addition (Hero Apartments) included some façade alterations to the earlier building and has:

> … had some impact on the authenticity and integrity of the earlier building designed by the Commonwealth Department of Works, the original building remains clearly legible as a high quality, if somewhat eclectic, example of the interwar Functionalist style and its architectural qualities have not been overwhelmed by the additional forms. Therefore, despite the alterations, overall the building is of high integrity.

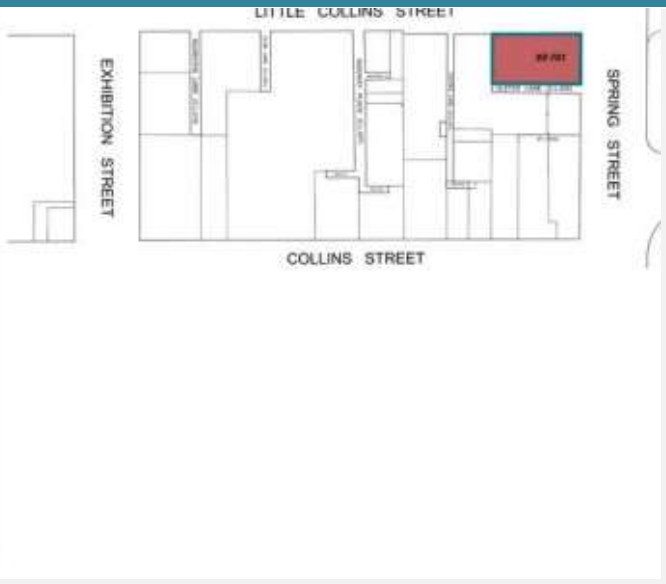
The Panel considers the citation including comparative analysis supports the position of Council that the threshold of Criterion A, D and E has been reached.

(iv) Conclusion

The Panel concludes that 114-120 Russell Street is of local heritage significance (historical, representativeness and aesthetic) and should be included within a Heritage Overlay (HO1374) on a permanent basis.

7.22 93-101 Spring Street, Melbourne (HO1262)

Exhibited Statement of significance



What is significant?

Treasury Gate at 93-101 Spring Street, Melbourne, built in 1971 to a design by architectural firm Moore and Hamond Pty Ltd. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing; and
- The building's high level of integrity to its original design.

Later alterations are not significant.

How is it significant?

Treasury Gate at 93-101 Spring Street, Melbourne is of local historical, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

Treasury Gate is historically significant as one of the first wave of high-rise residential apartments constructed in the Melbourne CBD from the late 1960s, and before the introduction of a Victorian government policy in 1971 that directed where growth in Melbourne's housing supply could take place. **(Criterion A)**

Treasury Gate is a notable example of a new building typology that emerged in the late 1960s and early 1970s – the modern high-rise residential apartment building. Treasury Gate is also notable for its mixed-use typology with offices, retail and residential situated at different levels in the same building. A podium built to the property boundaries at the lower levels also accommodates colonnade with retail spaces at ground level, six levels of offices above, and a recessed tower section with luxury residential living. 93-101 Spring Street is also notable for its high level of integrity. **(Criterion D)**

Treasury Gate is aesthetically significant for its demonstration of modernism in mixed use apartment design. A notable attribute is the generous distribution of space for ground floor retail behind a colonnade on Little Collins Street. Aesthetically 93-101 Spring Street is significant for its composition and articulation of the various functions of retail, office and residential within a unifying material palette of face brickwork and concrete. Intact architectural detail extends to the distinctive wide timber handrail, ribbed metal cladding, bronze-coloured aluminium glazing frames and a cantilevered canopy. **(Criterion E)**

(i) The issue

The issue is whether 93-101 Spring Street is of local heritage significance and should be included within a Heritage Overlay (HO1262) on a permanent basis.

(ii) Evidence and submissions

Submission 48 on behalf of the Owners Corporation 99 Spring Street, objected to the application of the Heritage Overlay to the site on the basis that building façade alterations are currently taking place. These alterations included the completion of the application of gold banding to the tower element, works to the driveway entrance and changes to the awnings.

Mr Gard'ner's evidence identified that the gold-coloured spandrel panels have been applied to limited sections of the north, west and south elevations of the building, which are the building's secondary facades. Despite this alteration he considered the place sufficiently intact to its original form and detailing to warrant the application of the Heritage Overlay. This position was supported by Council.

(iii) Discussion

The Panel has commented on the impacts of existing planning permits in Chapter 4.1 and does not repeat them here. The Panel agrees however with Council and Mr Gard'ner that the gold-coloured spandrel panels (and if further applied as proposed under the planning permit) have minimal impact on the overall integrity of the Treasury Gate building given its height and existing level of intactness which the citation observes:

> The building retains a high level of integrity. Alterations have occurred at the top penthouse apartment level where glazed panels have been inserted into the corner balcony sections. Some modifications have occurred to the shopfronts at ground level.

In terms of comparative analysis, the citation identifies that there are no residential towers from the postwar period in central Melbourne within the Heritage Overlay. Four residential towers are identified in the Heritage Review, including this one, that are relatively intact examples of a new building type that emerged in the late postwar period. These buildings are characterised by the expression of structure and materials and arrangement of windows and balconies and use of podium levels. The citation analysis identifies Treasury Gate as comparing favourably, with notable features including its colonnade, external detailing to the podium base intact modernist entry foyer, finely detailed façade. The Panel considers that the buildings height and prominent position distinguishes Treasury Gate from the other comparators.

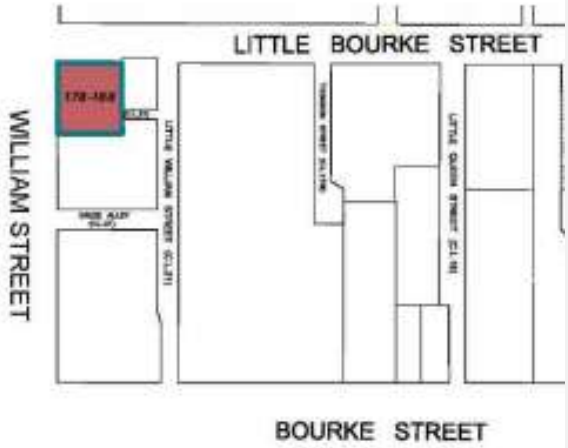
Based on the information in the citation and the evidence of Mr Gard'ner the Panel is satisfied that Criterion A and D are met. The Panel considers that the addition of the gold-coloured spandrel panels does not need to be referenced in the Statement of Significance as it already identifies that 'later additions' are not significant.

(iv) Conclusion

The Panel concludes that 93-101 Spring Street is of local heritage significance (historical, representativeness and aesthetic) and should be included within a Heritage Overlay (HO1262) on a permanent basis.

7.23 178-188 William Street, Melbourne (HO1377)

Exhibited Statement of significance



What is significant?

The office building at 178-188 William Street, a multi-storey office building constructed in 1972-73. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's very high level of integrity to its original design.

How is it significant?

The office building at 178-188 William Street is of historical and representative significance to the City of Melbourne.

Why is it significant?

Constructed in 1972-73 to a design by McIntyre McIntyre & Partners, the office building at 178-188 William Street has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence **(Criterion A)**.

The office building at 178-188 William Street is a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular in the 1960s to the mid 1970s, particularly in central Melbourne. The 11-storey building clearly demonstrates typical characteristics of a later postwar structure, including two grid-like walls of repetitive loadbearing precast concrete units, with distinctive sloped sills, which frame individual windows, as well as the use of materials such as precast concrete panels. These demonstrate important aspects of the Post-War Modernist style. The building remains very highly intact to clearly characteristics of a Post-War Modernist commercial high-rise building **(Criterion D).**

(i) The issue

The issue is whether 178-188 William Street is of local heritage significance and should be included within a Heritage Overlay (HO1377) on a permanent basis.

(ii) Evidence and submissions

Barristers' Chambers Limited (Barristers' Chambers) opposed the proposed permanent application of the Heritage Overlay to 178-188 William Street, the former Prudential Building. They submitted the Heritage Overlay was not warranted as there was nothing in the citation that identifies that this was an important building. Although the association with the postwar period was clear, the building had no important associations with the postwar boom in commercial buildings and was not an important representative of the class of postwar Modernist commercial buildings.

It submitted that, except for the 1985 Study which identified the building as 'D', it was not recognised in any subsequent studies or publications dedicated to postwar architecture.

Barristers' Chambers argued that:

> Mr Gard'ner says the historical significance lies in:
>
> a. The building being a speculative development of a modest scale reflecting the tail end of the thirty-year period; and
>
> b. A building not financed or commissioned by important companies for prestige or naming rights.
>
> These aspects of association are not supported by the citation for the building. The citation does not celebrate modest buildings at the tail end of the boom built on a speculative no-name basis. The citation does not identify these associations as being significant.
>
> In truth, Mr Gard'ner has identified unremarkable aspects of a petering-out boom. This is not an important subset of the history of post-war modernist buildings. It is just a mundane aspect of the end of a period. There is no importance in that association.

Mr Raworth provided evidence for Barristers' Chambers. While he agreed the building was highly intact, he considered there was nothing important about it. On Criterion A, He agreed that 178-188 William Street had a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. However, the same could be said of all multi-storey buildings within central Melbourne that were constructed during this period. The former Prudential Building stands as an example of postwar office tower development in the CBD only in the most generic sense insofar as it was a multi-storey office building dating from the 1970s. The same would apply to numerous other postwar office towers in the CBD but this was not to say they would all meet Criterion A.

He considered that the former Prudential Building's association with the postwar construction boom was not understood better than most other places in Melbourne with the same association. The design was not considered to be unusual or particularly inventive, and the principal characteristics of the building as described in the citation were standard for multi-storey buildings of the era.

On Criterion D, Mr Raworth considered that a place must be more than simply a standard representative example of an architectural style or period to warrant an individual heritage control. Rather, it was necessary to demonstrate that the place was a notable example. He considered that the comparative analysis did not demonstrate its relative importance, compared with the other examples within it, either by building style or pivotal works by McIntyre & Partners.

It was his view that, while the building may be representative in materials and method of construction (for example the use of the 'grid' facade of precast panels) of the postwar Modernist style, it was '*fairly typical'* and unremarkable in its overall architectural expression and could more accurately be described as a standard example of a 1970s modernist office tower. He considered the former Prudential Building compared to the ungraded building at 85 Queen Street, which also features a strong repetition of precast concrete panels and was also constructed in 1973, though accepted that the subject building's corner site allowed for a more 'three dimensional' presentation than that of the Queen Street example. He found that Scottish Amicable (now demolished) was a superior example.

Mr Raworth considered that "(a)*lthough the building remains largely intact to its original form, the benchmark for an individual heritage overlay controls should be higher than a standard example of a building typology*."

Mr Gard'ner's evidence disputed the assertion that the building was a "*standard example of a 1970s modernist office tower"* with an "*unremarkable"* architectural expression. He considered it a fine and '*exceptionally intact*' representative example of a postwar Modernist commercial building that demonstrated important aspects of this architectural style. He confirmed that the building had not been identified as aesthetically significant (Criterion E) and its significance was not predicated solely on its association or connection with Peter McIntyre (Criterion H). He considered the building was of historical significance for its association with the postwar building boom and of representative significance for clearly demonstrating '*the principal characteristics of a postwar Modernist commercial high-rise building'* as one of McIntyre & Partners extensive body of postwar period works.

He considered Mr Raworth was suggesting that a higher threshold should be met for the building than what is required to establish local significance. In cross examination, he explained that the building was representative of speculative development, which was a sub-class theme of the postwar building boom, rather than the large elaborate examples of corporate buildings featured in the Heritage Review and that its form, function and purpose is "*highly legible to the period*." He explained that 178-188 William Street was "*telling a story which would be otherwise under-represented*."

The evidence of Mr Reeves however considered that the building did not meet the threshold for an individual Heritage Overlay. He identified that in his opinion, the citation provided insufficient justification and that the building appears to be "*merely a typical example of the speculative multi-storey office buildings that were proliferating in the Hoddle Grid at the time, rather than a particularly notable or outstanding one*". While intact, he considered the building of limited aesthetic interest and its simple expression "*typical of such multi-storey office buildings that were commissioned by development and investment companies that were keen to minimize cost and maximize lettable floor area, with little or no interest in allowing their architects to create a building of particular aesthetic distinction"*. He considered the comparative analysis inadequate and that the building had little in common with the other postwar places. Rather, he opined it was "*more comparable to the undistinguished, aesthetically unadventurous examples of the speculative office buildings designed by McIntyre & Partners"*.

The Historical Society supported the inclusion of 178-188 William Street within the Heritage Overlay and submitted that the value of postwar Modernist buildings has increased and that it was important to safeguard such a "*standard example*" by one of Melbourne's leading

modernist architects. It submitted that "*Heritage should not be limited to 'experimental' and 'adventurous' designs, as the submitters appear to suggest; it should include examples of what made the epoch"*.

Council acknowledged Mr Reeves' different opinion however maintained support for the building's inclusion in the Heritage Overlay as it retains a very high degree of integrity and, as a postwar speculative building, it demonstrated a class of place that meets Criterion A and D.

(iii) Discussion

The Panel finds that Mr Raworth's thresholding statements that the building needed to be remarkable, unusual or exceptional to considered of local heritage significance to be adjectives beyond the required threshold.

The Panel notes Mr Gard'ner's, albeit late in the piece, explanation that the building represents a sub-class as a speculative building; an 'economically driven development'; and developed in an era at the end of the boom. The Panel agrees that this phase is evident in the scale of the building and that this building has a different association within the period compared with corporate examples.

In the course of the history of development in some areas of greater Melbourne, speculative developments play an important part in the development of the suburb or area. This is usually clearly articulated in the respective Thematic Environmental History and/or the citation. However, the Panel is concerned that the importance of this sub-class has not been drawn out in Thematic Environmental History as a phase and class of development in the City of Melbourne, let alone in the citation and Statement of Significance. In absence of this, Criterion A within the Statement of Significance is generic and does not explain what makes this building of historical importance beyond its era of construction.

On Criterion D, the Panel considers that the evidence of both Mr Raworth and Mr Reeves assessed the building for its aesthetic values. Both experts found that the former Prudential Building to be '*merely a typical example'*. The Panel however needs to turn its mind to the words of Criterion D '*Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness)*.'

There is a temptation to assign significance of this building based on the fact that the building is 'extraordinarily intact'. The Panel agrees with the description of its intactness. However, the Panel does not consider that the building is necessarily important in demonstrating characteristics of late postwar development to the extent that heritage controls are justified.

(iv) Conclusion and recommendation

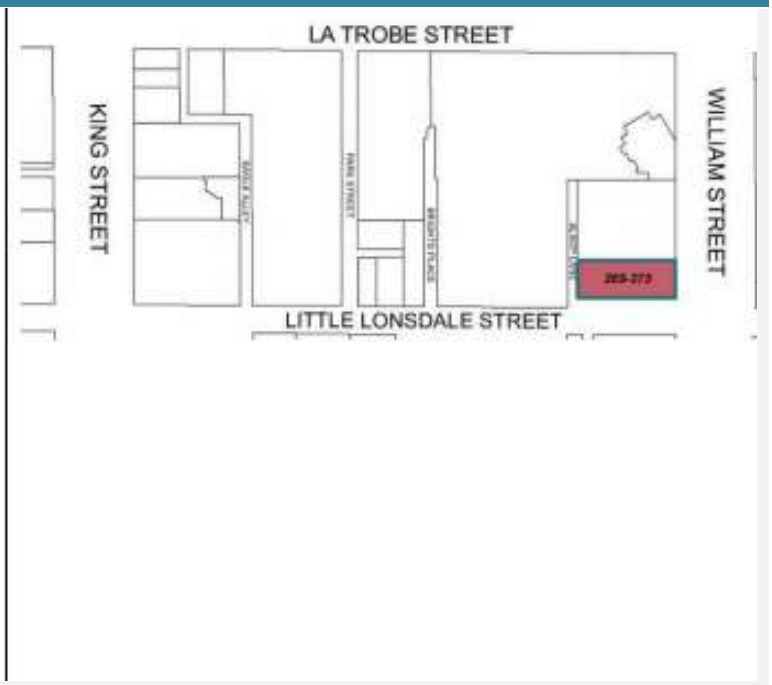
The Panel concludes that 178-188 William Street does not reach the threshold of individual significance to warrant inclusion within the Heritage Overlay.

The Panel recommends:

> **Abandon the application of the Heritage Overlay (HO1377) to the Former Prudential Building at 178-188 William Street, Melbourne.**

7.24 269-275 William Street, Melbourne (HO1378)

Exhibited Statement of significance



What is significant?

Nubrik House at 269-275 William Street, Melbourne, completed in 1972 to a design by Buchan, Laird & Buchan, is significant. Elements that contribute to the significance of the place include (but are not limited to):

- Original building form and scale;
- Original configuration of vertical panels of brickwork separating vertical bands of aluminium framed glass, with opaque panels alternating with clear glazed windows at each floor level, offset by sheer walls of face brickwork to the William Street and Alsop Lane facades; and
- Original aluminium framed windows.

Later alterations, particularly at street level, are not significant.

How is it significant?

Nubrik House at 269-275 William Street is of historical, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

Nubrik House, designed by Buchan, Laird & Buchan and constructed by A V Jennings Industries Australia Ltd, is historically significant for the evidence it provides of Melbourne's postwar development and rapid growth of corporate architecture of the 1950s-70s. Its development reflected the expansion of large national and international companies opting for construction and naming rights of new city office buildings as a form of promotion and fund investment. Nubrik House was constructed as the national headquarters for Brick & Pipe Industries Ltd, Victoria's biggest brick makers, and one of Australia's largest brick manufacturers. The building was named after the company's main brand, Nubrik. The building is distinguished by the extensive and prominent use of brick in the building's construction to promote the products of the building's original owner, Brick & Pipe Industries Ltd. **(Criterion A)**

Nubrik House is significant as a highly intact example of a Post-War Modernist commercial building constructed during the postwar period that utilised a reinforced concrete frame. This framing allowed for a variety of design approaches to the non-loadbearing façades. During the late 1960s and

beyond, the style developed with a more eclectic use of materials and forms, combining glazed panels with solid sections to achieve a less repetitive, more distinctive and robust aesthetic. The principal façades of Nubrik House to both Little Lonsdale Street and William Street are demonstrative of this tendency, combining glazed panels with solid masonry sections. **(Criterion D)**

Nubrik House is of aesthetic significance for its distinctive design that adopted robust brick piers as one of the main design elements. While the structural masonry was used internally and designed to be exposed in the interior, the exterior design of Nubrik House consciously emphasised the unconventional use of high vertical panels of brickwork to give the appearance of supporting the building, although the external brickwork was actually supported by the internal reinforced concrete frame. While the brick piers appear to be loadbearing, they are a non-structural veneer, concealing an interior structure that is an unusual composite of a reinforced concrete column and slab frame supported on its perimeter by sections of loadbearing brickwork. Designed by Buchan, Laird & Buchan for Brick & Pipe Industries Ltd, Victoria's biggest brick manufacturer at the time, the subject building is distinguished by its design solution that consciously utilised bricks, the main product of the company, to promote this material, and in a way that visually suggests it is fulfilling a structural role. **(Criterion E)**

(i) The issue

The issue is whether 269-275 William Street is of local heritage significance and should be included within a Heritage Overlay (HO1378) on a permanent basis.

(ii) Evidence and submissions

Owners Corp objected to the inclusion of for 269-275 William Street in a Heritage Overlay on the basis that it did not display sufficient qualities to warrant heritage protection. The submission identified that while the built form was relatively intact above ground floor, the significance of the building has been overstated. The building was not considered one of Buchan, Laird and Buchan's more accomplished works and was a 'loadbearing brick construction' as identified in Melbourne's Marvellous Modernism.

Owners Corp submitted that the building had been changed at ground level and had a penthouse added and had not been identified in previous studies.

It submitted that the building did not satisfy Criterion A because:

- Brick and Pipe Industries was not noteworthy, it was an amalgamation of smaller companies in 1964 before itself being taken over in 1989 and it only occupied two floors. There was no evidence to suggest it was Victoria's biggest brickmaker or one of Australia's largest and no brick production was undertaken from the land
- the Nubrik product was in production well before either the construction of Nubrik House or the formation of Brick and Pipe Industries and its ownership has changed hands many times with Brick and Pipe Industries just one in a series of 'guardians' of the Nubrik product
- many buildings in their construction have utilised the Nubrik product and its use is unremarkable in this regard.

It submitted that the building did not satisfy Criterion D because it was not a fine example, influential or pivotal and the comparative was inadequate. It said Criterion E was not met as the building had not been widely recognised and was not distinctive and the external brickwork was not structural. It considered there was no basis for applying Criterion F as suggested in Mr Reeves' evidence.

Mr Raworth provided evidence for Owners Corp. He considered the building to be unremarkable in its aesthetic and appearance and a modest example of a typical 1970s mid-rise building. He considered there were taller and more interesting brick buildings (such as the RACV club) and that this building did not stand up as well as them. He did not consider the use of brick significant. While it might be a different variation of its use, the shandy of reinforced concrete, load bearing brick work and a veneer of brickwork and was not distinctive or influential.

He considered there was no historical significance associated with Brick and Pipe & Co or to Nubrik which was just a product of the company which had changed over time. The association was of interest but not important and not enduring.

Under cross examination Mr Raworth agreed that it was reasonable to describe Nubrik House as 'highly intact' and that it included 'an extensive list' of typical characteristics of postwar Modernist buildings. He took no issue with the characterisation of the role of brick in the method of construction.

Gard'ner's evidence considered the citation and Statement of Significance provided appropriate justification to demonstrate that the building met the threshold of recognition of a building of local heritage significance satisfying Criterion A, D and E. He considered the building was an intact representative example of a Post-War Modernist commercial building and of aesthetic significance "*distinguished by its design solution that consciously utilised bricks, the main products of the company, to promote this material*…". He disputed the assertion that the building was a 'standard commercial development of the period' considering a distinctive architectural expression that utilised the company's brick products in the design of its façade.

The evidence of Mr Reeves supported the building's inclusion on the Heritage Overlay and considered it had no direct comparator in the Hoddle Grid and few elsewhere. He considered it a notable example of Buchan, Laird & Buchan's work and recommended that Criterion F be acknowledged in the Statement of Significance for its "*high degree of creative technical achievement at a particular period*".

Council submitted that the evidence of Mr Raworth should not be relied on because he curtailed the postwar period, incorrectly applied Criterion D and E and placed no weight of the use of the Nubrick brick product in a manner to showcase their properties. In terms of the reliance on the structural nature of the brickwork Council advised:

> As far as the use of the brick in the structure and design of the building is concerned, while there is obviously debate about whether the building should properly be described as a structural brick building, Council does not rely on Criterion F but instead on the distinctive use of brick in the external form of the building to promote the company product. The Council submits the identification of the place as Significant and inclusion in the Heritage Overlay in the Amendment are appropriate.

Council did not propose to include Criterion F in the Statement of Significance as suggested by Mr Reeves.

(iii) Discussion

The Panel considers that the threshold for Criterion A, D and E is met for Nubrik House.

In terms of Criterion A the citation identifies important associations with not only the postwar phase but also to Buchan, Laird & Buchan and constructed by A V Jennings

Industries Australia Ltd. The association with the postwar period is not diminished by it being constructed towards the tail end of the postwar Modernist period. While there was some dispute about the identification of Brick and Pipe Industries as a major brick manufacturer the citation provides some documentary evidence of this. No contrary evidence was provided. While the company may have only occupied two levels and the Nubrik product already in existence before the construction of the building, the building was designed for them, occupied by them and named after their product and displayed the product in a prominent fashion.

In relation to Criterion D, the Panel considers the comparators used in the comparative analysis appropriate and that that the building is distinguished from other buildings that incorporate brickwork. The citation analysis observes that it:

> … combines expansive glazed panels with solid masonry sections to achieve a less repetitive, more distinctive and robust aesthetic. While the adopted structural masonry was designed to be exposed in the interior, the exterior design of Nubrik House consciously emphasised the unconventional use of high vertical panels of brickwork to give the appearance of supporting the building, although the external brickwork was actually supported by the internal reinforced concrete frame. In this respect the building differs from many of its contemporaries that also utilised brickwork as their primary façade material. In the other examples brick is used as a nonloadbearing infill or as cladding materials where the primary structure (usually reinforced concrete) is deliberately expressed or through the spandrels.

The citation establishes that the building is highly intact and with few visible changes to the original and early fabric. This description was accepted by all experts, the key difference being whether the building itself was an important example of the style or in any way distinctive. The building's characteristics of the building can be read in its primary and side elevations. The ground level changes have done little to impact on the building's integrity.

In terms of Criterion E, the Panel considers that the citation, supported by the evidence of Mr Gard'ner, provides a sufficient basis for the threshold to be satisfied. While there was a difference in opinion about whether the brickwork provided a load bearing function, the Statement of Significance and the citation do not make this claim using qualifiers such as the brick work panels 'giving the appearance of support' or the brick piers 'appear to be loadbearing'. Criterion E is predominantly focussed on the way in which the brick work has been applied and expressed in a distinctive and aesthetic manner.

Council did not propose to rely on Criterion F despite it being suggested by Mr Reeves. The Panel considers that while further analysis and research might bear Criterion F out, there is insufficient evidence before it now to support a conclusion that that threshold is met.

(iv) Conclusion

The Panel concludes that 269-275 William Street is of local heritage significance (historical, representativeness and aesthetic) and should be included within a Heritage Overlay (HO1378) on a permanent basis.

8 Heritage precincts

8.1 Flinders Lane East Precinct (HO1286)

Exhibited Statement of significance

What is significant?

The Flinders Lane East Precinct comprising 31-149 Flinders Lane, 11-15 Duckboard Place, 130-148 Flinders Street, 10-30 Oliver Lane, ACDC Lane, Duckboard Place, Higson Lane, Oliver Lane, Sargood Lane, Spark Lane and including the rear of 24-30 Russell Street.

- Elements that contribute to the significance of the precinct include (but are not limited to): The commercial and warehouse buildings constructed from c1857 to c1939, as shown on the precinct map.
- The pattern of development in the precinct which comprises mixed streetscapes of Victorian, Federation and interwar commercial and warehouse buildings, and the key features and original detailing characteristic of their respective styles.
- The high quality commercial and warehouse frontages and some side aspects to Flinders Lane, Exhibition Street and Russell Street.
- The industrial streetscapes throughout the fine grain network of laneways intersecting with Flinders Lane, with rear and side aspects and some frontages to ACDC Lane, Duckboard Place, and Higson, Oliver, Malthouse, Sargood and Spark Lanes.

The buildings at 31-35, 37-45, 57-59, 91-93, 95-101, 103-105, 107-109, 121-123, 133-135 Flinders Lane, and 138-148 Flinders Street are contributory. The laneway rear aspect of 24-30 Russell Street fronting Oliver Lane is also contributory.

The buildings at 61-73, 75-77, 87-89, 125-127, 129-131, 137-139, 141-143, 145-149 Flinders Lane, 130- 132, 134-136 and 142-148 Flinders Street, 11-15 Duckboard Place, and 10-20 and 22-30 Oliver Lane are significant. The VHR-listed Duke of Wellington Hotel at part of 142-148 Flinders Street is also significant.

Non-original alterations and additions to the contributory buildings are not significant.

The buildings at 55 Flinders Lane (32 Flinders Street), 114-128 Flinders Street, and 14-22 Russell Street are non-contributory to the precinct.

How is it significant?

The Flinders Lane East Precinct is of local historic, representative and aesthetic significance to the City of Melbourne.

Why is it significant?

The Flinders Lane East Precinct is historically significant for its association with manufacturing and warehousing principally for the clothing and textile businesses, colloquially referred to as the 'rag trade', between the 1850s and the 1930s. Far from dealing in rags, Flinders Lane was the hub of a fashion industry with its many small niche businesses that provided specialist finishing services to the clothing manufacturers. The area provided employment in clothing manufacture, and many employees were women. Flinders Lane was the epicentre of the textile and clothing industry and benefited from the Commonwealth tariffs that resulted in further construction of factories and warehouses throughout the 1920s and 30s. Historically, the Flinders Lane East Precinct was the home of several other industries including Melbourne City Council's Corporation Yard (11-15 Duckboard Place) and 91-93 Flinders Lane, coach and carriage builders Samwells and Reeves at 103 Flinders Lane and box manufacturers Morris and Walker at 31-35 Flinders Lane. (**Criterion A**)

The Flinders Street East precinct is significant for its low-rise built form and street pattern that represents the pre-modern city. The attributes of the precinct include the laneway network that provides additional street frontages for some buildings, and an almost continuous streetscape of up to six storeys in height on Flinders Lane. The precinct demonstrates a great variety of architectural expression developed over approximately 80 years and representing many styles. Several buildings of the Romanesque revival style including nos.31-35, 87-89, 125-127, and 145-149 Flinders Lane are notable. Interwar buildings in the stripped classical style of Pawson House (no.141) or the Gothic revival of the former Bank of New South Wales at no.137-139 are also notable examples. (**Criterion D**)

The Flinders Lane East Precinct is aesthetically significant for its views down Oliver, Malthouse and Higsons Lanes. It is also aesthetically significant for its nearly complete streetscape of small lot buildings up to six storeys in height and built to the property boundaries. The slope to the Yarra River allows some buildings to have basements or additional lower storeys. The open-ended Oliver Lane is aesthetically significant for its views to Flinders Street and beyond to the south, and of 42 Russell Street to the north. ACDC Lane, Higson Lane and Duckboard Place are significant for their enclosed and intimate scale enhanced by the red brick walls. The views along these lanes are significant for the aspects they reveal of the side of nos. 87-89, 91-93, 103-105, 107-109, 125-127, 129-131, 137-139 and 141-143 Flinders Lane.

The streetscape is highly varied but includes many buildings of individual architectural importance and high aesthetic value. The three buildings fronting Flinders Street (nos.130-132, 134-136 and 138-140) are of a similar scale and proportion to those in Flinders Lane. (**Criterion E**)

The Flinders Lane East Precinct proposes to include 28 properties of which:

- 13 are graded significant (also individually listed) with three sites on the VHR
- 12 are graded contributory with one site on the VHR
- 3 are graded non-contributory.

(i) The issues

The issues are whether the grading of:

- 75-77 Flinders Lane as 'Significant' is appropriate
- 91-93 and 107-109 Flinders Street as 'Contributory' is appropriate.

(ii) Evidence and submissions

75-77 Flinders Lane

Submission 30 considered that 75-77 Flinders Lane (Figure 4) should not be graded Significant or Contributory in the precinct.

Figure 4 75-77 Flinders Lane, Melbourne

Source: Attachment 2 to Future Melbourne Committee Report 18 May 2021 (Document 6b)

Mr Gard'ner's evidence identified that 75-77 Flinders Street was already an individual heritage place (HO1026). The existing Statement of Significance notes that the building is an interwar warehouse that has had a long and enduring association with the clothing trade in this part of the city. Mr Gard'ner considered that it was evident that the place "*makes an important historical and architectural contribution to the precinct and there is substantial justification for its inclusion in the Flinders Lane East Precinct*". He identified that the direct transfer of the property from an individual Heritage Overlay place to Significant within the precinct "*was appropriate and reflects the building's important contribution to the precinct while also being a 'heritage place in its own right'*"

91-93 Flinders Lane

Submission 60 considered that the building at 91-93 Flinders Lane (Figure 5) should be identified as non-contributory.

Figure 5 91-93 Flinders Lane, Melbourne

Source: Jim Gard'ner PowerPoint presentation (Document 43)

The evidence of Mr Gard'ner considered the Contributory grading appropriate. He identified that it has a direct association with the manufacturing and textile industries that characterise the precinct, having been constructed in 1925 by clothing manufacturer Denniston and Co. He acknowledged the buildings substantial alterations but considered it retains sufficient form and detail to understand its original historical purpose and contributes to the overall values of the precinct.

107-109 Flinders Lane

Submission 38 made by the owner of 107-109 Flinders Lane (Figure 6) did not support the inclusion of their site within HO1286, considering that the buildings had no architectural significance, were not of high aesthetic value or in keeping with the more intimate scale of ACDC Lane. The submission considered buildings did not reflect the historic association with clothing and textile industry manufacturing and warehousing.

Figure 6 107-109 Flinders Lane, Melbourne

Source: Jim Gard'ner PowerPoint presentation (Document 43)

Mr Gard'ner opined that the Contributory grading for 107-109 Flinders Lane was appropriate. He considered that the building had a direct association with the manufacturing and textile industries that characterise the precinct, having accommodated a number of manufacturers including makers of leather goods and clothing manufacturers. This reflected the 'continued demand in the 1920s for factory and warehouse space in the city centre for the growing manufacturing sector', an important element of the precinct's significance. He noted that the place is not aesthetically significant in its own right but that its architectural form and detailing contributes to the overall values of the proposed precinct. He observed that the scale of the building abutting ACDC Lane provides a sense of enclosure and contributes to the heritage character of the laneway.

(iii) Discussion and conclusions

75-77 Flinders Lane

The Panel agrees with the evidence of Mr Gard'ner that the affect of this Amendment is to reflect the existing individual significance of this building (HO1026) within the proposed Precinct. The period of building and its identified significant elements and reasons for significance align with those of the proposed precinct including the era of commercial and warehouse activity, the related architectural elements and features of this type and its pattern of development. The inclusion of the place as significant in the precinct is appropriate.

91-93 Flinders Lane

While there have been clear alterations made to the building particularly the upper level addition, these have been undertaken in a well-mannered fashion that is clearly distinguishable as a new element. Despite this change the primary elements of the building's form and fabric are clearly evident and reflect the identified characteristics and associations of the precinct. The Panel agrees with Mr Gard'ner that the contributory grading is appropriate.

107-109 Flinders Lane

This building has been altered at the ground level and with the addition of an upper level addition. In this instance the upper levels of the original building remain largely intact and the upper level addition is designed in a manner that is clearly modern in form and reasonably recessive. Despite these changes the primary elements of the building's form and fabric are clearly evident and reflect the identified characteristics and associations of the precinct. The Panel agrees with Mr Gard'ner that the contributory grading is appropriate.

The Panel concludes:

- 75-77 Flinders Lane should be included in the Flinders Lane East Precinct (HO1286) and graded as 'Significant'.
- 91-93 and 107-109 Flinders Street should be included in the Flinders Lane East Precinct (HO1286) and graded as 'Contributory'.

8.2 Little Lonsdale Street Precinct (HO984)

Exhibited Statement of significance

What is significant?

The Little Lonsdale Precinct including 100-148 Little Lonsdale Street, 11-23 Bennetts Lane, 1-3 Evans Lane, 295-301 Exhibition Street, the rear of 303-307 Exhibition Street, 2-14 Exploration Lane, Bennetts Lane, Exploration Lane and Evans Lane, Melbourne is significant.

Elements that contribute to the significance of the precinct include (but are not limited to):

- The commercial and warehouse buildings constructed from c1840s to c1936, as shown on the precinct map.
- The overall consistency of building form (two- to three-story scale).
- The pattern of development in the precinct which comprises mixed streetscapes of Victorian, Federation and interwar residential, commercial and industrial buildings, and the key features and original detailing characteristic of their respective styles and typologies
- The industrial streetscapes throughout the fine grain network of laneways comprising Bennetts, Evans and Exploration lanes and Davisons Place.

The buildings at 11-21 and 23 Bennetts Lane, 1-3 Evans Lane, 295-301 Exhibition Street, and 100, 102- 104, 106, 116-118, 124-126, 132, 134-144 and 146-148 Little Lonsdale Street are contributory. The Evans Lane frontages of 303 and 305-307 Exhibition Street are also contributory.

The buildings at 120-122 and 128-130 Little Lonsdale Street are significant. Non-original alterations and additions to the contributory buildings are not significant.

The building at 2-14 Exploration Lane is non-contributory to the precinct.

How is it significant?

The Little Lonsdale Street Precinct is of local historic, representative, aesthetic and associative significance to the City of Melbourne.

Why is it significant?

The Little Lonsdale precinct is historically significant for its demonstration of less salubrious 'fringe' areas in the central city, and as a working-class residential precinct for mostly Irish immigrants who had settled by the late 1840s and early 1850s in an area referred to as 'Little Lon' (Little Lonsdale

> Street bounded by Spring Street, Exhibition Street, La Trobe Street and Lonsdale Street). The Little Lonsdale Street Precinct is historically significant for its association with phases of migration, firstly by the Irish, and later by the Chinese, Germans, Jews, Lebanese and Italians who were part of a later wave of migration after the 1890s depression, often working as hawkers, small traders, or in the case of the Chinese, cabinetmakers and laundrymen. **(Criterion A)**
>
> The Little Lonsdale Street Precinct demonstrates changing functions in the central city from residential to manufacturing and commercial use, workshops, small factories and shops. Following the razing of the area east of Exhibition Street the Little Lonsdale Street Precinct is significant as a remnant of the vibrant and complex community that evolved in the area from the 1840s. **(Criterion A)**
>
> The Little Lonsdale Street Precinct is significant for its evidence of at least three phases of development from the 1870s to the 1940s.The Victorian era is represented by buildings at 102, 116, 120 and 146-148 Little Lonsdale Street and includes the Leitrim Hotel at 128 Little Lonsdale Street designed by Henry E Tolhurst. Edwardian factories and small warehouses are at 11-21 and 23 Bennetts Lane, 1 Evans Lane, 132 and 134 Little Lonsdale Street and the rear of no.146-148 Little Lonsdale Street. The interwar period is represented by commercial buildings at 100, 106, 124 Little Lonsdale Street. **(Criterion D)**
>
> The Little Lonsdale Street Precinct is aesthetically significant for the combination of low-scale two to three storey buildings on both Little Lonsdale Street and within its laneway network. The buildings of the precinct generally complement each other through the use of predominantly red brick and stucco materials. The Little Lonsdale Street Precinct demonstrates a high level of integrity, particularly in the core group of buildings between 116 and 132 Little Lonsdale, and these are supported by the others of similar scale and materials. Evans Lane is aesthetically significant for the highly intact substation at 1 Evans Lane and the rear of the properties between 295 and 307 Exhibition Street that border it. Bennetts Lane frames views to the south of the Wesley church spire. The highly decorative Leitrim Hotel with intact stucco façade is of individual aesthetic significance. **(Criterion E)**
>
> Part of the precinct is associated with King O'Malley (1858-1953), a North American politician who rose through the Australian Labor Party ranks to become minister for home affairs, a prominent advocate against conscription and supporter of women's rights. **(Criterion H)**

The Little Lonsdale Street Precinct proposes to include 41 properties of which:

- 2 are graded significant (also individually listed) with one site on the VHR
- 14 are graded contributory with one site on the VHR
- 1 is graded non-contributory.

(i) What is proposed?

Council's Part A submission identified that a study of the heritage within a section of Little Lonsdale Street:

> was undertaken in 2010 and resulted in the introduction of the Heritage Overlay to a new precinct known as 'Little Lon' approved by Amendment C165 in 2011. Currently this precinct covers five sites in Little Lonsdale Street between Bennetts Lane and Exploration Lane. The precinct is proposed to be extended by this Amendment and renamed the "Little Lonsdale Street Precinct".

(ii) The issues

The issues are whether the:

- grading of 106 Little Lonsdale Street as Contributory is appropriate
- grading of 134-144 and 148 Little Lonsdale Street and 11-21 and 23 Bennetts Lane as Contributory is appropriate
- expansion of the precinct is appropriate.

(iii) Evidence and submissions

Precinct curtilage

The submission from Melbourne Heritage Action identified the context for the original precinct and identifies that the expansion of it to include "*a disparate range of places such as an electrical substation and, and a former car showroom*" is tenuous. It considers that the large modern apartment tower on the corner of Exhibition Street undermined the integrity of the precinct.

Council's closing submission did not agree with Melbourne Heritage Actions view in relation to changes to the precinct which includes extending it to the east to Exhibition Street and west to Davisons Place. It considered the expansion of the Precinct and citation now deals with three development phases, Victorian, Edwardians and Interwar. It considered that break created by the non-contributory buildings (including 106 Little Lonsdale) was not so great that the continuity of the precinct cannot be understood.

106 Little Lonsdale Street

Submission 2 submitted that the site is not an interwar building (having been built in 1954) and should be identified as 'non-contributory'.

Mr Gard'ner agreed that the construction date of the building does not accord with the period of significance for the Precinct and should be reclassified to non-contributory. Council supported the identified change to the Statement of Significance and the Citation.

134-144 Little Lonsdale Street and 11-21 and 23 Bennetts Lane

Bennetts Little Lonsdale Developments Pty Ltd[32] (Bennetts) is the developer of the identified contributory site which comprises several parcels of land (Figure 7):

- 146-148 Little Lonsdale Street (corner of Davisons Place) containing a two level brick Victorian shop/residence (left hand side of the image in Figure 7)
- 142-144 Little Lonsdale Street containing a single level brick interwar factory/warehouse building with curved parapet
- 134-140 Little Lonsdale Street on the corner of Bennetts Lane with a two-storey modern element set behind the earlier single storey interwar factory/warehouse brick façade
- 11-21 Bennetts Lane containing a two-storey modern office building incorporating the altered single storey brick façade and gabled parapets of three earlier level interwar factory/warehouse buildings
- 23 Bennetts Lane containing a two-storey modern office incorporating the altered rendered brick façade and gabled parapet of an interwar period factory/warehouse.

[32] Submitter 54

Figure 7 134-144 Little Lonsdale Street and 11-21 and 23 Bennetts Lane

Source: Bennetts submission (Document 119)

Bennetts set out changes to the site proposed by Planning Permit No. TP-2018-1112 which proposes a multi storey mixed use office building and involves:

- retention of extensive elements of 146-148 Little Lonsdale Street with some alterations to side walls and openings
- complete demolition of the building at 134-140 Little Lonsdale Street
- retention of the parapet and portion of the lower ground level of the building at 142-144 Little Lonsdale Street
- the dismantling and reinstatement of the façade at 11-21 and 23 Bennetts Lane and demolition of all other buildings.

Bennetts advised the Panel on the 20 September 2021 that demolition works had commenced.[33]

Bennetts submitted that in the context of the approved development, the Heritage Overlay was not warranted and provided little utility beyond minor changes and signage control. It considered that demolition consistent with the approved permit would diminish any heritage significance associated with the retained fabric. The submission considered that the contributory gradings did not "*acknowledge the degree of change that has occurred to the buildings and the limited contribution they make to the historical, social and building form value of the area*". Bennett's submission further identified that the buildings:

- did not demonstrate the phase of migration to Melbourne (referred to in Criterion A)
- Criterion D was applied too loosely
- the Statement of Significance incorrectly refers to the factories as being Edwardian rather than interwar as identified in the Heritage Review
- the buildings are utilitarian in character and of little architectural note and are not mentioned in Criterion E

[33] Document 142

- there was no evidence the buildings were associated with King O/Malley (Criterion H).

Bennetts submitted that if the sites were to be included in the Heritage Overlay the Statement of Significance should be amended to:

- identify 142-144 and 134-142 Lonsdale Street (including 11-15 Bennetts Lane) as non-contributory
- under 'What is significant?' state that: "*The contributory fabric of 17-23 Bennetts Lane is limited to the reconstructed façade fronting Bennetts Lane*"
- under 'Why is it significant?' identify that 142-144, 134-140 Little Lonsdale Street and 11-21 and 23 Bennetts Lane are of the interwar period.

Mr Gard'ner acknowledged the alterations including the addition of new built form to 134-144 Little Lonsdale Street and 17-23 Bennetts Lane. He considered however, that the remaining fabric presenting to the street and lane contributes to the identified historic and industrial architectural values of the precinct. While noting the planning permit he considered that the buildings would still be recognisable and contributory. This position was supported by Council.

Council's Part C closing submission proposed that:

> If the development at 134-144 Little Lonsdale Street and 17-23 Bennetts Lane proceeds to completion as shown in the plans endorsed under Planning Permit TP-2018-1112, the citation and Statement of Significance for the Little Lonsdale Street precinct should record:
>
> (a) 134-140 Little Lonsdale Street is non contributory;
>
> (b) The significance of 142-144 Little Lonsdale is limited to its retained façade;
>
> (c) The significance of 17-23 Bennetts Lane is limited to its reconstructed facades.

(iv) Discussion and conclusions

Precinct extent

The Panel considers that the expansion of the Precinct is justified, supported by the expanded Statement of Significance and citation. The inclusion of the non-contributory sites does not diminish the integrity of the precinct or its ability to be read as a precinct. The Panel considers that it is appropriate to include Bennetts Lane in the Precinct as this is an important part of the viewlines to and from the Precinct.

106 Little Lonsdale Street

The Panel supports the basis of identifying 106 Little Lonsdale Street as non-contributory as proposed by Council and supported by the evidence of Mr Gard'ner.

134-144 Little Lonsdale Street and 11-21 and 23 Bennetts Lane

The Panel has set out its position in relation to sites with planning permits in Chapter 4 and does not repeat it here. In this instance demolition is imminent (and commenced by the end of the Hearing).

Should the identified buildings still remain in situ the Panel considers that on balance the inclusion of the sites as contributory is appropriate given their form and level of intact fabric and period is consistent with the Precinct's identified significance. The changes to the buildings is significant behind the retained facades along Bennetts Lane but undertaken in a way that enables the original elements to be read and not overwhelmed.

The Panel concludes that:

- the retention of the contributory grading for 146-148 Little Lonsdale Street in the Precinct is appropriate
- Statement of Significance (and citation) should be amended to:
  - under 'What is significant?', identify that the contributory fabric of 11-21 and 23 Bennetts Lane and 134-140 Little Lonsdale Street is limited to the façades fronting Bennetts lane and Little Lonsdale Street respectively
  - under 'Why is it significant?', identify that 134-140 and 142-144 Little Lonsdale Street and 11-21 and 23 Bennetts Lane are of the interwar period (Criterion D).

In the event that the buildings are substantially demolished when Council considers the Panel's Report, the Statement of Significance should still retain the sites within the curtilage of the Precinct as they have an important spatial relationship to it and retain elements that relate to its significance. However, the Statement of Significance and citation should instead be amended to:

- identify:
  - 142-144 Little Lonsdale Street as contributory (façade) as most of the remaining parapet will remain
  - 134-140 Little Lonsdale Street as non-contributory given the removal of all earlier fabric
  - 11-21 and 23 Bennetts Lane as non-contributory given the facades will largely be reconstructed
- under 'What is significant?' identify that the contributory fabric of 142-144 Little Lonsdale Street is limited to the façade
- under 'Why is it significant?', for Criterion D remove references to the non-contributory buildings and identify that 142-144 Little Lonsdale Street remaining facade elements are of the interwar period.

(v) Recommendations

The Panel recommends:

Amend the Little Lonsdale Street Precinct Statement of Significance, July 2020 to:

a) Identify 106 Little Lonsdale Street as 'non-contributory'.

b) Under 'What is significant?', identify that the contributory fabric of 134-140 Little Lonsdale Street and 11-21 and 23 Bennetts Lane is limited to the façades fronting Little Lonsdale Street and Bennetts Lane and respectively.

c) Under 'Why is it significant?' for Criterion D, identify that 134-140 and 142-144 Little Lonsdale Street and 11-21 and 23 Bennetts Lane are of the interwar period.

In the event that Council's inspection of the land at the time it considers the Panel's report identifies that demolition works have substantially commenced this recommendation should be substituted with the following:

Amend the Little Lonsdale Street Precinct (HO984) Statement of Significance and citation to:

a) Identify 106 and 134-140 Little Lonsdale Street, 11-21 and 23 Bennetts Lane as 'non-contributory'.

b) Under 'What is significant?', identify that the contributory fabric of 142-144 Little Lonsdale Street is limited to the street façade and include the sites in a) above as 'non-contributory'.

c) Under 'Why is it significant?' for Criterion D, remove references to 134-140 Little Lonsdale Street and 11-21 and 23 Bennetts Lane and identify that 142-144 Little Lonsdale Street remaining original facade elements are of the interwar period.

8.3 Elizabeth Street West Precinct (HO1204)

Exhibited Statement of significance

What is significant?

The Elizabeth Street West Precinct is located in the Melbourne Central Business District, concentrated on the west side of Elizabeth Street between La Trobe Street in the north and Bourke Street in the south. The precinct is not fully contiguous, comprising two separate sections of Elizabeth Street, with the separate southern section below Little Bourke Street. It also extends to the west to include the laneways, and properties abutting the laneways, of Zevenboom Lane, Heape Court and Somerset Place. While the northern and southern sections of the precinct are independently legible, they come together as two parts of a larger whole, being the broader retail and commercial precinct, complemented by the historically related laneways. Significant and contributory buildings in the precinct were constructed from the early 1850s through to the interwar period. This date range reflects the historical development and evolution of Elizabeth Street generally, and that of the sections of street included in the precinct particularly. The significant and contributory buildings also vary in their form, scale and footprint, which again reflects their dates of construction and original and historical uses.

How is it significant?

The Elizabeth Street West Precinct is of local historical and aesthetic/architectural significance.

Why is it significant?

The Elizabeth Street West Precinct is of historical significance. Elizabeth Street was an early north-south thoroughfare of the Hoddle Grid, built on the general alignment of the former Townend Creek. It was also historically at the low-lying centre of the Grid, marking the division between the east and west halves of the city. Elizabeth Street was the main north route out of the city, and the start of the road to Sydney and the goldfields, the Bendigo diggings in particular. The onset of the gold rush was in fact the catalyst for the rise of the street, at least in a commercial sense. It is now a physically evolved street, including within the precinct. Valued development ranges from the mid-nineteenth century, when smaller scale shops and businesses were established to service the north-bound traffic out of the city, and residents living in the western part of the CBD; through to the later nineteenth century and interwar period, when larger showrooms and grander commercial buildings were constructed. The later development variously accommodated motor bicycle and motor related businesses, garment and other manufacturers, and banks. For its first half century, Elizabeth Street was poorly managed in civic terms, and the subject of public derision and ridicule due to its poor drainage and frequent flooding. The poor drainage remained until the 1880s, when an underground brick drain was finally constructed, extending from Therry Street in the north to the Yarra River in the south. The laneways running parallel to Elizabeth Street are also of historical significance. While

they provide evidence of a typical Melbourne laneway's role in servicing the rears of properties to the main street, they also retain evidence of their own nineteenth and early twentieth century development, including former factories and warehouses which were independent of Elizabeth Street and not of a retail nature. **(Criterion A)**

The Elizabeth Street West Precinct is of aesthetic/architectural significance. It includes a range of two and three storey Victorian, Edwardian and interwar commercial and retail buildings, anchored by some key corner buildings of individual significance, often designed by well-regarded architects. While many of the contributory buildings are typical rather than exceptional in terms of form and detailing, they nevertheless provide evidence of the physical evolution and function of the precinct, including the earlier buildings as evidenced in the fine grained terrace rows. Shopfronts have generally been replaced, but upper levels and parapets are largely intact to their early states. Boxed awnings extend over footpaths. Brick, rendered masonry and concrete are common materials. Moving away from Elizabeth Street, the associated Zevenboom Lane, Heape Court and Somerset Place are also of aesthetic/architectural significance. These retain historic buildings which address the lanes, as well as those which contribute to the heritage character through their side or rear elevations. Valued development to the laneways ranges from the mid-nineteenth century through to the interwar period, and is evident in a rich and diverse collection of factories, warehouses and workshops. Face red brick is the dominant material in the lanes, complemented by bluestone, rendered masonry and concrete. Heape Court in particular is distinguished by its Victorian buildings and early fabric, and retains original bluestone kerbs, channels and flagstones. **(Criterion E)**

The Elizabeth Street West Precinct is additionally significant for retaining evidence of the typical retail and commercial buildings which were established in many commercial streets of inner Melbourne from the mid-nineteenth century. It has the principal characteristics of such development, and early retail strips, as seen in the fine grained terrace rows with shops at ground floor level, and office or residential spaces above. The upper levels are typically more intact than the ground floor shopfronts. Larger buildings, including banks and showrooms, also commonly anchor the street corners. **(Criterion D)**

The Elizabeth Street West Precinct was identified in the Laneways Heritage Study and currently includes 17 properties in two non-contiguous areas on the south side of Elizabeth Street generally between Bourke and Latrobe Streets, including some adjoining rear streets and lanes, of which:

- 20 are graded significant
- 19 are graded contributory
- 2 are graded non-contributory.

(i) The issue

The Amendment proposes to change the grading of 341-345 Elizabeth Street within HO1204 from Contributory to Significant. Council's Part A submission identified that the Amendment addresses an error in the consultation map for Amendment C271 which showed 341-345 Elizabeth Street as 'contributory' despite it being assessed as 'significant' in the Laneways Heritage Study. The Heritage Review assessed sites not recommended for protection by the Laneways Heritage Study.

The issue is whether changing the grading of 341-345 Elizabeth Street from Contributory to Significant is appropriate.

(ii) Evidence and submissions

Submission 11 considered that there was no strategic justification to support a building grading 'uplift' for 341-345 Elizabeth Street particularly given its previous 'C' grading. It noted that the building was of similar architectural form and age to the adjoining contributory graded building at 347 Elizabeth Street.

Mr Gard'ner opined that the building displays a similar level of intactness and integrity to other buildings of this period that are included in the precinct and have been assessed as Significant.

Submission 59 supported the recognition of an Elizabeth Street Motorcycle Precinct and the importance of the Elizabeth Street as a meeting place for the motorcycling community.

Mr Gard'ner's evidence considered that any social values associated with a 'motorcycle precinct' comprising buildings between numbers 299 and 421 Elizabeth Street could be considered as part of any future review of the existing statements of significance for HO1125 (Elizabeth Street (CBD) Precinct) and HO1204 (Elizabeth Street West Precinct). This position was supported by Council.

(iii) Discussion and conclusion

The Panel has discussed the significance of 341-345 Elizabeth Street in Chapter 6.6 and concluded that it is a place of individual heritage significance and that the Heritage Overlay (HO1329) should be applied. It is therefore appropriate to identify the building as Significant in the precinct.

The Panel agrees with Council that a proposal for an Elizabeth Street Motorcycle Precinct is not within the scope of this Amendment. Such a proposal could be considered as part of any future review of the existing statements of significance for HO1125 (Elizabeth Street (CBD) Precinct) and HO1204 (Elizabeth Street West Precinct).

The Panel concludes that the grading of 341-345 Elizabeth Street as Significant in the Elizabeth Street West Precinct is appropriate.

8.4 Guildford and Hardware Laneways Precinct (HO1205)

Exhibited Statement of significance

What is significant?

The Guildford and Hardware Laneways Precinct is located in the Melbourne Central Business District. The precinct occupies parts of four city blocks bounded by La Trobe Street to the north, Bourke Street to the south, Queen Street to the west and Elizabeth Street to the east. The precinct has a comparatively high proportion of buildings of heritage value, and significant and contributory buildings in the precinct date from the 1850s through to the interwar period. While precinct development is diverse, many of the graded buildings are former factories and warehouses, with some more modest workshops, of the late nineteenth and early twentieth centuries. The precinct boundary is not contiguous, and in some cases the laneways stop at little streets or main streets and thoroughfares, before recommencing on the other side. The side and rear elevations of buildings of significant and contributory heritage value, can also be important precinct contributors. Where there is historic development to both sides of a laneway or street, including the fronts, sides or rears of properties, the precinct boundary generally incorporates the subject laneway or street. Laneways also provide a setting to the properties, again including property sides or rears. Lanes within the precinct also retain, to a greater or lesser degree, original bluestone kerbs, channels and flagstones.

How is it significant?

The Guildford and Hardware Laneways Precinct is of historical, social and aesthetic/architectural significance to the City of Melbourne.

Why is it significant?

The Guildford and Hardware Laneways Precinct is of historical significance. The laneway network within the precinct provides evidence of the evolution and growth of the central city within the structure of the large city blocks and rigid geometry of the 1837 Hoddle Grid. While the grid plan included main streets, and east-west running little streets, the lanes proliferated off this framework, generally in a north-south direction, as the city evolved and developed. The precinct and its laneways and little streets also demonstrate changing historical land uses, and retain building types which reflect these uses and evolving patterns of occupation and development in central Melbourne. The number and extent of lanes in the precinct is reflective of their significant growth in the CBD from the mid-nineteenth to the mid-twentieth century, with 235 named lanes in the broader city by 1935. The precinct's lanes historically serviced the rears of properties fronting other streets, and acted as thoroughfares through large city blocks. Their typical north-south alignment is reflective of the boundaries of the late 1830s and 1840s large Crown allotments. With increasing subdivision, density and changing land use patterns, many early lanes also evolved into distinct streets with their own character and property frontages. The changing names of some lanes attests to their evolving histories and land uses. Throughout much of the second half of the nineteenth century, small scale residential development and commercial activity was the overriding precinct land use. The former

included modest cottages and dwellings, sometimes of sub-standard construction; while the latter included Melbourne's famous horse bazaars, numerous hotels and small scale workshops. From the late nineteenth century and into the early twentieth century, many earlier small buildings were demolished and replaced by larger factories and warehouses. The precinct's location, away from the main commercial areas to the south and east, also enabled this next phase of development, due to the relatively cheaper land values. Diverse businesses occupied the buildings, and included printers, publishers and stationers, bulk stores, manufacturing businesses, and light industry. Many of these buildings remain in the precinct. In the later twentieth century, a new wave of residents and businesses were attracted back to the precinct, as part of the City of Melbourne's revitalisation of the central city laneways. **(Criterion A)**

The Guildford and Hardware Laneways Precinct is of social significance. This largely derives from the popularity of the revitalised and vibrant laneways of the precinct, with residents and visitors attracted by the activated laneway streetscapes, street art, and numerous bars, cafes, night clubs, galleries and boutique retail outlets. The laneways are also valued by the community as unique public spaces within the CBD. **(Criterion G)**

The Guildford and Hardware Laneways Precinct is of aesthetic/architectural significance. The laneways in particular form distinctive streetscapes within the central city, their significant heritage character enhanced by the diverse collection of historic buildings, including former factories and warehouses, with some workshops, and their rich materiality. Face red brick is the dominant material, complemented by bluestone, rendered masonry and concrete. The heritage character also derives from the narrow footprint and dimensions of the lanes, given emphasis by the bordering buildings with tall and/or long facades and walls, with no setbacks. Some warehouses have elevated ground floors, and visible sub-basements, which while being illustrative of original loading arrangements, also contribute to the distinctive aesthetic of some lanes. Lanes within the precinct retain to a greater or lesser degree original bluestone kerbs, channels and flagstones, which also contribute to the materiality and heritage character of the precinct. **(Criterion E)** The precinct is additionally important for demonstrating the principal characteristics of the laneway network of the broader city. The alignment and layout of the precinct's lanes reflects their origin within the formal Hoddle Grid, their proliferation within the original large city blocks, and their historic servicing and right-of-way roles. Importantly, the laneways of the precinct also largely retain their original arrangement, as evident in nineteenth century sources. **(Criterion D)**

The Guildford and Hardware Laneways Precinct (as amended) includes 59 properties across three non-contiguous areas within the area identified in Figure 1, of which:

- 33 are graded significant
- 16 are graded contributory
- 10 are graded non-contributory.

(i) The issue

The Amendment proposes to amend HO1205 as introduced through Amendment C271 to change the grading of 2-6 and 8-14 Rankins Lane from Contributory to Significant.

The issue is whether the grading of 2-6 and 8-14 Rankins Lane as Significant is appropriate.

(ii) Evidence and submissions

As identified in Chapter 6.3, Submission 57 did not support the identification of 2-6 Rankins Lane individually significant. Similarly, it did not support its grading in the Precinct being changed to Significant. It considered this onerous and expensive from a maintenance perspective.

Mr Gard'ner's evidence identified that the Heritage Review had reassessed the places in Laneways Heritage Study. The reassessment of these places was undertaken in the context of a substantially larger study area which included the whole of the Hoddle Grid. This he

said stood in contrast to the study area for the Laneways Heritage Study, which concentrated on a discrete area and assessed the contribution of buildings within the area to the specific precinct-based history, and its setting and character.

(iii) Discussion and conclusion

The Panel has discussed the issues associated with maintenance costs resulting from the Heritage Overly in Chapter 4.2 and does not repeat that discussion here. As discussed at Chapter 6.5 the Panel considers that the buildings at 2-6 as well as those at 8-14 Rankins Lane meet the threshold to be identified as individually significant as part of HO1052.

The Panel concludes that the Significant grading for the buildings at 2-6 and 8-14 Rankins Lane in the Guildford and Hardware Laneways Precinct (HO1205) is appropriate.

Appendix A Submitters to the Amendment

No.	Submitter	No.	Submitter
1	Urbis on behalf of Roxy-Pacific Melbourne House Pty Ltd	34	Trent Cross
2	Urbis on behalf of Ralmar Investments Pty Ltd	35	Jack Bragg
3	George Paxinos	36	Catherine Block
4	Edward Yencken	38	Commonwealth Superannuation Corporation
5	Annette Weier	39	Miriam Faine
6	Edmond Lobaza	40	Brookfield
7	Patricia Caswell	41	Down Ampney Corporation Pty Ltd
8	Royal Historical Society of Victoria	42	Virginia Overell
9	Megas Properties	43	Christopher Hill
10	Phileo Australia Limited	44	SG&JG Properties Pty Ltd
11	Best Hooper Lawyers for owner of 341-345 Elizabeth Street	45	Dexus Funds Management Limited
12	Best Hooper Lawyers for owner of 256-260 King Street (572 Lonsdale Pty Ltd)	46	Sunsuper Pty Ltd
13	Calder Place Investments Pty Ltd	47	Roman Catholic Trust Corporation for the Diocese of Melbourne
14	461 Bourke Street Pty Ltd	48	Owners Corporation 99 Spring Street
15	Adam Merckel	49	Euan Doidge
16	Shahin Enterprises Pty Ltd	50	Gary Chan
17	Jillian Luttin	51	Melbourne Heritage Action Group
18	Collins St Property Pty Ltd	52	Argo Group (Aus) Pty Ltd
19	Best Hooper Lawyers for owner of 577-583 Little Collins Street	53	The Australasian Alliance of Walking Activity Group
20	Eighth Grange Pty Ltd	54	Bennetts Little Lonsdale Developments Pty Ltd
21	Barristers' Chambers Limited	55	120 Exhibition Street, Wadback Pty Ltd
22	Owners Corporation 269-275 William Street	56	Julliard Group
23	Owners Corporation No. 1, Plan No. PS537345U	57	Wayne-Coles Janess

24	Peter Barrett	58	Australian Institute of Architects
25	Black Swan Properties Pty Ltd	59	The Motorcycle Riders Association Melbourne
26	W&Z World Wide Pty Ltd	60	Ben McMahon (second site submission)
27	Hero Apartment Building Owners Corporation	61	130 Little Collins Development Pty Ltd
28	Planning Property Partners for Kentplex Pty Ltd and other land owners	62	Doomsday Capital Trust
29	National Trust of Australia (Vic)	63	Triple MMM Holdings Pty Ltd
30	Ben McMahon	64	Triple MMM Holdings Pty Ltd (second site submission)
31	Owners Corporation 221-231 Collins Street	65	Havenport Investments
32	600 Lonsdale Street Pty Ltd AMF 600 Lonsdale Street Partnership	66	103 Queen Street Pty Ltd
33	Alicia Grogan-Jones		

Appendix B Parties to the Panel Hearing

Submitter	Represented by
Melbourne City Council	Carly Robertson led by Susan Brennan SC, who called expert evidence on: • heritage from Jim Gard'ner of GJM Heritage • heritage from Simon Reeves of Built Heritage
Barristers' Chambers Limited	Paul Chiappi of Counsel, instructed by Nick Sutton of Planning & Property Partners, who called expert evidence on heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage
Bennetts Little Lonsdale Developments Pty Ltd Havenport Investments Pty Ltd 103 Queen Street Pty Ltd	Jane Sharp of Counsel, instructed by Rhodie Anderson of Rigby Cooke Lawyers
Black Swan Properties Pty Ltd	Louise Hicks of Counsel instructed by Gemma Robinson of Rigby Cooke Lawyers, who called expert evidence on heritage from Robyn Redditt of The Anthemion Group Pty Ltd
Calder Place Investments Pty Ltd	Paul Chiappi of Counsel, instructed by Nick Sutton of Planning & Property Partners, who called expert evidence on heritage from Katherine White of Lovell Chen
Collins Street Property Pty Ltd	Paul Connor QC, instructed by Sally Macindoe of Norton Rose Fulbright, who called expert evidence on heritage from Kate Gray of Lovell Chen
Dexus Funds Management Limited	Paul Chiappi of Counsel, instructed by Amanda Johns of MinterEllison, who called expert evidence on heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage
Eighth Grange Pty Ltd	Daniel Robinson of Counsel, instructed by Sarah Kovatch of BSP Lawyers, who called expert evidence on heritage from Peter Barrett of Peter Andrew Barrett
Juilliard Group Pty Ltd	Stuart Morris QC assisted by Paul Chiappi of Counsel, instructed by Billy Rebakis of Urbis, who called expert evidence on: • urban design from Tim Biles of Ratio • heritage from Bruce Trethowan of Trethowan Architecture
National Trust of Australia (Victoria)	Felicity Watson
Owners Corporation 336942V (269-275 William Street)	Hew Gerrard of Glossop Town Planning, who called expert evidence on heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage
Peter Barrett	Written submission

Phileo Australia Limited	Nicholas Tweedie SC and Daniel Robinson of Counsel, instructed by David Passarella of Mills Oakley, who called expert evidence on heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage
Roman Catholic Trust Corporation for the Diocese of Melbourne	Dominic Scally and Lucy Eastoe of Best Hopper Lawyers, who called expert evidence on heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage
Royal Historical Society of Victoria	Charles Sowerwine
Shahin Enterprises Pty Ltd	Paul Chiappi of Counsel, instructed by Nick Sutton of Planning & Property Partners, who called expert evidence on heritage from John Statham of Lovell Chen
Sunsuper Pty Ltd	Stuart Morris QC assisted by Paul Chiappi of Counsel, instructed by Natalie Bannister and Luke Denham of Hall & Wilcox, who called expert evidence on: • heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage • art heritage and curation from Geoffrey Edwards
Sydney Road Holdings Pty Ltd Argo Group (Aus) Pty Ltd 572 Lonsdale Pty Ltd 600 Lonsdale Street Pty Ltd AMF 600 Lonsdale Street Partnership 461 Bourke Street Pty Ltd	Jordan Wright of Counsel, instructed by Eliza Minney and Jack Curnow of Best Hooper Lawyers, who called expert evidence on • heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage for 572 Lonsdale Pty Ltd • heritage from Bruce Trethowan of Trethowan Architecture Interiors Heritage for 572 Lonsdale Pty Ltd and 461 Bourke Street Pty Ltd
Wadback Pty Ltd	James Lofting and Sonia Narduzzo of HWL Ebsworth, who called expert evidence on heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage

Appendix C Document list

No.	Date	Description	Provided by
1	26/05/2021	Panel Notification Letter	Planning Panels Victoria (PPV)
2	7/06/2021	Email confirming receipt of late submission from 103 Queen Street Pty Ltd	PPV
3	8/06/2021	Letter responding to Panel proposed directions dates	T. Hayes, City of Melbourne
4	17/06/2021	Panel Directions Letter	PPV
5	18/06/2021	Late email notice of Panel to Submitters 1-10	PPV
6	21/06/2021	Documents in response to Direction 4 including: a) Cover letter b) Table showing GJM's views on submissions highlighted in yellow c) Table setting out GJM's views on submission 65 highlighted in yellow d) List of places identified in the Amendment	S. Hunter, City of Melbourne
7	23/06/2021	Maps in response to Direction 5 showing HOs with submissions and live permits including: a) Panel Map – Individual HOs b) Panel Map – Precinct HOs and revisions to existing individual HOs	"
8	2/07/2021	Document provided in response to PPV request providing citations for places with submissions	K. Smart, City of Melbourne
9	2/08/2021	Council Part A submission	S. Hunter, City of Melbourne
10	9/08/2021	Evidence of Bryce Raworth on behalf of Dexus Funds Management Ltd.	A. Johns, MinterEllison
11	"	Evidence of Peter Barrett on behalf of Eighth Grange Pty Ltd	S. Fradley, BSP Lawyers
12	"	Evidence of Bryce Raworth on behalf of Owners Corporation 336942V	H. Gerrard, Glossop Town Planning
13	"	Evidence of Bryce Raworth on behalf of 572 Lonsdale Pty Ltd	E. Minney, Best Hooper
14	"	Evidence of Bruce Trethowan on behalf of 572 Lonsdale Pty Ltd	"

No.	Date	Description	Provided by
15	“	Evidence of Bryce Raworth on behalf of Phileo Australia Limited	B. Barbour, Mills Oakley Lawyers
16	“	Evidence of Katherine White on behalf of Calder Place Investments Pty Ltd	H. Wilson, Planning & Property Partners
17	“	Evidence of John Statham on behalf of Shahin Enterprises Pty Ltd	“
18	“	Evidence of Bryce Raworth on behalf of Barristers Chambers Limited	“
19	“	Evidence of Bryce Raworth on behalf of Sunsuper Pty Ltd	L. Denham, Hall &Wilcox
20	“	Evidence of Geoffrey Edwards on behalf of Sunsuper Pty Ltd	“
21	“	Evidence of Robyn Riddett on behalf of Black Swan Properties Pty Ltd	G. Robinson, Rigby Cooke
22	“	Evidence of Bryce Raworth on behalf of Wadback Pty Ltd	S. Narduzzo, HWL Ebsworth Lawyers
23	“	Evidence of Tim Biles on behalf of Julliard Group	B. Rebakis, Urbis
24	“	Evidence of Bruce Trethowan on behalf of Julliard Group	“
25	“	Letter filing evidence on behalf of Collins St Property Pty Ltd	L. Choi, Norton Rose Fulbright
26	“	Evidence of Kate Gray on behalf of Collins St Property Pty Ltd	“
27	“	Evidence of Bruce Trethowan on behalf of 461 Bourke St Pty Ltd	E. Minney, Best Hooper
28	“	Evidence of Jim Gard’ner on behalf of City of Melbourne	S. Hunter, City of Melbourne
29	“	Evidence of Simon Reeves on behalf of City of Melbourne	“
30	10/08/2021	Evidence of Bruce Trethowan on behalf of Collins St Property Pty Ltd	L. Choi, Norton Rose Fulbright
31	11/08/2021	Evidence of Bryce Raworth on behalf of Roman Catholic Trust Corporation for the Diocese of Melbourne	L. Eastoe, Best Hooper
32	13/08/2021	Questions for Simon Reeves from 103 Queen Street Pty Ltd	D. Bilke, Rigby Cooke
33	16/08/2021	Written submission from Peter Andrew Barrett	P. Barrett

No.	Date	Description	Provided by
34	"	Witness questions document (email) from Panel to all Parties	PPV
35	18/08/2021	Letter on behalf of Phileo Australia Limited requesting Panel direction for Mr Reeves to provide further information	D. Passarella, Mills Oakley
36	19/08/2021	Witness response to questions for Simon Reeves	S. Hunter, City of Melbourne
37	"	Letter on behalf of 461 Bourke Street Pty Ltd requesting Panel direction for Mr Reeves to provide further information	E. Minney, Best Hooper
38	"	Evidence in reply from Jim Gard'ner	S. Hunter, City of Melbourne
39	"	Evidence in reply from Simon Reeves	"
40	"	Email response from Council to Phileo Australia request, enclosing a response from Mr Reeves	"
41	20/08/2021	Email from Panel to all parties including direction for Mr Reeves to respond to request of 461 Bourke Street Pty Ltd	PPV
42	"	Response from Mr Reeves to 461 Bourke Street Pty Ltd request	S. Hunter, City of Melbourne
43	"	Jim Gard'ner expert witness presentation	"
44	24/08/2021	Jim Gard'ner expert witness evidence in reply re 173-175 Bourke Street, Melbourne	"
45	"	List of submissions detailing places with or without interim controls	"
46	25/08/2021	Jim Gard'ner's evidence speaking notes	"
47	"	GJM Memo to Dexus 56-64 Collins Street (Former Reserve Bank)	"
48	"	Agreed citation for 111-129 Queen Street (former RACV building)	"
49	"	Victorian Heritage Council's "*Guidance on Identifying places and objects of State level social value of Victoria*" – marked-up version	J. Curnow, Best Hooper
50	"	Submission to Panel for Royal Historical Society of Victoria Inc.	C. Sowerwine, Royal Historical Society of Victoria Inc.
51	26/08/2021	Submission to Panel for National Trust of Australia (Victoria)	F. Watson, National Trust

No.	Date	Description	Provided by
52	"	Letters of instruction issued to Mr Reeves by City of Melbourne	T. Hayes, City of Melbourne
53	"	Demaine et al entry in the Encyclopedia of Australian Architecture, page 199	S. Hunter, City of Melbourne
54	"	Two scanned images as part of Mr Raworth evidence for Phileo referred to in Page 7, footnotes 11 and 12	B. Barber, Mills Oakely
55	"	Council Part B submission (Part 1)	S. Hunter, City of Melbourne
56	"	Council Part B submission (Part 2 – 178-188 William Street)	"
57	30/08/2021	Individual Post War places table (referenced in the presentation of Council's Part B Submission)	"
58		Heritage classification definitions (referenced in the presentation of Council's Part B Submission)	"
59		1985 Building Identification Form for 56-64 Collins Street (Former Reserve Bank) (referenced in the presentation of Council's Part B Submission)	"
60		Clause 114 Demolition – Old Format Melbourne Planning Scheme, March 1999 (referenced in the presentation of Council's Part B Submission)	"
61		Clause 218 Notable Buildings and Heritage Precincts – Old Format Planning Scheme, March 1999 (referenced in the presentation of Council's Part B Submission)	"
62		Application for 354-360 Little Bourke Street (Melbourne House) elevation comparison (referenced in the presentation of Council's Part B Submission)	"
63		Photos tabled (referenced in the presentation of Council's Part B Submission)	"
64		Extracts from *Melbourne – The City's History and Development* by Miles Lewis et al (referenced in the presentation of Council's Part B Submission)	"
65	"	Submission to Panel for Owners Corporation 336942V (269-275 William Street) – 271-275 William Street	H. Gerrard, Glossop
66	"	Submission to Panel for Wadback Pty Ltd regarding 114-122 Exhibition Street	S. Narduzzo, HWL Ebsworth
67	31/08/2021	Submission to Panel for Shahin Enterprises – 25 Elizabeth Street	H. Wilson, Planning & Property Partners
68	"	Submission to Panel for Calder Place Investments Pty Ltd – 53-57 Lonsdale Street	"

No.	Date	Description	Provided by
69	"	*Extracts from Tall Buildings*, Jennifer Taylor	S. Hunter, City of Melbourne
70	"	1985 Building Identification Form 114-122 Exhibition Street (former Morris House), pages 1 and 2	"
71	"	Endorsed roof plans TP 2012-359 for 114-122 Exhibition Street (former Morris House)	"
72	1/09/2021	Submission to Panel and Aide Memoir for Collins Street Property Pty Ltd – 516-520 Collins Street	L. Choi, Norton Rose Fulbright
73	2/09/2021	Previous Heritage Advice from Lovell Chen regarding 516-520 Collins Street	S. Hunter, City of Melbourne
74	3/09/2021	Submission to Panel for 572 Lonsdale Pty Ltd – 256-260 King Street	J. Curnow, Best Hooper Lawyers
75	"	Planning permit 1900742 for 572-574 Lonsdale Street and 256-260 King Street	"
76	"	Email from City of Melbourne dated 11 August 2021 regarding Melbourne Amendment C387 and 256-260 King Street	"
77	"	Submission to Panel for 461 Bourke Street Pty Ltd – 457-471 Bourke Street	"
78	"	Bayside C37 and C38 Panel Report (PSA) [2004] PPV 133	"
79	"	Melbourne C186 Panel Report (PSA) [2012] PPV 79	"
80	"	Submission to Panel for Sydney Road Holdings Pty Ltd – 577-579 and 581-583 Little Collins Street	"
81	"	Planning Permit TP2018-1163 for 577-583 Little Collins Street	"
82	"	Extension of time – TP2018-1163	"
83	"	Submission to Panel for Argo Group Pty Ltd – 204-208 King Street	"
84	"	Planning permit – TP2020-33 for 204-230 King Street	"
85	"	Letter from City of Melbourne to Panel and Parties regarding discussions with Demaine Partnership Pty Ltd and email to Demaine regarding 303-317 Collins Street	K. Smart, City of Melbourne
86	6/09/2021	Submission to Panel for Dexus – 56-64 Collins Street	G. Pattas, Minter Ellison
87	"	1985 Building Identification Form for 56-64 Collins Street	"
88	"	Heritage Impact Statement for 204-232 King Street by Raworth (Application TPMR-2021-11)	S. Hunter, City of Melbourne

No.	Date	Description	Provided by
89	7/09/2021	Submission to Panel on behalf of Phileo Australia Pty Ltd – 303-317 Collins Street	B. Barbour, Mills Oakley
90	"	Submission to Panel on behalf of Roman Catholic Trusts Corporation for the Diocese of Melbourne – 588-600 Little Collins Street	L. Eastoe, Best Hooper Lawyers
91	"	Yarra C191 Panel Report	"
92	"	Extracts from Trethowan Evidence	S. Hunter, City of Melbourne
93	"	Extract from Melbourne City Council building files regarding RBA building	"
94	"	Extract from Parliamentary Standing Committee on the refurbishment of the Reserve Bank Building, 60 Collins Street	"
95	"	Extract from the Reserve Bank Act 1959	"
96	8/09/2021	Submission to Panel for AMP Capital Investors Pty Ltd – 330 Collins Street	L. Denham, Hall & Willcox Lawyers
97	"	1985 Building Identification Form – 308-336 Collins Street	"
98	"	Email Correspondence from Dermot Cannon re Stella Maris history	L. Eastoe, Best Hooper
99	"	Victorian Heritage Database Report – St Augustine's Catholic Church and School	"
100	"	Port of Melbourne 2050 Port Development Strategy	S. Hunter, City of Melbourne
101	"	Victorian Heritage Database Report – Missions to Seamen	"
102	"	Victorian Heritage Place Details Report – St Augustine's Catholic Church and School	"
103	9/09/2021	Trethowan Architecture Peer Review dated 20 April 2021 for 457-471 Bourke Street, Dalgety House	E. Minney, Best Hooper Lawyers
104	"	Email – Table of status of live permits for 256-260 King Street, 204-206 King Street, 577-583 Little Collins Street and 594-610 Lonsdale Street	"
105	"	Submission to Panel for Julliard Group for 440 Collins Street, 459 Little Collins Street and 555 Bourke Street	B. Rebakis, Urbis
106	10/09/2021	Extract from Tall Buildings by J. Taylor re 330 Collins Street	S. Hunter, City of Melbourne
107	"	Façade Redevelopment Concept Design options for 330 Collins Street, Gray Puksand	"
108	"	Extract from MELMO by R. Grow re 330 Collins Street	"

No.	Date	Description	Provided by
109	"	Submission to Panel for Barristers' Chambers Ltd – 178-188 William Street	H. Wilson, Planning and Property Partners Ltd
110	"	Pages 46-48 of *Australian Modern: The Architecture of Stephenson and Turner* (Philip Goad, Rowan Wilken and Julie Willis, 2004), at footnotes 13 to 14 of Mr Raworth's statement for 330 Collins Street	L. Denham, Hall and Willcox
111	"	Pages 498, 500, and 510-11 of the *Hoddle Grid Heritage Review* (July 2020, Vol 2B), being the corrected citation at footnote 16 of Mr Raworth's statement for 330 Collins Street	"
112	"	Additional images referred to in Mr Trethowan's expert witness statement	B. Rebakis, Urbis
113	"	Letter on behalf of Collins St Property Pty Ltd regarding request for Ms Kate Gray to provide list of addresses where advice was given	L. Choi, Norton Rose Fulbright
114	"	Map of postwar places proposed for HOs in the Hoddle Grid Heritage Review	S. Hunter, City of Melbourne
115	"	Publicly Accessible Private Plazas in Central Melbourne	"
116	14/09/2021	Submission to Panel for 103 Queen Street Pty Ltd	D. Bilke, Rigby Cooke Lawyers
117	"	Submission to Panel for Havenport Investments Pty Ltd	"
118	"	Letter prepared by B Raworth dated 3 July 2018	"
119	"	Submission to Panel for Bennetts Little Lonsdale Developments Pty Ltd	"
120	"	Heritage Assessment by B Raworth, December 2018	"
121	"	Historic Photos of 134-148 Little Lonsdale Street and 11-23 Bennetts Lane, Melbourne	"
122	16/09/2021	Submission to Panel for Black Swan Properties Pty Ltd – 57-67 Little Collins Street	G. Robinson, Rigby Cooke Lawyers
123	"	Copy of the precinct citation for the Little Collins Street Precinct – extracted from the City of Melbourne Future Melbourne Committee meeting of 21 August 2021 (Agenda Item 6.1)	"
124	"	Marked-up copy of the proposed citation for 57-67 Little Collins Street with the GJM Heritage additions shown in yellow	"
125	"	PowerPoint presentation with photographs relied upon by Ms Riddett	"

No.	Date	Description	Provided by
126	17/09/2021	Council Part C Submission	S. Hunter, City of Melbourne
127	"	Council Part C Submission part 2	"
128	"	Part C submission Appendix A – Proposed changes to Amendment documents	"
129	"	Part C submission Appendix A – Melbourne City Council HGHR Consultants Brief	"
130	"	Part C submission Appendix B – Status of permits for specified places in Amendment	"
131	"	Part C submission Appendix C – Summary of Amendment C238	"
132	"	Part C submission Appendix D – Examples of Statements of Significance using Criterion D	"
133	"	Part C submission Appendix E – Gard'ner response to Trethowan examples of 200 Little Collins Street and 276 Flinders Street	"
134	"	Part C submission Appendix F – Table of places constructed in the Hoddle Grid from 1940s-1970s from CLUE data	"
135	"	Part C submission Appendix G – Map of pre-war and postwar significant places in Amendment C387	"
136	"	Part C submission Appendix H – Comparative chart of contested postwar office buildings	"
137	"	Part C submission Appendix I – Map of Draft potential Queen Street Precinct	"
138	"	Part C submission Appendix J – Historic hotels in the Hoddle Grid	"
139	"	Part C submission Appendix K – Photos of Morris House entrances	"
140	"	Part C submission Appendix L – Extracts from MELMO Modernist Melbourne	"
141	"	Part C submission Appendix M – Extract from Philip Goad, Melbourne Architecture re AMP Tower and St James Building	"
142	20/09/2021	Advice demolition works had commenced at Bennetts Little Lonsdale Developments Pty Ltd site	R. Anderson, Rigby Cooke Lawyers
143	21/09/2021	Extracts (Chapters 2 and 6) from MELMO Modernist Architecture in Melbourne in a more readable form	S. Hunter, City of Melbourne
144	"	Extract from Australia Modern in a more readable form	"

Appendix D Panel preferred version of Statements of Significance or citations

Tracked Added

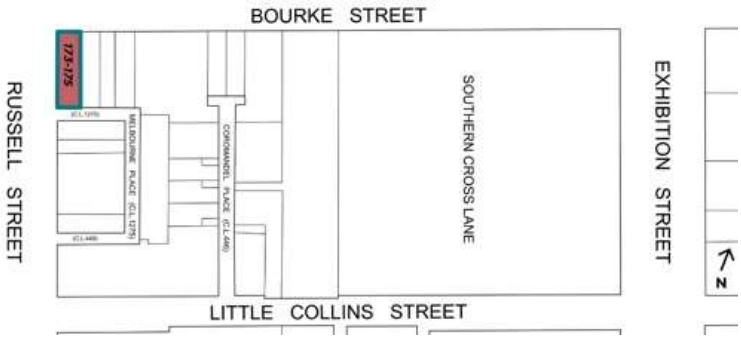
~~Tracked Deleted~~

D1 Shops Statement of Significance (173-175 Bourke Street, Melbourne)

STATEMENT OF SIGNIFICANCE

Heritage Place: Shops

PS ref no: HO1238



What is significant?

The complex of buildings at 173-175 Bourke Street (142 Russell Street), Melbourne, comprising; a three-storey corner building dating from 1857, a three-storey addition either replacing or extending an existing building from 1920 (142 Russell Street), and a pair of adjoining shops rebuilt in brick in the 1920s, also facing Russell Street (138-142 Russell Street).

Elements that contribute to the significance of the place include (but are not limited to):

- The buildings' cohesive external forms (two and three storeys), with consistent banding continuing across the façade of each section;
- The three-storey corner building's high level of integrity to its 1937 design;
- The three-and two-storey Russell Street buildings' high level of integrity to its original design;
- Pattern and size of original or early fenestration (Bourke and Russell streets), including the early ground floor arched opening at 142 Russell Street; and
- Large square industrial steel-framed windows (Little Collins Street).

More recent alterations, including the modern cantilevered verandah and ground level shopfronts, are not significant.

How it is significant?

173-175 Bourke Street (142 Russell Street), Melbourne is of local historic and representative significance to the City of Melbourne.

Why it is significant?

173-175 Bourke Street is historically significant as a complex of retail buildings dating from 1857, with additions in the first decades of the twentieth century that reflect key phases in the expansion of retail development in the City of Melbourne. The building complex is also historically significant for its association with the Hordern family, a well-known Australian retailing dynasty who ~~first~~ came to prominence as merchants and retailers in Sydney, and who owned both the corner site and the Russell Street frontages until ~~1872~~ the mid twentieth century. 173-175 Bourke Street, is also historically significant for its long occupation by Stanford & Co, exclusive retailer of Singer sewing machines, from the 1860s to c1920 and Richard White's Shoe Store from the mid-1890s to the 1970s. (Criterion A)

173-175 Bourke Street is significant as an early commercial building, but with its current presentation dating from the interwar period and incorporating both nineteenth and twentieth century elements. The corner building remains legible in scale and form to its 1857 design by architect Albert Purchas despite two major alterations to its elevations. The elements of the 1857 building are evident in the three rectangular openings on each of the upper levels on the Bourke Street façades, and the pattern of tripartite and single rectangular windows.to the Russell Street façade. Evidence of the previous two separate buildings facing Russell Street is provided by the arched ground level opening with timber doors and fanlight. The substantial alterations and extensions by Godfrey & Spowers in 1920, incorporating 138-142 Russell Street, contribute to the interwar character of the Russell and Bourke Street corner. (Criterion D)

Primary source

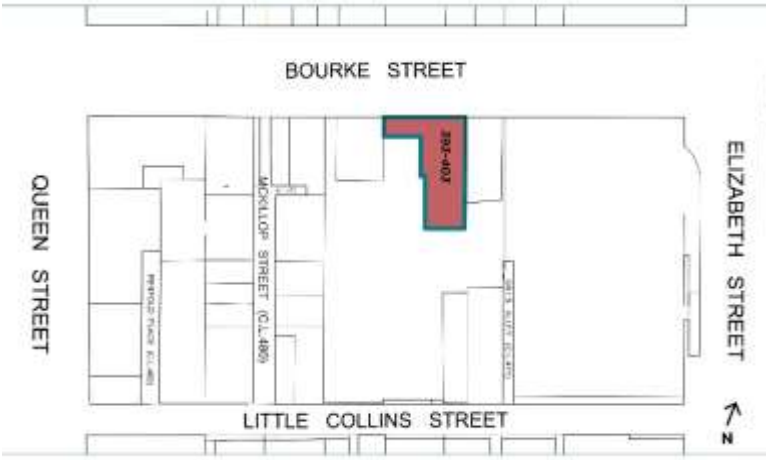
Hoddle Grid Heritage Review (Context & GJM Heritage, 2020)

D2 Former John Danks & Son Statement of Significance (393-403 Bourke Street, Melbourne)

STATEMENT OF SIGNIFICANCE

Heritage Place: Former John Danks & Son

PS ref no: HO1307



What is significant?

The Foundry (former Danks & Son) building at Part 393-403 Bourke Street, Melbourne, a six-storey steel and reinforced concrete building built in 1915-18 to a design by Sydney Smith & Ogg.

Elements that contribute to the significance of the place include (but are not limited to):

- The original building scale and form; and
- The original painted render principle façade and pattern of fenestration, including cornices, semicircular arches, brackets, rusticated end bays, decorative floral garlands, pattern of window openings and curved oriel windows at the second, third and fourth levels.

Later alterations made to the street level facade are not significant.

How it is significant?

Part 393-403 Bourke Street, Melbourne, is of local historic, representative and aesthetic significance to the City of Melbourne.

Why it is significant?

The Foundry (former Danks & Son) building, a six-storey commercial warehouse built in 1915-18 as a retail outlet for hardware manufacturers John Danks & Son Ltd is historically significant. It exemplifies a key phase in Melbourne's development when, in the first decades of the twentieth century during recovery from the economic depression of the 1890s, an increasing number of investors constructed

multi-storey premises in the city to house the growing retail industry. The site is historically significant for its long association with and use for, in part and whole, hardware retail. It operated virtually uninterrupted for 148 years from c1859 to 2007 as a retail and wholesale outlet firstly as John Danks & Sons Ltd, retail and wholesale hardware, from the 1890s to 1957; then McEwans Ltd, retail hardware, from 1965 to 1993. (Criterion A)

The former Danks & Son building at Part 393-403 Bourke Street, constructed in 1915-18, is significant as an ~~largely intact~~ example of the first wave of early twentieth-century mid-rise warehouse building development in central Melbourne. Through its architecture, the building demonstrates the confidence of companies such as John Danks & Son in early twentieth-century Melbourne in constructing a substantial and richly detailed building for retail and warehouse use. Its detailing is characteristic of the Federation Free Style while utilising the new materials of structural steel and reinforced concrete to allow for larger windows and increased building heights. (Criterion D)

The building is aesthetically significant for its well-executed use of eclectic Art Nouveau and earlier Victorian details, including cornices, semicircular arches, brackets, rusticated end bays, decorative floral garlands, pattern of window openings and oriel windows. The aluminium replacement windows replicate the configuration and leadlight sashes of the original windows, thereby maintaining the repetitive pattern of the windows and their compatibility with the articulation of the façade. The building is notable as having been designed by architects Sydney Smith & Ogg, who were influential during the Edwardian period, designing houses, shops, banks, hotels and churches. (Criterion E)

Primary source

Hoddle Grid Heritage Review (Context & GJM Heritage, 2020)

D3 Shops and residences Statement of Significance (53-57 Lonsdale Street, Melbourne)

STATEMENT OF SIGNIFICANCE

Heritage Place: Shops and residences 	**PS ref no:** HO1253

What is significant?

The row of shops at 53-57 Lonsdale Street, completed 1881.~~c1880-81.~~

Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing;
- The buildings high level of integrity to its original design;
- Simple parapet;
- Engaged pilasters with scroll detail and decorative markings;
- Deep moulded cornice with rosettes;
- Segmented arched window openings with moulded architraves;
- Minor cornice connecting spring point of window arches;
- Original wall vents;
- Double hung timber windows;
- Minor moulded cornice at bottom of upper façade; and
- Brick chimneys.

Later alterations made to the street level façade, western elevation, the wrought iron window baskets and single storey extensions at the rear of the site are not significant.

How it is significant?

53-57 Lonsdale Street is of local historic, representative and associative significance to the City of Melbourne.

Why it is significant?

53-57 Lonsdale Street is historically significant for its longstanding association ~~links~~ with various Melbourne Italian restauranteur families who conducted eating houses in the building from 1901 to 2001. These families included ~~the Rinaldis (1901-12),~~ the Molinas (1922-51), ~~and~~ the Triacas (1964-84) and the Marchetti's (1984-2001). The Italian restaurants that operated from the building formed part of the ~~building is historically significant for its demonstration of the flourishing~~ Italian café society that developed in the first decades of the twentieth century prior to Italian migrants establishing restaurants and pizza cafes in the inner-city area in the 1950s and 1960s. ~~The influence of Italian culture upon Australian culinary traditions continues to have enduring presence and value in Melbourne today.~~ (Criterion A)

Designed by Crouch and Wilson in 1880, 53-57 Lonsdale Street is a ~~fine~~ representative example of a small-scaled shop and residence from the mid-late Victorian period, built at a time when Melbourne was developing rapidly as a retail and commercial centre. ~~53-57 Lonsdale Street is a modest example of the work of noted civic and institutional architects Crouch and Wilson, whose practice operated in Melbourne between 1854-1881.~~ Above the non-original shopfronts, t~~T~~he façade of 53-57 Lonsdale S~~s~~treet is characterised by classical Italianate Victorian-era detailing with paired segmented arched windows, pilasters, scrolls and cornice detail typical of the period. The rear facades above ground floor level and chimneys are largely intact and contribute to the building's integrity. (Criterion D)

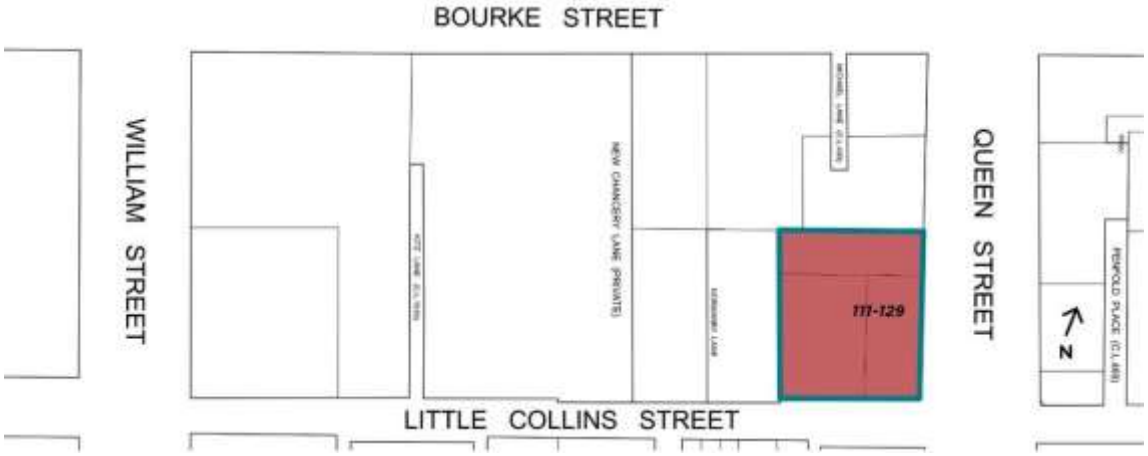
53-57 Lonsdale Street is significant for its long association with Italian restaurants, restauranteurs and their clientele for nearly a century (1901-2001) as part Melbourne dining traditions, serving generations of Melbournians and reflecting the celebrated 'Italianisation' of food and wine culture during the twentieth century. It is significant for its direct and long-standing associations with several important Italian restaurateurs/families who have significantly influenced Melbourne's culinary culture, and who introduced new cuisines and dining styles to Melbourne. From 1922 to 1951 the Molina family operated Molina's Café d'Italia at the subject site, and for some time lived at the upstairs residence. David Triaca ran Café Latin at the subject site from 1964 to 1984, followed by Bill and Cheryl Marchetti trading as Marchetti's Latin from 1984-2001. (Criterion H)

Primary source

Hoddle Grid Heritage Review (Context & GJM Heritage, 2020)

D4 Former Royal Automobile Club of Victoria citation (111-129 Queen Street, Melbourne)

SITE NAME	Former Royal Automobile Club of Victoria
STREET ADDRESS	111-129 Queen Street, Melbourne
PROPERTY ID	108068



SURVEY DATE: May 2017		**SURVEY BY:** Context	
HERITAGE INVENTORY	NA	**EXISTING HERITAGE OVERLAY**	Yes – interim controls HO1068
PLACE TYPE	Individual Heritage Place	**PROPOSED CATEGORY**	Significant
		FORMER GRADE	C
DESIGNER / ARCHITECT / ARTIST:	Bates Smart McCutcheon	**BUILDER:**	Lewis Construction Co.
DEVELOPMENT PERIOD:	Postwar Period (1945-1965)	**DATE OF CREATION / MAJOR CONSTRUCTION:**	1959-1961

THEMES

ABORIGINAL THEMES	SUB-THEMES
Research undertaken in preparing this citation did not indicate any associations with Aboriginal people or organisations.	Aboriginal Themes (Hoddle Grid Heritage Review Vols. 3 & 4 June 2016) have therefore not been identified here
POSTWAR THEMES	**DOMINANT SUB-THEMES**
1 Shaping the urban landscape	1.8 Expressing an architectural style
	1.9 Beyond the curtain wall
8 Enjoying the city	8.3 Entertainment and socialising

LAND USE

THEMATIC MAPPING AND LAND USE	
1890s	Chambers, services, factories and workshops
1920s	Chambers, services, factories and workshops
1960s	Motor and service stations, club

RECOMMENDATIONS

Recommended for inclusion in the Schedule to the Heritage Overlay of the Melbourne Planning Scheme as an individual heritage place.

Extent of overlay: Refer to map

SUMMARY

The former Royal Automobile Club of Victoria (RACV) at 111-129 Queen Street constructed in 1961 by Bates Smart McCutcheon, was the headquarters of the large and influential RACV, formed as a social club and becoming important advocates for the rights of Victorian motorists.

CONTEXTUAL HISTORY

The period from 1945 to 1975 was one of radical transformation for Melbourne; from the low-rise city that still reflected its colonial origins to a bustling international centre of commerce and culture. The surviving buildings from this period are evidence of the evolving economic and social conditions in Melbourne at the time and demonstrate the city's transition from its nineteenth century manufacturing origins to its current banking, office and service industry focus. These buildings reflect the increasing commercial and cultural role of Melbourne in the international context of globalisation and postwar optimism as well as a radically altered economic environment which saw an influx of foreign capital and ideas. Collectively, these buildings represent a transformative period in the life of the city; a period that is categorised by significant change, growth and evolution across all aspects of life – social, political, economic and cultural.

Expressing an architectural style in the postwar period

Multi-storey commercial buildings made a significant contribution to postwar Melbourne, particularly from the late 1950s to the mid-1970s. With the resumption of building construction in the 1950s after the hiatus of World War II, the advent of curtain wall construction – enabling the application of a non-load bearing skin to the face of a building – radically altered the appearance of the modern city commercial building.

Constructed predominantly for the financial and business sectors, there was an eagerness amongst clients to establish a dominant city presence and to project a modern, progressive and prestigious approach to commercial building design. The resulting Post-War Modernist style of multi-storey buildings, influenced particularly by steel and glass office tower design in the United States, were in stark contrast to the pre-war city buildings in central Melbourne and presented architects of the day with a completely new design challenge.

Thirty major city buildings were completed in Melbourne in four years alone from 1955 to 1958 and 22 were office buildings within, or on the fringes of, the CBD (Saunders 1959:91). Largely influenced by the American skyscraper, the earliest office buildings of the 1950s utilised innovative curtain walling, formed from continuous metal-framing filled principally with glass. The curtain wall is described by Miles Lewis as 'essentially a continuous, non-bearing skin on the face of a building' and is one of the 'leitmotifs of modernism, both in Australia and overseas' (Lewis 2012:185). The curtain walled 'glass box' aesthetic was embraced by the local architects, and many buildings followed to the extent that high-rise office buildings with curtain walling became a defining characteristic of the new buildings in the latter half of the 1950s (NTAV 2014:5-6).

Amongst the first curtain walled buildings to be constructed in Melbourne was the 13-storey glass-fronted Gilbert Court at 100 Collins Street (J A La Gerche 1954-56), which was built to the height limit of 132 feet (40m), and – perhaps the most influential – the free-standing ICI House, 1 Nicholson Street (Bates Smart & McCutcheon 1955-58). Located on the outskirts of the Hoddle Grid, ICI House was clad on all four facades with glass curtain walling and exceeded the well-established maximum building height within the Hoddle Grid. Large numbers of similarly designed city commercial buildings followed, often displaying bold horizontal contrast between alternating rows of glazing and coloured spandrels.

Beyond the curtain wall

The dominant glass box design of the late 1950s was challenged in the 1960s as the shortcomings of the fully glazed curtain wall became apparent – in particular its poor thermal performance – and new technologies became available. Advances in concrete technology, including the development of precast concrete, impacted greatly on both the appearance and structure of the commercial tower form from the 1960s onwards.

By the mid-1960s, architects were experimenting with a range of solid cladding materials for tower buildings including precast concrete, stone, reconstituted stone, tile and brick, as well as various metals for cladding, screening and detailing. A number of buildings continued to adopt true curtain wall construction; however, a different aesthetic was created by the use of solid external cladding in place of the typically glazed spandrels of the 1950s. This aesthetic is evident in a number of existing buildings in the city centre including the Guardian Building at 454-456 Collins Street (1960-61), with its stone-faced precast concrete panelled facades.

Concrete advances saw an increase in the use of reinforced column and slab construction in 1960s multi-storey building design, however concrete-encased steelwork also continued to be used. Some buildings incorporated structural elements in their main facades (for example load-bearing precast concrete panels or structural mullions) so were therefore not of true curtain wall construction. The structural nature of these facades was not necessarily apparent to the observer and the buildings continued to display the well-established repetitive characteristics of the true curtain wall façade, such as at Australia-Netherlands House, 468-478 Collins Street, designed by Peddle Thorp & Walker in association with Meldrum & Partners (c1968-70).

A broad range of design approaches became apparent in multi-storey commercial buildings of the 1960s and early 1970s. The horizontality of curtain walling was often balanced by the addition of vertical elements such as façade columns, strips or fins, which introduced textural patterns and visual strength to the facades of a number of buildings. Other multi-storey towers clearly expressed their structure externally with grid-like facades which clearly reflected the internal trabeated structural system. Sun screening provided additional patterning to facades, either as a repetitive decorative motif across the façade, as an expression of the window frames (such as at Royal Mail House, 253-267 Bourke Street designed by D Graeme Lumsden, 1961-63), in the form of balconies (as at the Melbourne Office of the Commercial Banking Company of Sydney building, 251-257 Collins Street, 1971-73), or occasionally as an entire screen attached to the exterior face of the building.

Buildings also varied with towers set within plazas or on dominant podiums. The State Savings Bank of Victoria at 45-63 Swanston Street, designed by Buchan Laird & Buchan (c1974), is one example of a building constructed with a dominant podium. Buildings were sometimes set back from the street line behind public plazas – a strategy adopted to gain council approval for additional building height and evident in the Bates Smart McCutcheon designed Commonwealth Banking Corporation Building at 359-373 Collins Street (c1972-1975) – while others were built within larger plaza spaces, such as the AMP Tower & St James Building Complex (1965-69), designed by US-based firm Skidmore Owings & Merrill (SOM).

Entertainment and socialising

The retail and entertainment precincts in Melbourne, which emerged in the early 1960s, were largely protected from consolidation and redevelopment due to lower plot ratio controls and

difficulty in consolidating a sufficient number of properties to achieve a legitimate tower form. The level of redevelopment in these precincts is more modest, with fine grained, smaller sized allotments along with valued heritage fabric. During this phase, conservation of heritage buildings was not yet an intentional pursuit, but rather a residual effect of the prevailing logic of the planning system (CoM 2016:5-7).

Higher disposable income, more leisure time, and larger metropolitan populations created an increase in entertainment and tourism industries in every Australian capital city. According to Marsden, only the office and finance sector has had more impact on the physical expansion and alteration of existing places, especially in central Sydney and Melbourne. Even though increased suburbanisation from the 1950s led to the closure of entertainment venues and theatres in Melbourne's city centre, other venues opened. In 1970, for example, Hoyts Cinema Centre in Bourke Street opened the first multi-cinema complex in Australia.

Clubs have also historically been an important part of city life. The Lyceum Club for women built new premises at 2-18 Ridgway Place in 1959 while new clubrooms for the RACV Club were built at 123 Queen Street in 1961. Such places provided patrons with a space in the city to meet, network and promote cultural activities.

Promoting tourism

The city's role in tourism declined with the increased popularity and ownership of the motor car. But this development saw the establishment of the RACV in 1918, which provided services to motoring tourists. Melbourne was promoted as a tourist destination in the 1920s and 1930s with the aid of appealing advertisements. The staging of the 1956 Olympic Games in Melbourne gave the city a major boost as an international tourist destination and won for Melbourne the reputation as the 'friendly city' (Context, 2011:74).

SITE HISTORY

Thomas D Weatherley is recorded as an early owner of the site on which the RACV Club is located (Crown Record Plan). Land use in the nineteenth century included Bank Chambers, a factory and Melbourne Chambers (MMBW, 1895).

The RACV Club was formed as the Automobile Club of Victoria in 1903 and was intended as a social club for car and motorcycle owners to enjoy motor sports and touring (RACV 2018). Its first car rally was held at Aspendale Park Racecourse in 1904. In 1916, it received the approval of His Majesty the King to prefix the title 'Royal' to its name. Since that time, it has been a major promoter of motoring and tourism in the State, creating opportunities for its members to engage with 'motoring' as a leisure activity. The first Club premises were on Collins Street, Melbourne.

> *'The first Club premises were three rooms rented from the Reform Club, at 243 Collins Street, including a billiard room, reading room and luncheon room/bar. By 1908, increasing membership led to a move to the larger Equitable Building at 91 Elizabeth Street. With female members welcomed to the Club the following year, an afternoon tea room and ladies' lounge were added.'*

Before the subject site was built, the Club were based at a different, purpose-built location on Queen Street:

> *'The Club built its own headquarters at 94 Queen Street in 1925, including a fine dining room and even its own hairdresser. Key post-war developments included the 1952 country club at Healesville, complete with extensive sporting facilities, and new headquarters at 111-129 Queen Street, which the Club moved to in 1961'* (RACV 2018)

In 1939, the Council of the RACV Club purchased a building on the corner of Queen and Little Collins Streets with a view to its demolition and the construction of new clubrooms to replace its existing premises at 94-96 Queen Street. The RACV council invited the firm of Bates Smart McCutcheon to carry out an extensive survey of the site and the needs of the growing organisation. Their comprehensive report led to the decision to build, and the Australian Temperance and General Mutual Life Assurance Society Ltd agreed to advance a loan for the construction. The existing building was demolished and the foundation stone laid by Sir Dallas Brooks, Chief Patron of the RACV, on 30 October 1959. The RACV Club building was erected between 1959-61 for use by members of the Royal Automobile Club of Victoria. It was constructed by Lewis Construction Co to designs by Bates Smart McCutcheon.

Believed to be the first building in Melbourne to employ the fast track or staged approach to design and construction, the massive structure was completed in 1961 and incorporated both an office and a club building each serviced by separate entries and lifts to meet the strict liquor licensing requirements. The RACV Club offered accommodation, bars, billiard rooms, lounges and dining facilities for members all accessible directly from the basement car park or via a well-appointed lobby. Then regarded as a quiet tree-lined street, the architects provided a first-floor terrace to overlook the sylvan scene in Queen Street; balconies like this being now an uncommon element in the City of Melbourne. The terrace led from the dining and lounge areas and offered 'a beautiful summer rendezvous before lunch or for after dinner coffee'. Although a romantic concept that may not have lived up to its promise, the internal courtyard and flexible spaces of the lounge and dining areas, were thought to be new to Melbourne at the time. The club manager JJ Kelleher had toured overseas to ensure that the best ideas in bedroom comfort and food presentation went into the plans.

The building was opened on 11 March 1961, with the claim that it achieved a new accommodation standard for Melbourne. The opening speech was made by Sir Charles Lowe, the club administrator, in front of delegates from English, Scottish, American, Canadian and New Zealand automobile associations. Some 200 staff were hired to serve the new expanded facilities in all departments of the club, such that by 1970 the club employed over 1000 people to support its 500,000 members.

In 200~~5~~7 the RACV moved their city club and office premises to 501 Bourke Street. The subject site has since been refurbished into a hotel, restaurants and bars.

- Figure 1. RACV Club, 111-129 Queen Street constructed 1961. (Source:Sievers 1961, SLV copyright)

Bates Smart McCutcheon, architects

Bates Smart McCutcheon was formed in 1926 when Sir Osborne McCutcheon joined in partnership with E. A Bates and C.P. Smart of Bates Smart. BSM had grown out of the notable practice, Reed & Barnes. During the 1950s BSM became Australia's expert in high rise office towers, largely through patronage by MLC, a leading client who employed BSM to produce headquarters in capital cities around Australia. The firm's office buildings shifted from glazed curtain wall to facades of artificial stone or pre-fabricated concrete panels. The firm continues as Bates Smart and has had many collaborations with international architects such as Skidmore Owings and Merrill (USA) and I.M. Pei (also USA). The work of BSM spans all types of commercial and institutional buildings and is firmly based in the various aspects of Modernism (Goad & Willis, 2012:73)

COMMUNITY CONNECTIONS

The RACV Club is one of several important social clubs in the central city, located in the financial district and having a largely professional membership, with strong connections to Melbourne's social elite. The facilities were designed to enable members to socialise together, meet with colleagues, hold informal and formal business meetings, and attend talks and functions. Government awards and announcements were held here, and a wide variety of organisations used the RACV Club premises for seminars and lectures.

As a membership-based organisation the RACV Club attracts a loyal following. Members used the club premises for important personal, family and business celebrations such as weddings, anniversaries and announcements. The RACV Club also supported interest groups such as the Tripe Club and pennant grade snooker.

Oral history interviews with Club members, staff and RACV Board prior to the move to the new premises in Bourke Street reveal as strong sense of attachment to the Club premises. After the move, members expressed concern that their former club was being used as a night club, seeing this as a desecration of a space they felt strongly connected to.

The RACV Club also demonstrates the social conscience of the Board and Staff with initiatives such as establishing a hospitality training partnership with Holmesglen TAFE in 1996, the first of its kind, and offering employment to two of the twenty students at the program's conclusion (The Age, 24 January 1996, p. 24). Another initiative was enabling social charity the One Umbrella group to use the kitchen at the RACV Club to make 1000 pies each week, almost all with rescued food and distributed to groups such as Open Family, Anglicare and the Salvation Army (The Age 7 April 2002, p. 12).

SITE DESCRIPTION

The former RACV Club at 111-129 Queen Street comprises a three-storey transparent cantilevered podium, clad in elegant aluminium framed glass, and polished black granite and with its own canopy, surmounted by a 15-storey manganese brick clad tower free-standing on three sides. Although the building was not unduly tall by local standards, the façade width and floor plan were exceptionally large and provided for a typical floor area of almost 20,000m^2 at a time when half that figure was regarded as a good-sized area for city office use. The tower is distinguished by a rigidly regular arrangement of formerly brass-framed windows (now with white painted reveals) repeated at each floor level. This arrangement echoes the adjoining Perpetual Trustees Building at 100-104 Queen Street.

The elevated masonry-clad block rests on stilts above the podium as discrete and well formulated massing, the columns being visible as they pass through the podium on the south side. Not easily seen from ground level, the roof over the tower block has a butterfly form that floats above the façade which, combined with the glazed podium, gives the lightness and clarity of purpose sought by Modernist designers. The first-floor level has an undercroft that houses shops and has two exposed entry stairs ascending from the ground to first floor. River stones fill the paving strip between footpath asphalt and shopfront entry. On the south side a 'hit and miss' upper-level brick screen masks services, as a textured foil to the other all-glass cladding. The basement was equipped with a car lift and the entry foyer is multi-level. Externally, the building survives largely in its original form. The RACV Club has moved to a new site in Bourke Street.

INTEGRITY

The RACV Club was refurbished ~~internally in~~ after 200~~7~~4 and converted to hotel accommodation, restaurants and bars. Later alterations include ~~with the~~:

- New shopfronts on the frontages on Queen and Little Collins Streets;
- Alterations to the stairs at the south end of the Queen Street frontage;
- Removed sections of the first floor of the podium to create recessed balconies;
- Frameless glass handrail and steel frame awning on the podium;
- Fixed glazing on the lower levels of the tower on the Queen and Little Collins Street frontages.

~~addition of retail shops to the ground floor by filling in the undercroft, a conversion to hotel accommodation, restaurants and bars. The refurbishment works were carried out in stages over twelve months in 2007.~~ Above the first-floor level the building has retained its integrity.

COMPARATIVE ANALYSIS

The RACV Club building exemplifies a departure from the glass curtain wall of the 1950s to a brick-cladding over a concrete frame for the tower component. Notwithstanding the necessarily standardised and repetitive nature of the construction system, there was still scope for individuality and aesthetic effect. This was generally expressed through a variety of design techniques at ground and first floor levels, sometimes incorporating double height spaces, mezzanine levels, shopfronts and sometimes cantilevered glazed features. Earlier versions of this type include Essington Lewis House at 500 Bourke Street (Meldrum & Noad, 1958-59; Dem.1970s) with its façade of dressed Stawell freestone, and the premises of the Electrolytic Zinc Company at 390 Lonsdale Street (Stephenson & Turner, 1959, altered) which used pre-cast concrete units in a fashion that would be widely imitated over the next decade.

There are a number of buildings within the Hoddle Grid in the City of Melbourne which were constructed in the same period and display similar characteristics to the RACV Club building. These are detailed below.

State-significant places

A small number of 1960s to mid 1970s buildings in the Hoddle Grid within the City of Melbourne have been assessed as being of State-level significance and are included in the Victorian Heritage Register (VHR). These include:

- Total House, 170-90 Russell Street (Bogle & Banfield 1964-65; VHR H2329 & HO1095)
- Former Hoyts Cinema Centre, 134-44 Bourke Street (Peter Muller 1966-69)
- Victorian Government Offices, Treasury Reserve Precinct (Yuncken Freeman 1967-68 – outside the Hoddle Grid)
- Eagle House, 473 Bourke Street (Yuncken Freeman 1971-72; VHR H1807 & HO901)
- BHP House, 130-148 William Street (Yuncken Freeman 1969-72; VHR H1699 & HO767).

Locally-significant places

As only a piece-meal evaluation of postwar buildings within the Hoddle Grid in the City of Melbourne has previously occurred, few buildings from this period are currently included in the Heritage Overlay of the Melbourne Planning Scheme on a permanent basis. Those that are, are generally currently included within Heritage Precincts but are recommended for inclusion in the Heritage Overlay as Individual Heritage Places, as follows:

Precinct Heritage Overlay

Former Reserve Bank of Australia, 56-64 Collins Street (Commonwealth Department of Works, 1964-66) included in HO504 Collins East Precinct as a Contributory place.

Former State Savings Bank of Victoria, 45-63 Swanston Street, (Buchan Laird & Buchan, 1974) included in HO505 Flinders Gate Precinct (Non-contributory).

Wales Corner, 221-231 Collins Street (Stephenson & Turner, 1964-66) included in HO502 The Block Precinct (fronting Collins Street) & HO506 (fronting Swanston Street) Collins East Precinct as a Contributory place.

Former Commercial Banking Company of Sydney Building, 251-257 Collins Street, (Bates Smart & McCutcheon, 19741-73 included in HO502 The Block Precinct (fronting Collins Street) & HO506 (fronting Flinders Lane) (Non-contributory).

One individual heritage place recently included in a site-specific Heritage Overlay on a permanent basis is the Scottish Amicable Building, 128-146 Queen Street (Yuncken Freeman, 1966) (HO1213):

- Scottish Amicable Building, 128-146 Queen Street

Other examples

Despite the demolition of many 1960s and 1970s multi-storey commercial buildings in the City of Melbourne, a number of fine and highly representative examples of this building type that are not currently included in the Heritage Overlay on a permanent basis have been retained with sufficient integrity to demonstrate this class of place. These buildings clearly illustrate the advancement of construction techniques from the 1960s through to the mid 1970s and demonstrate the broad range of design approaches of the period. The podiums of the majority of these places have been modified at street level. Examples include:

Office Building, 178-188 William Street (McIntyre & Partners, 1972-73)

Former Australia Pacific House, 136-144 Exhibition Street (McIntyre & Partners, 1975-78)

Royal Insurance Group Building, 430-442 Collins Street, (Yuncken Freeman, 1965) (Interim HO1010)

Office Building, 516-520 Collins Street (architect unknown, c1974)

Former Guardian Building, 454-456 Collins Street (Bates Smart & McCutcheon, 1960-61)

Former South British Insurance Company Ltd Building, 155-161 Queen Street (Bates Smart & McCutcheon, 1961-62)

Former State Savings Bank, 258-264 Little Bourke Street (Meldrum & Partners, 1961)

MLA Building, 308-336 Collins Street (Stephenson & Turner, 1963)

Royal Mail House, 255-267 Bourke Street (D Graeme Lumsden, 1963)

Former Sleigh Corner Building, 158-164 Queen Street (Bates Smart & McCutcheon, 1964)

The Former Houston Building, 184-192 Queen Street (E & G Kolle & Associates, 1965)

AMP Tower and St James Building Complex, 527-555 Bourke Street (Skidmore Owings & Merrill in association with Bates Smart & McCutcheon, 1965-69)

Former Dalgety House, 457-471 Bourke Street (Peddle Thorp & Walker, 1966-68)

Former State Saving Bank of Victoria, 233-243 Queen Street (Godfrey & Spowers, Hughes Mewton and Lobb, 1967-68)

Former Legal & General House, 375-383 Collins Street (B Evans, Murphy, Berg & Hocking, 1967)

Former AMP Building, 344-350 Collins Street (Godfrey & Spowers, Hughes Mewton and Lobb, 1966-68)

Equitable House, 335-349 Little Collins Street (unknown architect, 1968)

Former Australia-Netherlands House, 468-478 Collins Street (Meldrum & Partners with Peddle Thorp Walker, 1968-70)

Former Methodist Church Centre, 130-134 Little Collins Street (Bates Smart & McCutcheon, 1966-67)

Cowan House, 457-469 Little Collins Street (E & G Kolle, 1969)

Lonsdale Exchange, 447-553 Lonsdale Street (Commonwealth Department of Works, 1969)

Former Dillingham Estates House, 114-128 William Street (Yuncken Freeman, 1976) (Interim HO1180)

Former Bryson Centre, 174-192 Exhibition Street (Perrot Lyon Timlock & Kesa, 1970-72)

Former Commonwealth Banking Corporation Building, 359-373 Collins Street (Bates Smart & McCutcheon, c1972-75)

Nubrick House, 269-275 William Street (Buchan Laird & Buchan, 1972)

Former Law Department Building, 221-231 Queen Street (Fischer Group, 1972)

Former National Bank of Australasia Stock Exchange Branch, 85-91 Queen Street (Meldrum & Partners, 1973)

Former MLC Building, 303-317 Collins Street (Demaine, Russell, Trundle, Armstrong & Orton, c1970-1973)

Office Building, 589-603 Bourke Street (Peddle Thorp de Preu, 1973-75)

The RACV Club may also be compared to the Lyceum Club and Hosie's Hotel in terms of use and typology (hotels and recreation). Both these buildings were also constructed in the same period and are modernist in design.

The below images and descriptions are provided by CoM Maps unless stated otherwise, with images dating from c2000 or later.

Lyceum Club, 2-18 Ridgway Place (Interim HO1285)

2-18 Ridgway Place was designed in 1959 by architect Ellison Harvie for the Lyceum Club, the largest and most important club for professional women in Victoria. This modernist building is characterised by its floating first floor form and aesthetic expression of structural and building elements.

Figure 2. Lyceum Club, 2-18 Ridgway Place constructed 1959.

Hosie's Hotel 1-5 Elizabeth Street, 1956 (HO505 Flinders Gate Precinct, VHR H2094 mural only)

Hosie's Hotel is an exemplar building of precast concrete. Designed in the European manner and built for Melbourne's Olympic Games it was one of the first modern hotels to be built in central Melbourne (Flinders Gate Precinct HO505, exterior mural by Richard Beck H2094, HO938 mural only). It is also included on the RAIA Twentieth Century Buildings Register.

Figure 3. 1-5 Elizabeth Street constructed 1956.

Analysis

The RACV Club, like the Lyceum Club demonstrates an assured composition that expresses the function of a members' club. This is still evident despite having undergone alterations. The RACV Club's is a relatively early example of the return to the use of masonry for towers that was pioneered by Bates Smart McCutcheon in the early 1960s. Whilst having been altered at the ground and podium levels, it has survived relatively intact above this level.

ASSESSMENT AGAINST CRITERIA

✓	**CRITERION A** Importance to the course or pattern of our cultural or natural history (historical significance).
	CRITERION B Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).
	CRITERION C Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
✓	**CRITERION D** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
✓	**CRITERION E** Importance of exhibiting particular aesthetic characteristics (aesthetic significance).
	CRITERION F Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance)
✓	**CRITERION G** Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
✓	**CRITERION H** Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

RECOMMENDATIONS

Recommended for inclusion in the Schedule to the Heritage Overlay of the Melbourne Planning Scheme as an individual heritage place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Melbourne Planning Scheme:

MELBOURNE PLANNING SCHEME

EXTERNAL PAINT CONTROLS	No
INTERNAL ALTERATION CONTROLS	No
TREE CONTROLS	No
OUTBUILDINGS OR FENCES (Which are not exempt under Clause 43.01-3)	No
TO BE INCLUDED ON THE VICTORIAN HERITAGE REGISTER	No
PROHIBITED USES MAY BE PERMITTED	No
ABORIGINAL HERITAGE PLACE	No

OTHER

N/A

REFERENCES

Contextual History references contained within *City of Melbourne Hoddle Grid Heritage Review: Postwar Thematic Environmental History 1945-1975*

The following sources and data were used for this assessment (Graeme Butler, 2011). Note that the citation prepared in 2011 did not provide in text referencing.

General sources

Historic Buildings Preservation Council reports on the Melbourne Central Business District from the 1970s

Melbourne City Council on-line i-Heritage database;

Mahlstedt fire insurance map series held in the State Library of Victoria collection and Melbourne University Archives;

Daily newspaper reports such as `The Argus';

Australian Architecture Index (AAI), prepared by Professor Miles Lewis and others;

Melbourne City Council building application drawings and files held at Melbourne City Council and the Victorian Public Records Office.

Keith and John Reid, CBD Study Area 7 Historic Buildings Preservation Council, 1976: page 139;

Twentieth Century Architecture Register of Royal Australian Institute of Architects:

MCC Building Permit Applications: March 1973, 43622 $6,700,000 24 storey office building (followed by many fit-out applications) 1990, 68563 refurbish ground level

RACV Club
https://www.racv.com.au/about-racv/our-business/our-heritage.html (accessed 13.6.2018)

State Library of Victoria

`Business Who's Who of Australia' 1974: 229

Victorian Heritage Register:

Barry Patten

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Other sources

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https://www.alexandraclub.com.au/about/history-of-the-club/ (accessed 24.6.2019)

Goad, P & Willis, J., 2012, *The Encyclopaedia of Australian Architecture*, Cambridge University Press

Taylor, J `Australian Architecture since 1960': 22

National Trust of Victoria, Australia, 2014, Melbourne's Marvellous Modernism, A Comparative Analysis of Post-War Modern Architecture in Melbourne's CBD, 1955 -1975

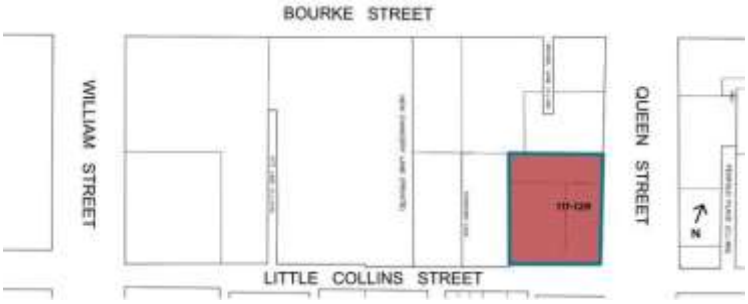
PREVIOUS STUDIES

Central Activities District Conservation Study 1985	D
Central City Heritage Review 1993	C
Review of Heritage overlay listings in the CBD 2002	D
Central City Heritage Review 2011	C

STATEMENT OF SIGNIFICANCE

Heritage Place: Former Royal Automobile Club of Victoria

PS ref no: HOXXXX



What is significant?

The former Royal Automobile Club of Victoria building (RACV) at 111-129 Queen Street, Melbourne, completed in 1961 and designed by Bates Smart McCutcheon.

Elements that contribute to the significance of the place include (but are not limited to):

The building's original external form, materials and detailing; and
The building's high level of integrity to its original design.
~~Later a~~Alterations that occurred after 2004~~, particularly at street level~~ are not significant.

How it is significant?

The former Royal Automobile Club of Victoria building at 111-129 Queen Street is of historical, representative, aesthetic, social and associative significance to the City of Melbourne.

Why it is significant?

The former Royal Automobile Club of Victoria building is historically significant as the headquarters of the large and influential RACV who were advocates for the rights of motorists, including the spending of significant public money on infrastructure for motorised transport. ~~In the 1950s and 60s t~~The RACV ~~was~~ is highly influential in the promotion of tourism in Victoria. (Criterion A)

The former Royal Automobile Club of Victoria building is a fine example of a recreational club in the city centre. Built in 1961, and designed by noted ~~m~~Modernist architects Bates Smart McCutcheon, it expresses its function through the glazed lower floors for semi-public use and the masonry-clad ~~residential~~ tower containing accommodation above. ~~In design i~~It is a relatively early example of a modern tower departing from the glazed curtain wall of the 1950s. Its construction program was

purportedly an early example of the fast-track method that enabled construction to commence concurrently with detailed design. (Criterion D)

The former Royal Automobile Club of Victoria building is aesthetically significant for its composition, of which the ~~three~~ two-storey ~~transparent~~ cantilevered podium is a notable feature. ~~Despite some a~~Alterations ~~that~~ have reduced this architectural effect, but its form and detailing are ~~filled in the undercroft, the podium is~~ still legible. Other attributes of aesthetic value include the ~~main~~ visible structural ~~columns visible in recessed glass clerestorey window above the podium~~ piers supporting the tower and the butterfly roof ~~over~~ of the tower block. (Criterion E)

The former Royal Automobile Club of Victoria building is of social significance for its strong and long-standing association with the RACV Club members, staff and board. Designed as a central city meeting place for members, the club facilities served as a place ~~of social congregation~~ for RACV members to socialise for more than 45 years. Members used the Club as a place ~~for~~ to conduct business and for personal celebrations and events, resulting in a strong and continuing sense of connection to the ~~premises~~ building even after the club had moved to ~~its~~ new premises. (Criterion G)

The former Royal Automobile Club of Victoria building is ~~historically~~ significant as the headquarters of the State's premier road lobbyist, as a major tourism promoter, and as a private club serving Melbourne's business, professional and social elite that has hosted many significant political and public events for more than four decades. It has remained a highly influential organisation over several decades with many amongst its wide membership also highly influential within Victorian society. (Criterion H)

Primary source

Hoddle Grid Heritage Review (Context & GJM Heritage, 2020)