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From: Adrian.Williams@delap.vic.gov.au
To: [Sally Doherty](#), [Simon Delaney](#)
Subject: Pw: Melbourne Planning Scheme Amendment C258: Heritage Revisions - Best Hooper #4
Date: Monday, 30 July 2018 5:43:00 PM
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Regards,

Adrian Williams | Planning Panels Victoria
[Planning](#) | Department of Environment, Land, Water and Planning

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----- Forwarded by Adrian Williams/Person/VICGOV1 on 30/07/2018 05:42 PM -----

From: Isabel Barnes <ibarnes@besthooper.com.au>
To: "Planning Panels" <delap.vic.gov.au> <planning.panels@delap.vic.gov.au>
Cc: Dominic Scally <dscally@besthooper.com.au>, Lucy Eastoe <leastoe@besthooper.com.au>, Emily Marston <emarston@besthooper.com.au>, "Isabel Barnes" <ibarnes@besthooper.com.au>
Date: 30/07/2018 12:53 PM
Subject: Melbourne Planning Scheme Amendment C258: Heritage Revisions

Dear Sir/Madam,

We continue to act for Shaun Driscoll and Margaret Bradshaw, Stanley Street Holdings Pty Ltd, and Domenico and Maria Patti in respect to the above matter.

Please find enclosed in the link below, the following expert witness reports (unlocked), to be relied upon by our clients at the forthcoming Panel Hearing:

1. Mr Bryce Raworth of Bryce Raworth and Associates (heritage) in respect to 159-161 Roden Street, West Melbourne;
2. Mr Bryce Raworth of Bryce Raworth and Associates (heritage) in respect to 210-212 Stanley Street, West Melbourne; and
3. Mr Bryce Raworth of Bryce Raworth and Associates (heritage) in respect to 322 Walsh Street, South Yarra.

https://www.dropbox.com/s/4v9ddoc36vivu6AAD2BYRZAQcQT_m14VFzTcha7d=0

Kind regards,

Isabel Barnes | Legal Secretary
On behalf of Dominic Scally | Principal
Direct Tel: 03 991 0202 | Domini.Scally | 03 991 0219
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159 Roden Street,
West Melbourne

Expert Witness Statement to Panel
Amendment C258 to the Melbourne Planning Scheme

Bryce Raworth

Conservation Consultant and Architectural Historian

Prepared under instruction from Best Hooper

July 2018

159 Roden Street,
West Melbourne

Expert Witness Statement to Panel
Amendment C258 to the Melbourne Planning Scheme

July 2018

1.0 Introduction

1. This report was prepared under instruction from Best Hooper on behalf of the owners of the site at 159 Roden Street, West Melbourne. I have been asked to provide comment on the heritage considerations associated with Amendment C258 to the *Melbourne Planning Scheme*, which proposes to implement the recommendations of the *West Melbourne Heritage Review 2016* and the City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance. Amongst other changes, the amendment proposes to replace the current A-D grading system with a system that utilises 'significant', 'contributory', and 'non-contributory' gradings and update the heritage policy at Clause 22.05. The subject site is one of two dwellings currently identified as HO843 in the Schedule to the Heritage Overlay of the *Melbourne Planning Scheme*.
2. By way of background, Amendment C258 was first exhibited from 30 March to 12 May 2017, and re-exhibited with a corrected *Heritage Places Inventory* from 7 December 2017 to 29 January 2018. The exhibited documents included a new statement of significance for the subject building. They also included a revised *Heritage Places Inventory*, which sought to modify the grading of the subject property from a D graded building in a level 3 streetscape to 'significant'. Following a submission from the owners of the subject site, including heritage advice provided by GJM Heritage, Council adopted changes to the amendment, which now seeks to modify the grading of the subject site from 'D3' to 'contributory' in a 'significant' precinct.
3. This statement has been prepared with assistance from Fiona Erskine of my office. The views expressed are my own.

2.0 Sources of Information

4. The analysis below draws upon inspections of the subject site, and a review of the relevant Amendment C258 documentation, including the *West Melbourne Heritage Review 2016* by Graeme Butler & Associates. Reference has also been made to the current Heritage Overlay provisions in the Melbourne Planning Scheme (Clause 43.01 and Clause 22.05), *Urban Conservation in the City of Melbourne*, the 1983 *North &*

West Melbourne Conservation Study, and the 1999/2000 City of Melbourne Planning Scheme Heritage Review.

5. The Amendment C258 documentation, including a corrected version of the *Heritage Places Inventory*, was re-exhibited in November 2017. Council subsequently made a range of changes to the C258 Amendment documentation, including Clause 22.05, as a result of submissions received, and these were adopted as a result of the Future Melbourne Committee Resolution of 20 February 2018. These changes have been reviewed, as has Council's Part A Submission, recently circulated.

3.0 Author Qualifications

6. A statement of my qualifications and experience with respect to urban conservation issues is appended to this report. Note that I have provided expert witness evidence on similar matters before the VCAT, Heritage Council, Planning Panels Victoria and the Building Appeals Board on numerous occasions in the past, and have been retained in such matters variously by municipal councils, developers and objectors to planning proposals.

4.0 Declaration

7. I declare that I have made all the inquiries that I believe are desirable and appropriate, and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

A handwritten signature in black ink, appearing to read 'B. Raworth'.

BRYCE RAWORTH

5.0 Brief History and Description

8. The citation prepared for the subject site as a part of the *West Melbourne Heritage Review* states that the subject dwelling was constructed for Thomas Hulse in c.1867, which is borne out by City of Melbourne rate records. Thomas Hulse was a locomotive driver and foreman, who worked for the Victorian Railways for over 35 years. Hulse appears to have owned and lived in the property for only one year. He is shown as the occupier, but not the owner, of the neighbouring property now numbered 163 Roden Street in the 1868 and 1869 Rate Books. By 1870 the *Sands & McDougall Directory* indicates that he had moved to a residence in Stanley Street.
9. The subject site is a narrow rectangular shaped allotment located on the south side of Roden Street, between Spencer Street in the east and Adderley Street in the west. The dwelling on the property is a single-storey double fronted brick cottage with bluestone footings. It has a gabled form with transverse ridge, two rendered chimneys, parapeted brick side walls and concave profile verandah with wing walls.
10. Though the dwelling retains its overall form, its level of intactness is fair to poor. The bricks to the facade have been overpainted, the presumably original corrugated metal roof cladding replaced with tiles and the verandah, including its cladding, supports and flooring, has been renewed in an unsympathetic, postwar manner. A security door obscures the timber entry door while awnings and flyscreens have been installed to the two windows, which are also boarded up. A low brick fence bounds the front setback, which is hard paved to a large extent, albeit with two limited areas of planting.
11. Roden Street began to be developed for residential purposes in around 1860. By 1867 when the subject dwelling was constructed, the *Sands & McDougall Directory* indicates that there was a total of nineteen dwellings on the north and south sides of the street, between Spencer and Adderley streets. This included the neighbouring building at 163 Roden Street, a single-storey stone cottage with a hipped roof. This building is altered; the original stone has been rendered and overpainted, the roof reclad and the verandah demolished and reconstructed to a detail not likely to be original, replacing a postwar verandah. A substantial two storey addition has been made to the rear.



Figure 1 The property at 159 Roden Street.



Figure 2 Image of the property from the 1983 North & West Melbourne Conservation Study.



Figure 3 View of the facade.



Figure 3 View looking south toward the subject site.



Figure 4 The property to the west at 163 Roden Street.



Figure 4 Image of 163 Roden Street from the 1983 North & West Melbourne Conservation Study.



Figure 5 View to the side of 163 Roden Street, showing the changed side wall condition and the rear additions.



Figure 6 View to 163 Roden Street from the street, showing the visible first floor additions.

6.0 Heritage Listings

12. 159 Roden Street is not included on the Victorian Heritage Register and has not been classified by the National Trust of Australia (Victoria).
13. As noted above, 159 and 163 Roden Street are currently identified as HO843 in the Schedule to the Heritage Overlay of the *Melbourne Planning Scheme*.

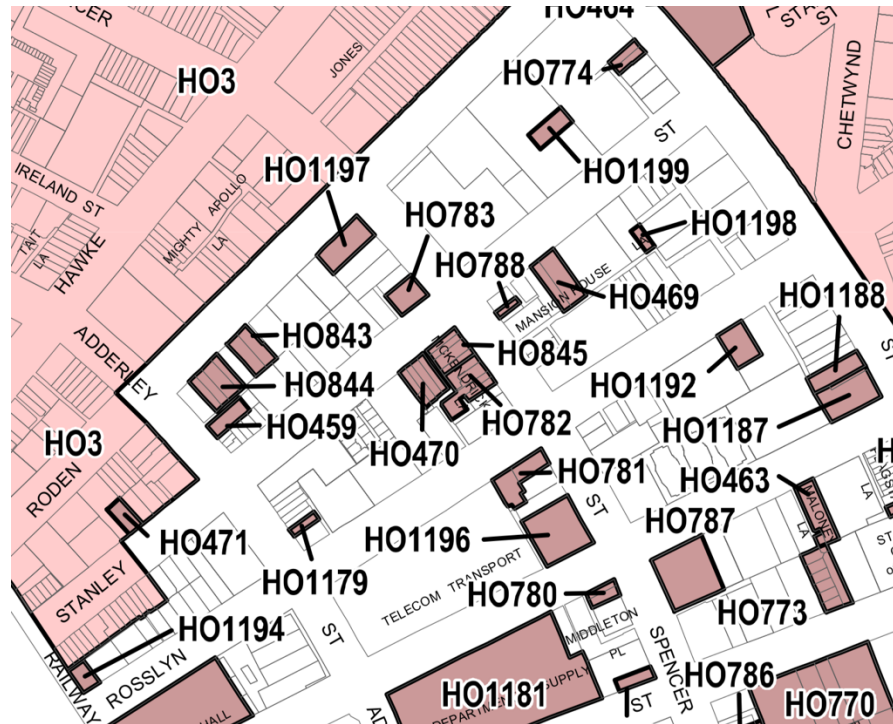


Figure 5 The subject site at 159 Roden Street is indicated by the arrow.

7.0 Significance

14. The building was originally identified in the *North & West Melbourne Conservation Study* conducted by Graeme Butler in 1983. The property, and its neighbour at 163 Roden Street, were identified as E graded buildings in a level 3 streetscape in the schedule contained within this study. E grade buildings were defined as follows:

'E' buildings, by their limited integrity and relative isolation from buildings of higher integrity represent neither individual form or style types well, nor contribute to a streetscape or precinct. They possess some period detail and thus can be recognised as belonging to a general era and may, by restoration or renovation, achieve a viable reuse and potentially may contribute more to the area's period content.

15. The Building Identification Sheet from this study, however, identifies the subject site and the dwelling at 163 Roden Street as D grade buildings in a level 3 streetscape. D grade buildings were defined as follows:

Represent individually with some integrity, a visual form, style-type, or person, theme, use or event of local importance; and/or reinforce other similar form or style types to provide of [sic] supplement a streetscape.

16. The 1985 Council document entitled *Urban Conservation in the City of Melbourne* included the following definitions of outstanding and contributory buildings.

*Outstanding Building – outstanding in its own right.
A grade A or B building anywhere in the municipality.*

*Contributory Building – contributory to the street and the area's character.
A grade C building anywhere in the municipality; and a D building in a Level 1 or 2 streetscape in an Urban Conservation Area.*

Other lesser graded buildings, while having some measure of historic or architectural significance, and in many cases worthy of restoration, are not considered to make as significant contribution to historic area character.

17. This document also included the table (see below) which forms the basis of the current heritage policy.

SUMMARY TABLE 1

PRESERVING, ALTERING or RENOVATING GRADED BUILDINGS

		PRESERVATION OF INTACT SIGNIFICANT FABRIC	ALTERATION OR RENOVATION OF NO LONGER INTACT SIGNIFICANT FABRIC:	
			EVIDENCE OF EARLIER STATE AVAILABLE	NO EVIDENCE OF EARLIER STATE
'A' and 'B' buildings anywhere	"OUTSTANDING BUILDINGS"	Should be PRESERVED	Should be authentic RESTORATION/RECONSTRUCTION or should not preclude it happening in the future	RESPECTFUL or INTERPRETATIVE modern design preferred to "guesswork" reconstruction or reproduction. Refer to Summary Table 2.
'C' buildings anywhere; and 'D' buildings in Level 1 and 2 streetscapes	"CONTRIBUTORY BUILDINGS"	Should be PRESERVED where visible . DISCRETIONARY* where concealed .	Where visible , should be authentic RESTORATION/RECONSTRUCTION or should not preclude it happening in the future. DISCRETIONARY* where concealed .	
All other lesser graded buildings		DISCRETIONARY*	DISCRETIONARY*	
REFER TO PERFORMANCE STANDARD:		1	2	3

* Refer to Summary Table 2 for the appropriate Performance Standards if not **preserving** or **restoring/reconstructing**.

18. The site was reviewed by Allom Lovell as a part of the *City of Melbourne Planning Scheme Heritage Review* in 1999/2000. The aim of this project was 'to justify the continued heritage protection, if appropriate, for D graded buildings outside Heritage Overlay precinct, and all E and F graded buildings.' The report recommended that the subject site be identified as a D graded building.¹ Streetscape gradings were not reviewed as a part of this study, but carried over from previous studies. The existing HO843 appears to have been introduced by Amendment C19 as a result of the recommendations of this review.
19. The current *Heritage Places Inventory March 2018*, an incorporated document at Clause 81.01, identifies 159 Roden Street as a D grade building in a level 3

¹ It is noted that the Master List of buildings at Appendix A of the *Report on the City of Melbourne Planning Scheme Heritage Review* identified the pre-existing grading of the subject building as 'D' rather than 'E'.

streetscape. The building at 163 Roden Street is also identified as a D3 graded building. The existing grading system at Clause 22.05 is defined below:

'A' Buildings

'A' buildings are of national or state importance, and are irreplaceable parts of Australia's built form heritage. Many will be either already included on, or recommended for inclusion on the Victorian Heritage Register or the Register of the National Estate.

'B' Buildings

'B' buildings are of regional or metropolitan significance, and stand as important milestones in the architectural development of the metropolis. Many will be either already included on, or recommended for inclusion on the Register of the National Estate.

'C' Buildings

'C' buildings. Demonstrate the historical or social development of the local area and /or make an important aesthetic or scientific contribution. These buildings comprise a variety of styles and building types. Architecturally they are substantially intact, but where altered, it is reversible. In some instances, buildings of high individual historic, scientific or social significance may have a greater degree of alteration.

'D' buildings

'D' buildings are representative of the historical, scientific, architectural or social development of the local area. They are often reasonably intact representatives of particular periods, styles or building types. In many instances alterations will be reversible. They may also be altered examples which stand within a group of similar period, style or type or a street which retains much of its original character. Where they stand in a row or street, the collective group will provide a setting which reinforces the value of the individual buildings.

Level 1 Streetscapes

Level 1 streetscapes are collections of buildings outstanding either because they are a particularly well preserved group from a similar period or style, or because they are highly significant buildings in their own right.

Level 2 Streetscapes

Level 2 streetscapes are of significance either because they still retain the predominant character and scale of a similar period or style, or because they contain individually significant buildings.

Level 3 Streetscapes

Level 3 streetscapes may contain significant buildings, but they will be from diverse periods or styles, and of low individual significance or integrity.

8.0 Discussion

20. The *West Melbourne Heritage Review* was commissioned to provide heritage assessments of existing and potential heritage places in the West Melbourne Structure Plan area. A citation for the subject site was prepared as a part of this study. This identified 159 Roden Street as a D grade building in a level 2 streetscape. The statement of significance is reproduced as follows:

What is significant?

Railways engine driver, Thomas Hulse, was the first owner-occupier in c1867. Thomas Hulse, born in Cheshire, England, in 1834 and dying at Middle Park in 1915, was a Running Loco Foreman in the Victorian Railways and active on the railways from the 1850s-

1890s. Thomas and his brother Allan were prominent pioneering engine drivers on the Melbourne to Bendigo line from when it reached Sunbury in 1859. Thomas was involved in a number of high profile investigations into deaths on the railways, reported in the Melbourne press. Retiring in 1895, Thomas was retained as a railway engineering consultant by the Railways Department until after 1900. Hulse epitomises the close association of West Melbourne with the vast railway complex adjoining. Hulse died wealthy with an estate equivalent value of around \$541,470.

Plumber, John Dickie was a long-term owner-occupier of this, then five room, brick house in the 1870s-1890s.

Contributory elements include:

- *double-fronted brick house on corner of lane;*
- *Colonial bond face brick side wall to lane;*
- *dressed stone footings;*
- *gabled roof form with side parapet walls engaged with cemented chimneys with distinctively early slim cornice detailing*
- *simple cement capping terminating on blocks;*
- *concave profile verandah wing walls;*
- *double-hung sash windows with bracketed sills;*
- *entry with top-light; and*
- *relationship with the adjoining early house, 159 [sic] Roden Street and contribution to early Victorian-era streetscape with 171-177 Roden Street.*

Integrity is fair despite the main and verandah roof having been reclad with unrelated material (formerly corrugated iron or similar); the bricks painted over; awnings added; and verandah rebuilt.

How is it significant?

Thomas Hulse's house, at 163 [sic] Roden Street, is significant historically to West Melbourne.

Why is it significant?

Thomas Hulse's house at 159 Roden Street is significant.

Historically, as a perceptibly early house in West Melbourne, as shown by its simple gabled form and small scale, also indicative of the first stages of building in the area; and for a time associated with pioneering railways engine driver, Thomas Hulse, who received a deal of publicity in the press as well as high rank within the Victorian Railways workforce, and later a successful West Melbourne plumber, John Dickie.

21. A citation was also prepared for the neighbouring residence at 163 Roden Street, which identified the dwelling as a D grade place in a level 2 streetscape. The statement of significance is reproduced below:

What is significant?

This formerly four room stone house was built for Thomas Hulse 1864-5. Thomas Hulse, born in Cheshire, England, in 1834 and dying at Middle Park in 1915, was a Running Loco Foreman in the Victorian Railways and active on the railways from the 1850s-1890s. Thomas and his brother Allan were prominent pioneering engine drivers on the Melbourne to Bendigo from when it reached Sunbury in 1859. Thomas was involved in a number of high

profile investigations into deaths on the railways, reported in the Melbourne press. Retiring in 1895, he was retained as a railways engineering consultant by the Railways Department until after 1900. Hulse epitomises the close association of West Melbourne with the vast railway complex adjoining. Hulse died wealthy.

The house was later owned and occupied by mining investor and engineer Robert Haddon in the 1860s. It was a twin to the house at 167 owned and occupied by John McFarlane. Robert and wife Mary were to later own and occupy nearby 154 Roden Street (q.v.) Ownership from the 1880s-1890s included two Victorian Railways employees, Charles Bath fireman and Robert Moore, a Roden Street engine driver, who had joined the service in 1874.

The house has the characteristic high hipped roof form of an early Victorian-era residence with its underlying stone construction a link to nearby stone quarrying and early building practice before local brick making created a more reliable product. By the 1980s however the stone had been rendered over and the verandah removed: it has since been recreated.

Contributory elements include:

- *double fronted early Victorian-era house;*
- *symmetrical simple façade;*
- *high hipped roof typically clad with shingles, now clad with corrugated iron or similar;*
- *stone (?) chimney with distinctively early slim cornice detailing;*
- *double-hung sash windows;*
- *central doorway and toplight; and*
- *relationship with the adjoining early house, 159 Roden Street and contribution to early Victorian-era streetscape with 171-177 Roden Street.*

Integrity is fair despite the added timber verandah and picket front fence which are related to the house period, side wall rendering, and new openings. The publicly visible two-storey rear addition is unrelated to the historical scale and character of the house.

How is it significant?

Thomas Hulse later Haddon's house at 163 Roden Street is significant historically to West Melbourne.

Why is it significant?

Thomas Hulse later Haddon's house at 163 Roden Street is significant.

Historically, as a perceptibly early house in West Melbourne as shown by its simple high-hipped form and small scale, also indicative of the first stages of building in the area, and for a long time associated with two railways employees, Bath and Moore, and Robert Haddon who as a gold mining investor and engineer represented the influx of population into Melbourne at this time; also associated with engine driver, Thomas Hulse, who received publicity in the Melbourne press as well as high rank within the Victorian Railways workforce.

22. Concurrently with the Butler review, Lovell Chen conducted the Heritage Policies Review. This proposes to apply a new heritage grading to the subject property as a result of the replacement of the current alphabetic grading system. The *City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance Methodology Report* (updated May 2016) notes that the process of re-grading was largely undertaken as a desk-top study and relied chiefly upon existing information in relation to heritage properties. In relation to individual heritage overlay places,

the *Methodology Report* states that these were not reviewed, but automatically transferred across to a 'significant' grading. Accordingly, the Heritage Inventory as initially exhibited proposed to modify the grading of the subject property from a D graded place in a level 3 streetscape to 'significant'.

23. In response to submissions from the owner of the subject site, the officer report found within the *Future Melbourne Committee Agenda Item 6.4, Planning Scheme Amendment C258 Heritage Policies Review & West Melbourne Heritage Review*, dated 20 February 2018, noted that:

The two properties, currently in HO843, have both been assessed in the WMHR2016 as being D graded (under the current grading system) and significant (under the proposed grading system). The WMHR Consultant has reviewed the assessment of these properties in light of this submission and recommends minor changes to the Statement of Significance (detailed below in the 'Recommended Changes' section). The WMHR Consultant's additional review is as follows:

Of the 194 Victorian-era house rows in West Melbourne only 18 predate this row. It is among the oldest 10% of surviving house rows in West Melbourne.

The row of two houses is significant but the components are contributory to this significance. Therefore, these buildings are not each individually significant but part of a small, significant row house heritage precinct.

This place was already in Heritage Overlay HO843 when the review was undertaken and as such had already been through a public evaluation process that had determined it to be part of a place of local significance within the Melbourne Planning Scheme. Although altered, the two houses in the Heritage Overlay have not changed materially since this occurred. The West Melbourne review provides the place with a Statement of Significance, revealing for the first time its historical associations.

The WMHR consultant agrees that the houses do not appear significant individually but as a small house row precinct, they are significant to the City of Melbourne.

The proposed grading of each reflects the contributory role each has to the locally significant small house row precinct which is the Heritage Overlay HO843 that the two houses are currently in. These two houses are associated with some key figures in the history of West Melbourne (engine driver Hulse, and engineer and miner Robert Haddon) and represents the major employer in the area, the Victorian Railways.

Given that Hulse had these two houses built, and resided in one and no other West Melbourne house can be associated with him - as a figure well known in the area, the association is strong enough and warrants local historical significance.

Any proposed development options can be dealt with at the planning application stage where heritage issues can also be taken into account.

24. The officer report went on to recommend that:

the C258 Heritage Inventory is be [sic] updated to show that 159 Roden Street is contributory, 163 Roden Street is also contributory but that 159-163 Roden Street is a significant house row precinct.

25. The proposed *C258 Heritage Places Inventory* has been updated in line with this recommendation. 159 and 163 Roden Street are each identified as ‘contributory’, and ‘159-163, *Thomas Hulse House Row Precinct*’ is identified as ‘significant’ in the revised document. This is in the context of a three-tier grading system, which is proposed to be defined at Clause 22.05 as follows:

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’ place:

A ‘non-contributory’ place does not make a contribution to the cultural significance or historic character of the heritage precinct.

26. The proposed statement of significance for 163 Roden Street has also been amended in line with the recommendation in the officer report, with the revised section as follows:

How is it significant?

Thomas Hulse later Haddon’s house at 163 Roden Street is of contributory significance to the row 159-163 Roden Street which is significant historically to West Melbourne.

27. While no revised citation for 159 Roden Street was included in the attachments to the *Future Melbourne Committee Agenda Item 6.4, Planning Scheme Amendment C258 Heritage Policies Review & West Melbourne Heritage Review*, it is assumed that it is intended to update the citation for the subject site in line with the above revision for 163 Roden Street.
28. Though the statement of significance prepared for 159 Roden Street provides interesting information regarding the past ownership and occupation of the place, the significance of the association of the dwelling with Thomas Hulse is overstated. It fails to mention that Hulse only owned and resided in the dwelling for approximately one year. No information about later occupant John Dickie is provided, other than the assertion that he was a successful West Melbourne plumber. It is to be expected that workers in local industries would reside close to their place of employment.

29. The citation makes the comment that '*Integrity is fair despite the main and verandah roof having been reclad with unrelated material (formerly corrugated iron or similar); the bricks painted over; awnings added; and verandah rebuilt.*' It is noted that the E/D grading that was initially attributed to the dwelling in the 1983 study is indicative of its considerably altered state.
30. The statement of significance also states that the dwelling is '*indicative of the first stages of building in the area*'. It is questionable how 'indicative' the dwelling is of the first stages of building in the area given that a high proportion of visible fabric is altered or non-original.
31. In relation to the statement of significance for 163 Roden Street, it appears to have incorrectly attributed the construction of this dwelling to Thomas Hulse. A house with a rateable value of £18 owned by Charles Morrell appears in the 1862 Rate Book in between the dwellings of Mrs Clancy and S Stephens; the following year a cottage with a rateable value of £18 owned by Thomas Hulse appears at 61 Roden Street between the dwellings of Mrs Clancy and Sam Stephens, ie the house formerly owned by Morrell.² The *Sands & McDougall Directory* for 1862 confirms that there was an occupant named Widdows at no. 61 Roden Street in this year; by 1864 the occupant of no. 61 is listed as T Hulse. These two key sources appear to indicate that Thomas Hulse occupied, but did not construct, the dwelling at 163 Roden Street.
32. While the streetscape grading has been upgraded from level 3 to level 2 in the citation for both 159 and 163 Roden Street, it is noted that the streetscape has not improved in the past thirty or more years since West Melbourne was initially surveyed. If anything, it has been further degraded by the loss of some early building stock such as that at 153-155 Roden Street, which was demolished sometime between the 1983 study and the 1999/2000 review (see Figure 6, below). The upgrading of the streetscape level from 3 to 2 thus appears to be unwarranted. No explanation is provided for this upgrade.
33. It is noted that the project brief for the *West Melbourne Heritage Review* included the following deliverable:

Make a recommendation for each building in the study area detailing whether the place should be retained in, removed from, or added to a Heritage Overlay as either an individually significant place or a contributory place or element within a precinct.

² City of Melbourne Rate Book, 1862, entry #1524; 1863 entry #1664. 61 Roden Street was renumbered as 163 Roden Street in the 1880s.



Figure 6 The dwellings at 153-155 Roden Street as they appeared in the 1983 North & West Melbourne Conservation Study.

34. Given the altered state and modest nature of 159 Roden Street, it is questionable whether, had the property been assessed for the first time today, Heritage Overlay controls would have been deemed to be warranted. This is especially so considering the context of the City of Melbourne where there are many examples of comparable dwellings represented in larger Heritage Overlay precincts such as HO3. In my opinion the subject building and its neighbour at 163, both individually and in combination, are marginal candidates for Heritage Overlay controls and could validly be recommended for removal from the Heritage Overlay.
35. Alternatively, it may be appropriate to consider a serial listing approach rather than treating these two buildings in isolation as a 'precinct'. There are a number of isolated D graded properties in the West Melbourne area, either single buildings or small groups, which, now that statements of significance have been prepared, are identified primarily for their historical significance. Nearby to the subject property these include 171-179 Roden Street (currently identified as HO844) and 95-101 Stanley Street (HO470), which are all examples of similarly modest dwellings from the first decades of West Melbourne's development.
36. Accepting that HO843 is currently in place, however, and if it is not to be removed, it is conceded that a grading of 'contributory' is more appropriate in the context of the new grading system than the original 'significant' grading. As I have noted in my evidence in relation to other individual properties affected by Amendment C258, the automatic migration of individual Heritage Overlay places to the grading of 'significant' is a flawed approach that fails to consider the varying degrees of significance of individual overlay places.
37. In saying this, when examining the heritage policy proposed by Amendment C258, the migration of a D3 graded place to 'contributory' has implications in terms of how development applications would be assessed. Under the existing heritage

policy at Clause 22.05, and extending back in previous heritage policies to the mid-1980s, D graded places in level 3 streetscapes are not considered to be 'contributory': *'Contributory building means a 'C' grade building anywhere in the municipality, or a 'D' grade building in a Level 1 or Level 2 streetscape.'* The demolition of the rear parts of D graded buildings, as well as whole buildings, can reasonably be considered.

38. Under the proposed Clause 22.05:

Full demolition of significant or contributory buildings would only be permitted in exceptional circumstances.

Partial demolition will not generally be permitted in the case of significant buildings and of significant elements or the front or principal part of contributory buildings.

39. This policy in relation to partial demolition, by introducing the notion of 'significant elements' of contributory buildings, has the potential to severely restrict demolition should a 'significant element' be deemed to be in the rear of a building. It is noted that 'significant elements' are not defined in the policy, and it is not clear how discretion would be exercised in relation to this aspect of policy.

40. Amendment C258 also deletes the provision from the current heritage policy at Clause 22.05 which requires the responsible authority to consider:

Whether the demolition or removal is justified for the development of land or the alteration of, or addition to, a building.

41. This provision is helpful where an argument is to be made in favour of an application to partially or fully demolish a graded building to allow for a development offering appreciable benefits to the wider community.

42. The purpose of the Heritage Overlay is not only to conserve and enhance heritage places, but also to facilitate appropriate adaptation and reuse of heritage buildings. It is generally understood and accepted that there is a connection between the level of significance or grading of a heritage place and the appropriate policy framework around demolition and new works. The significance and intactness of the subject building is such that more onerous policy requirements are not warranted.

43. Furthermore, the attribution of a 'significant' grading to '159-163, Thomas Hulse House Row Precinct' results in ambiguity around whether the proposed policy for 'significant' or 'contributory' buildings should be properly applied in the context of a development application. It is not conventional practice for a grading to be applied to a 'row' of neighbouring, but otherwise unrelated, buildings in this manner.

44. Having regard for these matters, I am of the opinion that the subject property could be considered for removal from the Heritage Overlay, or alternatively for inclusion in a serial listing. The 'significant' grading attributed to this row of two houses in the *Heritage Places Inventory* should be removed. The definition of 'contributory' heritage places should be broadened so that it encompasses places with individual heritage overlay controls that contribute to the heritage significance of the local

area or municipality but are otherwise of limited interest and, until the present, lowly graded.

45. The proposed heritage policy at Clause 22.05 should be amended to provide a more appropriate policy provision in relation to demolition and to address other matters including the concept of 'significant elements', as discussed above.

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Bryce Raworth has worked with issues relating to heritage and conservation since the mid-1980s, and has specialised in this area since establishing his own consultant practice in 1991. **Bryce Raworth Pty Ltd, Conservation•Urban Design**, provides a range of heritage services, including the assessment of the significance of particular sites, preparation of conservation analyses and management plans, design and/or restoration advice for interventions into significant buildings, and detailed advice regarding the resolution of technical problems relating to deteriorating or damaged building fabric.

From 2004-2011 Raworth was a member of the Official Establishments Trust, which advises on the conservation and improvement of Admiralty House and Kirribilli House in Sydney and Government House and The Lodge in Canberra. As a member of the former Historic Buildings Council in Victoria, sitting on the Council's permit, planning and community relations committees, Raworth has been involved with the registration and permit processes for many registered historic buildings. In 1996 he was appointed an alternate member of the new Heritage Council, the successor the Historic Buildings Council, and in 1998 was made a full member. At present he provides regular advice to architects and private owners on technical, architectural and planning issues relative to the conservation and adaptation of historic buildings, and is occasionally called upon to provide expert advice before the VCAT. He is currently the conservation consultant for the cities of Kingston, Frankston and Stonnington.

Bryce Raworth Pty Ltd has prepared conservation plans for a number of registered historic buildings, including Walter Burley Griffin's Essendon Incinerator. The company's experience with institutional buildings has led to preparation of conservation plans for the Mac.Robertson Girls' High School, Castlemaine Gaol, J Ward, Ararat, the former Russell Street Police Headquarters, Ballarat State Offices, Camberwell Court House, Shepparton Court House and the Mont Park asylum precinct.

With respect to historic precincts, the company has provided detailed advice towards the resolution of heritage issues along the Upfield railway line. The company is currently contributing to redevelopment plans for the former Coburg Prisons Complex (comprising Pentridge Prison and the Metropolitan Prison) and the former Albion Explosives Factory, Maribyrnong. In 1993 Bryce Raworth led a consultant team which reviewed the City of Melbourne's conservation data and controls for the CBD, and in 1997 **Bryce Raworth Pty Ltd** revised the former City of South Melbourne Conservation Study with respect to the area within the present City of Melbourne.

In recent years **Bryce Raworth Pty Ltd** has also provided documentation and advice during construction on the restoration of a number of key registered and heritage overlay buildings, including the Ebenezer Mission church and outbuildings, Antwerp; the former MMTB Building, Bourke Street West, Melbourne; the former Martin & Pleasance Building, 178 Collins Street, Melbourne; the former Uniting Church, Howe Crescent, South Melbourne; Heide I & II, Heide Museum of Modern Art, Bulleen; Melbourne Grammar School, South Yarra; various guard towers and other buildings, Pentridge Prison, Coburg; and Coriyule Homestead, Curlewis.

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Professional Status:	Conservation Consultant and Architectural Historian
Current Positions:	Conservation consultant to the cities of Kingston, Frankston and Stonnington
Organisation Membership:	Australian Institute of Architects
Professional Experience:	<p>independent practice as conservation consultant and architectural historian from January 1991 (ongoing). Services include: identification and assessment of the significance of sites and complexes; preparation of guidelines regarding the safeguarding of significant sites; provision of technical, design and planning advice to architects, owners and government on issues relating to the conservation of sites of cultural significance; expert witness advice on conservation issues before the VCAT</p> <p>member, Historic Buildings Council (architectural historian's chair) 1993-1996; member, Heritage Council (architect's chair) 1998-2002</p> <p>conservation consultant to the cities of Brighton, Northcote and Sandringham (1989 only), Essendon, Hawthorn and Kew (1989-1994), Melbourne (1992-2009) and Prahran (1992-1994)</p> <p>established the Metropolitan Heritage Advisory Service on behalf of the Ministry for Planning & Environment - this service was offered to the cities of Brighton, Essendon, Hawthorn, Kew, Northcote and Sandringham in 1989-90</p>
Studies:	<p>Certificate of Architectural Conservation, ICCROM (International Centre for the Study of the Preservation and the Restoration of Cultural Property at Rome), 1994</p> <p>Master of Architecture by thesis, University of Melbourne, 1993 (thesis: <i>A Question of Style: Domestic Architecture in Melbourne, 1919-1942</i>)</p> <p>B. Architecture (First Class Honours), University of Melbourne, 1986</p> <p>B. Arts (Second Class Honours, Division A), University of Melbourne, 1986</p>
Committee Membership:	<p>Twentieth Century Buildings Committee, National Trust of Australia (Victoria), 1990-1994 (Chairman 1992-1993)</p> <p>RAIA Jury, Conservation Category, 1995, 1996, 1998 and 2001 Awards (Chairman 1996 & 1998)</p>
Awarded:	<p>Henry and Rachel Ackman Travelling Scholarship in Architecture, 1987-88</p> <p>JG Knight Award, conservation of Heide 1, Royal Australian Institute of Architects, Victorian Chapter, 2003</p> <p>Lachlan Macquarie Award for heritage (commendation), conservation of Heide 1, Royal Australian Institute of Architects National Award program, 2003</p> <p>Award for Heritage Architecture, conservation of Coriule Homestead, Australian Institute of Architects, Victorian Chapter, 2015</p>