

Proposed redevelopment at  
172-184 Roden Street,  
WEST MELBOURNE

Statement of Evidence to the VCAT

VCAT Reference P2588/2016 & P2374/2016

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*Prepared under instruction from Norton Rose Fulbright*

2 May 2017

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1.0 Introduction

1. This analysis was prepared under instruction from Norton Rose Fulbright, and relates to the site at 172-184 Roden Street, West Melbourne (also known as 164-184 Roden Street, West Melbourne, with the north eastern portion of the site identified as 164-170 Roden Street or 135 Hawke Street, West Melbourne). It concerns the proposal to redevelop the site by partially demolishing the existing buildings and constructing a multi-storey residential development.
2. By way of background, a permit application for the redevelopment of the subject site was received by the City of Melbourne on 24 June 2016 [TP-2016-501]. Council made a Request for Further Information with regards to the application on 11 July 2016 and the applicant provided a response on 28 July 2016. A Notice of Decision to Issue a Permit (NOD) with conditions was issued by Council on 20 October 2016 subject to conditions.
3. A substantial number of objections were received in relation to the application, and an application for review at VCAT was subsequently lodged.
4. The scheme has been amended for the purposes of this application for review to meet a number of the conditions suggested by the NOD, including Conditions 1c(i)-(iii) inclusive, which relate to setbacks to the seventh floor plan. The rooftop terraces and pergolas proposed in the application have also been deleted.
5. This statement was prepared with assistance from Guy Murphy of my office. The views expressed are my own. The statement builds upon a report to Council that was prepared by my office and that formed part of the permit application documentation.

## 2.0 Sources of Information

6. The analysis below draws upon the relevant heritage studies including the City of Melbourne *i-Heritage Database*, the *Heritage Places Inventory June 2016*, *Heritage Places Inventory July 2008*, and the relevant sections of the *Melbourne Planning Scheme*, including *Clauses 43.01* and *22.05 Heritage Places Outside the Capital City Zone*. Consideration has been given to the documentation associated with the proposed Amendment C258 to the *Melbourne Planning Scheme*, including the proposed new *Clause 22.05 Heritage Places Outside the Capital City Zone*, *Heritage Places Inventory 2017*, *Heritage Precincts Statement of Significance 2017* and revised heritage overlay maps. I have reviewed the Council's Delegate report on the original application, which included a summary of Council's heritage advisor's comments on the proposal. Also referenced was the *West Melbourne Heritage Review* by Graeme Butler & Associates (February 2016), historic MMBW plans and historic newspapers in Trove Online.
7. My office provided input into the design process for the proposed scheme and also prepared a heritage assessment in support of the original permit application. This statement draws on this previous document.
8. The statement is to be read in conjunction with the amended drawings dated 07.04.2017 prepared by Jackson Clements Burrows Architects, along with other documents submitted with respect to the current application for review.

## 3.0 Author Qualifications

9. A statement of my qualifications and experience with respect to urban conservation issues is appended to this report. I have provided expert witness evidence on similar matters before the VCAT, the Heritage Council 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

10. 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 Tribunal.



**BRYCE RAWORTH**

## 5.0 Summary of Views

11. My findings and views in relation to these matters can be summarised as follows.

- The subject site contains buildings on two adjacent parcels of land. 164-170 Roden Street contains a c.1925 two-storey industrial building of over painted brick set on bluestone foundations. 172-184 Roden Street contains a large three-storey industrial brick building of composite origins, dating from 1889, 1937 and later. Both buildings are located within the North and West Melbourne Heritage Precinct (HO3) and are graded D in Level 3 streetscapes.
- It is proposed to demolish 164-170 Roden Street. This demolition is acceptable given the Roden and Hawke Street elevations are not prominent, are lowly graded and do not date from the original 1889 phase of development of the site or relate to that fabric architecturally.
- It is proposed to demolish part of the interior volume and all the roof of 172 Roden Street. This extent of demolition is acceptable because there are no internal controls on the building, the roof has limited public visibility and the key street elevations are being retained.
- It is proposed to construct an 8 storey apartment development with 2 additional basement levels on the subject site. The new infill building at 164-170 Roden Street will present interpretative brick facades to Roden and Hawke Street and a reconstructed brick wall with a sawtooth roof profile along the northern property boundary. This will form a podium with the retained facades to 172-184 Roden Street, above which will be 2 new 4 storey building envelopes at a setback along the Roden Street and Hawke Street sides of the site, with the top floors incorporating greater setbacks to minimise their visibility. The architectural character of the upper levels will be interpretative of traditional interwar factory typologies.
- The proposed scheme, as amended, strikes an appropriate balance between retaining the street presence of the D graded building at 172 Roden Street while allowing its redevelopment and adaptation for future residential use. The proposed infill podium at 170 Roden Street is of a design appropriately sensitive and responsive to its context. The scale, setbacks and considered architectural character of the new works, including the proposed upper levels at varying setbacks, will represent evolutionary change to the site rather than an abrupt departure from the existing built form. The increase in setbacks to the 8<sup>th</sup> floor storey (the top floor) in the amended scheme have constrained the visibility of the new works in an appropriate manner and are supported. The scheme will not adversely affect the significance of the adjacent streetscapes and wider overlay.
- Having regard for these matters, the proposal has been prepared with appropriate regard for the objectives and design guidelines of the Heritage Overlay of the planning scheme as set out in *Clause 43.01*, and the associated design guidelines provided within *Clause 22.05*.

## 6.0 History & Description

12. By the late nineteenth century, the area of West Melbourne surrounding the intersection of Hawke and Roden Streets with Adderley Street was largely residential in character, the land subdivided into narrow lots containing terrace housing. An exception to this was the large portion of land on the block on the north side of this intersection, which contained a large brick store.
13. A notice of acceptance of tender for the construction of this building for Briscoe & Co had appeared in the *Australasian Builder and Contractor's News* on 6 July 1889. The architects were Oakden, Addison and Kemp, and the tenderer was J. Dunton. Briscoe and Company had its origins in Wolverhampton in the eighteenth century, and the branch it established in Melbourne in 1852 developed into successful hardware merchants.<sup>1</sup> After initially focussing on retail activities, by the early 1880s it had turned to wholesale trading, building a commodious new warehouse in Collins Street east, to which the Roden Street warehouse presumably served a secondary role. The 1895 MMBW plan shows the outline of the Briscoe Company's store at that time. In 1925 the store was extended northwards over the adjacent addresses of 166, 168, 170 Roden Street and 137 and 141 Hawke Street, replacing the dwellings that were formerly located there. These works were designed by architects Purchas and Teague.<sup>2</sup>

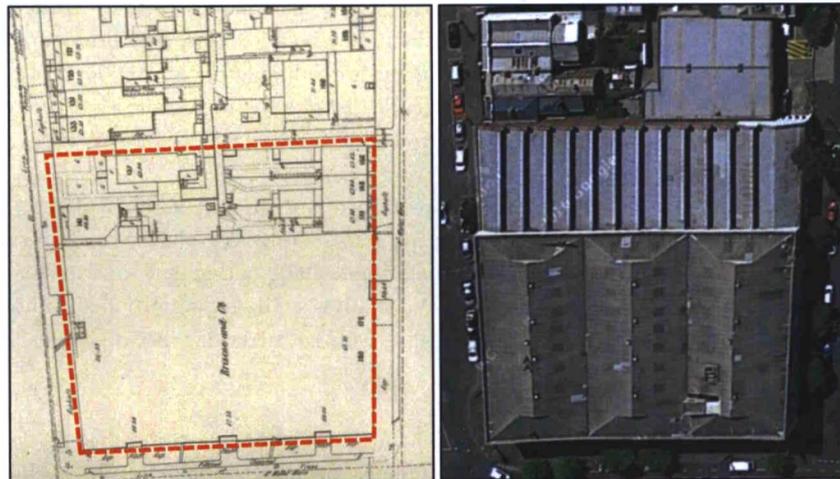


Figure 1 (left) 1895 MMBW extract showing the Briscoe & Co building on the south side of the site, with dwellings further north.

Figure 2 (right) recent aerial view showing the northern addition that replaced the adjacent dwellings.

14. In 1937 the Briscoe Company sold its Little Collins Street address, and constructed a major upper level addition to their Roden Street store with the intention of consolidating their activities in one location.<sup>3</sup> These works were also designed by Purchas and Teague.<sup>4</sup> The move reflected a broader trend for the industrialisation of West Melbourne in the decades before WW2.

<sup>1</sup> *Sydney Morning Herald*, 17 December, 1906, p.9.

<sup>2</sup> Graeme Butler & Associates, *West Melbourne Heritage Review*, February 2016.

<sup>3</sup> *Age*, 4 November, 1937, p.9.

<sup>4</sup> Graeme Butler & Associates, *West Melbourne Heritage Review*, February 2016.

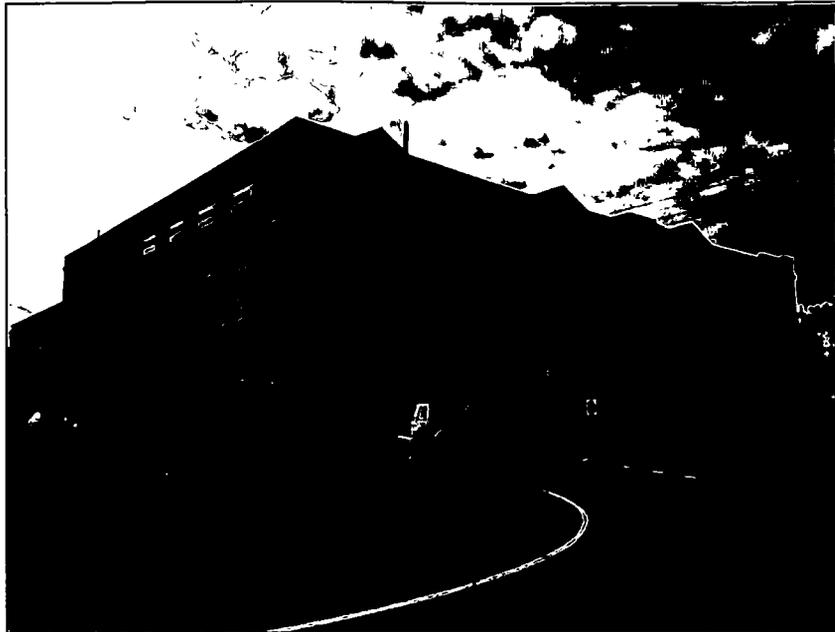
15. The subject property is a large, essentially rectangular portion of land bound by Roden Street to the south-east, Adderley Street to the south-west, and Hawke Street to the north-west. The site is comprised of two allotments, the northern one identified as 164-170 Roden Street (or 135 Hawke Street) and the larger southern as 172-182 Roden Street. The site gradually slopes downhill in a westerly direction by approximately 3 metres.
16. 164-170 Roden Street is occupied by a two-storey industrial building of over painted brick set on bluestone foundations, being the 1925 addition to the main 1889 building. The two street elevations each feature a large arched entrance, with a high plain brick parapet that conceals the sawtooth roof. The Hawke Street elevation includes some non-original window openings on the north side at ground and first floor level. The arched vehicle doors feature bluestone quoins, early double timber doors and a rendered string line and keystone. They are accessed from the street via bluestone cobbled entries.
17. The property at 172-184 Roden Street (also addressed as 182-202 Adderley Street) is a large three-storey industrial brick building of composite origins. The ground floor incorporates the original, presumably single-storey 1889 Briscoe building. The elevations to Hawke and Adderley Street retain their original brick elevations (over-painted), including narrow, regularly spaced window openings with bluestone sills. The remaining first and second floors to these frontages, and also all the Roden Street frontage date from c.1937, and are of a relatively simple Art Deco expression. The pedestrian entrance to Roden Street is marked by decorative detailing including half-columns, glass bricks to the stairwell and fins to the parapet. The metal framed windows at each level are linked by continuous rendered lintels and sills. Modern single-pane showroom windows have been installed on the south end of the Roden Street elevation at street level.
18. Roden Street is a broad, two lane thoroughfare, divided by a central median strip containing car parking and mature tree plantings. Each side features on-street parallel parking, bluestone kerbing and gutters, and a broad, asphalted footpath. Adderley Street to the south is similarly proportioned without a median strip, but including nature strips. Hawke Street has the same general character as Roden Street.
19. The site is located within a surrounding context of predominantly one to four storey residential buildings, including many of the Victorian terraces visible in the 1895 MMBW plan. The adjacent site to the north at 158-160 Roden Street contains a c.1960s brick workshop. The balance of the nearby street contains Victorian terraces and later infill, including a four storey apartment development. The opposite south side of Adderley Street contains a mixture of Victorian terraces and later low rise infill. On the west side of the building, the adjacent sites to the north at 127-133 Hawke Street contain intact double-storey Victorian terraces. The opposite west side of the street contains single and double-storey Victorian houses.
20. Further north along Hawke Street are other large multi-storey pre-WW2 industrial structures, with a recent infill apartment building comprising a four storey frontage, with an additional floor at a setback.



Figure 3 The Hawke Street frontage of the subject site.



Figure 4 View of the subject site (marked with a red arrow) from further north along Hawke Street.



*Figure 5 View from the south west across the intersection of Hawke and Adderley Streets, with part of the Hawke Street elevation visible at left, and the southern Adderley Street frontage at centre and right.*



*Figure 6 Part of the east elevation to Roden Street showing the Moderne detailing above the pedestrian entry bay.*



Figure 7 View of the full Roden Street frontage as seen from further north along Roden Street.



Figure 8 View east along Adderley Street past the subject site.



Figure 9 View north up Roden Street from the intersection with Adderley Street.

## 7.0 Significance

21. The *Heritage Places Inventory June 2016* attributes gradings to buildings and streetscapes within the precinct using the following grading system (as defined in *Clause 22.05*).

### *'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.*

22. 172-184 Roden Street and 135-141 Hawke Street (164-170 Roden Street) are identified as D grade buildings in a Level 3 streetscape in the *Heritage Places Inventory June 2016*, an incorporated document to the *Melbourne Planning Scheme*. It is notable for the application of policy at *Clause 22.05* that D grade buildings in a Level 3 streetscape are not identified as contributory buildings. Properties adjacent to 164-170 Roden Street include a pair of double-storey Victorian terrace dwellings at 127-133 Hawke Street, graded D in a Level 2 streetscape; and a modern single-storey cream brick commercial building at 160 Roden Street, graded (though perhaps incorrectly) D in a Level 3 streetscape.
23. Planning Scheme Amendment C258 is currently under exhibition and includes reference to citations for the buildings on the subject land prepared as part of the *West Melbourne Heritage Review*. These citations confirm the phases of physical development established in our analysis, and include statements of significance and gradings. They proposed to upgrade the gradings for each of the buildings from D in a Level 3 streetscape to C in a Level 2 streetscape. The proposed *Heritage Places Inventory 2017* will use a simpler grading system of 'Significant', 'Contributory' and 'Non-contributory' for buildings, and 'significant' or 'not significant' for streetscapes. Rather confusingly, it has three entries relating to the subject development site, which are cited as follows.

<i>Street</i>	<i>Number</i>	<i>Building Grading</i>	<i>Significant Streetscape</i>
<i>Roden Street</i>	<i>164-170, part (Briscoe and Co ironmongers warehouse complex, Hawke Street Wing)</i>	<i>Significant</i>	-
<i>Roden Street</i>	<i>164-170, part (Briscoe and Co ironmongers warehouse complex, Roden Street Wing)</i>	<i>Contributory</i>	-
<i>Roden Street</i>	<i>164-184, Briscoe and Co ironmongers warehouse complex</i>	<i>Significant</i>	-

24. While regard has been had for these citations and the proposed revised gradings, for the purposes of this application and heritage impact analysis, existing Council policy has been applied in relation to the existing gradings.

25. A draft citation for the North and West Melbourne Precinct [HO3] has been prepared by Lovell Chen for the City of Melbourne and is also currently being exhibited as part of the proposed Planning Scheme Amendment C258, but has not yet been formally adopted. The statement of significance for the precinct is reproduced as follows.

*How is it significant?*

*North and West Melbourne Precinct is of historical, social and aesthetic/architectural significance to the City of Melbourne.*

*Why is it significant?*

*North and West Melbourne Precinct is of historical significance, as a predominantly Victorian-era precinct associated with the nineteenth century growth of Melbourne to its north and west. As early as 1852, streets in the centre of the precinct, and north of Victoria Street, were laid down in a rigorous grid. Early development of the 1850s and 1860s also reflects local involvement in servicing the goldfields traffic and migration of people from Melbourne to the gold rush centres to the north-west. Hotham Hill, in the north of the precinct, was a notable development from the 1860s, its elevated position attracting grander residential development. Major roads and streets which traverse or border the precinct, including Victoria, Peel and Elizabeth streets, and Flemington Road, were historically important early Melbourne thoroughfares and boulevards. Flemington Road was envisioned by Robert Hoddle as major route out of Melbourne, its status confirmed in the Roads Act of 1853. The working class history of the precinct is particularly significant, demonstrated in the characteristically modest dwellings and historic mixed use development, including the proximity of houses to commercial, manufacturing and industrial buildings, historic corner shops and hotels, and churches and schools. The Catholic Church was a particularly prominent local denomination. Residents of the precinct were employed in some of Melbourne's most important nineteenth and early twentieth century industries, located close to the precinct, including markets, abattoirs, railways and the port at Victoria Dock. Residents were also politically active, forming various associations in the nineteenth and early twentieth centuries, and being prominent in the women's suffrage and World War I anti-conscription movements.*

*North and West Melbourne Precinct is of social significance. Residents value its historic streetscapes, its 'walkability', and its notable commercial development and village character centred on Errol, Victoria and Queensberry streets. Proximity to the nearby Victoria Market, Arden Street Oval and the city, is also highly valued.*

*The aesthetic/architectural significance of the North and West Melbourne Precinct largely rests in its Victorian-era development including workers' cottages, rows of simply detailed modest dwellings, and two-storey terrace houses. These are complemented by larger Victorian dwellings, Edwardian development on the site of the former Benevolent Asylum, and historic mixed use buildings, with the latter often located in residential streets. There is also some variety in building and allotment sizes, and building heights, styles, materials and setbacks. In the Hotham Hill area, residential streets are wide and elevated, and comparatively intact, with larger residences. In the precinct's south, development is finer grained. Large brick warehouses, from the late nineteenth and early twentieth century, are located in the east of the precinct near Victoria Market. The precinct also has some of inner Melbourne's most extensive and intact commercial streetscapes, including significant concentrations on Errol, Victoria and Queensberry streets. Errol Street is particularly distinguished by the remarkable 1870s civic development, with the town hall tower a significant local landmark. Throughout the precinct, principal streets connect with secondary or 'little' streets, reflecting typical nineteenth century planning. These secondary streets reinforce the 'permeable' character and pedestrian nature of the precinct, enhanced by the network of lanes which are demonstrably of nineteenth century origin and function, and continue to provide access to the rears of properties. The lanes were also historically used to access small scale commercial and*

*industrial operations, concentrated in the secondary streets of the precinct. Aesthetically, the precinct also has an open character, and internal views and vistas, deriving from the long and wide streets and several large and sometimes irregular intersections. Principal streets are also distinguished by street plantings of planes, elms and eucalypts.*

26. In conclusion, the subject site contains a complex of two buildings in streetscapes that are of the lowest possible grading. Nearby graded buildings to the north are also of a lowly "D" grade. While located within a wider heritage precinct, the site and its immediate surrounds sit within a context of relatively low heritage significance and sensitivity.

## 8.0 Heritage Status

### *Victorian Heritage Register*

27. The subject site is not included on the *Victorian Heritage Register*.

### *National Trust*

28. The subject site is not classified by the National Trust.

### *City of Melbourne*

29. The site is located on the southern edge of the North and West Melbourne Precinct in the *Melbourne Planning Scheme (HO3)*. External paint controls apply under the provisions of this overlay, but not internal controls.

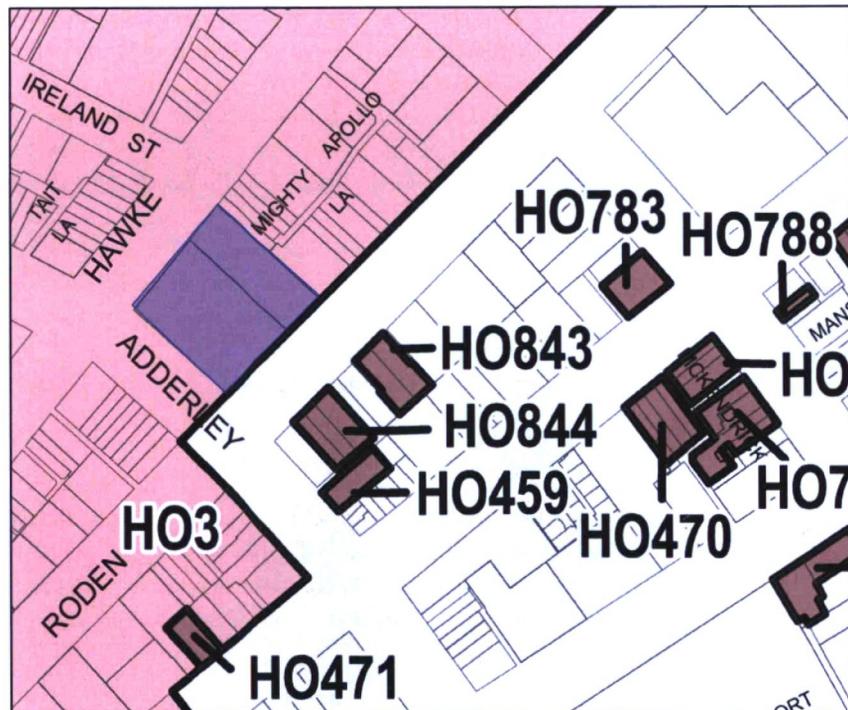


Figure 10 City of Melbourne Heritage Overlay Map showing the subject site shaded blue. It lies within the North and West Melbourne Precinct, HO2.

## 9.0 Heritage Policy

30. The purpose of *Clause 43.01*, the Heritage Overlay is as follows:

*To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

*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.*

31. Before deciding on an application, in addition to the decision guidelines in *Clause 65*, the responsible authority must consider, as appropriate:

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance, heritage study and any applicable conservation policy.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*

32. Any development proposal will have to be assessed against the City of Melbourne's local heritage policy for *Heritage Places Outside the Capital City Zone (Clause 22.05)*, which provides further guidance as to the forms of development that might be appropriate in Heritage Overlay areas. This includes policy relating to both demolition, and the design of new buildings and works or additions to existing buildings.

### *Demolition*

*Demolishing or removing original parts of buildings, as well as complete buildings, will not normally be permitted in the case of 'A' and 'B', the front part of 'C' and many 'D' graded buildings. The front part of a building is generally considered to be the front two rooms in depth.*

*Before deciding on an application for demolition of a graded building the responsible authority will consider as appropriate:*

- *The degree of its significance.*
- *The character and appearance of the building or works and its contribution to the architectural, social or historic character and appearance of the streetscape and the area.*
- *Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of that building.*
- *Whether the demolition or removal is justified for the development of land or the alteration of, or addition to, a building.*

*A demolition permit should not be granted until the proposed replacement building or works have been approved. [...]*

#### *Designing New Buildings and Works or Additions to Existing Buildings*

##### *Form*

*The external shape of a new building, and of an addition to an existing building, should be respectful in a Level 1 or 2 streetscape, or interpretive in a Level 3 streetscape.*

##### *Facade Pattern and Colours*

*The facade pattern and colours of a new building, and of an addition or alteration to an existing building, should be respectful where visible in a Level 1 streetscape, and interpretive elsewhere.*

##### *Materials*

*The surface materials of a new building, and of an addition or alteration to an existing building, should always be respectful.*

##### *Details*

*The details (including verandahs, ornaments, windows and doors, fences, shopfronts and advertisements) of a new building, and of an addition or alteration to an existing building, should preferably be interpretive, that is, a simplified modern interpretation of the historic form rather than a direct reproduction.*

##### *Concealment Of Higher Rear Parts (Including Additions)*

*Higher rear parts of a new building, and of an addition to an existing graded building, should be concealed in a Level 1 streetscape, and partly concealed in a Level 2 and 3 streetscape. Also, additions to outstanding buildings ('A' and 'B' graded buildings anywhere in the municipality) should always be concealed. In most instances, setting back a second-storey addition to a single-storey building, at least 8 metres behind the front facade will achieve concealment.*

*These provisions do not apply to land within Schedule 5 to the Capital City Zone (City North).*

##### *Facade Height and Setback (New Buildings)*

*The facade height and position should not dominate an adjoining outstanding building in any streetscape, or an adjoining contributory building in a Level 1 or 2 streetscape. Generally, this means that the building should neither exceed in height, nor be positioned forward of, the specified adjoining building. Conversely, the height of the facade should not be significantly lower than typical heights in the streetscape. The facade should also not be set back significantly behind typical building lines in the streetscape.*

*These provisions do not apply to land within Schedule 5 to the Capital City Zone (City North).*

##### *Building Height*

*The height of a building should respect the character and scale of adjoining buildings and the streetscape. New buildings or additions within residential areas consisting of predominantly single and two-storey terrace houses should be respectful and interpretive.*

##### *Archaeological Sites*

*Proposed development must not impact adversely on the aboriginal cultural heritage values, as indicated in an archaeologist's report, for any site known to contain aboriginal archaeological*

*relics.*

*Sites of Historic or Social Significance*

*An assessment of a planning application should take into account all aspects of the significance of the place. Consideration should be given to the degree to which the existing fabric demonstrates the historic and social significance of the place, and how the proposal will affect this significance. Particular care should be taken in the assessment of cases where the diminished architectural condition of the place is outweighed by its historic or social value.*

33. The proposed new *Heritage Places Outside the Capital City Zone (Clause 22.05)* in Amendment C258 includes the following guidelines with respect to demolition and additions.

*22.05-5 Demolition*

*Full demolition of significant or contributory buildings will not normally be permitted.*

*Partial demolition will not normally be permitted in the case of significant buildings or the front or principal part of contributory buildings.*

*The poor condition of a significant or contributory building is not in itself justification for permitting demolition.*

*A demolition permit should not be granted until the proposed replacement building or works have been approved.*

*Where approval is granted for full demolition of a significant building, a recording program including, but not limited to, archival photographic recording and/or measured drawings may be required prior to demolition, to the satisfaction of the Responsible Authority.*

*Demolition of front fences and outbuildings which contribute to the significance of the heritage place will not normally be permitted.*

*Before deciding on an application for full or partial demolition, the responsible authority will consider, as appropriate:*

- *The assessed significance of the building.*
- *The character and appearance of the building or works and its contribution to the historic, social and architectural values, character and appearance of the heritage place.*
- *The significance of the fabric or part of the building, and the degree to which it contributes to the perception of the three-dimensional form and depth of the building.*
- *Whether the demolition or removal of any part of the building contributes to the longterm conservation of the significant fabric of the building.*

*[...]*

*22.05-7 New Buildings*

*New buildings should not detract from the assessed significance of the heritage place.*

*New buildings should:*

- *Be respectful of the heritage place and in keeping with:*
  - *Identified 'key attributes' of the heritage precinct.*
  - *Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.*
  - *Prevailing streetscape height and scale.*
- *Not obscure views of the front or principal part of adjoining significant or contributory buildings.*
- *Not dominate or visually disrupt the appreciation of the heritage place by:*
  - *maintaining a facade height which is consistent with that of adjoining significant or contributory buildings, whichever is the lesser, and*
  - *setting back higher rear building components.*

- *Not adopt a facade height which is significantly lower than prevailing heights in the streetscape.*
- *Neither be positioned forward of adjoining significant or contributory buildings, or set back significantly behind the prevailing building line in the streetscape.*
- *Not build over or extend into the air space above the front or principal part of an adjoining significant or contributory building.*
- *Where abutting a lane, be respectful of the scale and form of historic elements of heritage places abutting the lane.*

*The design of new buildings should:*

- *Adopt high quality and respectful contextual design.*
- *Adopt an interpretive design approach to other details such as verandahs, fences and shopfronts.*

*In significant streetscapes, higher rear parts of a new building should be concealed.*

*In other streetscapes, higher rear parts of a new building should be partly concealed.*

#### *22.05-8 Additions*

*Additions to buildings in a heritage precinct should be respectful of and in keeping with:*

- *Identified 'key attributes' of the heritage precinct.*
- *Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.*
- *Character and appearance of adjoining significant and contributory buildings.*

*Where abutting a lane, additions should be respectful of the scale and form of historic development to the lane.*

*Additions to significant or contributory buildings should:*

- *Be respectful of the building's character and appearance, scale, materials, style and architectural expression.*
- *Maintain the perception of the three-dimensional form and depth of the building by setting back the addition behind the front or principal part of the building, and from visible secondary elevation(s).*
- *Retain significant roof form within the setback from the building facade.*
- *Not obscure views of facades or elevations associated with the front or principal part of the building.*
- *Be distinguishable from the original fabric of the building.*

*The design of additions should:*

- *Adopt high quality and respectful contextual design.*
- *Avoid a direct reproduction of historic elements.*
- *Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.*

*Additions to a significant or contributory building should be concealed in significant streetscapes.*

*In other streetscapes, additions to significant buildings should always be concealed, and to contributory buildings should be partly concealed:*

- *For a second-storey addition to a single storey building, concealment is often achieved by setting back the addition at least 8 metres behind the front facade.*
- *A ground level addition to the side of a building should be set back behind the front or principal part of the building.*

*Additions to corner properties may be visible, but should be respectful of the significant or contributory building in terms of scale and placement, and not dominate or visually disrupt the appreciation of the building.*

34. The site is also located within a Design and Development Overlay (DDO29), which has a preferred maximum building height of 4 storeys. The relevant design objectives and guidelines are reproduced as follows.

*1.0 Design Objectives*

- *To acknowledge the transitional nature of the area.*
- *To encourage the development of a new built form character and the retention of the mixed use nature of the area.*
- *To acknowledge the potential for higher density development near North Melbourne Railway Station.*

*2.0 Buildings and works*

*An application must be accompanied by a site analysis and urban context report which demonstrates how the proposed building or works achieve each of the Design Objectives and Built Form Outcomes of this schedule, and any local planning policy requirements. In calculating the building height based on storeys, the following floor to floor dimensions should apply:*

- *3.5 metres for residential use,*
- *4 metres for non-residential use.*

*Buildings or works should not exceed the Maximum Building Height specified in the table to this schedule.*

*An application to exceed the Maximum Building Height must demonstrate how the development will continue to achieve the Design Objectives and Built Form Outcomes of this schedule and any local planning policy requirements.*

*Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of architectural features and building services.*

<i>AREA</i>	<i>MAXIMUM BUILDING HEIGHT</i>	<i>BUILT FORM OUTCOMES</i>
<i>DDO 29 West Melbourne</i>	<i>4 storeys</i>	<i>Higher buildings and a new built form character.  Development reflects the higher building forms in the area.  Development respects the scale of, and provides a transition to, adjoining lower scale heritage buildings.</i>

**10.0 The Proposal**

35. In the amended scheme under consideration, it is proposed to partially demolish the existing buildings on the site and construct a multi-storey residential addition incorporating retained heritage frontages. The demolition and proposed new works are described separately as follows.

*Proposed Demolition*

36. It is proposed to completely demolish the existing structure at 164-170 Roden Street. Part of the interior volume and all the roof of 172 Roden Street will be demolished. The existing street facades will be retained to their full height, and the interior volume including the floor slab and interior columns behind to a depth of one structural bay (the depth varies, but is generally in the order of 6 to 7

metres). As previously mentioned, *Clause 22.05* of the *Melbourne Planning Scheme* provides the following guidance as to the demolition of elements at heritage sites.

*Demolition*

*Demolishing or removing original parts of buildings, as well as complete buildings, will not normally be permitted in the case of 'A' and 'B', the front part of 'C' and many 'D' graded buildings. The front part of a building is generally considered to be the front two rooms in depth.*

*Before deciding on an application for demolition of a graded building the responsible authority will consider as appropriate:*

- *The degree of its significance.*
- *The character and appearance of the building or works and its contribution to the architectural, social or historic character and appearance of the streetscape and the area.*
- *Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of that building.*
- *Whether the demolition or removal is justified for the development of land or the alteration of, or addition to, a building.*

*A demolition permit should not be granted until the proposed replacement building or works have been approved.*

37. 164-170 Roden Street was built in 1925 and comprises part of the heritage place. While its retention would be desirable, in balance its demolition in the context of the appropriately designed infill building (described further on in this report) is something that may reasonably be contemplated in this location. In their current form, the Roden and Hawke Street elevations are not particularly prominent, and they are lowly graded. The conversion of the addition into residential apartments would require the creation of substantial new openings in these elevations, which would compromise its existing street presentation. As noted, this component of the complex was erected in 1925 some decades after the 1889 construction of the original part of the building. It did not form part of a unified architectural composition with either the 1889 structure at 172 Roden Street or its 1937 remodelling. When these issues are considered together, the proposed demolition of this building will represent a limited loss of significance for the site and wider precinct.
38. Given the building is 'D' grade and on this basis 'non-contributory', its demolition can be considered acceptable with regard to Council policy.
39. The extent of demolition of the interiors of 172 Roden is acceptable given no internal controls apply to the building, and the interiors have not been identified as being of significance or note. Demolition of the roof structure is acceptable given it has very limited visibility from street level and does not form an integral part of the public presentation of the building. The key significant elements are the facades to Roden, Adderley and Hawke Streets, and these are being retained. The extent of demolition is consistent with Council policy guidelines for retention of the 'front parts' of 'D' grade buildings, with the depth of retention varying but being in the order of 6 to 7 metres, and noting that for the purposes of policy analysis this is a non-contributory building.
40. As noted, the proposed *Heritage Places Inventory 2017* provides a simpler grading system of 'Significant', 'Contributory' and 'Non-contributory' for buildings, and

'significant' or 'not significant' for streetscapes, and has three entries relating to the subject development site, which are cited as follows.

<i>Street</i>	<i>Number</i>	<i>Building Grading</i>	<i>Significant Streetscape</i>
<i>Roden Street</i>	<i>164-170, part (Briscoe and Co ironmongers warehouse complex, Hawke Street Wing)</i>	<i>Significant</i>	-
<i>Roden Street</i>	<i>164-170, part (Briscoe and Co ironmongers warehouse complex, Roden Street Wing)</i>	<i>Contributory</i>	-
<i>Roden Street</i>	<i>164-184, Briscoe and Co ironmongers warehouse complex</i>	<i>Significant</i>	-

41. With regard to the question of demolition, the key observation to be made is that these gradings effectively elevate the significance of portions of the site. The significant grading of the main warehouse component, fronting all three streets, and of the Hawke Street wing of part of the complex, suggests a significance that is greater than the present grading, but that reflects to the proposed *West Melbourne Heritage Review* gradings. The full demolition of a significant component such as the Hawke Street wing is not encouraged under the heritage policy proposed within Amendment C258.
42. This said, it is not my view that these proposed changes, as yet untested in terms of either the *West Melbourne Heritage Review* or Amendment C258, provide a strong argument against the exercise of discretion in favour of the works as presently proposed.

*Proposed development*

43. The amended scheme under consideration incorporates a series of changes that have been made in response to concerns raised by Council and others. Key changes in relation to heritage impacts are the deletion of the proposed roof terraces and pergolas, and the introduction of substantial setbacks to the top floor (sixth floor) along the external boundary sides of the site.
44. The development proposal comprises construction of an infill building to the land at 164-170 Roden Street to form a podium element, modifications to the retained facades of 172 Roden Street, and an upper level additions, being a total of eight storeys (ground, upper ground, and first-sixth floors) plus basements.
45. The infill building to replace 164-170 Roden Street will be of similar scale to 172 Roden Street and, along with the retained three storey envelope of 172 Roden Street, will act as part of the podium to the proposed upper storeys. It will present as a contemporary interpretation of the traditional warehouse typology, with red face brick facades containing three bays of larger window openings at street level, with similarly proportioned arched openings above. Pedestrian entries will be located on the south side of each facade. The parapet line will be set slightly lower than that of 172 Roden Street, subtly placing emphasis on this building. The north elevation of the infill will reproduce the serrated saw-tooth roof profile of the existing 1925 structure in an interpretative manner.

46. The internal conversion of 172 Roden Street will involve unifying the internal plan with that of 164-170 Roden Street. It will include two levels of basement car and bicycle parking. At ground floor split level apartments will be located around the street frontages, with further car parking in the centre of the building. The upper ground floor will contain apartment spaces overlooking each of the street frontages, with an additional ring of apartments opening onto a landscaped communal internal courtyard space. The first and second floors will be similar in plan, the second floor perimeter apartments featuring small roof terraces.
47. Modifications will be made to the arrangement of door and window openings of the retained street facades. Five large openings will be created at ground floor along the Roden Street facade by the removal of a vehicle entry and the enlargement of the existing non-original shopfront windows. Along Adderley Street, a further six large openings will be created by enlarging existing entries and windows, leaving six examples of the original narrow arched Victorian windows. The Hawke Street frontage will receive similar changes, with five new large street level openings. All existing door and window joinery to each elevation will otherwise be removed. Each of the newly created large street level openings will contain a pedestrian entrance and a small outdoor terrace, with glazing above. The recessed balconies will be set with unglazed charcoal finished window frames with a finer grid of panes in a manner reminiscent of the existing c.1937 window joinery.
48. Upper storey additions will comprise two parallel, 4 floor building volumes constructed above both 164-170 and 172 Roden Street, rising above each side of the central courtyard space. The 5<sup>th</sup> and 6<sup>th</sup> floors will be set back between approximately 5.7-6.79 metres along the Adderley Street frontage, a minimum of 2.33 metres along the Roden Street frontage, 1.63 metres along Hawke Street and 4.07-4.86 metres from the boundary with the adjacent site to the north east. The 7<sup>th</sup> floor will have a much greater set back of approximately 10.2 metres from the north east boundary. The partial top 8<sup>th</sup> floor storey will have further setbacks of approximately 11.41-11.94 metres from the Roden Street boundary, 12.87-13.95 metres from Adderley Street, 10.87-11.81 metres from Hawke Street and 16.81-17.70 metres from the adjacent site to the north east. The elevations of the new upper storeys will comprise a gridlike treatment of horizontal and vertical precast concrete strips containing large glazed windows with a smaller window panes that are interpretative of the existing upper level factory windows.

## 11.0 Discussion

49. Key considerations in assessing the heritage impacts of the proposed development are its effects on the significance of the 'D' graded structures on the site, the adjacent streetscapes and the heritage overlay area, and the responsiveness of the design to relevant Council policy.
50. 'D' grade buildings in Level 3 streetscapes outside the Capital City Zone, such as the structures on the subject site, are considered 'non-contributory' with respect to relevant Council heritage policies, and as such, their demolition or alteration can be considered acceptable with regard to *Clause 22.05*. Accepting this, the proposal seeks to retain the imposing external form of the larger building at 172 Roden

Street. This both acknowledges the historic presence of the relatively prominent Briscoe Store on the site and reduces the extent of change to the adjacent streetscapes and surrounding precinct.

51. The changes to the retained street facades are required to provide necessary light and amenity to the apartments. The larger new openings proposed at street level are of a scale commonly seen industrial buildings with street shopfronts and that typically need maximum natural light infiltration. Furthermore, the existing arrangement of openings dating from varying periods is somewhat architecturally incoherent, so the facades are capable of receiving this extent of change without unduly diminishing their overall presentation and legibility. Representative examples of narrow arched nineteenth century window openings are being retained. The aluminium framing of the proposed windows is in keeping with the building's industrial character.
52. The visual impact of the upper level additions responds to the surrounding context through setbacks, its medium-rise scale, and its contemporary yet interpretative architectural treatment. The removal of the roof top terraces and pergolas has reduced the overall height. The additional setbacks in the amended scheme partly reduce the visibility of the top level as seen from the adjacent streets. More generally, the setbacks assist in rendering the upper levels a secondary element relative to the streetscape envelopes below. The step down to a two-storey upper level at the northern end provides a transition in scale toward the lower built form (including graded buildings) on neighbouring sites to the north. The treatment to the elevations references a gridlike facade treatment that commonly characterises older industrial buildings. A relatively neutral and low-key palette of external materials and finishes has been chosen.
53. The scheme incorporates aspects of the massing and scale of the existing building on the site in a coherent architectural composition, achieving a quality architectural outcome respectful the valued character of the area and the adjacent heritage streetscapes.
54. The design approach of retaining an industrial or commercial heritage building to form a podium with substantial upper level additions at a set back or above a recessed level is well established, with many recent precedents in the City of Melbourne and other inner city municipalities.
55. These include 205-223 Pelham Street, Carlton, a scheme where a 12 storey tower was proposed behind a podium formed by the retained factory frontages of a C grade building. The redevelopment of the registered Victoria Brewery in Victoria Parade, East Melbourne, and of the registered Yorkshire Brewery in Collingwood, as well as various buildings within the Foy and Gibson precinct in Collingwood, provide further comparison, as does the recent redevelopment of the registered Dimmeys site at 140-160 Swan Street, Richmond. A permit has been issued for a development at 1-3 Flemington Road and 245-249 Peel Street for the partial demolition of existing buildings with the retention of the frontage of the Turf Club Hotel, and the construction a 21 storey residential tower above at a setback. (This site is also located in HO3). Within the CBD a notable comparison is the recent approvals for a tower for the C grade building at 1 Queen Street, for the 2 storey heritage building at 17-23 Wills Street, and for the former motor showroom at 111-125 A'Beckett Street, Melbourne.

56. There are numerous other precedents within industrial heritage sites in the inner metropolitan area, with broadly comparable industrial sites in partially residential settings being found in Abbotsford and Richmond in particular.
57. The adjacent site to the north along Roden Street is likely to be redeveloped with more substantial built form in the future. The adjacent blocks along the south side of Adderley Street include large sites with non-heritage buildings that are also likely to receive more intensive development.
58. The development is sufficiently responsive to its surrounding context in terms of its setbacks, scale and massing, in keeping with policy recommendations regarding new development in heritage places under *Clause 22.05*.
59. Council's Heritage Advisor and Delegate Officer had differing views on the proposal. Council's heritage advisor was not supportive of the proposed demolition of the building at 160-170 Roden Street and 135-141 Hawke Street and concluded the proposed development would 'overwhelm the graded building and would far exceed the scale of the adjacent heritage buildings'.
60. The Delegate's Officer's report placed more emphasis on balancing heritage with other planning considerations that encouraged the redevelopment of large inner city industrial sites such as this. It concluded the proposed demolition of 160-170 Roden Street and 135-141 Hawke Street was acceptable from a heritage perspective given this building had already undergone alteration and was not one that would readily allow for the creation of new openings as part of a repurposing of the building. It considered the extent of retention of the facade of 174-184 Roden Street acceptable.
61. With respect to the new building volume, it was considered that the initially proposed 8 storeys massing was excessive, and recommended that either the top floor incorporate setbacks to eliminate its visibility from the public realm, or it be deleted from the scheme altogether. The scheme has been amended to incorporate setbacks to the top floor in response to the former recommendation. The external character of the new envelope including its materials and finishes was considered respectful. Overall, the Council Delegate concluded that were the originally proposed 8<sup>th</sup> floor be revised (by setbacks or its removal), the proposal was acceptable with respect to heritage considerations.
62. In conclusion, the proposed development scheme for 172-184 Roden Street strikes an appropriate balance between retaining the street presence of the D graded former Briscoe building at 172 Roden Street while allowing its redevelopment and adaptation for future residential use. The proposed infill podium at 164-170 Roden Street is of an appropriately sensitive, interpretative design. The scale, setbacks and considered architectural character of the new works, including the proposed upper levels at varying setbacks, will represent evolutionary change to the site rather than an abrupt departure from the existing built form. It will not adversely affect the significance of the adjacent streetscapes and wider overlay, particularly given the mixed character of the immediately neighbouring streetscapes.
63. The scheme has been designed with appropriate regard for relevant Council policy and heritage considerations more generally, and represents a reasonable and considered proposal on that basis.

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**BRYCE RAWORTH  
M.A.R.C.H., B.A.(HONS), ICCROM(ARCH)**

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.

Since 2004 Raworth has been 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 and Stonnington.

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. The firm is currently completing documentation for significant heritage places and areas in the City of Stonnington.

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.

# **BRYCE RAWORTH**

## **STATEMENT OF EXPERIENCE**

*Bryce Raworth Pty Ltd  
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## BRYCE RAWORTH

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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:** 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
- member, Historic Buildings Council (architectural historian's chair) 1993-1996; member, Heritage Council (architect's chair) 1998-2002
- 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)
- 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
- Studies:** Certificate of Architectural Conservation, ICCROM (International Centre for the Study of the Preservation and the Restoration of Cultural Property at Rome), 1994
- Master of Architecture by thesis, University of Melbourne, 1993 (thesis: *A Question of Style: Domestic Architecture in Melbourne, 1919-1942*)
- B. Architecture (First Class Honours), University of Melbourne, 1986
- B. Arts (Second Class Honours, Division A), University of Melbourne, 1986
- Committee Membership:** Twentieth Century Buildings Committee, National Trust of Australia (Victoria), 1990-1994 (Chairman 1992-1993)
- RAIA Jury, Conservation Category, 1995, 1996, 1998 and 2001 Awards (Chairman 1996 & 1998)
- Awarded:** Henry and Rachel Ackman Travelling Scholarship in Architecture, 1987-88
- JG Knight Award, conservation of Heide 1, Royal Australian Institute of Architects, Victorian Chapter, 2003
- Lachlan Macquarie Award for heritage (commendation), conservation of Heide 1, Royal Australian Institute of Architects National Award program, 2003
- Award for Heritage Architecture, conservation of Coriyule Homestead, Australian Institute of Architects, Victorian Chapter, 2015
- National Award for Heritage, conservation of Coriyule Homestead, Australian Institute of Architects, 2015