

**Expert Witness Statement
for
Amendment C365 to the Melbourne Planning Scheme
Chart House, 372-378 Little Bourke Street, Melbourne**

2 December 2019

Prepared for the City of Melbourne under the instruction of Toby Hayes, Legal Counsel, by Jim Gard'ner | Director
BArch(Hons), BBSoc, GradDip(Conservation), GradCert (Visual Arts), RAIA, M.ICOMOS

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1. Introduction

1.1 Name and address of expert

- [1] James (Jim) Maitland Gard'ner, Director, GJM Heritage, Level 3, 124 Exhibition Street, Melbourne, VIC 3000.

1.2 Expert's qualifications and experience

- [2] I hold a Bachelor of Building Science and an Honours Degree in Architecture from Victoria University of Wellington (New Zealand), a post graduate diploma in building conservation from the Architectural Association of London and a graduate certificate in visual arts from Harvard University. I am registered with the Architects' Registration Board of Victoria (16044) and am a member of the Australian Institute of Architects, the Victorian Planning & Environmental Law Association and Australia ICOMOS (International Council on Monuments and Sites).
- [3] I have practiced as an architect on heritage buildings and new design projects in New Zealand and the United Kingdom, and have specialised in heritage conservation since 1997. I have worked as Project Architect on commercial projects in the World Heritage Listed City of Bath and, as a Historic Buildings Architect at English Heritage, I provided technical and regulatory advice on a diverse range of heritage places including Stonehenge, Bolsover Castle, Derbyshire and the Wellington Arch in London. At the National Trust of Australia (Victoria), I led the classification of heritage places on the National Trust Register and the development of responses to heritage and planning permit applications.
- [4] In my role as the Director, Strategy and Policy and then Executive Director at Heritage Victoria I developed and implemented heritage policy and guidance to assist in the interpretation of the provisions of the *Heritage Act 1995* including in relation to: the assessment of 'reasonable or economic use' under s73(1)(b) of the Heritage Act; *Victoria's Framework of Historical Themes*; *The Victorian Heritage Register Criteria and Threshold Guidelines*; and the *Victorian Government Cultural Heritage Asset Management Principles*. I previously Chaired the Royal Exhibition Building and Carlton Gardens World Heritage Steering Committee and have been a member of the Heritage Chairs and Officials of Australia and New Zealand. From 2012-15 I held the position of Executive Director, Statutory Planning and Heritage in the Victorian State Government where I administered the *Environment Effects Act 1978* (Vic) and advised the Minister for Planning on planning scheme amendments and permit decision making under the *Planning and Environment Act 1987* (Vic).
- [5] As an independent heritage consultant, I have advised on heritage assessment, management and works to heritage places including private dwellings, places of worship, institutional and commercial buildings, and industrial properties. I continue to advise local and State Governments on statutory planning approvals and strategic planning matters and have undertaken place specific assessments and area heritage studies.

1.3 Statement identifying the expert's areas of expertise to make this report

- [6] I am expert in the assessment of cultural heritage significance of historic heritage places, the administration of legislation to regulate and manage historic heritage places and objects, and in providing advice and preparing documentation to support conservation and redevelopment of heritage places. I have experience and expertise in formulating and implementing policy and controls for heritage places.
- [7] As Executive Director under the Heritage Act I have been the independent statutory decision maker for heritage permits for works to heritage places and objects, and consents for the disturbance or destruction of historical archaeological sites.
- [8] As a consultant I have prepared numerous Heritage Impact Statements detailing the impact of proposed works upon places included on both the Victorian Heritage Register and the Heritage Overlay, and have provided independent peer review of development proposals on behalf of local planning authorities.
- [9] I have provided expert evidence to VCAT, Planning Panels Victoria and the Heritage Council of Victorian under the instruction of private property owners, developers and local government.

1.4 Statement identifying other significant contributors to the report

- [10] This report was prepared with the assistance of Felicity Coleman, Heritage Consultant, of GJM Heritage. The views expressed in this report are my own.

1.5 The identity and qualifications of the person who carried out any tests or experiments upon which the expert relied in making the report

- [11] No tests or experiments were relied upon in making this report.

1.6 Instructions

- [12] On 15 November 2019 I was instructed in writing by Mr Toby Hayes, Legal Counsel at the City of Melbourne, to prepare an expert witness report in respect of heritage matters relating to Planning Scheme Amendment C365.
- [13] I was provided with a copy of Planning Panels Victoria's guide for Expert Witnesses (April 2019).

1.7 Relationship between the expert witness and the City of Melbourne

- [14] Outside of providing heritage advice on various heritage matters, there is no private or business relationship between myself and the City of Melbourne.

1.8 Reports and documents relied upon

- [15] The documents I have relied upon in the preparation of my evidence are:

- Documentation for Amendment C271 – Guildford and Hardware Laneways Heritage Panel Hearing including:
 - Amendment C271 to the Melbourne Planning Scheme, Part A Submission of the Planning Authority, 11 July 2018
 - Statement of Evidence and Report to Planning Panel, Melbourne Planning Scheme Amendment C271 Guildford and Hardware Laneways Heritage Study, Lovell Chen, July 2018
 - Memorandum: Response to Submissions on Amendment C271 – Guildford and Hardware Laneways Study Submissions, Lovell Chen, 28 March 2018
 - 372-378 Little Bourke Street & 15-17 Niagara Lane, Expert Heritage Evidence prepared for Berjaya Developments Pty Ltd by Robyn Riddett, July 2018
 - Melbourne Planning Scheme Amendment C271 Guildford and Hardware Lanes Heritage Study Panel Report, 6 September 2018
- Documentation for Amendment C271 – Guildford and Hardware Laneways Heritage Study including:
 - Report to the Future Melbourne (Planning) Committee Planning Scheme Amendment C271 Guildford and Hardware Laneways Heritage, Agenda Item 6.2, 13 November 2018
 - Submissions to Agenda Item 6.2
 - Resolutions of the Future Melbourne Committee meeting held on 13 November 2018
 - Gazetted Planning Scheme Amendment documentation for C271 including Guildford and Hardware Laneways Statements of Significance Incorporated Document and Guildford and Hardware Laneways Heritage Study (updated August 2018)
- Letter from Melbourne Heritage Action in regards to the heritage status of 372-378 Little Bourke Street, Melbourne, 24 December 2019
- Memorandum of Advice: Chart House, 372-378 Little Bourke Street, Melbourne – Independent Assessment of Significance, GJM Heritage, 28 January 2019 (Annexure A)
- Memorandum: Review of heritage significance of 372-378 Little Bourke Street, Melbourne, Lovell Chen, 11 February 2019
- Planning Scheme Documentation for Amendment C355 – Chart House, 372-378 Little Bourke Street, interim heritage controls.
- Documentation for Amendment C365 – Chart House Heritage, 372-378 Little Bourke Street including:

- Management Report to Future Melbourne (Planning) Committee, Planning Scheme Amendment C365 Chart House (372-378 Little Bourke Street), 17 September 2019 – Agenda item 6.2
- Submissions to Agenda Item 6.2
- Resolutions of the Future Melbourne Committee meeting held on Tuesday 17 September 2019
- Planning Scheme Amendment documentation for C365 including Strategic Assessment Guidelines
- Guildford and Hardware Laneways Heritage Study, Lovell Chen, May 2017 (updated September 2019)
- C365 submissions from the public provided to me by Ms. Helen Knight, Senior Strategic Planner, Heritage, City of Melbourne
- Historical documentation including:
 - Aerial view of the central business district of Melbourne from Flinders Street railyards looking north-west, 1950-60, Charles Pratt (Accession no. H2008.41/158)
 - Aerial view of Melbourne, 1950-6, Charles Pratt (Accession no. H2016.33/30)
 - Building Application File for 56/8 Hardware Street, Melbourne VPRS 11201 P1 Unit 246 Public Record Office Victoria
 - Building Application File for 372-378 Little Bourke Street, Melbourne VPRS 11201 P1 Unit 272 Public Record Office Victoria
 - Building Application Plans for 'Six storey concrete and brick building at 372-8 Little Bourke Street, Melbourne for J Donne Esq' VPRS 11200 P4 Unit 543 and VPRS 11200 P4 Unit 544 Public Record Office Victoria
 - Building Application Plans for 56-58 Hardware Lane and 11-13 Niagara Lane, Melbourne VPRS 11200 P4 Unit 403 Public Record Office Victoria
- Clauses 15, 15.03-15, 21.06, 22.04, 43.01 and 71.02-3 of the Melbourne Planning Scheme
- Melbourne Planning Scheme Incorporated Document *Guildford and Hardware Laneways Heritage Study 2017: Heritage Inventory* (Amended September 2019)
- Melbourne Planning Scheme Incorporated Document *Amendment C258: Heritage Places Inventory* March 2017 (corrected for re-exhibition, November 2017)
- Planning Practice Note 1: Applying the Heritage Overlay (June 2015) (PPN1, 2015)
- Planning Practice Note 1: Applying the Heritage Overlay (August 2018) (PPN1, 2018)

1.10 Statement identifying the role the Expert had in preparing or overseeing the exhibited report(s)

- [16] GJM Heritage (GJM) prepared a Memorandum of Advice for the City of Melbourne on 28 January 2019 in respect of 372-378 Little Bourke Street. The Memorandum provided an independent assessment of the heritage significance of the building. This advice has informed Council's Amendment C355 and proposed Amendment C365 to the Melbourne Planning Scheme (in conjunction with a Memorandum prepared by Lovell Chen Architects and Heritage Consultants).
- [17] GJM was engaged by the City of Melbourne in January 2019 following their receipt of a submission from Melbourne Heritage Action (MHA) in regard to the grading of the subject property as 'non-contributory'. This was in response to Amendment C271 to the Melbourne Planning Scheme which sought to implement the findings of the *Guildford and Hardware Laneways Study* (2017) (the Study) undertaken by Lovell Chen. The Study assessed the property as 'non-contributory' to Little Bourke Street but 'contributory' to Niagara Lane within a newly proposed HO1205 – Guildford and Hardware Laneways Precinct. Following evidence given by heritage consultant, Robyn Riddett during the C271 Panel hearing, the Panel recommended the property in its entirety should be downgraded to 'non-contributory'.
- [18] MHA prepared a letter to the City of Melbourne post-C271 Panel that provided additional historical information suggesting that the building at 372-378 Little Bourke Street warranted a revised grading from 'non-contributory' to 'significant' to the precinct. It was at this stage that GJM was engaged to prepare an independent heritage assessment. The subsequent Memorandum of Advice was provided to the City of Melbourne on 28 January 2019.
- [19] In preparing this advice, GJM viewed original historical material at the Public Record Office Victoria, including Building Application Plans and Building Application Files, obtained high resolution copies of relevant aerial photographs from the State Library of Victoria, viewed Mahlstedt Fire Insurance Plans and sourced relevant newspaper articles on the National Library of Australia's Trove database.
- [20] The subject property was also visited on a number of occasions and inspected from the public realm (i.e Little Bourke Street and Niagara Lane), most recently on Friday 29 November 2019 during the preparation of this evidence.
- [21] GJM was not involved in the drafting of the Guildford and Hardware Laneways Study or Amendment C271.

1.11 Facts, matters and assumptions upon which statement proceeds

- [22] In the preparation of this report, it is assumed that all material referred to above, including the exhibited amendment documents, are current and correct in the information they contain at the time of completion of this report.

[23] All photos were taken by GJM unless otherwise stated.

1.12 Any questions falling outside the expert's expertise

[24] No questions have been raised that fall outside my expertise. However, I have not had specific regard to the economic and social impacts of this amendment, as the assessment of these impacts falls outside my area of expertise.

1.13 Summary opinion

[25] In summary, it is my view that:

- Having appraised the submissions, reviewed historical material and revisited the site in the preparation of this evidence, it is my opinion that the property at 372-378 Little Bourke Street should be identified as 'contributory' in its entirety to the Guildford and Hardware Laneways Precinct (HO1205).
- The building's clearly exhibits contributory elements as defined in the Precinct Statement of Significance for HO1205 including its period of construction, siting, materiality, detailing, form and historical use/occupation.
- The level of intactness of the building is consistent with the proposed definition of 'contributory' within Clause 22.04 under Amendment C258 within the Melbourne Planning Scheme and it should be identified as such in the *Heritage Places Inventory* Incorporated Document.

1.14 Declaration

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



Jim Gardner, Director - GJM Heritage

2. History and Description – 372-378 Little Bourke Street, Melbourne

2.1 Location

- [27] Chart House is located at 372-378 Little Bourke Street, Melbourne on a rectangular block of land orientated north-south that measures approximately 540m² in area. The east elevation faces Niagara Lane.



Figure 1. Location of 372-378 Little Bourke Street – outlined in red (@nearmap, 31 August 2019)

2.2 History

- [28] Chart House was constructed in 1941 for chart and map makers and sellers, John Donne & Son. The company was established in c.1870 and, prior to the construction of the subject building, had been located at various sites in the city, including Little Collins Street and Elizabeth Street.¹
- [29] The Mahlstedt Fire Insurance Plans show the subject site in 1888 (prior to the construction of Chart House) occupied by two, two-storey buildings (Figure 2). Numbered 13 and 15 Little Bourke Street at this time, they accommodated a printer and a tinsmith respectively.

¹ *Argus*, 31 July 1873, p. 3; *Argus*, 3 December 1883, p. 12.

These buildings can be seen in an Airspy aerial photograph dated c. 1927-28 (Figure 3). They are identical rectangular brick buildings with pitched roofs running parallel to Niagara Lane.

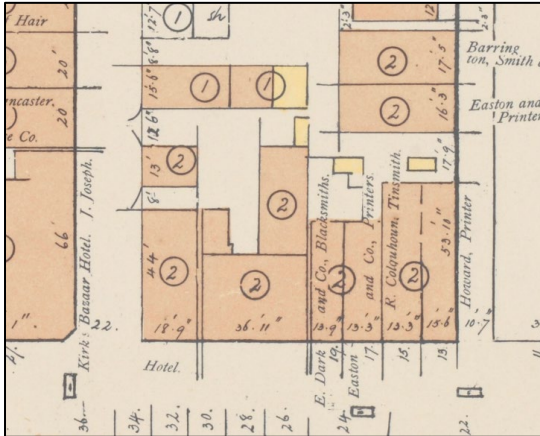


Figure 2. Detail of Mahlstedt fire insurance plan, 1888 showing the earlier buildings at the subject site, indicated (Source: State Library of Victoria)



Figure 3. Aerial photograph showing the two-storey buildings (indicated) originally occupying the subject site, c 1927-8 (Source: State Library of Victoria)

- [30] In 1940, a building permit was issued for the construction of a six-storey office/factory building, designed by architects, RM & MH King, to replace the two-storey buildings on the site. The owner was Arthur J Donne, of John Donne & Son.²
- [31] The new building was originally proposed as an extension to a Hardware Lane factory (no. 54-58) designed by the same architects in 1939, also for Donne (Figures 4 & 5). An article in the *Age* in August 1939 describes the proposed extension:

A project for a factory building at present being carried out in Hardware-street, city, is to be greatly extended with an additional block at the rear that will run at right angles and front Post-Office-place.³

...The new block will extend a further 56 feet [17.1m] back, and will have a depth of 112 feet [34.1m], bringing it out to Post Office-place with a frontage of 55 feet [16.8m]. The newer block will be of four storeys against three of the first block...

...The building generally is planned to be used in sections for various manufacturing enterprises and show rooms, and represents an important step forward in the design of accommodation for small enterprises.⁴

² Entry for 372-8 Little Bourke Street, application no. 21322, City of Melbourne Building Application Index, accessed via www.ancestry.com.au, 17 January 2019.

³ Post Office Place was a portion of Little Bourke Street between Queen and Elizabeth streets, www.emelbourne.net.au, accessed 18 January 2019.

- [32] The extension was not carried out as planned. RM & MH King instead designed a whole new building at the subject site, which was connected to the Hardware Lane property by a light well. The architectural drawings show the original design for the building, with five storeys above ground floor shops (Figure 6). The plans demonstrate that the original intent was to accommodate three street level shops; this was amended to two prior to construction (Figure 8). The building's principal façade to Little Bourke Street was designed with large rectangular steel-framed windows arranged in a regular grid pattern. The stairwell to the west and expressed by a series of paired narrow horizontal windows. The parapet was finished with a sign reading 'Donne'. The Niagara Lane elevation was designed as a plain facade, punctuated by the same steel-framed windows arranged in a regular grid pattern (Figure 7).
- [33] The 1948 Mahlstedt plan shows that the building was constructed with six floors (Figure 8). Oblique aerial photographs (Figures 10 & 11) dating to the mid-1950s show the building as it was constructed. It was largely carried out as designed, with some alterations. These included the ground floor shop modifications, relocation of the paired horizontal stair windows away from the floor plates, and deletion of the proposed circular plaque above.
- [34] By 1943, the building was known as Chart House and also accommodated the Department of Trade and Customs (Import Procurement).⁵ By 1950 it also housed a plasticwares company, manufacturers agents, and the Commonwealth Conciliation Commissioners. These were joined by the Patents Publications Bureau and the Commonwealth Trade Marks and Designs sub-office by 1960.⁶
- [35] Alterations to the building occurred in 1984-86, which included the removal of the parapet as well as changes to the fourth floor (which may be internal).

⁴ *Age*, 15 August 1939, p. 6.

⁵ City of Melbourne rate books, Hoddle Ward, Volume 119: 1943, rate no. 2514, VPRS 5708 P9, Public Record Office of Victoria; *Sands and McDougall Melbourne and suburban street directories*, 1944/5.

⁶ *Sands and McDougall Melbourne and suburban street directories*, 1950 and 1960.



Figure 4. Illustration showing the three-storey RM & MH King-designed office/factory at 54-58 Hardware Lane (Source: Age, 15 August 1939, p. 6)

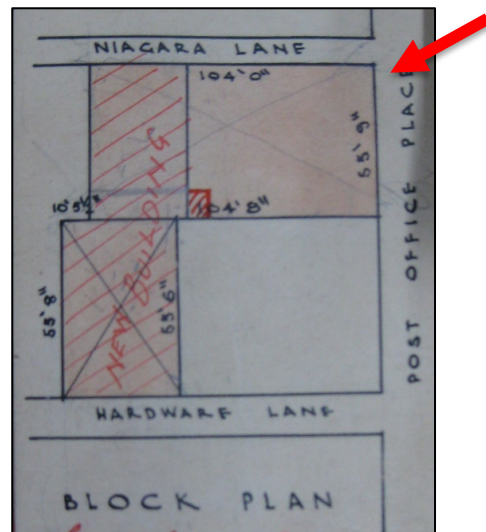


Figure 5. Block plan showing the building at 54-58 Hardware Lane, and the proposed extension to Little Bourke Street (Post Office Place, indicated) (Source: VPRS 11200 P4 Unit 403 Public Record Office Victoria)

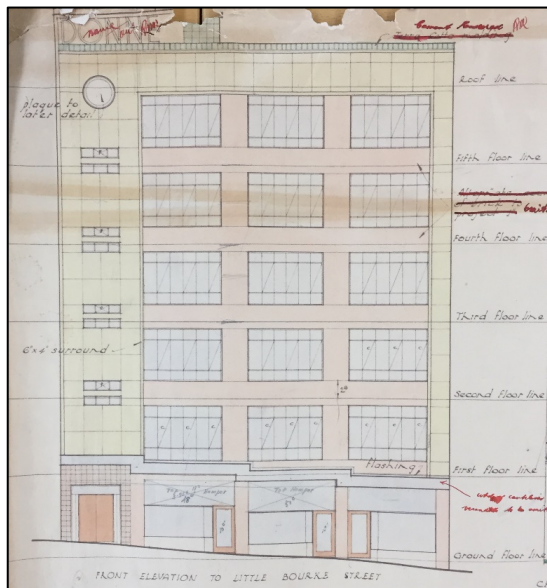


Figure 6. Original architectural drawing showing the front elevation of the subject site to Little Bourke Street (Source: VPRS 11200 P4 Unit 544 Public Record Office Victoria)



Figure 7. Original architectural drawing showing the side (east) elevation of the subject site to Niagara Lane (Source: VPRS 11200 P4 Unit 544 Public Record Office Victoria)

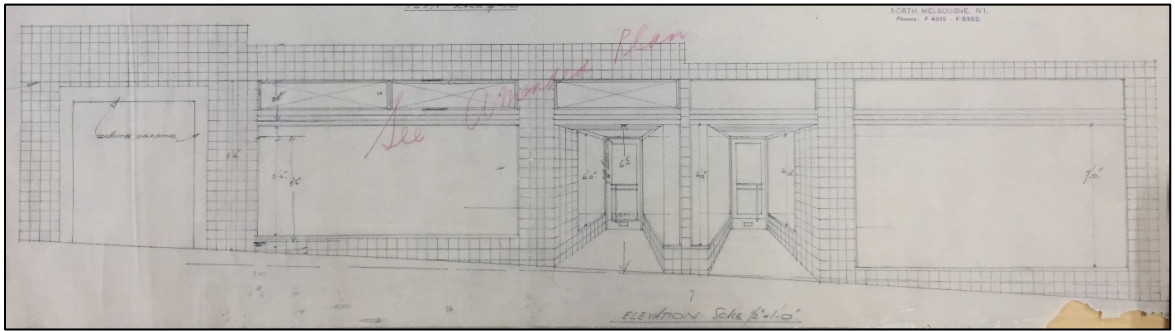


Figure 8. Architectural drawing showing the proposed shop fronts to Little Bourke Street (Source: VPRS 11200 P4 Unit 544 Public Record Office Victoria)

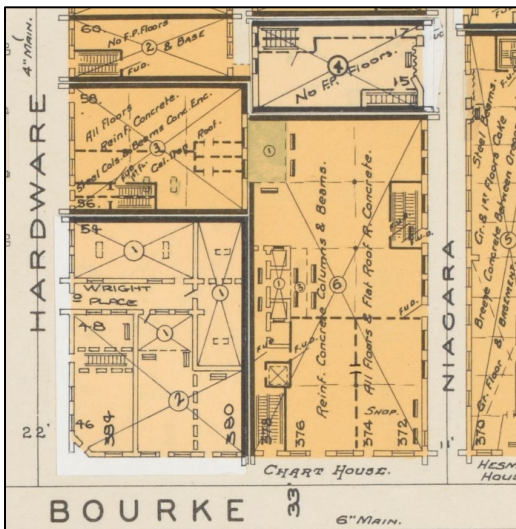


Figure 9. Mahlstedt fire insurance plan, 1948 showing Chart House; note the lightwell and connection to 54-58 Hardware Lane (Source: State Library of Victoria)



Figure 10. Aerial photograph showing the subject property from the south-west, c 1950-60 (Source: State Library of Victoria, Accession no. H2016.33/30)

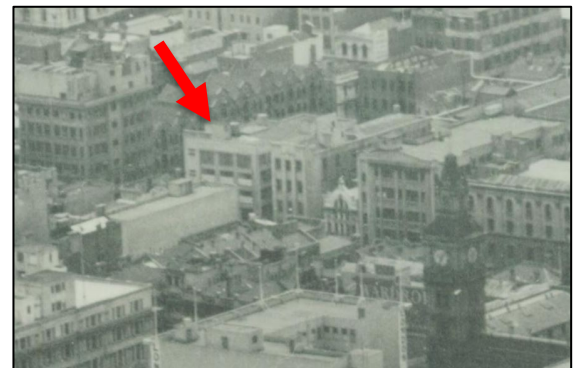


Figure 11. Aerial photograph showing the subject property from the south-east, c 1950-60 (Source: State Library of Victoria, Accession no. H2008.41/158)

2.3 The Architects

- [36] Ray Maurice King began practicing as an architect in Adelaide in 1891 before relocating to Melbourne the following year. In 1926, he partnered with his son, Maurice Harrington King, to establish the architectural firm, RM & MH King. Marketing themselves as architects and engineers, they designed many industrial and residential buildings in Victoria until their deaths in the 1950s.⁷
- [37] The firm designed a range of buildings, such as commercial premises, factories, churches and houses, in a range of styles, including the Moderne. Notable buildings included: Kurrajong House in Collins Street (1926-7), the Knox Presbyterian Church in Ivanhoe (1927), the Colonial Gas Company in Box Hill (1936), and the Hopkins Odlum Apex Belting factory in Footscray (1940).

2.4 Physical Context

- [38] Little Bourke Street, in the vicinity of the subject site, is a varied streetscape comprising buildings ranging in height from two to six storeys, and ranging in date from the nineteenth century through to the later twentieth century. Buildings display a range of similar characteristics depending on their period of construction, including face brick and rendered concrete facades, small timber-framed and larger steel-framed windows and parapets. Ground floor shopfronts have generally been altered through overpainting, re-cladding and re-glazing.
- [39] The 2017 Lovell Chen Study provides the following description of Niagara Lane:
- Niagara Lane is notable for its narrow width and the height and sheer walls of its built form. These factors combine to produce a heavily-overshadowed, canyon-like environment. Key buildings include a group of four, three-storey warehouses at nos 25-31 built in 1887 to designs by architect George De Lacy Evans. Other buildings are typically of interwar origin but nonetheless, reinforce the scale and red brick character of the lane. The narrow laneway also retains original bluestone kerbs, channels and flagstones, and is one of a number that incorporate heavy concrete buffers along its length to minimise damage from side impacts of passing vehicles.⁸*
- [40] This part of Little Bourke Street, including Chart House, is located within HO1205 – Guildford & Hardware Laneways Precinct.

⁷ Robin Grow, *Designing Art Deco in Victoria: RM & MH King*, Spirit of Progress: Journal of Art Deco Society Inc., Volume 5 No. 2 Issue 17, Autumn 2004, p. 8.

⁸ Lovell Chen Architects and Heritage Consultants, *Guildford and Hardware Laneways Heritage Study Methodology Report*, prepared for City of Melbourne, May 2017, p. 24.

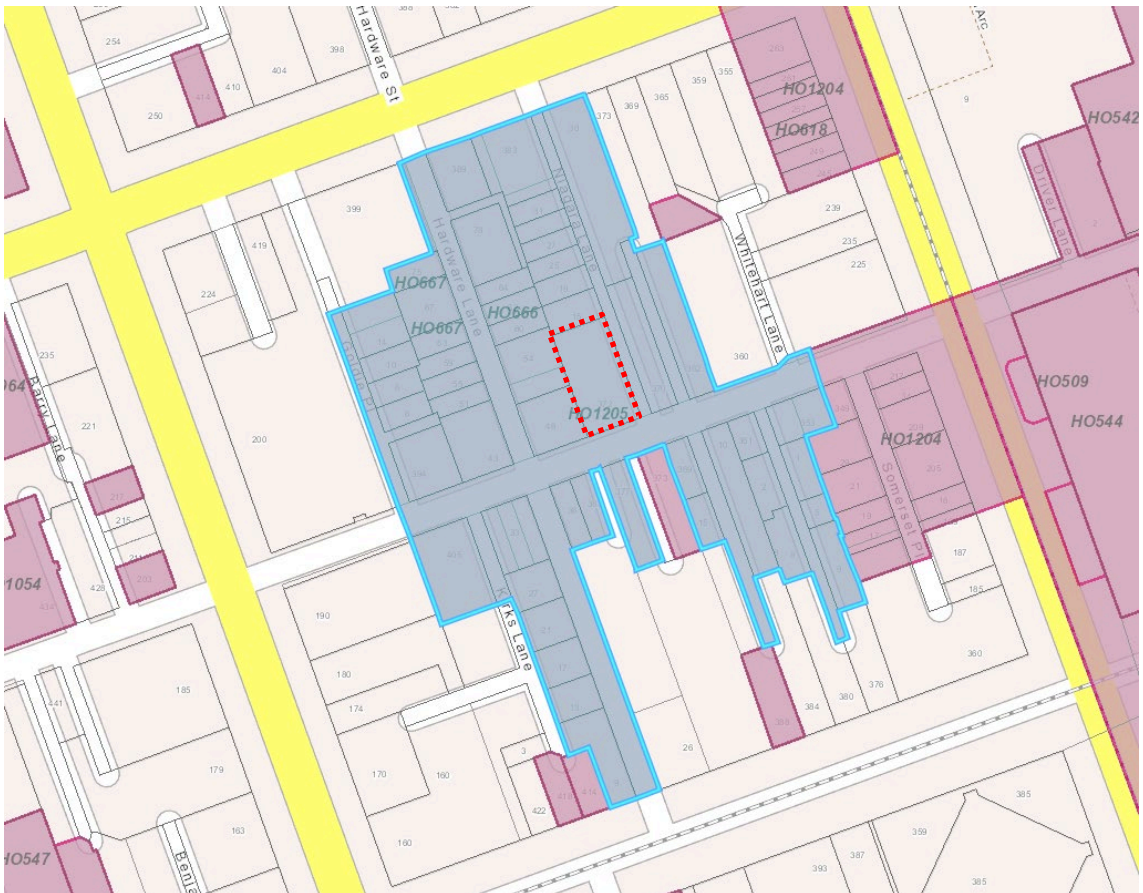


Figure 12. HO1205 – Guildford & Hardware Laneways Precinct outlined in blue; 372-378 Little Bourke Street outlined in red.

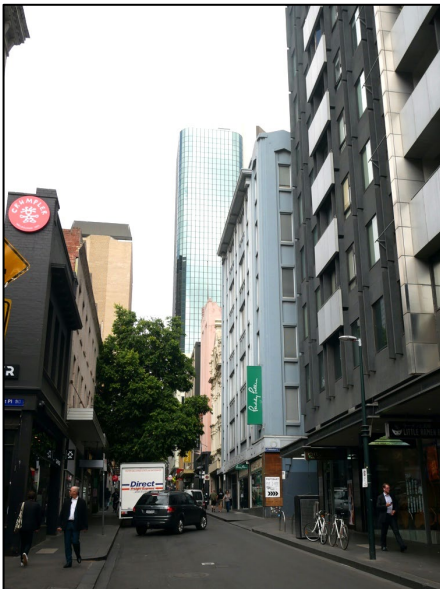


Figure 13. View towards Chart House from the eastern end of HO1205



Figure 14. View towards Chart House from the western end of HO1205



Figure 15. Niagara Lane from Little Bourke Street



Figure 16. Hardware Lane looking north from Little Bourke Street

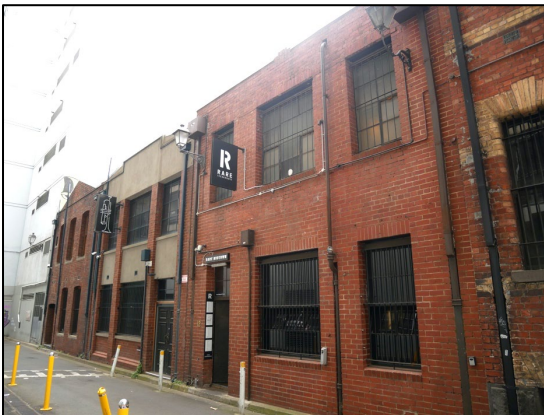


Figure 17. 10-12 and 14-20 Goldie Place (graded 'contributory')



Figure 18. 394-400 Little Bourke Street (Left; graded 'contributory') and 386-392 Little Bourke Street (Right; graded 'significant')



Figure 19. 380-384 Little Bourke Street (graded 'contributory')



Figure 20. 349-351 Little Bourke Street (Left, within HO1204) and 353-359 Little Bourke Street (Right; graded 'contributory')



Figure 21. Kirks Building, 393-397 Little Bourke Street (graded 'contributory')



Figure 22. Chart House (Left) and Niagra House, 368-370 Little Bourke Street (Right; graded 'contributory')



Figure 23. 369-371 Little Bourke Street (graded 'contributory')



Figure 24. O'Donohue's Building, 377-379 Little Bourke Street (Left; graded 'contributory') and 383-385 Little Bourke Street (Right; ungraded)



Figure 25. Eastern side of Hardware Lane, nos. 54-58 in foreground (graded 'contributory')

2.5 Description

- [41] The subject site comprises a six-storey concrete frame building constructed in 1941, located at the intersection of Little Bourke Street and Niagara Lane. The principal façade to Little Bourke Street comprises large rectangular steel-framed windows arranged in a grid pattern, with a stairwell located at the west end of this elevation. The stairwell is

expressed by a series of paired narrow horizontal windows set within rendered panels (Figures 26-28). At the roof level, the original parapet has been removed. At the ground-floor, the two shopfronts comprise recessed entries with terrazzo floors and large chromed steel framed windows, with projecting canopies extending over (Figures 30 & 31). The original tiled shopfronts have been rendered over and painted. Gold lettering reading 'JOHN DONNE & SON MAPS & GLOBES' survives in the highlight shopfront window of no. 372.

- [42] The Niagara Lane elevation is utilitarian, punctuated by the same rectangular steel-framed windows as the principal facade, and also arranged in a regular grid pattern (Figures 32 & 33). The west wall of the building visible above the lower neighbouring buildings has an expressed concrete frame with red brick infill.
- [43] It is my observation that the following changes have been made to the exterior of the building since its construction:
- Removal of parapet;
 - Removal of roof-top signage;
 - Rendering of the stairwell;
 - Painting of the stairwell element and Niagara Lane elevation in a dark grey;
 - Overpainting of ground floor shopfront tiles; and
 - Canopy detail.



Figure 26. Principal Little Bourke Street elevation



Figure 27. Principal Little Bourke Street elevation and Niagara Lane corner



Figure 28. Upper levels of the Little Bourke Street façade



Figure 29. West elevation viewed from Little Bourke Street



Figure 30. Shopfront - 374 Little Bourke Street



Figure 31. Shopfront - 372 Little Bourke Street



Figure 32. Niagara Lane elevation viewed from Little Bourke Street



Figure 33. Niagara Lane elevation viewed from Niagara Lane

3. Background to Planning Scheme Amendment C365

3.1 Guildford and Hardware Laneways Heritage Study (2017)

- [44] In 2016, Lovell Chen was engaged by the City of Melbourne to undertake the *Guildford and Hardware Laneways Heritage Study* (the Study) to determine which properties in the block bounded by La Trobe, Queen, Little Collins and Elizabeth streets warranted heritage protection under the Melbourne Planning Scheme. The Study was completed in 2017 and recommended the introduction of two new heritage precincts (Elizabeth Street West Precinct and Guildford and Hardware Laneways Precinct) and seven new individual Heritage Overlays.
- [45] The subject property was recommended for inclusion in the new HO1205 – Guildford and Hardware Laneways Precinct. Its proposed grading was unusual in that the east wall to Niagara Lane was identified as ‘contributory’ to the precinct, while the Little Bourke Street elevation was found to be ‘non-contributory’.
- [46] This approach was defined in the Study’s Methodology Report:

The property schedules attached to the precinct citations indicate where the rear or side of a property contributes to the historic character and significance of the precinct. This reflects the particular situation in these precincts, where the rear or side of a property can contribute to the heritage value and character of a laneway or little street. It can also occur where the front of a property has been changed or replaced, and has lost its heritage character and value, but the historic rear or side property component to the laneway is retained. In some cases these rear or side components or elevations have their own entrances, and historically have accommodated a different use or operation to the front or main building component.

3.2 Melbourne Planning Scheme Amendment C271

- [47] Amendment C271 sought to implement the findings of the Study by proposing heritage protection for the identified places and precincts. The Amendment was exhibited between 12 October and 23 November 2017.
- [48] The Statement of Significance for HO1205 – Guildford and Hardware Laneways Precinct, as exhibited in Amendment C271, was as follows:

What is significant?

The Guildford and Hardware Laneways Precinct is located in the Melbourne Central Business District. The precinct occupies parts of four city blocks bounded by La Trobe Street to the north, Bourke Street to the south, Queen Street to the west and Elizabeth Street to the east. The precinct has a comparatively high proportion of buildings of heritage value, and significant and contributory buildings in the precinct date from the 1850s through to the interwar period. While precinct development is diverse, many of the graded buildings are former factories and warehouses, with

some more modest workshops, of the late nineteenth and early twentieth centuries. The precinct boundary is not contiguous, and in some cases the laneways stop at little streets or main streets and thoroughfares, before recommencing on the other side. The side and rear elevations of buildings of significant and contributory heritage value, can also be important precinct contributors. Where there is historic development to both sides of a laneway or street, including the fronts, sides or rears of properties, the precinct boundary generally incorporates the subject laneway or street. Laneways also provide a setting to the properties, again including property sides or rears. Lanes within the precinct also retain, to a greater or lesser degree, original bluestone kerbs, channels and flagstones.

How is it significant?

The Guildford and Hardware Laneways Precinct is of historical, social and aesthetic/architectural significance to the City of Melbourne.

Why is it significant?

The Guildford and Hardware Laneways Precinct is of historical significance. The laneway network within the precinct provides evidence of the evolution and growth of the central city within the structure of the large city blocks and rigid geometry of the 1837 Hoddle Grid. While the grid plan included main streets, and east-west running little streets, the lanes proliferated off this framework, generally in a north-south direction, as the city evolved and developed. The precinct and its laneways and little streets also demonstrate changing historical land uses, and retain building types which reflect these uses and evolving patterns of occupation and development in central Melbourne. The number and extent of lanes in the precinct is reflective of their significant growth in the CBD from the mid-nineteenth to the mid-twentieth century, with 235 named lanes in the broader city by 1935. The precinct's lanes historically serviced the rears of properties fronting other streets, and acted as thoroughfares through large city blocks. Their typical north-south alignment is reflective of the boundaries of the late 1830s and 1840s large Crown allotments. With increasing subdivision, density and changing land use patterns, many early lanes also evolved into distinct streets with their own character and property frontages. The changing names of some lanes attests to their evolving histories and land uses. Throughout much of the second half of the nineteenth century, small scale residential development and commercial activity was the overriding precinct land use. The former included modest cottages and dwellings, sometimes of sub-standard construction; while the latter included Melbourne's famous horse bazaars, numerous hotels and small-scale workshops. From the late nineteenth century and into the early twentieth century, many earlier small buildings were demolished and replaced by larger factories and warehouses. The precinct's location, away from the

main commercial areas to the south and east, also enabled this next phase of development, due to the relatively cheaper land values. Diverse businesses occupied the buildings, and included printers, publishers and stationers, bulk stores, manufacturing businesses, and light industry. Many of these buildings remain in the precinct. In the later twentieth century, a new wave of residents and businesses were attracted back to the precinct, as part of the City of Melbourne's revitalisation of the central city laneways. (Criterion A)

The Guildford and Hardware Laneways Precinct is of social significance. This largely derives from the popularity of the revitalised and vibrant laneways of the precinct, with residents and visitors attracted by the activated laneway streetscapes, street art, and numerous bars, cafes, night clubs, galleries and boutique retail outlets. The laneways are also valued by the community as unique public spaces within the CBD. (Criterion G)

The Guildford and Hardware Laneways Precinct is of aesthetic/architectural significance. The laneways in particular form distinctive streetscapes within the central city, their significant heritage character enhanced by the diverse collection of historic buildings, including former factories and warehouses, with some workshops, and their rich materiality. Face red brick is the dominant material, complemented by bluestone, rendered masonry and concrete. The heritage character also derives from the narrow footprint and dimensions of the lanes, given emphasis by the bordering buildings with tall and/or long facades and walls, with no setbacks. Some warehouses have elevated ground floors, and visible subbasements, which while being illustrative of original loading arrangements, also contribute to the distinctive aesthetic of some lanes. Lanes within the precinct retain to a greater or lesser degree original bluestone kerbs, channels and flagstones, which also contribute to the materiality and heritage character of the precinct. (Criterion E) The precinct is additionally important for demonstrating the principal characteristics of the laneway network of the broader city. The alignment and layout of the precinct's lanes reflects their origin within the formal Hoddle Grid, their proliferation within the original large city blocks, and their historic servicing and right-of-way roles. Importantly, the laneways of the precinct also largely retain their original arrangement, as evident in nineteenth century sources. (Criterion D)

The following are the key characteristics of the precinct, which support the assessed significance:

- Laneways predominantly follow a north-south alignment, reflective of the boundaries of the large Hoddle Grid (Crown land) allotments of the late 1830s and 1840s.
- Density of laneways is reflective of their proliferation within the large city blocks from the mid-nineteenth century, following increased subdivision and changing land use patterns.

- *Laneways include those which are distinct streets with property frontages; and those which have formed to the sides or rears of properties.*
- *Narrow proportions, emphasised by walls of buildings, provide a unique character to the laneways as public spaces.*
- *Contributory components of buildings to the precinct include side and rear elevations, as well as property frontages and facades.*
- *Contributory building materials include face red brick, bluestone, rendered masonry and concrete. Of note is the limited overpainting of original external walls.*
- *Windows and doors expressed as punched openings in masonry walls rather than large expanses of glazing.*
- *Original window and (to a lesser degree) door joinery, including nineteenth century timber elements, and more commonly steel windows from the interwar period.*
- *Buildings are typically constructed from boundary to boundary, with no setbacks.*
- *Heights of buildings vary but are generally within the one to four storey range, with some exceeding this.*
- *Other notable built form characteristics include elevated ground floors and visible basements; high parapets and very little visibility of roof forms; original signage and building names; chamfered corners; hoists and crane beams to warehouses, providing access to upper levels; and timber and concrete buffers.*
- *There is a general absence of vehicle parking arrangements.*
- *Contributory laneway materials include bluestone kerbs, channels and flagstone.*

[49] On 28 March 2018 Lovell Chen prepared a memorandum of advice entitled 'Response to Submissions on Amendment C271 – Guildford and Hardware Laneways Study Submissions' which provided a response to MHA's post-exhibition submission that asserted that the building was largely unaltered and the non-contributory grading was incorrect. In their response to the MHA submission Lovell Chen stated:

A building permit was issued in 1940 (BA 21322) for erection of this building. The City of Melbourne building application index lists permits issued for alterations in 1985 (BA59319, \$15,000, alterations on the roof) and 1986 (BA60629, \$21,000, airconditioning, and alterations on the fourth floor and roof).

An oblique Airspy aerial photograph of c.1950 shows the original building, and on this basis it can be seen that alterations have subsequently been undertaken to the window arrangements, addition of a fifth floor, and change to detailing, possibly undertaken in the 1980s works referred to above.

While there appears to be original or early fabric to the ground floor shop fronts the presentation of the Little Bourke Street facade has been diminished by the works undertaken in the late twentieth century.

The Niagara Lane elevation, however, does contribute to the significance of that laneway, and retains earlier fabric, including windows.

The upgrading of the Little Bourke Street elevation is not considered appropriate in this instance.

Lovell Chen maintains that the contributory grading, with non-contributory Little Bourke Street elevation and contributory side elevation to Niagara Lane is appropriate.

[50] A panel hearing to consider Amendment C271 took place in July 2018. The proposed grading for the subject site was challenged by the owners of the subject property. Heritage consultant Robyn Riddett presented expert evidence arguing that the property should be graded non-contributory in its entirety and described the existing building as ‘a nondescript six storey concrete building’. Her view in relation to the subject building’s proposed inclusion in HO1205 is summarised as follows:

- The contribution of the east wall of no. 372-378 Little Bourke Street to the precinct and the streetscape of Niagara Lane is minimal in terms of actual fabric; the significance of the wall is seen solely as contributing to the ‘heritage value and character of a laneway’.
- As the wall’s contributory grading relates solely to its contribution to the laneway character, it is considered that this can also be achieved through another (i.e. replacement) wall of similar scale and appropriate design and detailing to the existing wall.
- To include the entire building of no. 372-378 Little Bourke Street in the HO solely for the perceived contribution of its side wall to the character of Niagara Lane is unwarranted.
- The subject building could be demolished in its entirety without heritage impact on the precinct.

[51] A submission, lodged by MHA on 19 September 2018 after the Panel hearings had concluded, sought a review of the subject property’s grading, stating that the building (in its entirety) should be identified as a heritage element within the precinct (specific grading unspecified). The submission asserted that there is little evidence to suggest that an additional floor was added at a later date or that the building’s facade was substantially

altered in the 1980s. It references the original architectural plans held at the Public Record Office, although these are not included within the submission.

- [52] In response to MHA's submission, Lovell Chen reiterated the previous view set out in the 28 March 2019 memorandum.
- [53] In their report to Council dated September 2018, the C271 Panel recommended that the subject property be retained within the heritage precinct but be downgraded from 'contributory' to 'non-contributory'. This recommendation was accepted by Council.

3.3 Additional material provided by MHA

- [54] In December 2018, MHA provided additional material to Council regarding the subject property. This included the original architectural drawings which, while referred to in their amendment submission, were not made available to the C271 Panel. MHA's letter to Council urged that the grading of the subject property be reviewed, stating that 'it is likely worthy of a listing as Significant, rather than Non-Contributory, within the Guildford and Hardware Laneways Heritage Precinct'. The findings of MHA are summarised as follows:
- It is clear that the building has been little altered from its original form when completed in 1941, as shown in the original plans for the building held at the Public Record Office Victoria.
 - The only alterations include: the 're-rendering of the yellow-coloured gridded part of the façade in a grey colour'; the lowering of the parapet; the removal of the building name above the parapet; and modifications to the entry including the rendering over of the ground level tiles.
 - It is a strikingly modern design for the period, with design elements more typical for the 1950s than the Art Deco styles which were predominant when it was built; the design is unusually Modernist for its date, more so than almost any other city building.
 - It fits within the identified significance of the Guildford and Hardware Laneways Precinct as a twentieth century factory/warehouse building that replaced earlier nineteenth century small buildings and also exhibits key features identified as contributory to the precinct.

3.4 GJM Heritage Assessment

- [55] In January 2019, GJM was commissioned by the City of Melbourne to provide an independent heritage assessment of the subject property. Specifically, GJM was engaged to:
- Assess whether the subject site is contributory (in its entirety) to the Guildford and Hardware Lane Precinct as described in the *Guildford and Hardware Laneways Heritage Study* (2017); and

- Assess whether Chart House warrants inclusion on the Heritage Overlay in its own right.
- [56] Having reviewed the documentary and physical evidence of Chart House, GJM concluded that 372-378 Little Bourke Street remains highly intact to its original construction in 1941, with the exception of the removal of the parapet, rendering over of the shopfront tiling and the re-rendering of the stairwell.
- [57] Our assessment concluded that the subject property is comparable with other contributory-graded buildings within the Guildford and Hardware Laneways Precinct and should similarly be graded 'contributory' in its entirety to HO1205. Our advice is provided at Annexure A to this evidence.
- [58] Although MHA argued that the subject building is worthy of a 'significant' grading within the Guildford and Hardware Laneways Heritage Precinct, GJM concluded that the subject building is not of individual significance as a particularly early example of a modern city building and that the less overtly decorated façade treatment reflected the financial and practical constraints of the period at the beginning of the Second World War, rather than an innovative approach to design. Instead, we found that the subject building is a 'contributory' element within the Guildford and Hardware Laneways Heritage Precinct.
- [59] Specifically, it was found that the subject building, in its entirety, falls within the identified historical period of significance for HO1205 and contributes to its identified architectural character by demonstrating the following key features from the Statement of Significance for the precinct:
- *Rendered masonry and concrete;*
 - *Windows and doors expressed as punched openings in masonry walls rather than large expanses of glazing;*
 - *Original window (and to a lesser degree) door joinery, including steel windows from the interwar period;*
 - *Buildings constructed from boundary to boundary, with no setback; and*
 - *Heights of buildings generally fall within the one to four storey range, with some exceeding this.*
- [60] It was recommended that the Incorporated Document *Guildford and Hardware Laneways Study 2017: Heritage Inventory* and the table entitled 'Guildford and Hardware Laneways Precinct Property Schedule' within the Incorporated Document *Guildford and Hardware Laneways Heritage Study 2017: Statements of Significance* be amended to identify Chart House at 372-378 Little Bourke Street as 'contributory' (in its entirety) to the precinct prior to the approval of Planning Scheme Amendment C272 by the Minister for Planning.

3.5 Lovell Chen Re-assessment of 372-378 Little Bourke Street

- [61] The City of Melbourne referred MHA's letter (dated 24 December 2018) to Lovell Chen for their further consideration.
- [62] On review, Lovell Chen prepared a memorandum dated 11 February 2019, which concluded that Chart House is contributory to the Guildford & Hardware Laneways Precinct, and stated:

While altered, it is within the valued date range of buildings in the precinct; its history as a factory/warehouse, as well as office/commercial uses, places it within the valued historical patterns and land uses found in the precinct; and it shares some of the key characteristics of the precinct.

3.6 Amendment C355 – Interim Heritage Protection for 372-378 Little Bourke Street

- [63] Amendment C355 was implemented on 12 August 2019 in light of the new historical information provided to Council by MHA, the independent assessment of the heritage values of the subject property by GJM, and the review of MHA material by Lovell Chen. Amendment C355 to the Melbourne Planning Scheme applied an interim 'contributory' grading to the entirety of 372-378 Little Bourke Street, Melbourne, whilst an amendment for permanent regrading progressed.

4. Planning Scheme Amendment C365

[64] The purpose of Amendment C365, as set out in the Explanatory Report, is:

The amendment is required to provide permanent heritage protection to the building at 372-378 Little Bourke Street, to recognise the entirety of the property as contributory to the Guildford and Hardware Laneways Precinct, as identified in the amended Guildford and Hardware Laneways Heritage Study May 2017 (updated September 2019). Application of the Heritage Overlay on a permanent basis will ensure that the building is correctly identified as contributory to the Precinct. The building, known as Chart House, is a six-storey interwar era former warehouse/factory/office with shops to Little Bourke Street. It has been identified as contributory to the Guildford and Hardware Laneways Precinct as it is within the valued date range of buildings in the Precinct and is an example of the Precinct's valued historical patterns and land uses.

[65] Amendment C365 supports the objectives of Clause 15 in the State Planning Policy Framework as follows:

By including 372-378 Little Bourke Street within the Heritage Overlay on a permanent basis, the Amendment will ensure that the building's contribution to the Heritage Precinct is protected, conserved and enhanced. The Heritage Overlay will require that before any changes are made to the building, consideration is given to the building's contribution to the Heritage Precinct and will encourage potential future development that is designed and sited to respect the building's contribution to the Heritage Precinct.

[66] Amendment C365 was placed on exhibition from 24 October to 7 November 2019.

4.1 Submissions to Planning Scheme Amendment C365

[67] A total of 21 submissions were received following exhibition of Amendment C365, with 20 submissions in support of the amendment and one submission in opposition. Of the 20 submissions in support, all concurred with identifying the subject property as contributory to the precinct.

[68] A summary of the objecting submission and my response to the matters raised follows. My response relates only to the heritage matters raised in the objecting submission.

Table 1: Matters raised in objecting submission

ISSUE	RESPONSE
<p>The building in question at 372-378 Little Bourke Street and 15-17 Niagara Lane Melbourne is not a building that has any obvious cultural heritage significance. To the extent that such significance was argued at the previous Panel Hearing, the Panel made a very clear finding that the building should not be graded, notwithstanding evidence seeking to advance a contributory status for the building.</p> <p>It is now said that the new evidence somehow warrants a different conclusion reached by the Panel and accepted by the Planning Authority. With respect, the new evidence does nothing to alter the assessment that was made by the Panel and accepted by the Planning Authority.</p>	<p>Ms Riddett's evidence, presented at the C271 Panel on behalf of the owner of the subject property, considered the east wall as an isolated element and did not focus on the significance of the subject building as a whole. No additional historical research was presented by Ms Riddett to inform her evidence and no assessment of the cultural heritage values of the building as a whole was provided. The Panel Report for C271 demonstrates that discussions relating to the subject property concentrated principally on the contribution of the laneway elevation to Niagara Lane, rather than the potential significance of the building to the precinct. The contribution of the building to the building was dismissed due to the perceived – but misinterpreted – level of intervention to the Little Bourke Street façade.</p> <p>The 'new evidence' – in the form of clear plans and elevations of the original building correlated with clearer aerial imagery – does warrant a reconsideration of the building as it demonstrates that the level of alteration is far less than originally assumed and the building is largely intact to its original design.</p> <p>The original assessment relied on the assumption that a sixth storey was added at a later date, which has been refuted by the further historical material sourced. The primary reason for Lovell Chen originally proposing a 'non-contributory' grading to the Little Bourke Street façade was that modifications to this elevation were too significant. The intactness of the building and the way it clearly contributes to the heritage values asserted in the Statement of Significance indicates that identification of the building as 'contributory' to Precinct is warranted.</p>
<p>The GJM report concludes that 'Chart House is an intact and representative example of an Interwar Office Building, it displays typical characteristics of a 1940's office building in Melbourne, including simple massing steel frame windows. It is not a fine, notable or pivotal example of this type - its simplicity reflecting the financial and practical restraints of the period, rather than an innovative</p>	<p>As discussed above, the 'new evidence' – in the form of clear plans and elevations of the original building correlated with clearer aerial imagery – was not available to the Amendment C271 Panel. It is this material that underpins the GJM heritage assessment.</p> <p>In terms of the heritage value of Chart House, the proposed definition of 'contributory' in the Amendment C258: Heritage Places Inventory 2017 is as follows:</p>

<p>approach to design ... ‘</p> <p>This assessment of the building is not properly described as "new evidence" the appearance of the building, its construction, detail and finishes has not changed since the assessment made by the Panel and accepted by the Planning Authority.</p> <p>It is submitted that more needs to be shown than simply its age as a 1940's office building. There needs to be a judgment made about its quality. In other words, does it really contribute something beyond simply the fact that a 1940's building exists?</p>	<p><i>A ‘contributory’ heritage place is important for its contribution to a precinct. It is of historic, aesthetic, scientific, social or spiritual significance to the 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 precinct. ‘Contributory’ places are typically externally intact, but may have visible changes which do not detract from the contribution to the precinct.</i></p> <p>A contributory heritage place forms part of a larger place or collection of related places. It is my view that the subject building aligns strongly with this definition. Its inclusion as a contributory building is not ‘simply the fact that a 1940s building exists’ but because its date, its historical use/occupation, and its architectural characteristics contribute to the key characteristics of the broader precinct.</p> <p>It is my view that a building does not need to be a “a fine, notable or pivotal example of this type” to be considered ‘contributory’ to a precinct as defined in Amendment C258.</p>
<p>The new evidence does not seek to mount a claim for architectural merit. Its contributory value, if any, to the precinct is limited to its scale and being built along the street/lane boundary and it is submitted that a new building on this site has the potential to contribute greater to this heritage/urban context than the existing.</p>	<p>As discussed above, the building’s contribution to HO1205 comprises a number of factors including its historical use and occupation, its architectural characteristics (siting, scale, massing, materiality, construction, fenestration and façade articulation etc.) and its date of construction. A building does not need to be of a high architectural quality to warrant a contributory grading, but rather is a:</p> <p><i>representative example of a place type, period of style; and/or combines with other visually or stylistically related places to demonstrate the historic development of a precinct.</i></p> <p>While a new building could conceivably make a similar contribution to Chart House in urban design terms it cannot in heritage terms. A new building would not date from the period of significance nor would it have the historic uses of the existing building. It would also be highly unlikely to replicate the architectural characteristics of the period all of which contribute to the precinct’s heritage significance.</p>

<p>Because the Statement of Significance is written in such generic terms, the threshold of contribution to the precinct is very low. It is submitted that more is required than it just being a building of the period referred to in the statement of significance. If heritage significance is to mean anything in this city, it is imperative that a distinction is made between the better and lesser examples.</p>	<p>The statement of significance for the precinct has been tested through planning scheme amendment and Panel process for C271. I note that the Panel considered that the:</p> <p><i>The Panel notes that none of the submissions to the Amendment challenged the methodology or process of the Study.</i></p> <p><i>... the [Guildford & Hardware Laneways Study] adopted a standard methodology and the process detailed in the methodology is thorough, comprehensive and robust. The Statements of Significance are consistent with PPN1 in assessing the criteria in the 'Why is it significant?' section of the Statements. (p.12).</i></p>
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4.2 Expert Opinion

- [69] Having appraised the submissions, reviewed the historical material and revisited the site in the preparation of this evidence, it remains my opinion that the property at 372-378 Little Bourke Street is contributory in its entirety to the Guildford and Hardware Laneways Precinct (HO1205).
- [70] The building's interwar period of construction, its architectural form, historical use/occupation and its high level of intactness is consistent with the proposed definitions of 'contributory' in *Amendment C258: Heritage Places Inventory 2017* and Panel preferred version of Clause 22.04⁹.
- [71] Chart House clearly exhibits the following elements identified in the Statement of Significance for HO1205 (emphasis added):

What is Significant?

*The Guildford and Hardware Laneways Precinct is located in the Melbourne Central Business District. The precinct occupies parts of four city blocks bounded by La Trobe Street to the north, Bourke Street to the south, Queen Street to the west and Elizabeth Street to the east. The precinct has a comparatively high proportion of buildings of heritage value, and significant and contributory buildings in the precinct date from the 1850s through to **the interwar period**. While precinct development is*

⁹ A contributory heritage place is one that has been identified as having values that contribute to a heritage precinct.

diverse, many of the graded buildings are former factories and warehouses, with some more modest workshops, of the late nineteenth and early twentieth centuries. The precinct boundary is not contiguous, and in some cases the laneways stop at little streets or main streets and thoroughfares, before recommencing on the other side. The side and rear elevations of buildings of significant and contributory heritage value, can also be important precinct contributors. Where there is historic development to both sides of a laneway or street, including the fronts, sides or rears of properties, the precinct boundary generally incorporates the subject laneway or street. Laneways also provide a setting to the properties, again including property sides or rears. Lanes within the precinct also retain, to a greater or lesser degree, original bluestone kerbs, channels and flagstones.

How is it Significant?

The Guildford and Hardware Laneways Precinct is of historical, social and aesthetic/architectural significance to the City of Melbourne.

Why is it Significant?

*The Guildford and Hardware Laneways Precinct is of historical significance. The laneway network within the precinct provides evidence of the evolution and growth of the central city within the structure of the large city blocks and rigid geometry of the 1837 Hoddle Grid. While the grid plan included main streets, and east-west running little streets, the lanes proliferated off this framework, generally in a north-south direction, as the city evolved and developed. **The precinct and its laneways and little streets also demonstrate changing historical land uses, and retain building types which reflect these uses and evolving patterns of occupation and development in central Melbourne.** The number and extent of lanes in the precinct is reflective of their significant growth in the CBD from the mid-nineteenth to the mid-twentieth century, with 235 named lanes in the broader city by 1935. The precinct's lanes historically serviced the rears of properties fronting other streets, and acted as thoroughfares through large city blocks. Their typical north-south alignment is reflective of the boundaries of the late 1830s and 1840s large Crown allotments. With increasing subdivision, density and changing land use patterns, many early lanes also evolved into distinct streets with their own character and property frontages. The changing names of some lanes attests to their evolving histories and land uses. Throughout much of the second half of the nineteenth century, small scale residential development and commercial activity was the overriding precinct land use. The former included modest cottages and dwellings, sometimes of sub-standard construction; while the latter included Melbourne's famous horse bazaars, numerous hotels and small scale workshops. **From the late nineteenth century and into the early twentieth century, many earlier small buildings were demolished and replaced by larger factories and warehouses.** The precinct's location, away from the main commercial areas to the south and east, also enabled this next phase of development, due to the relatively cheaper land values.*

Diverse businesses occupied the buildings, and included printers, publishers and stationers, bulk stores, manufacturing businesses, and light industry. Many of these buildings remain in the precinct. In the later twentieth century, a new wave of residents and businesses were attracted back to the precinct, as part of the City of Melbourne's revitalisation of the central city laneways. (Criterion A)

The Guildford and Hardware Laneways Precinct is of social significance. This largely derives from the popularity of the revitalised and vibrant laneways of the precinct, with residents and visitors attracted by the activated laneway streetscapes, street art, and numerous bars, cafes, night clubs, galleries and boutique retail outlets. The laneways are also valued by the community as unique public spaces within the CBD. (Criterion G)

*The Guildford and Hardware Laneways Precinct is of aesthetic/architectural significance. The laneways in particular form distinctive streetscapes within the central city, **their significant heritage character enhanced by the diverse collection of historic buildings, including former factories and warehouses, with some workshops, and their rich materiality. Face red brick is the dominant material, complemented by bluestone, rendered masonry and concrete.** The heritage character also derives from the narrow footprint and dimensions of the lanes, **given emphasis by the bordering buildings with tall and/or long facades and walls, with no setbacks.** Some warehouses have elevated ground floors, and visible sub-basements, which while being illustrative of original loading arrangements, also contribute to the distinctive aesthetic of some lanes. Lanes within the precinct retain to a greater or lesser degree original bluestone kerbs, channels and flagstones, which also contribute to the materiality and heritage character of the precinct. (Criterion E)*

The precinct is additionally important for demonstrating the principal characteristics of the laneway network of the broader city. The alignment and layout of the precinct's lanes reflects their origin within the formal Hoddle Grid, their proliferation within the original large city blocks, and their historic servicing and right-of-way roles. Importantly, the laneways of the precinct also largely retain their original arrangement, as evident in nineteenth century sources. (Criterion D)

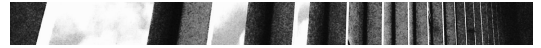
Key characteristics

The following are the key characteristics of the precinct, which support the assessed significance:

- *Laneways predominantly follow a north-south alignment, reflective of the boundaries of the large Hoddle Grid (Crown land) allotments of the late 1830s and 1840s.*
- *Density of laneways is reflective of their proliferation within the large city blocks from the mid-nineteenth century, following increased subdivision and changing land use patterns.*

- *Laneways include those which are distinct streets with property frontages; and those which have formed to the sides or rears of properties.*
- *Narrow proportions, emphasised by walls of buildings, provide a unique character to the laneways as public spaces.*
- ***Contributory components of buildings to the precinct include side and rear elevations, as well as property frontages and facades.***
- ***Contributory building materials include face red brick, bluestone, rendered masonry and concrete. Of note is the limited overpainting of original external walls.***
- ***Windows and doors expressed as punched openings in masonry walls rather than large expanses of glazing.***
- ***Original window and (to a lesser degree) door joinery, including nineteenth century timber elements, and more commonly steel windows from the interwar period.***
- ***Buildings are typically constructed from boundary to boundary, with no setbacks.***
- ***Heights of buildings vary but are generally within the one to four storey range, with some exceeding this.***
- *Other notable built form characteristics include elevated ground floors and visible basements; high parapets and very little visibility of roof forms; **original signage and building names**; chamfered corners; hoists and crane beams to warehouses, providing access to upper levels; and timber and concrete buffers.*
- *There is a general absence of vehicle parking arrangements.*
- *Contributory laneway materials include bluestone kerbs, channels and flagstones.*

**Annexure A: Memorandum of Advice: Chart House, 372-378 Little Bourke Street,
Melbourne – Independent Assessment of Significance, GJM Heritage, 28 January 2019**



Memorandum of Advice

Heritage Advice: Chart House, 372-378 Little Bourke Street, Melbourne

Prepared for: City of Melbourne

Date: 28 January 2019

File: 2019-002

1. Introduction

Chart House, at 372-378 Little Bourke Street, Melbourne is located on the north side of Little Bourke Street, between Elizabeth and Queen streets, on the west corner of Niagara Lane. It comprises a six-storey factory/office building constructed in 1941. The building is currently protected by an Interim Heritage Overlay (HO1205, Guildford and Hardware Laneways Precinct), which expires on 1 April 2019.

GJM Heritage has been commissioned by the City of Melbourne (Council) to provide an independent assessment of the significance of the building at 372-378 Little Bourke Street.

Specifically, we have been engaged to:

- Assess whether the subject site is contributory (in its entirety) to the Guildford and Hardware Lane Precinct as described in the *Guildford and Hardware Laneways Heritage Study* (2017);
- Assess whether Chart House warrants inclusion on the Heritage Overlay in its own right.

All photos were taken by GJM in January 2019 unless otherwise stated.



Figure 1. Aerial photograph showing subject site, indicated (©Nearmap, 19 October 2018)

2. Planning and heritage controls

2.1 Planning controls

The subject site is zoned Capital City Zone 1 (CCZ1) in the Melbourne Planning Scheme. It is also covered by a series of Design and Development Overlays and a Parking Overlay. Of relevance to this report, the subject site is currently protected by an Interim Heritage Overlay, HO1205. This is discussed in more detail below.

2.2 Guildford and Hardware Laneways Heritage Study and Amendment C271 and C301

In 2017, Lovell Chen completed the *Guildford and Hardware Laneways Heritage Study*, which was undertaken to determine which properties in the block bounded by La Trobe, Queen, Little Collins and Elizabeth streets warranted heritage protection under the Melbourne Planning Scheme. The Study recommended the introduction of two new heritage precincts and seven new individual Heritage Overlays.

The subject site was recommended for inclusion in the new HO1205 – Guildford and Hardware Laneways Precinct. Its proposed grading was unusual in that the east wall to Niagara Lane was found to be ‘contributory’ to the precinct, while the Little Bourke Street elevation was found to be ‘non-contributory’.

This anomaly is defined in the study’s Methodology Report:

The property schedules attached to the precinct citations indicate where the rear or side of a property contributes to the historic character and significance of the precinct. This reflects the particular situation in these precincts, where the rear or side of a property can contribute to the heritage value and character of a laneway or little street. It can also occur where the front of a property has been changed or replaced, and has lost its heritage character and value, but the historic rear or side property component to the laneway is retained. In some cases these rear or side components or elevations have their own entrances, and historically have accommodated a different use or operation to the front or main building component.

Amendment C271 sought to implement the findings of the study. A panel hearing took place in July 2018 at which the grading for the subject site was challenged, with expert evidence being presented arguing that the property be graded non-contributory in its entirety. In their report to Council, the Panel recommended that the place be graded non-contributory and this recommendation was accepted by Council.

The statement of significance for Guildford and Hardware Laneways Precinct, as exhibited in Amendment C271, is as follows:

What is significant?

The Guildford and Hardware Laneways Precinct is located in the Melbourne Central Business District. The precinct occupies parts of four city blocks bounded by La Trobe Street to the north, Bourke Street to the south, Queen Street to the west and Elizabeth Street to the east. The precinct has a comparatively high proportion of buildings of heritage value, and significant and contributory buildings in the precinct date from the 1850s through to the interwar period. While precinct development is diverse, many of the graded buildings are former factories and warehouses, with some more modest workshops, of the late nineteenth and early twentieth centuries. The precinct boundary is not contiguous, and in some cases the laneways stop at little streets or main streets and thoroughfares, before recommencing on the other side. The side and rear elevations of buildings of significant and contributory heritage value, can also be important precinct contributors. Where there is historic development to both sides of a laneway or street, including the fronts, sides or rears of properties, the precinct boundary generally incorporates the subject laneway or street. Laneways also provide a setting to the properties, again including property sides or rears. Lanes within the precinct also retain, to a greater or lesser degree, original bluestone kerbs, channels and flagstones.

How is it significant?

The Guildford and Hardware Laneways Precinct is of historical, social and aesthetic/architectural significance to the City of Melbourne.

Why is it significant?

The Guildford and Hardware Laneways Precinct is of historical significance. The laneway network within the precinct provides evidence of the evolution and growth of the central city within the structure of the large city blocks and rigid geometry of the 1837 Hoddle Grid. While the grid plan included main streets, and east-west running little streets, the lanes proliferated off this framework, generally in a north-south direction, as the city evolved and developed. The precinct and its laneways and little streets also demonstrate changing historical land uses, and retain building types which reflect these uses and evolving patterns of occupation and development in central Melbourne. The number and extent of lanes in the precinct is reflective of their significant growth in the CBD from the mid-nineteenth to the mid-twentieth century, with 235 named lanes in the broader city by 1935. The precinct's lanes historically serviced the rears of properties fronting other streets, and acted as thoroughfares through large city blocks. Their typical north-south alignment is reflective of the boundaries of the late 1830s and 1840s large Crown allotments. With increasing subdivision, density and changing land use patterns, many early lanes also evolved into distinct streets with their own character and property frontages. The changing names of some lanes attests to their evolving histories and land uses. Throughout much of the second half of the nineteenth century, small scale residential development and commercial activity was the overriding precinct land use. The former included modest cottages and dwellings, sometimes of sub-standard construction; while the latter included Melbourne's famous horse bazaars, numerous hotels and small scale workshops. From the late nineteenth century and into the early twentieth century, many earlier small buildings were demolished and replaced by larger factories and warehouses. The precinct's location, away from the main commercial areas to the south and east, also enabled this next phase of development, due to the relatively cheaper land values. Diverse businesses occupied the buildings, and included printers, publishers and stationers, bulk stores, manufacturing businesses, and light industry. Many of these buildings remain in the precinct. In the later twentieth century, a new wave of residents and businesses were attracted back to the precinct, as part of the City of Melbourne's revitalisation of the central city laneways. (Criterion A)

The Guildford and Hardware Laneways Precinct is of social significance. This largely derives from the popularity of the revitalised and vibrant laneways of the precinct, with residents and visitors attracted by the activated laneway streetscapes, street art, and numerous bars, cafes, night clubs, galleries and boutique retail outlets. The laneways are also valued by the community as unique public spaces within the CBD. (Criterion G)

The Guildford and Hardware Laneways Precinct is of aesthetic/architectural significance. The laneways in particular form distinctive streetscapes within the central city, their significant heritage character enhanced by the diverse collection of historic buildings, including former factories and warehouses, with some workshops, and their rich materiality. Face red brick is the dominant material, complemented by bluestone, rendered masonry and concrete. The heritage character also derives from the narrow footprint and dimensions of the lanes, given emphasis by the bordering buildings with tall and/or long facades and walls, with no setbacks. Some warehouses have elevated ground floors, and visible subbasements, which while being illustrative of original loading arrangements, also contribute to the distinctive aesthetic of some lanes. Lanes within the precinct retain to a greater or lesser degree original bluestone kerbs, channels and flagstones, which also contribute to the materiality and heritage character of the precinct. (Criterion E) The

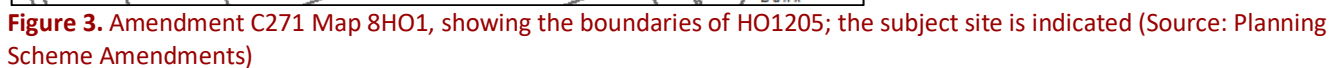
precinct is additionally important for demonstrating the principal characteristics of the laneway network of the broader city. The alignment and layout of the precinct's lanes reflects their origin within the formal Hoddle Grid, their proliferation within the original large city blocks, and their historic servicing and right-of-way roles. Importantly, the laneways of the precinct also largely retain their original arrangement, as evident in nineteenth century sources. (Criterion D)

The following are the key characteristics of the precinct, which support the assessed significance:

- *Laneways predominantly follow a north-south alignment, reflective of the boundaries of the large Hoddle Grid (Crown land) allotments of the late 1830s and 1840s.*
- *Density of laneways is reflective of their proliferation within the large city blocks from the mid-nineteenth century, following increased subdivision and changing land use patterns.*
- *Laneways include those which are distinct streets with property frontages; and those which have formed to the sides or rears of properties.*
- *Narrow proportions, emphasised by walls of buildings, provide a unique character to the laneways as public spaces.*
- *Contributory components of buildings to the precinct include side and rear elevations, as well as property frontages and facades.*
- *Contributory building materials include face red brick, bluestone, rendered masonry and concrete. Of note is the limited overpainting of original external walls.*
- *Windows and doors expressed as punched openings in masonry walls rather than large expanses of glazing.*
- *Original window and (to a lesser degree) door joinery, including nineteenth century timber elements, and more commonly steel windows from the interwar period.*
- *Buildings are typically constructed from boundary to boundary, with no setbacks.*
- *Heights of buildings vary but are generally within the one to four storey range, with some exceeding this.*
- *Other notable built form characteristics include elevated ground floors and visible basements; high parapets and very little visibility of roof forms; original signage and building names; chamfered corners; hoists and crane beams to warehouses, providing access to upper levels; and timber and concrete buffers.*
- *There is a general absence of vehicle parking arrangements.*
- *Contributory laneway materials include bluestone kerbs, channels and flagstones.*

Figure 2 provides an extract of the entry in the Schedule to the Heritage Overlay for Interim HO1205, which selects 'External paint controls' and includes the Incorporated Plan entitled *Guildford and Hardware Laneways Heritage Inventory 2017* and the Statement of Significance *Guildford and Hardware Laneways Statements of Significance 2017*.

Figure 2 Extract from the Schedule to the Heritage Overlay (Melbourne Planning Scheme, accessed 18 January 2019)



3. History and description of 372-8 Little Bourke Street, Melbourne

3.1 The subject site

The building at 372-378 Little Bourke Street, Melbourne was constructed in 1941 for chart and map makers and sellers, John Donne & Son. The company was established in c.1870 and, prior to construction of the subject building, had previously been located at various sites in the city, including Little Collins Street and Elizabeth Street.¹

The Mahlstedt fire insurance plans show the subject site in 1888 (prior to the construction of Chart House) occupied by two two-storey buildings (Figure 4). Numbered 13 and 15 Little Bourke Street at this time, they accommodated a printer and a tinsmith respectively. These buildings can be seen in an Airspy aerial photograph dated c. 1927-28 (Figure 5). They are identical rectangular brick buildings with pitched roofs running parallel to Niagara Lane.

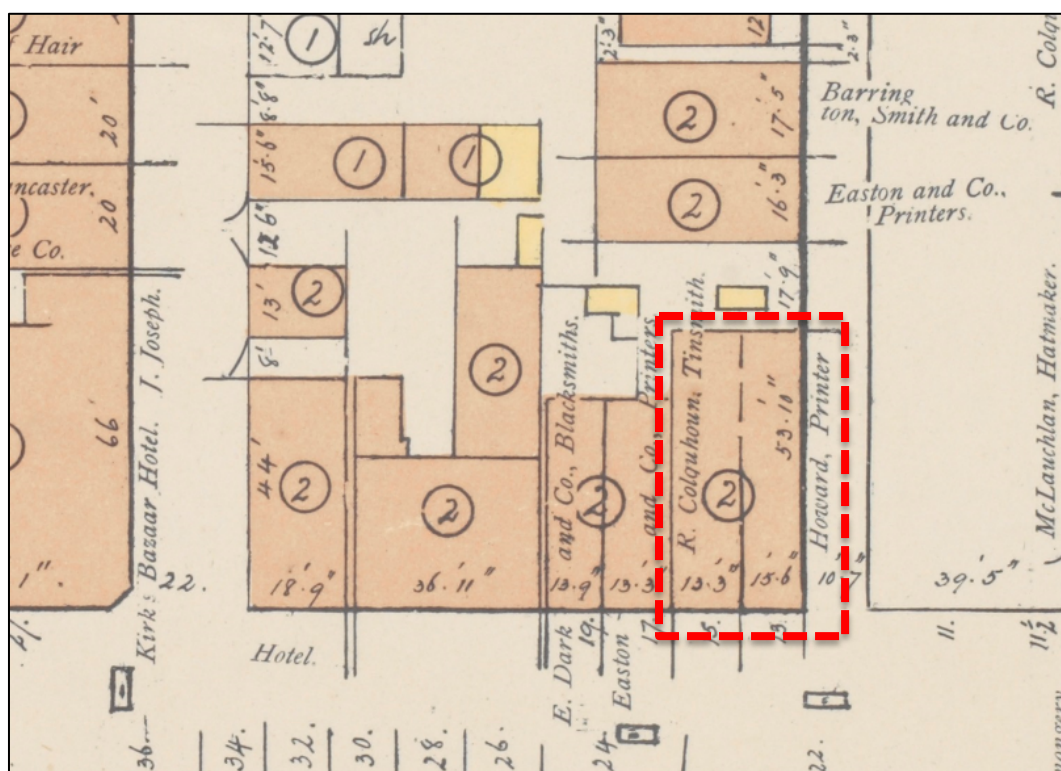


Figure 4. Detail of Mahlstedt fire insurance plan, 1888 showing the original buildings at the subject site, indicated (Source: State Library of Victoria)

¹ *Argus*, 31 July 1873, p. 3; *Argus*, 3 December 1883, p. 12.

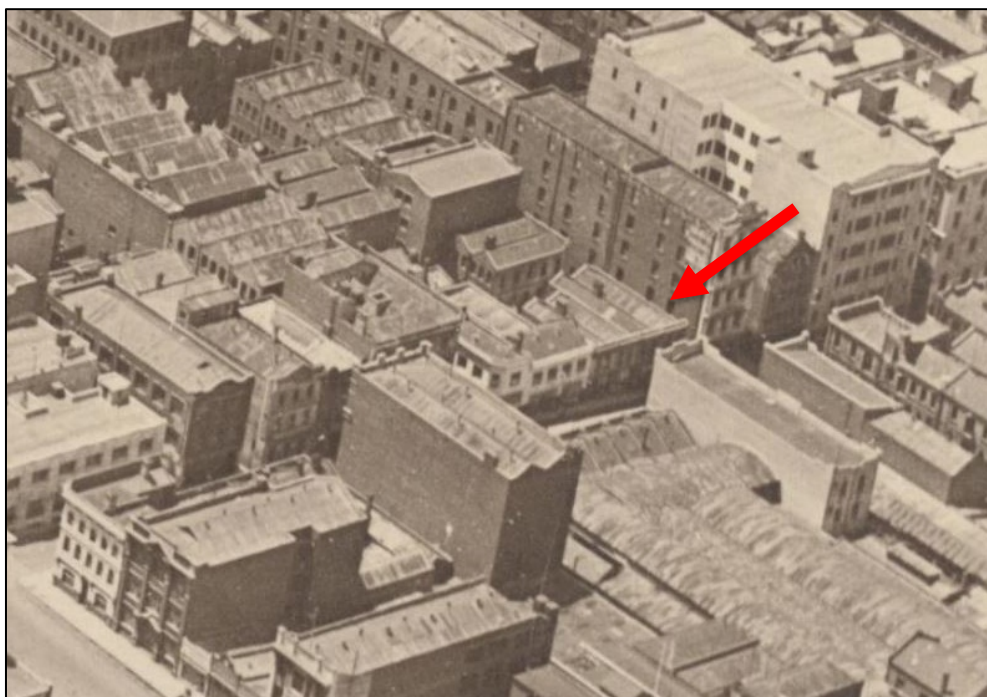


Figure 5. Aerial photograph showing the two-storey buildings (indicated) originally occupying the subject site, c 1927-8 (Source: State Library of Victoria)

In 1940, a building permit was issued for the construction of a six-storey office/factory building, designed by architects, RM & MH King, to replace the two-storey buildings on the site. The owner was Arthur J Donne, of John Donne & Son.² The new building was originally proposed as an extension to a Hardware Lane factory (no. 54-58) designed by the same architects in 1939, also for Donne (Figure 6 & 7). An article in the *Age* in August 1939 describes the proposed extension:

A project for a factory building at present being carried out in Hardware-street, city, is to be greatly extended with an additional block at the rear that will run at right angles and front Post-Office-place.³

...The new block will extend a further 56 feet back, and will have a depth of 112 feet, bringing it out to Post Office-place with a frontage of 55 feet. The newer block will be of four storeys against three of the first block...

...The building generally is planned to be used in sections for various manufacturing enterprises and show rooms, and represents an important step forward in the design of accommodation for small enterprises.⁴

² Entry for 372-8 Little Bourke Street, application no. 21322, City of Melbourne Building Application Index, accessed via www.ancestry.com.au, 17 January 2019.

³ Post Office Place was a portion of Little Bourke Street between Queen and Elizabeth streets, www.emelbourne.net.au, accessed 18 January 2019.

⁴ *Age*, 15 August 1939, p. 6.

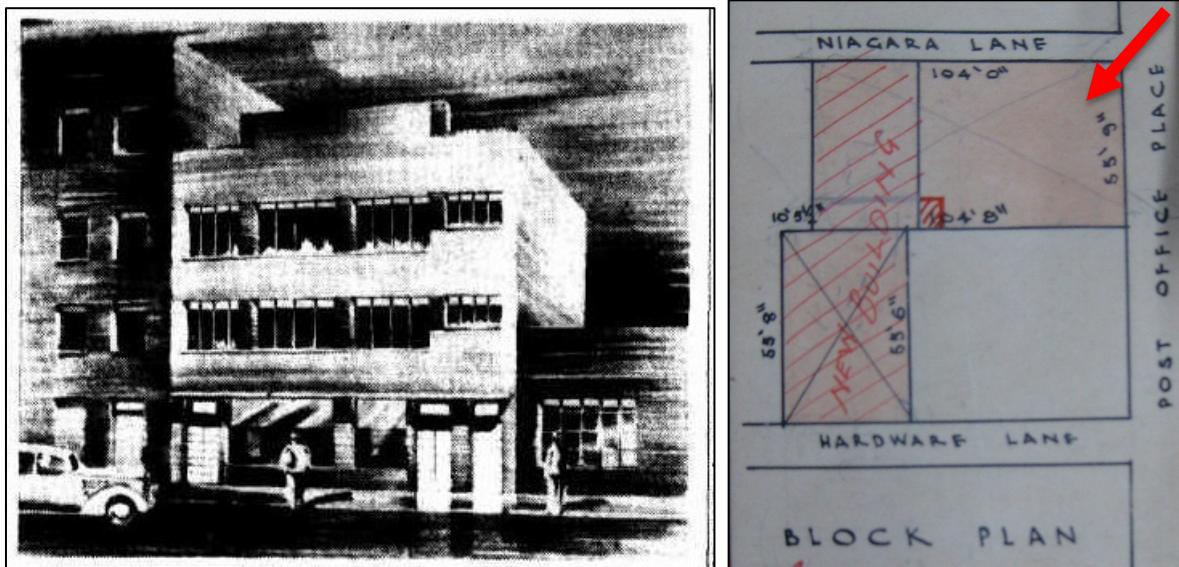


Figure 6 (left). Illustration showing the three-storey RM & MH King-designed factory at 54-58 Hardware Lane (Source: Age, 15 August 1939, p. 6); **Figure 7 (right).** Block plan showing the building at 54-8 Hardware Lane, and the proposed extension to Little Bourke Street (Post Office Place, indicated) (Source: VPRS 11200 P4 Unit 403 Public Record Office Victoria)

The extension was not carried out as planned. RM & MH King instead designed a whole new building at the subject site, which was connected to the Hardware Lane property by a light well. The architectural drawings show the original design for the building, with five storeys above ground floor shops (Figure 8). The plans demonstrate that the original intent was to accommodate three street level shops; this was amended to two prior to construction (Figure 9). The building's principal façade to Little Bourke Street was designed with large rectangular steel-framed windows arranged in a regular grid pattern, off-set by a stairwell to the west and expressed by a series of paired narrow horizontal windows. The parapet was finished with an angled sign carrying the word 'Donne'. The Niagara Lane elevation was designed as a plain facade, punctuated by the same steel-framed windows arranged in a regular grid pattern (Figure 10).

Oblique aerial photographs (Figure 11 & 12) dating to the mid-1950s show the building as it was constructed. It was largely carried out as designed, with some alterations. These included the ground floor shop modifications, relocation of the paired horizontal stair windows, and deletion of the proposed circular plaque above. The 1948 Mahlsiedt plan shows that the building was constructed with six floors (Figure 13).

By 1943, the building was known as Chart House and accommodated the Department of Trade and Customs (Import Procurement).⁵ By 1950 it also housed a plasticwares company, manufacturers agents, and the Commonwealth Conciliation Commissioners. These were joined by the Patents Publications Bureau and the Commonwealth Trade Marks and Designs sub-office by 1960.⁶

Alterations to the building occurred in 1984-86, which included the removal of the parapet as well as changes to the fourth floor.⁷

⁵ City of Melbourne rate books, Hoddle Ward, Volume 119: 1943, rate no. 2514, VPRS 5708 P9, Public Record Office of Victoria; *Sands and McDougall Melbourne and suburban street directories, 1944/5*.

⁶ *Sands and McDougall Melbourne and suburban street directories, 1950 and 1960*.

⁷ Entry for 372-8 Little Bourke Street, application no. 58584 and 59319, City of Melbourne Building Application Index, accessed via www.ancestry.com.au, 17 January 2019.

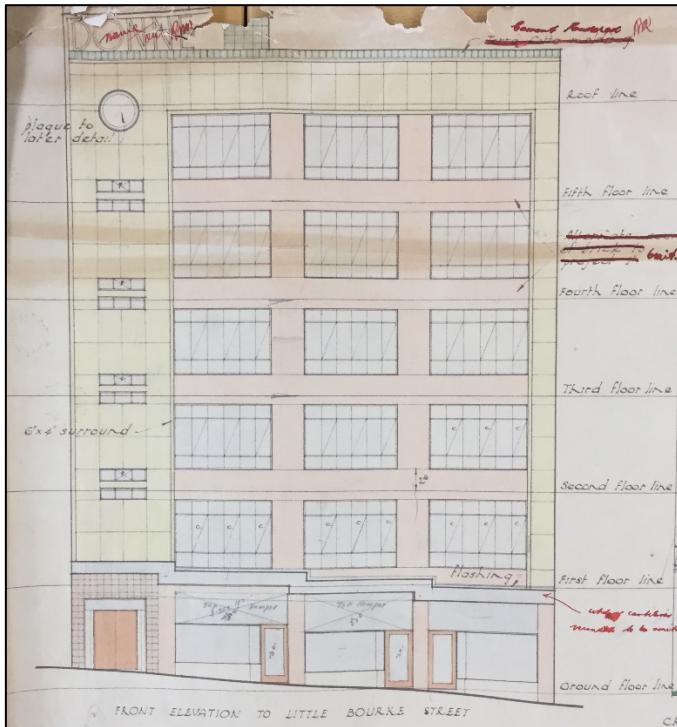


Figure 8. Original architectural drawing showing the front elevation of the subject site to Little Bourke Street (Source: VPRS 11200 P4 Unit 544 Public Record Office Victoria)

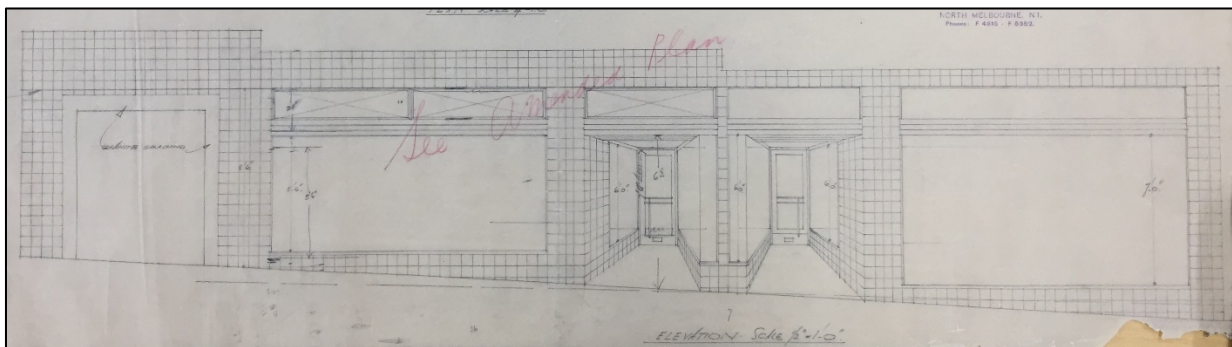
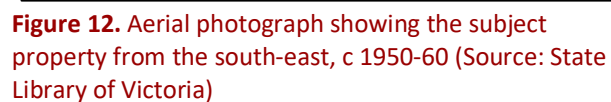
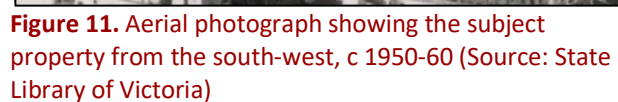
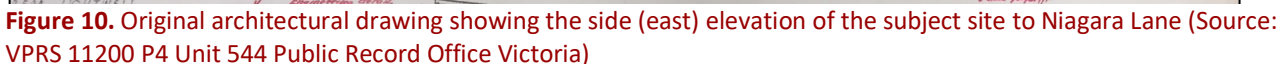


Figure 9. Architectural drawing showing the proposed shop fronts to Little Bourke Street (Source: VPRS 11200 P4 Unit 544 Public Record Office Victoria)



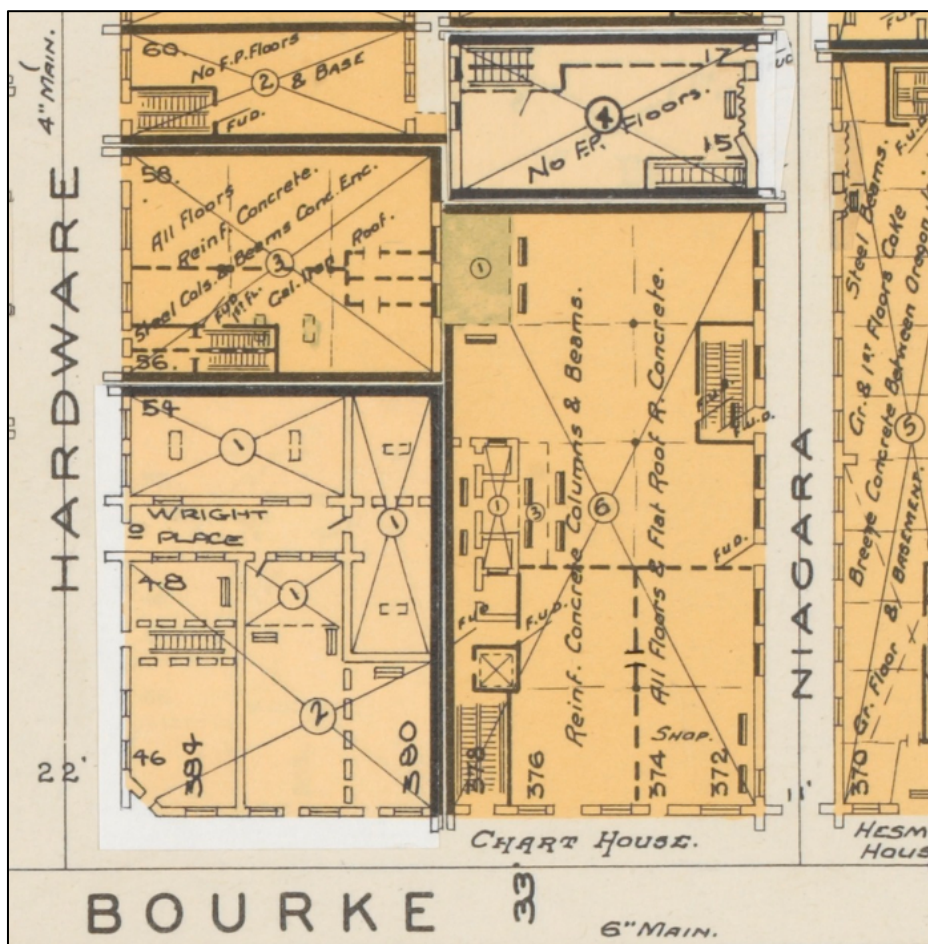


Figure 13. Mahlstedt fire insurance plan, 1948 showing Chart House; note the lightwell and connection to 54-58 Hardware Lane (Source: State Library of Victoria)

3.2 The architects: RM & MH King

Ray Maurice King began practicing as an architect in Adelaide in 1891 before relocating to Melbourne the following year. In 1926, he partnered with his son, Maurice Harrington King, to establish the architectural firm, RM & MH King. Marketing themselves as architects and engineers, they designed many industrial and residential buildings in Victoria until their deaths in the 1950s.⁸

The firm designed a range of buildings, such as commercial premises, factories, churches and houses, in a range of styles, including the Moderne. Notable buildings included: Kurrajong House in Collins Street (1926-7), the Knox Presbyterian Church in Ivanhoe (1927), the Colonial Gas Company in Box Hill (1936), and the Hopkins Odlum Apex Belting factory in Footscray (1940).

3.3 Physical Context

Little Bourke Street, in the vicinity of the subject site, is a varied streetscape comprising buildings ranging in height from two to six storeys, and ranging in date from the nineteenth century through to the later twentieth century. Buildings display a range of characteristics depending on their period of construction, including face

⁸ Robin Grow, *Designing Art Deco in Victoria: RM & MH King*, Spirit of Progress: Journal of Art Deco Society Inc., Volume 5 No. 2 Issue 17, Autumn 2004, p. 8.

brick and rendered concrete facades, small timbered and larger steel-framed windows and high parapets. Ground floor shopfronts have generally been altered through overpainting, re-cladding and re-glazing.

The 2017 heritage study provides the following description of Niagara Lane:

Niagara Lane is notable for its narrow width and the height and sheer walls of its built form. These factors combine to produce a heavily-overshadowed, canyon-like environment. Key buildings include a group of four, three-storey warehouses at nos 25-31 built in 1887 to designs by architect George De Lacy Evans. Other buildings are typically of interwar origin but nonetheless, reinforce the scale and red brick character of the lane. The narrow laneway also retains original bluestone kerbs, channels and flagstones, and is one of a number that incorporate heavy concrete buffers along its length to minimise damage from side impacts of passing vehicles.⁹

3.4 Description

The subject site comprises a six-storey 1941 concrete frame building, located at the intersection of Little Bourke Street and Niagara Lane. The principal façade to Little Bourke Street comprises large rectangular steel-framed windows arranged in a grid pattern, off-set by a stairwell located at the west end, which is expressed by a series of paired narrow horizontal windows. At the roof level, the original parapet has been removed. At the ground-floor, the two shopfronts comprise recessed entries with terrazzo floors and large chromed steel windows, with heavy awnings extending over. The original tiled shopfronts have been rendered over and painted. Gold lettering reading 'JOHN DONNE & SON MAPS & GLOBES' survives in the highlight window of no. 372.

The Niagara Lane elevation is utilitarian, punctuated by the same rectangular steel-framed windows as the principal façade, and also arranged in a regular grid pattern. The west wall of the building visible above the lower neighbouring buildings has an expressed concrete frame with red brick infill.



Figure 14. Principal Little Bourke Street elevation



Figure 15. Principal Little Bourke Street elevation and Niagara Lane corner

⁹ Lovell Chen Architects and Heritage Consultants, *Guildford and Hardware Laneways Heritage Study Methodology Report*, prepared for City of Melbourne, May 2017, p. 24.

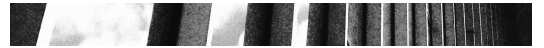


Figure 18. Upper levels of the Little Bourke Street façade



Figure 19. West elevation viewed from Little Bourke Street



Figure 20. Shopfront at 374 Little Bourke Street



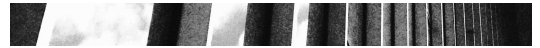
Figure 21. Shopfront at 372 Little Bourke Street



Figure 16 Niagara Lane elevation viewed from Little Bourke Street



Figure 17 Niagara Lane elevation viewed from Niagara Lane



3.5 Integrity

372-378 Little Bourke Street retains a high degree of intactness in fabric, form and detail to its original construction. The building has undergone few external alterations, with the exception of the parapet removal, and retains its ability to be clearly understood and appreciated as an intact example of a building constructed in the central city in the late interwar period.

4. Summary of heritage opinions

4.1 Robyn Riddett, Anthemion Consultancies (Expert Heritage Evidence, Planning Scheme Amendment C271)

Robyn Riddett presented expert evidence on behalf of the owner of 372-378 Little Bourke Street at the panel for Planning Scheme Amendment C271. Her opinion in relation to the subject building's proposed inclusion in HO1205 is summarised as follows:

- The contribution of the east wall of no. 372-378 Little Bourke Street to the precinct and the streetscape of Niagara Lane is minimal in terms of actual fabric; the significance of the wall is seen solely as contributing to the 'heritage value and character of a laneway'.
- As the wall's contributory grading is related solely to its contribution to the laneway character, it is considered that this can also be achieved through another (i.e. replacement) wall of similar scale and appropriate design and detailing to the existing wall.
- To include the entire building of no. 372-378 Little Bourke Street in the HO solely for the perceived contribution of its side wall to the character of Niagara Lane is unwarranted.
- The subject building could be demolished in its entirety without heritage impact on the precinct.

4.2 Melbourne Heritage Action

On 24 December 2018, Melbourne Heritage Act (MHA) wrote to Council in regards to the significance of 372-378 Little Bourke Street, stating that the building was 'likely worthy of a listing as Significant, rather than Non-Contributory, within the Guildford and Hardware Laneways Heritage Precinct'. Their findings are summarised as follows:

- It is clear that the building has been little altered from its original form when completed in 1941.
- It is a strikingly modern design for the period, with design elements more typical for the 1950s than the Art Deco styles which were predominant when it was built; the design is unusually Modernist for its date, more so than almost any other city building.
- It fits within the identified significance of the Guildford and Hardware Laneways Precinct as a twentieth century factory/warehouse building that replaced earlier nineteenth century small buildings and also exhibits key features identified as contributory to the precinct.

4.3 Lovell Chen

In response to MHA's correspondence, Lovell Chen provided the following comments:

A building permit was issued in 1940 (BA 21322) for erection of this building. The City of Melbourne building application index lists permits issued for alterations in 1985 (BA59319, \$15,000, alterations on the roof) and 1986 (BA60629, \$21,000, airconditioning, and alterations on the fourth floor and roof).

An oblique Airspy aerial photograph of c.1950 shows the original building, and on this basis it can be seen that alterations have subsequently been undertaken to the window arrangements, addition of a fifth floor, and change to detailing, possibly undertaken in the 1980s works referred to above.

While there appears to be original or early fabric to the ground floor shop fronts the presentation of the Little Bourke Street facade has been diminished by the works undertaken in the late twentieth century.

The Niagara Lane elevation, however, does contribute to the significance of that laneway, and retains earlier fabric, including windows.

The upgrading of the Little Bourke Street elevation is not considered appropriate in this instance.

Lovell Chen maintains that the contributory grading, with non-contributory Little Bourke Street elevation and contributory.

5. GJM Heritage advice

5.1 Physical integrity/intactness

Having reviewed the documentary and physical evidence of Chart House, it is our opinion that the building remains highly intact to its original construction in 1941. Some alterations have occurred, which include:

- Removal of the parapet containing the building name
- Rendering over the shopfront tiling
- Re-rendering of the stairwell in a grey colour.

The overall fabric, form and detail of the building however, to both its principal Little Bourke Street elevation and the Niagara Lane elevation, remains highly intact to its original construction and retains a high degree of architectural integrity.

This is contrary to Lovell Chen's description of the building in the *Guildford and Hardware Laneways Heritage Study* as a 'six storey interwar factory to Little Bourke Street, with post-war alterations to the principal façade' and their response to the MHA submission, which suggested that a fifth floor was added at a later date, alterations were made to the window arrangements, and changes to detailing occurred.

There is, in is our opinion, no physical or documentary evidence that the fifth floor was added at a later date.



Figure 18. Aerial photograph showing the subject building (indicated) from the south-east, c 1950-60 (Source: State Library of Victoria)



Figure 19. Recent photograph of the subject building from the east along Little Bourke Street.

5.2 Heritage grading within HO1205 - Guildford and Hardware Laneways Precinct

The primary justification for not grading the entirety of the subject building as contributory to the precinct was because the Little Bourke Street principal elevation was not considered to be intact, with Lovell Chen stating that:

Noting the level of alteration to the principal façade of the building, it is not considered appropriate to change the grading of the Little Bourke Street elevation from 'Non-contributory' to 'Contributory'.

The building was identified in the Study as an interwar building with significant post war alterations to the principal façade, but with a side elevation that retained earlier fabric, including windows. As noted above, this assessment is, in our opinion, incorrect and the building in its entirety is highly intact to its original construction.

The statement of significance for HO1205 states that the precinct is of historical significance, in part, for the following reason:

From the late nineteenth century and into the early twentieth century, many earlier small buildings were demolished and replaced by larger factories and warehouses ... Diverse businesses occupied the buildings, and included printers, publishers and stationers, bulk stores, manufacturing businesses, and light industry.¹⁰

The subject site clearly displays this historical period and uses.

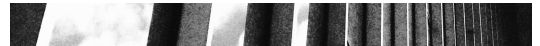
Historical research demonstrates that the building was originally conceived as an extension to 54-58 Hardware Lane, a factory building that was designed by the same architectural firm, RM & MH King, and constructed in 1939, at the end of the interwar period. As noted in Section 3.1, while the extension was not carried out as planned, RM & MH King designed a new building for the subject site, which was connected to the Hardware Lane property by a light well. The building permit for these works was approved in 1940 and the new building replaced two smaller two-storey buildings that had occupied the site since the 1880s.

It is therefore considered that the subject site in its entirety falls within the identified period of significance for HO1205 and contributes to its identified heritage character. It also demonstrates elements that have been identified as key features of the precinct, including:

- Rendered masonry and concrete;
- Windows and doors expressed as punched openings in masonry walls rather than large expanses of glazing;
- Original window and (to a lesser degree) door joinery, including steel windows from the interwar period
- Buildings constructed from boundary to boundary, with no setbacks; and
- Heights of buildings generally fall within the one to four storey range, with some exceeding this.

The subject building can be compared to the neighbouring building at 370 Little Bourke Street, which was identified in the Study as being an earlier brick warehouse building with an interwar makeover to a five-storey interwar office building to its principal (Little Bourke Street) elevation. In contrast to the subject building, it was graded contributory to HO1205 in its entirety. The subject building is also comparable to 54-58 Hardware Lane, which was also designed by RM & MH King and constructed two years prior to the subject site. This building has also been identified (in its entirety) as contributory to the precinct.

¹⁰ Lovell Chen Architects and Heritage Consultants, *Guildford and Hardware Laneways Precinct (HO1205)* Heritage Citation, p. 13.



372-378 Little Bourke Street (in its entirety) exhibits a high degree of intactness. It was designed and constructed in 1940-1 and has not had any significant post-war alterations, as suggested by Lovell Chen. It subsequently falls within the period of significance identified in the statement of significance for the Guildford and Hardware Laneways Precinct (HO1205) and consequently, it is our view, that the building in its entirety should be graded contributory to the precinct.

5.3 Individual significance

MHA has argued that the building at 372-378 Little Bourke Street is likely to be worthy of a significant grading within the Guildford and Hardware Laneways Heritage Precinct on the grounds that it is a 'strikingly modern design for the period, with simple, stripped back rectilinear design elements more typical for the 1950s than the Art Deco styles which were predominant when it was built'.¹¹

We consider that the subject building is not of individual significance as a particularly early example of a modern city building. In our the less overtly decorated façade treatment simplicity reflects the financial and practical constraints of the period at the beginning of the Second World War, rather than an innovative approach to design. An assessment against the relevant Heritage Criteria is provided below.

5.4 Assessment against Heritage Criteria

Chart House has been considered against the Heritage Criteria adopted by the Heritage Council of Victoria and contained in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018):

CRITERION A	<i>Importance to the course or pattern of our cultural or natural history (historical significance)</i>
CRITERION B	<i>Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity)</i>
CRITERION C	<i>Potential to yield information that will contribute to understanding our cultural or natural history (research potential)</i>
CRITERION D	<i>Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness)</i>
CRITERION E	<i>Importance in exhibiting particular aesthetic characteristics (aesthetic significance)</i>
CRITERION F	<i>Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance)</i>
CRITERION G	<i>Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance)</i>
CRITERION H:	<i>Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).</i>

The criteria relevant to Chart House are considered to be Criterion A (historical) and D (representativeness).

Criterion A - Importance to the course or pattern of our cultural or natural history

Chart House was constructed in 1941 as an office/factory building to accommodate a range of businesses, including John Donne & Sons, maps and charts sellers, the Department of Trade and Customs, a plasticwares

¹¹ Melbourne Heritage Action, *Submission to City of Melbourne in regards to 372-378 Little Bourke Street, Melbourne – heritage status (TP-2018-120)*, December 2018.

company, manufacturers agents, and the Commonwealth Conciliation Commissioners. The place has an association with the interwar period of city development when many small, early buildings were demolished and replaced with larger factories and warehouses that were able to accommodate a range of businesses, including printers, publishers, manufacturing businesses and light industry.

In the context of the Guildford and Hardware Laneways Precinct, there are many buildings with similar historical associations that have a comparable level of intactness to demonstrate this association and are graded contributory to HO1205. These include 16-18, 20-24, 29, 31 and 33-35 Guildford Lane, 389-95 Lonsdale Street, 13-15 Hardware Lane, 21-25 Hardware Lane, 54-8 Hardware Lane, 10-12 Goldie Place, 14-20 Goldie Place, 370 Little Bourke Street and 394-400 Little Bourke Street.

Criterion D - Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments


Chart House is an intact and representative example of an Interwar office building. It displays typical characteristics of a 1940s office building in Melbourne, including simple massing and steel frame windows. It is not a fine, notable or pivotal example of this type – its simplicity reflecting the financial and practical constraints of the period, rather than an innovative approach to design.

6. Conclusion

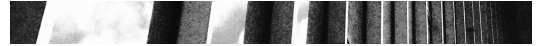
Our assessment has determined that 372-8 Little Bourke Street is comparable with other contributory-graded buildings with the Guildford and Hardware Laneways Precinct and should similarly be graded 'contributory' in its entirety to HO1205. It is not considered to warrant an elevated status (i.e. graded 'individual significant') when compared to other similar buildings within the precinct, and we do not consider that it meets any of the Heritage Criteria in its own right but rather is a contributory element of the criteria identified in the Guildford and Hardware Laneways Heritage Statement of Significance. Having said that, the demolition of 372-8 Little Bourke Street would have an adversely affect the significance of the Guildford and Hardware Laneways Heritage Precinct and its loss or substantial alteration is likely to adversely affect the character and appearance of the heritage place.

Further, we consider that this building is not of individual significance as a particularly early example of a modern city building. In our opinion, the buildings simple form and relatively utilitarian design reflects the financial and practical constraints of the period, rather than a ground-breaking or pioneering approach to design.

It is our recommendation that the Incorporated Document *Guildford and Hardware Laneways Study 2017: Heritage Inventory* and the table entitled 'Guildford and Hardware Laneways Precinct Property Schedule' within the Incorporated Document *Guildford and Hardware Laneways Heritage Study 2017: Statements of Significance* be amended to identify Chart House at 372-8 Little Bourke Street as contributory (in its entirety) to the precinct prior to the approval of Planning Scheme Amendment C272 by the Minister for Planning.



Jim Gard'ner - Director | Registered Architect
GJM Heritage



References

Lovell Chen Architects and Heritage Consultants, *Guildford and Hardware Laneways Heritage Study Methodology Report*, prepared for City of Melbourne, May 2017

Lovell Chen Architects and Heritage Consultants, *Guildford and Hardware Laneways Precinct (HO1205)* Heritage Citation

Melbourne Heritage Action, *Submission to City of Melbourne in regards to 372-378 Little Bourke Street, Melbourne – heritage status (TP-2018-120)*, December 2018

Robyn Riddett (Anthemion Consultants), *Expert Heritage Advice for no. 372-378 Little Bourke Street including 15-17 Niagara Lane, Melbourne*, prepared for Berjaya Developments Pty Ltd, Melbourne Planning Scheme Amendment C271, July 2018

Melbourne Planning Scheme Incorporated Document *Guildford and Hardware Laneways Heritage Study 2017: Heritage Inventory*

Melbourne Planning Scheme Incorporated Document *Guildford and Hardware Laneways Heritage Study 2017: Statements of Significance*