



C305 Southbank Heritage Amendment  
Expert Witness Statement  
Gary Vines

**Prepared for the City of Melbourne**

3/07/2020

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## 1. Name and address of expert

[1] Gary Vines, Biosis Pty Ltd, 38 Bertie St, Port Melbourne 3207

## 2. Qualifications and experience

- [2] My full name is Gary Vines, I am employed at Biosis Pty Ltd located at 38 Bertie St, Port Melbourne.
- [3] I have been a heritage consultant, historical and archaeologist for over 30 years having obtained degrees in history at the University of Melbourne and archaeology (with honours) at LaTrobe University. I have undertaken numerous heritage studies, both as principle consultant (Brimbank, Hume, Southbank and Fishermans Bend) and as a specialist on industrial places (Maribyrnong, Hobsons Bay and Arden-Macaulay).
- [4] I have also undertaken many specialist and thematic studies including comprehensive surveys and assessments of industrial buildings in Melbourne's North and West, the Melbourne tram system, Melbourne sewage system and road and rail bridges.
- [5] I am a member of the Australian Association of Consulting Archaeologists (AACAI), and the Australasian Society for Historical Archaeology (ASHA).
- [6] A statement of my qualifications and experience with respect to heritage and urban conservation issues is appended to this report. A detailed professional resume can be provided on request.

## 3. Statement identifying the expert's area of expertise to make the report

- [7] I have provided expert witness evidence on similar matters before Planning Panels in the past, and have been retained in such matters variously by municipal councils, property owners and objectors to planning amendments and proposals. I have undertaken heritage assessments, conservation management plans and historical research, specialising in the area of industrial heritage for nearly 30 years.

## 4. Authorship

- [8] This statement has been prepared by Mr Gary Vines. There have been no other significant contributors to the report. The views expressed in this report are mine alone.

## 5. Scope of the report

- [9] This statement of evidence has been prepared under the instructions of Megan Bowler, Legal Counsel, City of Melbourne. I have been engaged by the City of Melbourne to provide an independent expert opinion in relation to proposed Amendment C305 to the Melbourne Planning Scheme. This opinion is to be provided to the Planning Panel assessing Amendment C305.
- [10] The statement of expert evidence should:
- Provide an explanation of the background, methodology and key findings and recommendations of the Southbank and Fishermans Bend Heritage Review;
  - Provide a response to objecting submissions in so far as they relate to heritage issues;

- Identify any changes you consider should be made to the amendment documentation as a result of your consideration of the submissions or otherwise;
- Include full details of your experience and expertise which enable you to provide expert evidence about the matters set out in your report; and
- Include a description of the work you have done in relation to amendment C305.

## 6. Site Inspections

- [11] I inspected the subject land in the preparation of the advice. The subject land was viewed from the public realm only.

## 7. Reports relied upon

- [12] This statement draws upon the information contained within the *Southbank and Fishermans Bend Heritage Review 2017*, undertaken for City of Melbourne by Gary Vines of Biosis Pty Ltd, and Graeme Butler & Associates. The recommendations derived from this report are in respect of the version at Participate Melbourne <https://participate.melbourne.vic.gov.au/amendmentc305>.
- [13] This report was prepared by myself with assistance from Graeme Butler from Graeme Butler and associates. Graeme's role was to provide data from his previous heritage assessments of the Southbank area and additional research on individual places and precincts. I had the overseeing role in preparing the report.
- [14] With the exceptions of changes to the fabric of the places such as demolitions, and the proviso that some new information may have come forward after completing the report, I adopt the reports.
- [15] It should be noted that the *Southbank and Fishermans Bend Heritage Review 2017* includes areas and individual places that are not the subject of Amendment C305, particularly in respect of the Fishermans Bend area. I am unaware of any issue where the report is incomplete or inaccurate in any respect.
- [16] It is also noted that there have been changed circumstances since the *Southbank and Fishermans Bend Heritage Review 2017* was prepared, in respect of buildings having been demolished or partly demolished that were assessed in the study. These changes have affected my opinion regarding the extent of the proposed City road industrial and warehouse precinct boundaries and which places are significant and contributory within it.
- [17] The *Southbank and Fishermans Bend Heritage Review 2017* itself draws on the earlier studies including the following:
- Butler, G., 'Southbank Architectural and Historical Study.' Vol.1, September 1982
  - City of Melbourne Heritage Places Inventory 2016
  - City of Melbourne Building Identification Form (BIF). Various dates
  - City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance Methodology Report Prepared for City of Melbourne, by Lovell Chen, 2016
  - Raworth, B – South Melbourne Conservation Study, 1997
  - Context Pty Ltd, Thematic History: A History of the City of Melbourne's Urban Environment', Context Pty Ltd, prepared for City of Melbourne, 2012

- [18] All efforts were made to check any content reproduced from these early studies to ensure they are accurate and correct.

## 8. Declaration

- [19] 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.
- [20] I have no connection to any party to the proceeding that would preclude me from providing my opinion in an independent and objective manner.



**Gary Vines**

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3 July 2020

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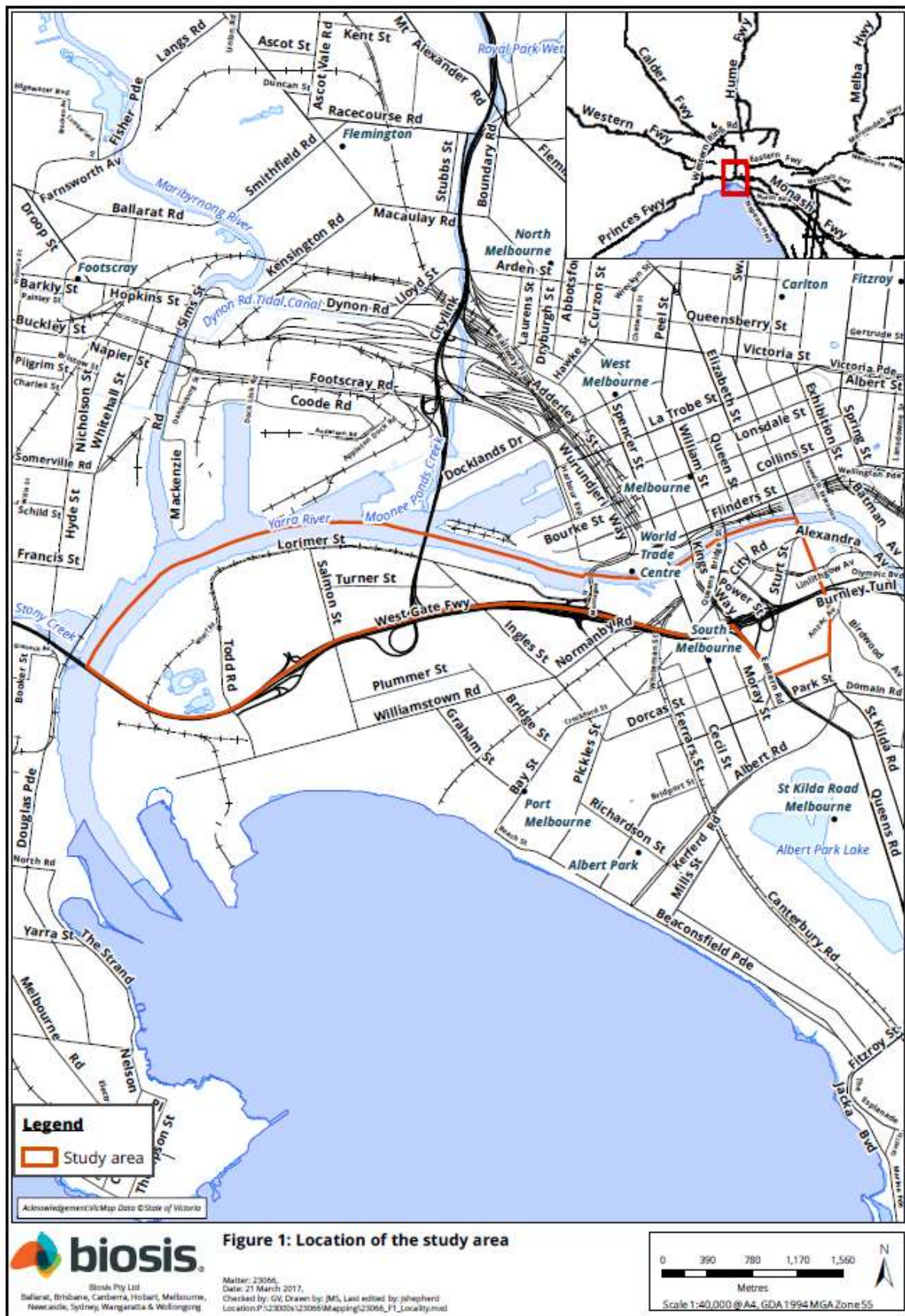
## 9. Background

- [21] City of Melbourne commissioned the Southbank and Fishermans Bend Heritage Review as part of its heritage strategy in 2016.
- [22] The aims of the study are to identify places of heritage significance, prepare a thematic history and make recommendations for heritage protection of suitable places by way of new heritage overlays in the Melbourne Planning Scheme. The study also confirms the significance of existing identified heritage places and incorporates research to further support their heritage significance.
- [23] Southbank and Fishermans Bend are priority areas in the City of Melbourne Heritage Strategy. Understanding the city's heritage is key to protecting heritage places and values. The Southbank and Fishermans Bend area covers a geographically small part of the city, but this area has played an important role historically in the development of the city, and contributed to its social, cultural and economic development. The distinctive historical urban character of Southbank and Fishermans Bend is undergoing rapid change. The heritage fabric is an important resource that can add community value and maintain a link to the area's history during this process of change.
- [24] Aboriginal tribes occupied the area for thousands of years, finding a rich source of food among teeming wildlife along the tidal estuary, swamps and sand ridges. These lowlands both delayed development and preserved natural habitats as recently as the 1960s. Initially valued for transport and industry, the area attracted a wide range of activities. Government and entertainment facilities are concentrated in the area along St Kilda Road. The riverbank was the centre of maritime industry, and commercial activity spread along City Road. Warehouses, timber yards, aircraft and car factories dominated the City Road area in the 20<sup>th</sup> century, while in recent decades the character is changing to host new residential apartment developments and creative industries.
- [25] The legacy of this history is a wealth of high quality early government architecture (such as the Victoria Barracks and Police Depot), the cohesive industrial styles of factories and warehouses dating from the late Victorian, Edwardian and Interwar periods alongside the modern cultural icons of the Arts Precinct.
- [26] The significance of the Southbank and Fishermans Bend area within the historical context of Victoria is presented in Section 3. This geographically small part of the City of Melbourne has played an important supportive role historically in the development of the city, with parts of the civic corridor along St Kilda Road and the industrial Fishermans Bend having contributed to events of great importance in both Victoria and Australia.
- [27] Several places were identified at the beginning of the project as needing urgent assessment. This was completed in January 2017. Planning scheme amendment documentation has been prepared to implement the recommendations of this report, however these documents do not form part of the current report.

## 10. Study Area

- [28] The study area comprises the areas south of the Yarra River, east of St Kilda Road and north of Kings Way and the West Gate Freeway within Southbank, South Wharf and the northern part of Fishermans Bend. The study area is shown in Figure 1. The study area is situated in the part of City of Melbourne located south of the Yarra River and west of St Kilda Road. This area is bounded by the Yarra River, the West Gate Freeway, Kings Way, Dorcas Street and St Kilda Road. The study area includes the localities of Southbank, South Wharf and the northern parts of Port Melbourne and Fishermans Bend (Figure 1).

**Figure 1** Location and boundary of the study area



## 11. Method

- [29] The methodology used to undertake the review is explained in Section 2 of the report. An inception meeting was held with Council's project manager and relevant staff.
- [30] Six priority places were identified by the City of Melbourne for inclusion in the heritage overlay. These were places for which interim amendments would be considered prior to the completion of the study. As three buildings were related to the same place (Castlemaine Brewery), only four detailed place reports were prepared (see Section 5.3.1).

### Background assessment

- [31] A review of existing citations, mapping and background documentation was undertaken to identify previous heritage assessments and where mapping issues required resolution.

### Database development

- [32] The database was developed containing Council GIS property base mapping, with address, property numbers, heritage status and other relevant data. This was then used for data and image capturing.

### Thematic historic narrative

- [33] The report builds on the previous studies with further original research on the environmental background, land use, social history and architecture of the study area. It also builds on Council's 2012 thematic environmental history for the City of Melbourne to prepare a succinct narrative history to provide a context for future development and heritage protection.
- [34] The brief required a desktop assessment of Aboriginal heritage. This was undertaken in consultation with Aboriginal Victoria, through queries to the Victorian Aboriginal Heritage Register, and Traditional Owner groups, including Wurundjeri Tribe Land and Compensation Cultural Heritage Council Inc., Bunurong Land Council and Boon Wurrung Foundation.
- [35] There are currently no recorded Aboriginal archaeological or historical places in the study area, nor any specific archaeological studies relevant to the area. Therefore, an understanding of Aboriginal cultural values was derived from oral and historical accounts and consultation with current elders and custodians. An analysis of historic (pre-European) landforms, environmental factors and archaeological predictive modelling helped demonstrate how Aboriginal people may have used the area.

### Progress meetings

- [36] Progress meetings were held with Council's project manager and relevant staff after background assessments had been produced and preliminary fieldwork had been undertaken to discuss draft documents.

### Field assessment

- [37] The field assessment was undertaken to provide a comprehensive record of existing buildings, places and features from the public realm. It tested and resolved several discrepancies between existing citations and mapping. Systematic survey of all places, as seen from the public

realm, was undertaken. Where issues could not be resolved from public views or aerial photography, private properties were inspected through the assistance of the City of Melbourne.

[38] All properties were photographed and checked against photos from previous heritage studies.

### Review of Heritage Places Inventory

[39] The City of Melbourne Heritage Places Inventory was reviewed to check location details, designations, addresses, mapping and content of heritage citations. The Heritage Places Inventory was updated with revised building gradings from A to D, and streetscape gradings from level one to three. In addition to these gradings, places were assessed against a proposed new system employing the categories of *significant*, *contributory* and *non-contributory*. As proposed in Amendment C258. These categories were defined as follows:

- Significant heritage places are individually-important places of state, municipal or local cultural heritage significance. They are listed individually in the Schedule to the Heritage Review. They can also be places that, when combined within a precinct, form an important part of the cultural heritage significance of a precinct. Places may be both individually significant as well as significant in the context of the heritage precinct.
- Contributory heritage places are places that contribute to the cultural heritage significance of a precinct. They are not considered to be individually important places of state, municipal or local cultural heritage significance, however, when combined with other significant and/or contributory heritage places, they play an integral role in demonstrating the cultural heritage significance of a precinct.
- Non-contributory places are places within a heritage precinct that have no identifiable cultural heritage significance. They are included within a heritage overlay because any development of the place may impact the cultural heritage significance of the precinct or adjacent 'significant' or 'contributory' heritage places.

[40] Note that these definitions are somewhat different in their specific wording to the definitions included in the version of Amendment C258 that has been approved by the Minister for Planning but not yet gazetted. This version I have reviewed is the one available at this link <https://participate.melbourne.vic.gov.au/amendmentc258>

[41] However, it is my view that the differences are not substantive and the two versions have much the same meanings in terms of C305. The changes to the definitions do not affect my assessments in respect of this amendment.

[42] Planning Scheme Amendment C305 was prepared to implement the recommendations of the Southbank and Fishermans Bend Heritage Review relating to heritage places in Southbank on a permanent basis. The Southbank and Fishermans Bend Heritage Review was updated following exhibition of Amendment C305 in June and July 2018 to incorporate amendments to statements of significance and place descriptions and to reflect the buildings that had been demolished in part or whole in the preceding two years.

[43] A Statement of Significance for the whole Southbank Fishermans Bend area, thematic historical narrative, the report and the study recommendations are outlined in separate sections of the Southbank and Fishermans Bend Heritage Review.



- [44] Appendices to the report provide citations for the proposed heritage precincts (Appendix 1), the existing heritage places to be retained (Appendix 2) and the newly-identified heritage places (Appendix 3). Appendix 5 lists potential heritage places for further investigation in the future.
- [45] In some cases, the study has revealed anomalies in existing heritage overlays, for example, when heritage overlays have been demolished, have been mapped incorrectly, or changes to the street addresses have been made to existing heritage overlays.
- [46] Where existing heritage overlays include multiple distinct buildings (such as the Arts Centre or Hamer Hall, both in HO760), separate citations are provided for each component. In these cases, the citation numbers may not match the numbers coding heritage overlays.

### Statement of Significance format

- [47] Statements of Significance for identified heritage places in this study have been prepared in accordance with the DELWP Practice Note 1, 'Applying the Heritage Overlay', which uses the form:
- What is significant? - a brief paragraph identifying features or elements that are significant about the place.
  - How is it significant? - a sentence to the effect that the place is important because of its historical significance, its rarity, its research potential, its representativeness, its aesthetic significance, its technical significance and/or its associative significance and the threshold for which the place is considered important, such as local, state or national.
  - Why is it significant? - elaborates on the criteria that makes the place significant according to the relevant criterion and threshold for which the place is considered important.
- [48] The Practice Note establishes the criteria and thresholds. The Practice Note also describes the option for identifying group, thematic and serial listings for 'places that share a common history and/or significance but which do not adjoin each other or form a geographical grouping', and that such sites may be treated as a single heritage place. Each place that forms part of the group shares a common statement of significance, a single entry in the Heritage Overlay Schedule and a single heritage overlay number. This approach has been recommended for the bluestone laneways and electrical substations identified as part of the study.

### Criteria and thresholds

- [49] All places were assessed using the Heritage Council of Victoria's Criteria (HERCON) of aesthetic, historic, social and scientific significance. Comparative analysis was at either the local level (comprising all or part of the Melbourne CBD or Capital City Zone) or the State of Victoria, depending on the level of significance. A place must be at least of local significance to be included in the Melbourne Planning Scheme Heritage Overlay. The criteria used in this report are:
- Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).
  - Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).
  - Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

- Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

[50] Thresholds for heritage significance are:

- State heritage value - worthy of inclusion on the Victorian Heritage Register.
- Individually significant within a municipality – appropriate for inclusion in a heritage overlay.
- Contributory to the heritage significance of a precinct – appropriate for inclusion as part of a precinct in a heritage overlay.

### **City of Melbourne heritage grading**

[51] Clauses 22.04 and 22.05 of the Melbourne Planning Scheme use the City of Melbourne A to D grading system to identify levels of heritage significance.

[52] 'A' graded buildings are considered to be of national or state importance and are irreplaceable parts of Australia, built form heritage. Many will either already be included or recommended for inclusion in the Victorian Heritage Register or the Register of the National Estate.

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

[54] 'C' graded buildings demonstrate the historical or social development of the local area and/or make an important aesthetic or scientific contribution. These buildings comprise a variety of styles and building types. Architecturally, they are substantially intact and any alterations are reversible. In some instances, buildings of high individual historic, scientific or social significance may have a greater degree of alteration.

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

### **City of Melbourne streetscapes grading**

[56] The City of Melbourne streetscape/laneway grading is ranked by levels 1 to 3. Clause 22.05 of the Melbourne Planning Scheme refers to streetscape gradings to determine how applications should be assessed. The policy specifies thresholds and acceptable measures for new additions depending on their building and streetscape grading.

- Level 1 streetscapes are collections of buildings outstanding either because they are a particularly well preserved group from a similar period or style, or because they are highly significant buildings in their own right.
- Level 2 streetscapes are of significance either because they still retain the predominant character and scale of a similar period or style, or because they contain individually significant buildings.
- Level 3 streetscapes may contain significant buildings, but they will be from diverse periods or styles, and of low individual significance or integrity.

## Review of City of Melbourne grading

- [57] City of Melbourne undertook a review of local heritage policies in 2016 that included a review of the grading and assessment methodology. The report recommended that streetscape gradings not be used, apart from Level 1 gradings which should be designated as 'Significant Streetscape'.<sup>1</sup>
- [58] The translation of A-D gradings and 1 to 3 streetscape levels into the new definitions of heritage significance for the study area are shown in Table 1.<sup>2</sup>

**Table 1 Comparison of letter gradings and new significance gradings**

City of Melbourne gradings	Practice Note 1: levels of significance
A	Significant
B	Significant
C and some of D	Significant
D and some of C	Contributory
Ungraded	Non-contributory

## 12. Recommendations

- [59] The report recommends:
1. Retention of 17 existing heritage overlays, with corrections made to descriptions, addresses and/or boundaries. Citations and statements of significance for these places are included in Appendix 2 and shown on Figure 87 of the study report.
  2. Deletion of 14 existing individual heritage overlays that have either been demolished or incorrectly included. These are listed in Section 5.3.4 and Table 9 and are mapped in Figure 88 of the study report.
  3. Deletion of the HO5 South Melbourne Precinct Heritage Overlay.

<sup>1</sup> City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance Methodology Report, prepared for City of Melbourne, [http://participate.melbourne.vic.gov.au/application/files/6514/4971/0854/Lowell\\_Chen\\_PLANNING\\_AMENDMENT\\_C258\\_HERTIAGE\\_POLICIES.pdf](http://participate.melbourne.vic.gov.au/application/files/6514/4971/0854/Lowell_Chen_PLANNING_AMENDMENT_C258_HERTIAGE_POLICIES.pdf).

<sup>2</sup> 'A Review of the Local Heritage Planning Policies in the Melbourne Planning Scheme', July 2014.

4. Introduction of two new precinct heritage overlays:

- City Road industrial and warehouse precinct (inside Capital City Zone), Figure 91 of the study report, and
- South Wharf shipping sheds and berths precinct (outside Capital City Zone), Figure 92 of the study report. (Note that this is not part of the current amendment)

5. Introduction of 34 new individual heritage overlays, including two thematic group listings. Citations and statements of significance for these places are included in Appendix 1 and Appendix 3, and their locations are shown in Figure 89 of the study report. (Note that these include places in Fishermans Bend that are not part of the present amendment). These include the four priority places assessed at the beginning of the study and subject to a separate interim HO amendment, two serial or group listings and one landscape/streetscape place. The remaining heritage places include two group listings:

- Electricity substation thematic group, Figure 93 of the study report, and
- Bluestone-pitched laneways group, Figure 94 of the study report.

The new heritage places also include one landscape/streetscape place:

- St Kilda Road Boulevard.

Two places are also recommended to be nominated to the Victorian Heritage Inventory, as listed in Appendix 4, Table 11 and Figure 89 of the study report.

[60] The study identified a further 28 places for potential future heritage overlays. Although these places have architectural or historic importance, they have not been recommended at this time for heritage protection for reasons explained in Section 5.3.7 of the report. These places are briefly described in Appendix 5, and their locations are shown in Figure 90 of the Southbank and Fishermans Bend Heritage Review 2017.

[61] Not all of the places identified and recommended in the Southbank and Fishermans Bend Heritage Review 2017 are included in Amendment C305 for various reasons, including the parallel planning process for the Fisherman's Bend Urban Renewal Area. Of the places that have been put forward for Heritage Overlays as part of C305, I am fully supportive.

### 13. Changes since the completion of the Heritage Study

[62] Following consideration of the submissions to the Amendment and responses to the submissions which included further site visits to get an update on existing conditions of some places, some further considerations were made as follows:

[63] Changes to all or parts of several buildings had been carried out, including:

- all but the façade of G P Motors at 35 City Road, (HO1202)
- all but the façade of Maurice Artaud & Co. at 71-75 City Road (HO1220)
- All but the front portion of Kosky Bros at 67-69 City Road (H1219)
- All of 245-251 City Road, formerly contributory to the City Road industrial and warehouse precinct (H1214)
- All of 64 Clarendon Street, formerly contributory to the City Road industrial and warehouse precinct (H1214)



- A small section of lane (Sm0549) off Hancock Street) part of Bluestone-pitched laneways group, (H1216)
- Part of the PMG Workshops at 45-99 Sturt Street (HO1201)

[64] As these places were initially considered as contributory to the City Road Industrial and Warehouse Precinct, their demolition has an impact on the integrity of the proposed precinct, and in response a revised extent of this precinct was recommended as shown in Figure 2.

[65] It is also my view that the individual Heritage Overlays applying to the buildings that have been partly demolished should be reduced to only the remaining section and a 5 metre curtilage. Individual places are considered in respect of the particular submissions below.

[66] Some other minor changes to mapping of Heritage Overlays have been made as part of C305, to align the mapping correctly to the boundaries of allotments or to include only the areas which have been identified as part of the heritage place. I support these changes.

## 14. Expert comments on selected submissions

A total of 48 submissions were received by the City of Melbourne, of which a proportion related to matters regarding heritage significance or descriptive details of the places identified in the heritage study. These have been addressed in the response to selected submissions as set out in the following table.

No.	Property	City of Melbourne reference	Expert comment
1	Various places	11700443, 11795897	yes
2	Various places	11732166	yes
3	Various places	11752386	yes
4	Various places	11819038	n/a
5	35-47 City Road	11818815	yes
6	63-69 City Road	11752358	yes
7	63-69 City Road	11752354	yes
8	71-75 City Road	11818850	See sub 9
9	155 City Road	11795962, 11795997	yes
10	245 City Road, 33-51 Hancock Street, 42 Moray Street	11818867	yes
11	256-266 City Road	12442822	yes
12	272 City Road	11798958	yes
13	334-342 City Road	11752248	
14	15-17 Hancock Street	11752367	yes
15	63 Kings Way	11732847	yes
16	87-127 Queens Bridge Street	11786441	yes
17	133 Queens Bridge Street	11718028	yes
18	101-111 Sturt Street	11752167	n/a
19	45-99 Sturt Street	12444365	yes
20	242-246 Sturt Street	11752374	yes
21	Three sites in Fishermans Bend	12444367	yes
22	56-62 and 64-68 Clarendon Street	12444370	yes
23	Various places	11796403	n/a
24	Various places	11796403	n/a
25	Various places	11796403	n/a
26	Various places	11796403	n/a
27	Various places	11796403	n/a

No.	Property	City of Melbourne reference	Expert comment
28	Various places	11796403	n/a
29	Various places	11796403	n/a
30	Various places	11796403	n/a
31	Various places	11796403	n/a
32	Various places	11796403	n/a
33	Various places	11796403	n/a
34	Various places	11796403	n/a
35	Various places	11796403	n/a
36	Various places	11796403	n/a
37	Various places	11796403	n/a
38	Various places	11796403	n/a
39	Various places	11796403	n/a
40	Various places	11796403	n/a
41	Various places	11796403	n/a
42	Various places	11796403	n/a
43	Various places	11796403	n/a
44	Various places	11796403	n/a
45	1-7 Queens Bridge Street	12441590	yes
46	93-103 Clarendon Street	12441592	yes
47	West Gate Bridge (site in Fishermans Bend)	12754147	yes
48	162 Salmon Street (site in Fishermans Bend)	12754168	yes

## 15. Submission 1 Multiple places

### Malthouse Theatre - interior structure

[67] The submission notes:

- Statement of Significance as 'contributory elements': "internal elements of cast-iron columns, timber trusses and upper floors." but does not tick the 'Internal Controls Apply' column in the schedule."
- remaining cast-iron and timber structure ... is one of the few 19th century maltings left in Victoria,
- one of the few relatively intact industrial buildings left in the Southbank area, including the internal built structure (i.e. not just a façade).
- refurbishment for the Playbox Theatres, may also be of significance itself
- Statement of Significance states that the complex opened in 1989, but it actually opened on 23 February 1990.
- It was called the Playbox at Malthouse in 1990, then just the Malthouse in 2003.
- The building was donated to the then independent Playbox theatre company, not the State Government
- The Playbox relocation to Sturt St was a bold move, and the beginning of the Southbank Boulevard / Sturt Street 'Arts Precinct'.

### Response

[68] I agree that the interior control should be applied. The Southbank & Fishermans Bend Heritage Review makes the recommendation that internal alteration controls should be applied: "...to original timber lining and fittings, and cast iron posts and wrought iron beams internal structures." There are also items of machinery still intact which it was intended should be considered as 'fittings'.

[69] The Malthouse is an important example of a fairly respectful heritage conversion which retains the most significant elements of the place. As the building was constructed for a specific industrial function, the interiors reflect that use. The conversion has retained much of the internal structural elements, original wall finishes and some plant and equipment. Remnants of brackets and other fittings give some sense of former equipment.

[70] The citation should be updated with the opening date of the Playbox Theatre included in the citation (with an appropriate citation), and the role of the Playbox Theatre in the site's history and significance.

### ACCA building or complex including ACCA, Malthouse and Vault sculpture

[71] Submission proposes:

- The ACCA building, possibly as a complex with the Malthouse and Vault sculpture, is of sufficient significance to deserve listing in its own right, as an example of 'deconstructivism' in Victoria and an outstanding work by Wood Marsh, as a notable cultural facility, for its RAIA Award and the Citylink exhaust tower.

### Response

[72] The Southbank & Fishermans Bend Heritage Review recommended Vault be included in the HO, and lists ACCA as a place for further investigation. It was not proposed for an individual HO, or

as part of a larger area, only on the basis that places of relatively recent date (e.g. less than 25 years) were generally not the focus of the study and were only included as places for possible future research and assessment.

- [73] It is my view that as a general approach, major architectural award winning buildings should be seen as candidates of inclusion in the Heritage Overlay, regardless of their recent age, as the awards are primary evidence of their architectural significance. However, as a community we have not embraced recent heritage places very enthusiastically. The rarity and threat of older building types has justifiably seen resources directed to these places.

### **Other places for future investigation**

- [74] The submission supports the following places for inclusion in the HO

#### **Evan Walker Footbridge and Southbank Promenade**

- [75] The submission considers this place is highly significant:
- as an expression of deconstructivism and historic referencing of Postmodernism
  - as a major element in the creation of Southbank Bridge
  - aesthetically, for the large white painted arch
  - as the first new bridge over the Yarra for decades and the first footbridge
  - for its design by Cocks Carmichael & Whitford
  - It also notes it was built 1988-89, not 1992
  - It also notes Southbank Promenade (and bridge) is significant as a design of noted firm of Denton Corker Marshall, Winning RIA award.

### **Response**

- [76] Evan Walker Bridge was identified as a place for further investigation in the heritage study. As with other relatively recent places, it was not put forward for inclusion in the HO only because the focus of the study was on older places. As with other architectural award winning designs, my view is that it should eventually be included in the Heritage Overlay, particularly as such modern places are often otherwise unsympathetically changed without regard to the original designs.

#### **Exhibition Centre**

- [77] The submission notes this is:
- the most striking piece of architecture in the whole study area
  - won many awards (noting errors in the citation)
  - questions my comment that its aesthetics may be open to question
  - over 20 years old not 'too recent'.

### **Response**

- [78] Again, the approach of the study was to consider recent award-winning architecture, but the places of recent date were not proposed for a HO only on the basis that the study focussed on the older buildings.

### Shell West Gate service centre

- [79] The submission notes that this was built c1975, and is one of the largest tensile roof structures in Victoria, is quite intact, and that it was in the motor garage and service station study recommended to be listed at a State level.

#### Response

- [80] I agree that, for its architectural/aesthetic and engineering qualities it should meet criteria for cultural significance at least at local level and therefore be a candidate for the HO in the future.
- [81] The focus of the study was on the older surviving places, and there is a parallel planning process being undertaken for the Fishermans Bend area, which resulted in the places in this area not being included in the amendment C305.

### Additional comments 8 and 12 June

- [82] The submission notes Castlemaine Brewery is important as a three dimensional landmark viewed from all angles, designed in the round (i.e. with the intention that it be viewed from all elevations) and able to be seen from a distance.
- [83] The submission suggests there are inaccuracies in the addresses of Queensbridge Street properties forming the former Castlemaine Brewery and Robur Tea buildings

#### Response

- [84] The point about the brew tower being significant for its views from all angles is relevant and picked up in the statement of significance, which states that it is an architectural landmark in the area. The citation could be updated to stress the importance of maintaining views from all directions.
- [85] The address issue is complex as different sources refer to the properties by different numbers. The City of Melbourne Interactive Map (CoMMaps) lists the Robur Tea building and the northern bottle store as part of 107-127, the brew tower as 129-131, and the southern bottle store as 133 Queensbridge Street. This source is in agreement with GIS data on properties provided to Biosis by City of Melbourne as the base mapping for the study.

## 16. Submission 2 Land contamination risks multiple sites

- [86] This submission notes that the submitter has no significant concerns with the proposed heritage places and is generally supportive of the planning scheme amendment, however, the submitter wishes to highlight potential land contamination risks for industry. In particular, it notes that specific places that have potential land contamination include, but are not limited to, the Castlemaine Brewery 113 Sturt St; Crown Chemicals 63-65 City Road; Australian Chemicals/Scott Paint Works 276-282 City Road; and Sharp & Sons/GMH 171-193, 195-205 City Road 100-118 Cavanagh St & 1 Balston St. The submitter recommends Council consider the General Practice Note on Potential Contaminated Land in future planning scheme amendments.

## Response

- [87] The concerns raised are relevant to future use of the sites and management of changes. Inclusion in the Heritage Overlay does not necessarily impede management of contaminated places.
- [88] Contamination has in some cases been used as a reason for not conserving historic places. It is therefore recommended that careful consideration be given to planning applications regarding use and redevelopment to ensure this scenario can be avoided.
- [89] In the case of Sharp & Sons, this site has been completely redeveloped for high rise buildings with the exception of the two storey brick and concrete facades to City Road. I assume that any land contamination issues were dealt with in the planning and construction phases. In any case, the potential contaminated ground would appear to have been removed, apart from what may have entered the façade masonry and foundations.

## 17. Submission 3 General support for amendment

- [90] The submission supports the amendment, and provides a list of places within the study area that are listed by the National Trust and provides copies of classification reports.
- [91] In respect of the Vault Sculpture, the National Trust notes:
- A brief history of the sculptor Ron Robertson-Swann and the manufacture of the work have not been included in the proposed statement of significance.

## Response

- [92] The history of the sculptor is well known and documented elsewhere, but the role of the statement of significance in communicating this aspect of the place's significance can be valuable. Amendment of the statement of significance to include a brief history of the sculptor, and to include its significance in association with Robertson-Swan as an important historical figure (Criterion H) is appropriate.

## 18. Submission 5 35-41 City Road (G P Motors)

- [93] The submission notes:
- A permit was issued for the demolition of the existing buildings and the construction of a hotel.
  - After consultation with City of Melbourne "...the design was amended to retain the heritage facade at No. 35-41 City Road, maintaining the contribution the heritage building makes to the streetscape."
  - The buildings on site have now been demolished, with the exception of the heritage facade.
  - Requests removal of No. 43-47 City Road from the precinct wide overlay and revisions to HO1202 to only relate to the facade of the building

## Response

- [94] The demolition of all but the façade of 35-47 City Road, and the entirety of the former Draffin Bros at 43-47 City Road impacts on the integrity of a proposed City Road industrial and warehouse precinct. However, the façade to 35-47 City Road remains and logically forms the

end of the remaining (albeit fragmented) former industrial buildings along City Road. The demolition of 43-47 City Road means that that property cannot be considered contributory to the precinct.

- [95] The loss of the rest of the building at 35-47 City Road means that it would not be sensible to apply the individual HO to the whole building and that it would be more sensible to apply the HO instead to only the façade, as is proposed for the James Moore and Sharp & Sons building facades in City Road. The fact that the façade has been retained in the new development does not ensure it will remain in the future. The heritage value of the place has changed as a result of the demolition of the bulk of the building, but it is my opinion that the façade of 35-47 City Road, as the main public expression of the architectural and historic values of the site, still has sufficient heritage value to warrant the individual Heritage Overlay being applied.
- [96] As there have been a number of demolitions and permit approvals since the Heritage Review was undertaken, the proposed extent of the City Road industrial and warehouse precinct Heritage Overlay should be amended. In some cases, the demolition of a building has also resulted in the loss of continuity of a streetscape, and so warrant removal of a section of the precinct which can no longer be justified on the basis of the surviving significant and contributory elements.
- [97] Alternative boundaries are presented in the accompanying plan, on the basis of the changes that have already occurred and a response to this and other submissions (Figure 2).

## **19. Submission 6 63-65 & 67-69 City Road (Crown Chemicals & Kosky Bros) (see also submission 7)**

- [98] The submission seeks:
- Removal of 63-65 City Road & 67-69 City Road from the proposed City Road amendment.
  - The removal of the entire City Road eastern area from the overlay.
- [99] It also notes:
- No reference is made to recent (past 40 years) history and use of the buildings as part of an arts/education precinct.
  - Discrepancies in the current and proposed grading (C2 or B2?).
  - Tenuous link to historical themes ('building a large city based economy').
  - Development has been approved for the site, and adjacent developments make it unviable to retain the current buildings as they are.
  - Other City of Melbourne planning and strategic policies are contrary to heritage protection of this site.

### **Response**

- [100] The comments about the recent history of the site being omitted from the assessment are not relevant to the assessment of the cultural significance of the place, which related to its early to mid-twentieth century history as part of the commercial/industrial/warehousing functions of Southbank and especially the City Road area. The role of the building in the more recent arts/education activities in Southbank is of interest, but is peripheral to the factors that give the place cultural significance. The arts entertainment and education themes are considered in the



study, and the main places related to that theme (the Arts Centre, VCA, South Melbourne State School etc.) have been identified accordingly.

- [101] The City of Melbourne building gradings have evolved through several separate heritage surveys and by a number of different heritage consultants. The gradings have been revised and reviewed in the Southbank and Fishermans Bend Heritage Review in an effort made to provide consistency. Therefore buildings of similar character, related to historical themes, and in a cohesive group including 63-65, 67-69 and 71-75 City Road are all graded C2.
- [102] The recommendation for a new City Road industrial and warehouse precinct is based on the assessment of the important historical themes identified in the study and the assessment of the extent of surviving fabric, and the relationships between the significant and contributory places. While it is recognised that the surviving significant and contributory places are now dispersed, and that there has been substantial new development of a totally different scale in the Southbank area, this should not be used as a reason for dismissing the values of a precinct. Given the current refocussing of strategic planning and policy for the Southbank area, the use of a heritage precinct as part of the planner's tools would be an entirely appropriate measure.
- [103] It should be noted that City of Melbourne has recently introduced amendment C258 which proposes to convert from the letter (A-D) grading system to the best-practice Significant/Contributory/Non-Contributory system as described in "Planning Practice Note 1 Applying the Heritage Overlay." Under this system the subject buildings would be graded as individually significant.
- [104] I would suggest that the link to the historical theme is not tenuous, but is demonstrated in the history of the buildings' uses, and in the visual forms, the distinctive design, especially in the use of the 'Richardson Romanesque' style typified by the tall round-arched bays rising through several floors.
- [105] In respect of other City of Melbourne planning and strategic policies, it is the role of the council to determine the appropriate balance between various policies and strategies, and where there may be conflict to find a suitable compromise.
- [106] While development may have been approved for the site, until the buildings are demolished, there is still an opportunity to conserve the cultural values of the place. Sometimes such development approvals are not acted upon.
- [107] Modification of the extent of the proposed City Road industrial and warehouse precinct Heritage Overlay due to recent demolitions and permit approvals is in my opinion warranted; a plan of alternatives is attached (Figure 2).
- [108] In June 2020, most of the rear of Kosky Bros at 63-69 City Road was demolished. This confirms the reinforced concrete structure. The façade and about 10 metres of the front of the building was still standing when last inspected (1/7/2020). Given this change I consider the Heritage Overlay should only apply to the remaining structure if it is not demolished in the meantime.

## 20. Submission 7 63-69 City Road (Crown Chemicals & Kosky Bros)

[109] The submission notes that:

- A Planning Permit has been issued for "...demolition of existing building and construction of a multi-level mixed use development."
- It questions the significance of the buildings individually and in respect of their contribution to a heritage precinct. Claiming "...the historic use is not evident when viewed from the public realm and that both buildings have been altered so as to impact on any significance."

### Response

[110] The heritage assessment has been undertaken independent of any decisions made by Council on demolition applications. It is understood that some permits were issued before the study was undertaken and others while it was underway.

[111] The rating of significance of the two subject buildings and the proposed City Road precinct is based on the historic themes related to this part of Southbank, the rarity of the surviving places that reflect this theme, and the attributes of the particular places. The citation sets out the reasons for this; Crown Chemicals at 63-65 City Road and Kosky Brothers building at 67-69 City Road (along with the adjacent Maurice Artaud building at 71-75 City Road) present the most intact group of early twentieth century industrial/commercial buildings in the Southbank area. They are now around 100 years old and reflect the historical character of this part of Melbourne for most of its life, which has only undergone substantial change in the last couple of decades.

[112] Application of the heritage overlay is seen as an appropriate way to conserve the last examples of this aspect of the area's cultural history.

[113] As to whether the historic use of these buildings is evident, I would point out that in the current context of the new residential and office developments in Southbank, the fact that they represent a former historical use related to manufacturing or wholesale storage and trade, is clearly apparent in their design, materials, scale and form.

[114] Modification of the extent of the proposed City Road industrial and warehouse precinct Heritage Overlay due to recent demolitions and permit approvals is in my opinion warranted; a plan of alternatives is attached (Figure 2).

## 21. Submissions 8 71-75 City Road (Maurice Artaud)

[115] The submission notes that:

- "Planning Permit No 201535466 dated 12 March 2017 and endorsed plans approved by the Minister for Planning, allow the demolition of a substantial part of the rear of the building" at 71-75 City Road Southbank
- only the facade of the building, proposed for retention, be included in the heritage overlay.

### Response

[116] All but the façade, and short sections of the side walls of the building were demolished in early 2020.

- [117] My view is the Heritage Overlay (HO1220) for 71-75 City Road should be reduced to remove the area of the demolished part and include only the surviving walls and sufficient curtilage to ensure their integrity. This would entail the City Road façade, a section of wall about 13 metres long on the east side, and a section about 5 metres on the west side, along with a curtilage of about 3-5 metres to ensure structural integrity can be maintained.

## **22. Submissions 9                      155 City Road (James Moore)**

- [118] The submission notes that:

- The façade of the property known as 155 City Road Southbank is a modern structure built in 2014.
- The heritage study notes in reference to the citation for the James Moore timber yards and sawmills complex façade: "a replica bay has been added to the west end of the façade, separated by a glass link".

### **Response**

- [119] The replica bay replaces a section of original façade that was continuous along the City Road frontage and wrapped around the side elevations. The replica is very close to the original apart from the surface finish which reveals it is constructed in concrete rather than brick and cement render. This section was in the previous Heritage Overlay,
- [120] The citation argues that the replica section is included in the HO to ensure that the historical and visual context of the surviving original fabric can still be conserved, as well as the fabric itself. There are other examples of reproduction or reconstructed buildings remaining in heritage overlays, or even on the Victorian Heritage Register. A recent example is Kirby's Kiosk on St Kilda Pier which was destroyed by fire, but reconstructed, and the replica building continues to be protected under a Heritage Overlay.

## **23. Submission 10 245 City Road; 33-51 Hancock Street (inc. substation); 42 Moray Street (incorporating 11 Hancock Street (Russell & Russell))**

- [121] The submission notes:

- Planning Permit TP-2016-274 was issued for demolition of 33-51 Hancock Street.
- Planning Permit 2009/004752 was for 245 City Road, for development of the land for mixed-use multi-storey building
- Planning Permit PA1600136 was issued for demolition of existing buildings and construction.
- at 42 Moray Street (incorporating 11 Hancock Street).
- Heritage provisions need to be balanced against other planning provisions.
- Heritage significance of remnant older building stock in Southbank has been compromised by recent development.
- Proposed gradings are unjustified, buildings are from different periods, in a predominantly non-heritage context, do not show consistency of built form, lack of physical relationship between buildings.
- Demolition of parts of the buildings has already occurred.

## Response

- [122] The contributory building at 245 City Road has been demolished and therefore the proposed City Road industrial and warehouse precinct should be amended to exclude this place.
- [123] It is recognised that the proposed City Road industrial and warehouse precinct comprises dispersed remnants of the former industrial character that is the key historical theme in the area. However, there are still relatively extensive sections of historic streetscape and some quite substantial individual buildings remaining to justify a precinct.
- [124] The significance of the precinct lies in its development as an industrial and warehousing area from the end of the nineteenth century to the mid twentieth century. Some surviving buildings in Southbank, such as 35-37 Hancock Street are a little later. However, other demolitions in the Southbank area have led me to reconsider the overall extent of the proposed City Road industrial and warehouse precinct Heritage Overlay.
- [125] Modification of the extent of the proposed City Road industrial and warehouse precinct Heritage Overlay due to recent demolitions and permit approvals is in my opinion warranted; a plan of alternatives is attached (Figure 2).

## 24. Submission 11 256-266 City Road

- [126] The submission notes that:
- A planning permit has been approved, demolition has occurred and construction is scheduled to commence for a multi-storey mixed-use development.
  - The precinct boundary should be adjusted to exclude these properties.
  - As the site is now vacant, HO1214 is redundant.

## Response

- [127] These buildings were identified as non-contributory. The precinct boundary was drawn to include them on the basis that adjacent buildings were contributory or significant, and they were part of a group of low rise buildings on the corner. Given the removal of the buildings, including the facades, and the likely redevelopment as high rise, it would not seem appropriate to retain the precinct over these sites.
- [128] Modification of the extent of the proposed City Road industrial and warehouse precinct Heritage Overlay due to recent demolitions and permit approvals is in my opinion warranted; a plan of alternatives is attached (Figure 2).

## 25. Submission 12 272 City Road (Edward Murphy warehouse)

- [129] The submission notes that:
- Only the front portion of the building (frontage to City Road) should be included in the Heritage Overlay as a planning permit has been approved to allow demolition of a substantial portion of the building.

## Response

- [130] Although a permit has been approved, the building is still in place, therefore until the buildings are demolished, there is still an opportunity to conserve the remaining cultural values of the place. Sometimes such development approvals are not acted upon.
- [131] The significance of industrial buildings such as 272 City Road lies in both their outward appearance and their overall form. Where a building has been identified as a representative or characteristic warehouse or factory, the form, volumes, internal spaces and overall envelope of the building as well as its structural materials, walls, floors and roof, are all part of the significant elements. Reducing any building to a façade only severely limits the heritage values of the place and the ability of the public to appreciate its whole significance.

## 26. Submission 13 334-342 City Road (W J Bush Ltd and Potter & Moore)

- [132] The submission notes that:
- A planning permit was issued for the redevelopment of the site for apartments. Therefore the inclusion of the building in the HO is of little purpose.
  - The building is an aging non-descript concrete structure that has been altered significantly, while the structure is coming to the end of its useful life.

## Response

- [133] While a planning permit may have been issued, sometimes permits are not enacted upon and expire, while there are opportunities to conserve heritage as long as the building stands.
- [134] The building has been included as a contributory place within the proposed City Road industrial and warehouse precinct. This precinct is proposed with the objective of recognising the former industrial/warehouse history and character of Southbank. The building was built in 1940, at the peak of the industrial activity of the area and was a major warehouse for perfume & cosmetics manufacturers and distributors, W J Bush Ltd and Potter & Moore. The scale of the building reflects its importance in the historic theme for which the City Road precinct is considered significant.
- [135] While it is acknowledged the building is quite plain in its design and construction form, this is a characteristic of the period. It is graded D2 in the study and contributory to the precinct, without additional claims on individual significance.
- [136] Modification of the extent of the proposed City Road industrial and warehouse precinct Heritage Overlay due to recent demolitions and permit approvals is in my opinion warranted; a plan of alternatives is attached (Figure 2).

## 27. Submission 14 15-17 Hancock Street (inc Russell & Russell)

- [137] The submission notes:
- Insufficient evidence to justify significance of the laneway.
  - Original fine grained industrial character of the area has changed due to new high-rise development.
  - Planning permit and demolition of 11-13 Hancock St has been approved.

- Inconsistencies in identification of the laneway – contributory or individually significant.
- The lane is not structurally sound and needs to be reconstructed to provide a serviceable surface.
- The lane is no longer required for rear access.
- 11-13 Hancock St not listed in Table 13, but is in Fig 90.4, not in Table 14 as contributory place but is in Fig 91, not included in heritage place inventory but in statement of significance incorporated documents.
- State and local planning policy promotes development.
- Brickwork of 11-13 Hancock St is structurally unsound.

## Response

- [138] As with Submission 10, it is recognised that the proposed City Road industrial and warehouse precinct comprises dispersed remnants of the former industrial character of Southbank, and that this is a key historical theme in the area. Similarly, the proposed bluestone lane serial listing identifies a number of physically separated places. These however, are the now rare remnants and provide the last opportunity to preserve any elements of the area's history. While there has been substantial new development changing the character of the area, this is a spurious argument for allowing any remaining heritage elements to be demolished.
- [139] Although a permit has been approved, the lane and contributory buildings are still in place, therefore until the buildings are demolished, there is still an opportunity to conserve the remaining cultural values of the place. Sometimes such development approvals are not acted upon.
- [140] Inconsistencies in the Heritage Review are noted, however, it should be stated that an individually significant place can also be contributory to a precinct. Therefore the Heritage Review should be amended to clarify that 11-13 Hancock St is a contributory place in the City Road precinct (Table 14), and is also recommended for further investigation (Table 13).
- [141] The structural condition of the laneway and the building at 11-13 Hancock St may require attention, but both could be repaired and upgraded to allow for adaptive reuse if necessary.
- [142] Modification of the extent of the proposed City Road industrial and warehouse precinct Heritage Overlay due to recent demolitions and permit approvals is in my opinion warranted; a plan of alternatives is attached (Figure 2).

## 28. Submission 15 63 Kings Way (Austral Otis)

- [143] The submission notes that:
- There is an existing planning permit for demolition of the building in its entirety. A section 72 amendment was submitted which retained the corner façade only.
  - The site specific HO is obstructive to development.
  - The building is in disrepair, has been entered by squatters and contains asbestos.
  - Retention of the façade is sufficient heritage fabric.
  - The precinct HO is sufficient and the site does not need an individual HO.

## Response

- [144] 63 Kings Way is the former Austral Otis engineering works. This is identified in the study as of historical and aesthetic significance as a distinctive and long-lived engineering firm which pioneered the development of steam and electric power installations in Melbourne, and was a major contributor to the development of fast electric passenger lifts which facilitated the design and construction of multi-storey office buildings in the late- nineteenth century.
- [145] The building strongly reflects its purpose in the surviving fabric as it maintains both the elaborate Italianate architectural façade and utilitarian manufacturing space. This is an extremely rare combination as the vast majority of the industrial and engineering built structures in Southbank (and elsewhere in Victoria) have been demolished, with this process having accelerated dramatically in Southbank in the last 15 years. I am therefore of the opinion that the site specific HO is warranted. While it is outside the scope of the commissioned assessment for the city of Melbourne, I would go further and suggest that the place meets the threshold for State significance and inclusion on the Victorian Heritage Register.
- [146] While a planning permit may have been issued, sometimes permits are not enacted upon and expire, while there are opportunities to conserve heritage as long as the building stands.
- [147] Development potential is not a consideration in determining the appropriate level of cultural significance of a place.
- [148] The condition of the building can be addressed by proper maintenance and repair.
- [149] The presence of asbestos does not preclude conservation of the building and would require similar mitigation whether the building was retained or demolished.

## 29. Submission 16 99-127 Queens Bridge Street (Robur Tea warehouse)

- [150] The submission notes:
- Analysis of the site by the submitter's heritage consultant says it should be excluded from the amendment because the building has been substantially modified and altered throughout its lifetime.
  - The significance of the place is overstated.
  - Additional historic information is provided - constructed in mid 1880s for William Train and Co, likely designed by Frederick De Garison and Sons; occupied by Robur Tea Company and James Service c1905; alterations including additional storeys, and façade; Benson Brothers in 1920s added rectangular outbuilding – removed in 1950s and Voca House added; rooftop added 1990s.
  - Victorian architectural detail has been removed.
  - 87-89 Queens Bridge does not warrant contributory status.

## Response

- [151] The heritage advice concentrates on changes to the building including alterations to the earlier Victorian façade, claiming these diminish its significance. These changes are equally evidence of its history and contribute to its cultural significance, defining the changes in use and the changes in architectural fashion. The Robur Tea building was not recommended for inclusion



on the HO only for its connection to Train & Co., but for its broader historical significance as part of the former industrial/warehouse history and character of Southbank.

- [152] Comments that ‘...design of the additions was constrained by the pre-existing arrangement of piers and window openings and produced a reasonably poorly-resolved outcome incorporating stylistic devices from each of the construction programmes.. [and]... the awkward rooftop levels to the south of the building constructed as part of the early 1900s works ...’ does not in my view, negate its aesthetic significance, and in fact demonstrates an important aspect of its historical significance. The need to work around existing structures to apply the newer fashion in architecture and expand on an existing building to provide additional space reflects the rapid growth of commerce in the area at the turn of the century. It also demonstrates the attitude of the time in not wasting existing buildings (what we would consider conserving embodied energy today).
- [153] The owners’ heritage consultant makes the point that the building was not erected for the Robur Tea Co in 1904, but this would appear a moot point since under Robur, the building was significantly enlarged by 1905, going from two stories to five, gaining a new façade, and substantially more floor area.
- [154] Arguments about the architectural qualities would appear to be a matter of opinion. The ‘well-developed architectural treatment and its tall-arched fenestration’ refers to the way the arches rise through several floors creating a monumental scale and avoiding the monotony of identical window treatment to each floor. This is a major characteristic of the Romanesque Revival warehouse and commercial buildings emanating from America as a response to the tall facades of the growing scale of these buildings of the period, and typical of the work of Henry Hobson Richardson. This massive round arched form is the reflection of ‘...the style’s interest in medieval architectural sources...’ while the arts & crafts detailing is evident in the ornament around the capitals and window mouldings.
- [155] Voca house on 216 City Road is described by the submission as having been demolished in 1990 and replaced, although, based on examining aerial photos it is my view that the building on this site retains the same sawtooth roof pattern evident in 1945 aerial photographs. It is my opinion that the building generally dates from before 1945, but has been refaced to the City Road elevation.
- [156] Recent demolitions in Southbank have led me to reconsider the overall extent of the proposed City Road industrial and warehouse precinct Heritage Overlay so that I now do not consider property at 87-89 Queens Bridge Street, is contributory to the precinct.
- [157] Modification of the extent of the proposed City Road industrial and warehouse precinct Heritage Overlay due to recent demolitions and permit approvals is in my opinion warranted; a plan of alternatives is attached (Figure 2).

### **30. Submission 17 133 Queens Bridge Street (Castlemaine Brewery)**

- [158] The submission supports the amendment but objects to some aspects including:
- The area occupied by the modern extensions to the south and east.
  - The short section of brick wall on City Road.
  - The pocket park on the corner of City Road and Queens Bridge Street.



- [159] The modern extension was built during renovation works in 2006 in a sympathetic style and scale to the surrounding building. The objector notes that this area was previously an open yard and that "...it is not agreed that this impact is achieved from City Road which is very much the "back of house" frontage which would previously have been open yard. The heritage buildings are not built to the street boundary on City Rd (as they are on Queens Bridge Street)."
- [160] It also notes that modern shopfront windows were removed and replaced with the original arch style windows in the Queens Bridge Street frontage, and that the "... section of wall (on City Road) is now almost indistinguishable from the modern section and it simply reads as a part of a non active frontage (as it would have been in its original complete form)."
- [161] The Council owned pocket park adjoining the site is described as not "... deemed contributory to the heritage precinct...[and] ...What Southbank is desperately in need of is more open space which is actually useable and activated. There should be no controls placed on this small parcel which may be an impediment to future activation. This is consistent with the City Road Masterplan (August 2016) which has as one of its aims to "reimagine Kings Way undercroft as a community space".

## Response

- [162] The purpose of applying the heritage overlay to the whole site is to ensure that both the significant fabric of the historic buildings and the relationship and views between these and surrounding areas can be effectively managed for their cultural heritage values. It also provides an accurate surveyed cadastral and legal boundary with which to align the HO mapping.
- [163] It is acknowledged that the modern additions and alterations do not in themselves contribute to the cultural significance of the place, however, the existing scale and form of these buildings in their present state assists in protecting and revealing the cultural heritage of the significant components. If these areas were to be excluded there would be diminished ability to manage future changes within the excluded parcels of land outside of the HO.
- [164] The remnant brick wall on City Road assists in demonstrating the former extent of the Castlemaine Brewery complex and the former presence of outbuildings on the site. It is considered to be a contributory element to the significance of the place.
- [165] The pocket park, as the site of the former Castlemaine Hotel is highly likely to retain archaeological evidence of the former hotel, including remains of footings and artefact deposits from former cesspits and the rear yard. As this site is in public ownership, there is greater opportunity than would be present on a privately owned site for archaeological investigation, and the potential for conservation and interpretation of any features uncovered within the site. This is consistent with the objectives of the City Road Masterplan, as it would allow the community space to be developed in a manner that contributed to and enhanced the cultural heritage and character of the area.
- [166] The fact of the site being both archaeologically significant and in public ownership gives purpose to applying the heritage overlay, as this recognises the role of the City of Melbourne in managing the conservation values of the site. This would be in addition to the separate approval process that would run through Heritage Victoria in the event that it is recorded on the Victorian Heritage Inventory. That is, the VHI is only intended to manage the excavation and destruction of archaeological sites, but not to preserve them in situ, while the HO provides a means for the long term conservation and public interpretation of the site.

### **31. Submission 19 45-99 Sturt Street (GPO workshops)**

[167] The submission notes:

- Amendment C258 should be considered in relation to the current amendment which would remove grading and include all individual HO places are upgraded to 'significant' regardless of the A-D grading.
- Under this amendment, where a HO covers a number of buildings a precinct overlay should be used so that individual buildings are able to be graded.
- HO should be revised to exclude buildings recently demolished including #878 and part #877, part #876 former 1973 amenities building.
- A precinct HO should be applied to the site.
- Further exemptions should be included in the incorporated document.

#### **Response**

[168] The Melbourne University property includes a number of separate buildings, which were all part of the same PMG complex, constructed in a similar style and period (apart from the 1973 amenities building) and which read as a cohesive whole at the time the study was completed. There have since been some substantial demolitions and alterations that have changed the character of the site.

[169] Whilst the significance of the place still warrants inclusion in the HO, a review of the statement of significance and description may be necessary. Changes to the extent of the HO may be appropriate, given recent demolition of building 878 and part of 877, and the construction of the Melbourne Conservatorium. The HO should however, still cover a contiguous area, rather than just the footprints of surviving buildings.

[170] A precinct HO could be appropriate, if it is accompanied by appropriate management measures. Separate grading of the various buildings could be undertaken, but this process has to some extent been pre-empted by recent demolitions. An alternative approach would be for the owners to commission a comprehensive Conservation Management Plan (CMP) for the whole site so that future development can be undertaken in an informed manner. The CMP could be included as an incorporated or reference document in the planning scheme to assist with future development applications. If a CMP were undertaken, or specific works were proposed that can be undertaken without impacting on the heritage values of the place, then I believe there would be scope for including further permit exemptions in the planning scheme.

### **32. Submission 20 242-246 Sturt Street (Artificial Limb Factory)**

[171] The submission notes that:

- Artificial limbs were made at the factory but not fitted, and health services were provided elsewhere.
- The site is divided between two properties at 242-246 Sturt Street and 248-250 Sturt Street, which were previously part of one lot, but the HO only applies to part of the original site and not to 250 Sturt Street.
- Alterations were made to the building including large vehicle accesses on the north and east elevations and changes to the entrance, which means it can no longer be identified as the original factory.

- It is of low aesthetic value.
- The identified building elements are common to a large number of conventional industrial properties and are not architecturally distinctive.
- The history could be commemorated by a memorial plaque.

## Response

- [172] The history of the site's use indicates that war veterans attended the site either for measuring, fitting or repair of artificial limbs. For example, the chief orthopaedic surgeon for the 3rd Military District Lieut.-Colonel J. Gordon attended once a week to supervise fittings. The role of the site in serving the needs of veterans was sufficiently important to see a dedicated waiting shelter erected on the new tramline adjacent to the factory. The suggestion that health services were provided elsewhere is irrelevant to the significance of the place.
- [173] The current configuration of the land parcels is not relevant to the significance of the place. The property now at 248-250 Sturt Street was previously part of the same factory complex, but the earlier building at this location has been demolished and replaced with a modern structure of no significance, and the mapping of the HO area has been designed to reflect this.
- [174] Alterations to the building are noted. Some of these occurred while the building was under the Repatriation Department, which continued at least into the 1960s. It is my view that there is still sufficient evidence of the building fabric left to express its previous role as an artificial limb factory and to demonstrate the place's historical significance. The building fabric is still either in the form it was constructed in or in the form in which it was modified during the period that it was actually used for making artificial limbs.
- [175] Architectural or aesthetic significance is not claimed for the place. Its significance is based on social and historical values. There may be some argument, that as few living ex-servicemen or others will have had direct involvement in the site, the social significance has diminished, but this value would simply transfer to historical significance.
- [176] The conventional nature of the building form simply means that it is representative of the construction type. Its relatively modest scale, use of sawtooth roof lights to illuminate the working space used by individual craftsmen, and modernist façade presentation to the public realm (in an area that was at the time dominated by larger utilitarian manufacturing buildings), provides some specific insight into its former role and significance.
- [177] While a plaque or some form of public interpretation of the site's history would be valuable, this should not be seen as an alternative to conservation of significant heritage buildings and places.

## 33.Submission 21 Three sites in Fishermans Bend (GMH Holden)

- [178] The submission acknowledges that Amendment C305 does not seek HO controls on 221-245 Salmon Street, 61-65 Cook Street or 33-49 Cook Street. It also notes the proposal to include the Southbank and Fishermans Bend Heritage Review as a reference document in the Planning Scheme, but makes a point that this "should in no way prejudice any future heritage consideration of the abovementioned land"

## Response

- [179] The Southbank and Fishermans Bend Heritage Review was commissioned to identify places of cultural significance in both the Southbank and Fishermans Bend areas within the City of Melbourne boundaries. This document should still be considered a valid assessment of heritage despite the Council determining that places recommended in the Fishermans Bend Area would not be included in the proposed Amendment C305 at this stage.

## 34. Submission 22 56-62 and 64-68 Clarendon Street (Buckeye Harvester Co., Kelly & Lewis)

- [180] The submission notes

- Lack of heritage importance of the buildings and fragmentation of the Precinct.
- Other planning policy for high density development.
- Live planning permits for demolition, and development.
- 64-68 Clarendon Street has been demolished.

## Response

- [181] The heritage importance (or significance) of the precinct has been established through the thematic history and consideration of all the values of the area, including historical and social as well as architectural. While the buildings have little aesthetic significance, they represent the last examples of the building type which was once ubiquitous in the Southbank Area. Southbank's historical significance lies in its role in the industrial and commercial development of Melbourne and Victoria, and so these examples provide rare tangible connections to this significant historical theme.
- [182] In respect of fragmentation of the precinct, it is acknowledged that quite recent development has resulted in dramatic changes to the built form of the Southbank area, so that surviving nineteenth and early twentieth century buildings are now the minority, and are somewhat scattered. There are however, extensive surviving streetscapes which still demonstrate the former historical character of the area. The Clarendon Street properties were included in the precinct because they are consistent with the historical theme and building forms, and the area compliments the similar scaled Eckersley & Co opposite. I note that the map of the proposed precinct boundary used in the submission is in error as it does not show Eckersley & Co.
- [183] The existence of another planning policy that encourages high density development does not preclude retention of historic buildings, or additional controls to recognise the heritage of the area. For example, it is unlikely that it is the intended outcome of such a policy, that every land parcel in Southbank must have high density development. Given the current refocussing of strategic planning and policy for the Southbank area, the use of a heritage precinct as part of the planner's tools would be an entirely appropriate measure.
- [184] The live planning permits were not considered in the heritage assessment, which was based on what historical fabric was present at the time. While any building still exists there is at least the potential that it will remain, for example if the permit is not acted upon. However, due to the demolition of a number of places in Southbank, I have reconsidered the extent of the proposed city Road Industrial and Warehouse Precinct and revised it so that 64-68 Clarendon Street, is no longer included. An alternative boundary for the precinct is proposed in Figure 2.

### 35. Submissions 24-44 Individual submissions

- [185] These submissions are in support of the amendment C305. Comments in the submissions are consistent with the purpose and recommendations of the Southbank and Fishermans Bend Heritage Study and the proposed amendment.

### 36. Submissions 45 1-7 Queens Bridge Street (Queens Bridge Hotel)

- [186] The submission notes that:
- The site has been approved on a number of occasions for total redevelopment.
  - The retention of the current Queensbridge Hotel façade would be inconsistent with the delivery of broader policy objectives.
  - Works to the street and building interface are required to mitigate flooding are required,
  - Retention of the Queensbridge Hotel would limit community benefit.
  - Requests clarification of HO762.

#### Response

- [187] Previous or current planning permits were not considered in the heritage assessment, which was based on what historical fabric was present at the time. While any building still exists there is at least the potential that it will remain, for example if the permit is not acted upon.
- [188] The existence of another planning policy that encourages high density development does not preclude retention of historic buildings, or additional controls to recognise the heritage of the area.
- [189] No evidence is provided that public benefit and flood mitigation cannot be provided through good design and engineering while retaining the existing structures.
- [190] HO762 formerly applied to the Sandridge Rail Bridge which was part of the Port Melbourne and St Kilda Heavy rail lines prior to their conversion to light rail. The bridge does not have a formal street address so the nearest available has been applied to it.

### 37. Submissions 46 93-103 Clarendon Street (Eckersley & Sons)

- [191] The submission notes that:
- HO will affect the ability to achieve broader policy objectives.
  - Building is in poor structural condition.
  - Appears visually run down and unappealing.
  - Northern portion of Clarendon St façade has been rebuilt.
  - The building is isolated from the City Road Heritage Precinct.

#### Response

- [192] The existence of another planning policy that encourages high density development does not preclude retention of historic buildings, or additional controls to recognise the heritage of the area.

[193] The significance lies in the whole structure, not just the façade, so the northern section of the building has been included.

[194] The City Road Heritage Precinct has been devised to include the remaining fabric representing the nineteenth and early twentieth century industrial character of the area. 93-103 Clarendon Street is one of few remaining intact industrial sites. It backs onto the bluestone cobbled Haig Lane, which is backed onto by other significant buildings in the precinct, and so it is part of a contiguous area of contemporary fabric.

### 38. Submission 47 West Gate Bridge (site in Fishermans Bend)

[195] The submission notes:

- Concerns regarding the practicality of the potential West Gate Bridge inclusion in the HO.
- HO would trigger planning permits for maintenance works within the river and bank.
- 13 sites in Fishermans Bend area should be redacted from Southbank and Fishermans Bend Heritage Review.

#### Response

[196] The *Southbank and Fishermans Bend Heritage Review* was commissioned to identify places of cultural significance in both the Southbank and Fishermans Bend areas within the City of Melbourne Boundaries. This document should still be considered a valid assessment of heritage despite the Council determining that places recommended in the Fishermans Bend Area would not be included in the proposed Amendment C305 at this stage. Keeping the document intact and available to the public is required for transparency and to avoid unnecessary duplication in the event that future planning scheme amendments are proposed for the Fishermans Bend sites.

### 39. Submission 48 162 Salmon Street (Vegemite Factory, site in Fishermans Bend)

[197] The submission notes:

- Properties located within Fishermans Bend identified in the *Southbank and Fishermans Bend Heritage Review* 16 June 2017 are not subject to the Amendment C305 heritage controls.
- Reference to the Vegemite Factory in the *Southbank Statements of Significance* should be removed

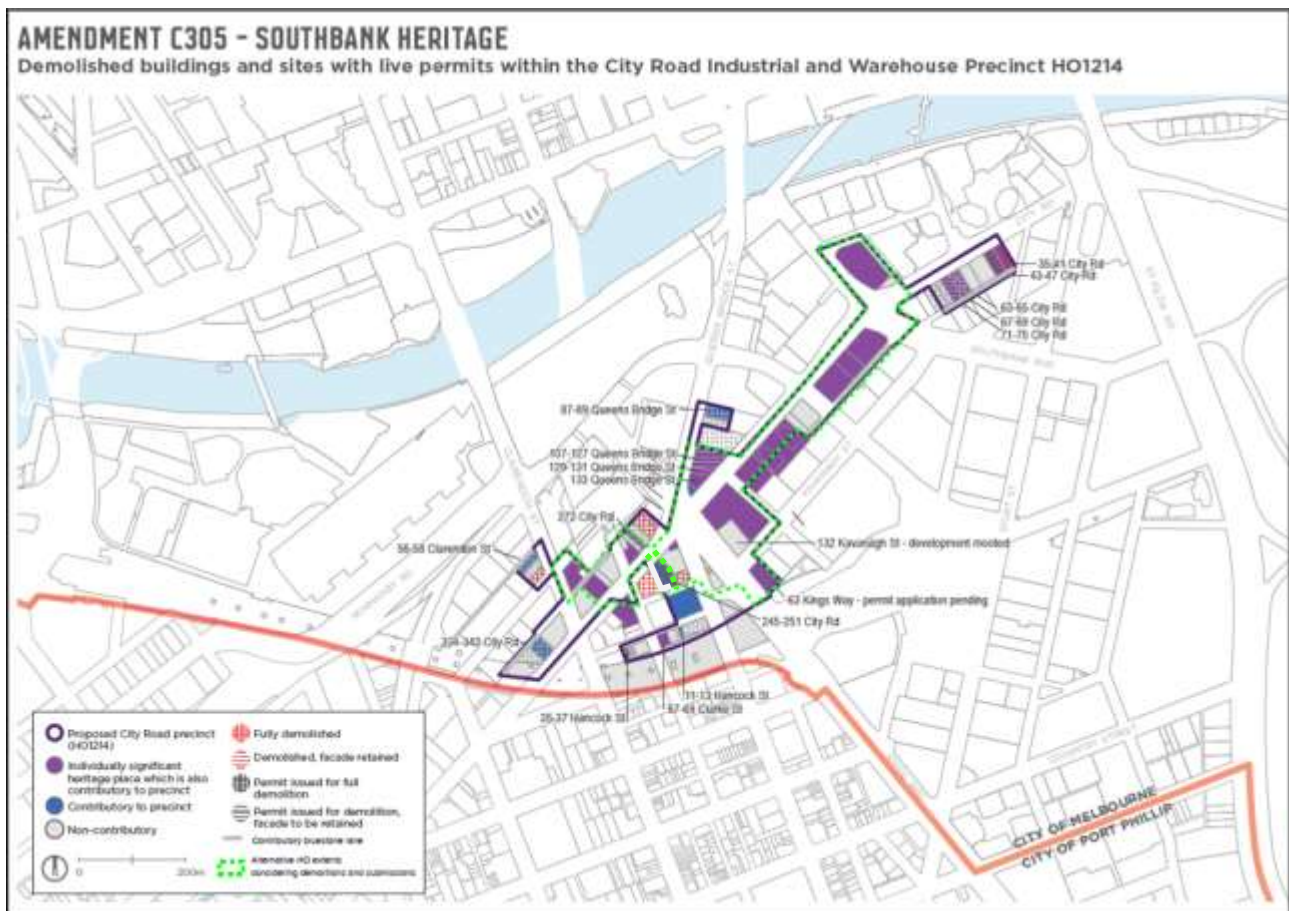
#### Response

[198] The initial scope of the *Southbank and Fishermans Bend Heritage Review* was to address the cultural heritage of the whole study area and the methodology, thematic history, and site survey addressed this whole area. Reports were prepared for places in the whole of the study area. The City of Melbourne determined that they would not proceed with Heritage Overlays for places in the Fishermans Bend under amendments C305. There may be future planning scheme amendments dealing with the heritage places in Fishermans Bend. Keeping the *Southbank and Fishermans Bend Heritage Review* document intact and available to the public is required for transparency and to avoid unnecessary duplication in the event that future planning scheme amendments are proposed for the Fishermans Bend sites.

## 40. Conclusion

- [199] Overall, the submissions tend to refer to conflicting development strategies and planning or demolition permits that are still to be enacted upon. While it is understood that the existing approvals may result in changes to the precinct and heritage fabric that may diminish the heritage values of the precinct in the future, the assessment is based on what is currently present in the study area. Until demolition has occurred, there is at least the opportunity to retain significant fabric, either through modification of design proposals or if the developments do not proceed.
- [200] The submissions have also been taken into account in terms of the levels of significance and contributory value of various buildings, as well as the current state of the fabric, and in particular, the demolitions and new constructions that have occurred since the study was undertaken. It is also noted that several of the places attracting submissions and some of the recently demolished places are on the peripheries of the precinct. In response to these factors, I have prepared a possible alternative precinct boundary plan which is shown in the Figure 2.





**Figure 2 Initial and alternative City Road Industrial and Warehouse Precinct Boundaries**  
(prepared in 2018, annotated by G. Vines 14/2/20)



## Appendix – qualifications and experience



### Position

Senior Historical Archaeologist

### Qualifications

Bachelor of Arts (History/Archaeology) University of Melbourne, 1984

Bachelor of Arts, Honours (Archaeology) Latrobe University, 1985 Thesis: "The Historical Archaeology of Forest Based Sawmilling in Victoria"

### Professional experience

Gary has worked as a consultant in heritage and archaeology for over 24 years. He has project managed and individually conducted archaeological field surveys for development projects and environmental impact studies, as well as historic site assessments, heritage studies, and archaeological and heritage mitigation works, excavations and conservation plans. Gary has specialist skills in archival research, oral history, site assessment and interpretation, industrial and historical archaeology, large-scale environmental management and conservation plans in Victoria.

Examples of archaeological surveys include VicRoads projects on the Goulburn Valley Highway, Yarra Glen Bypass, Calder Highway, Western Highway and the Scoresby Bypass. His heritage work has included managing the City of Hume and City of Brimbank Heritage Studies, contributing the industrial and archaeological components to heritage studies of Dandenong, Flinders, Hobson's Bay, and Maribyrnong and undertaking a variety of historic site assessments including the Fisherman's Bend heritage study, and Pipemakers Park Conservation Plan.

His work on industrial heritage includes comprehensive inventories of industrial heritage places in Melbourne and Victoria, and extensive research on historic industries including sewerage infrastructure, tramways, bridges, tanneries, meatworks, manufacturing, dry stone walls and chaffmills.

Gary is a registered Cultural Heritage Advisor under the Victorian *Aboriginal Heritage Act 2006*.

### Key project experience

Industrial Archaeologist	Wongawilli (Elouera) Colliery Conservation Management Plan – including heritage impact statements for coal dumper house and Mine Mangers residence. (2009-11) for Cardno Forbes Rigby and Gujarat NRE.
Historian/Researcher:	Historical research, comparative analysis, assessment of significance and justification for nomination for the Royal Exhibition Building World Heritage Nomination to the UNESCO World Heritage Register (1997 for Meredith Gould and MCC)
Heritage consultant:	State-wide survey of industrial heritage and industrial archaeological sites including over 500 sites of industrial heritage

## Curriculum vitae

Gary Vines



in Melbourne's west, Northern Suburbs and along the transport corridor extending through Wodonga (1995-1999 funded by the Ministry for Planning and Environment, Australian Heritage Commission National Estate Grants Project, and the William Buckland Foundation)

### Heritage consultant:

Comprehensive history, survey and significance assessment for Melbourne Metropolitan Tramway system, including assessment of all surviving historic rolling stock, tramway depots, workshops, offices, tracks and other infrastructure.  
<http://www.dpcd.vic.gov.au/heritage/publications-and-research/thematic-and-typological-studies/tram-heritage-study>

### Project Manager/historian:

State-wide survey of all masonry, metal and concrete road and rail bridges in Victoria, identifying significant structures through a thematic history, comprehensive field survey, database development, and comparative analysis (2004-2011). Undertaken for the National Trust of Australia (Victoria) with funding from VicTrack, VicRoads and Heritage Victoria

### Project Manager

Aurora Estate housing development Epping North Victoria, for Places Victoria (formerly VicUrban) - a 10 year-plus (2001-ongoing) project undertaking preliminary due diligence assessments, through to supervising heritage management and interpretative works. Cultural heritage management has been integral in the development, informing the design process and value adding to the development by incorporating Aboriginal and history cultural heritage places and features into the built landscape and conservation zones.

### Heritage Advisor

Chandler highway Bridge Conservation Management Plan. Research, survey and assessment of significance of this late nineteenth century railway bridge, proposed to be converted to a shared use path and conserved following construction of the new Chandler highway river crossing. (2016 for VicRoads)

### Heritage advisor

Fishermans Bend Urban Renewal Area heritage assessment. Survey and research of historic places in the Fishermans Bend URA (South Melbourne and Port Melbourne) and recommendations for management and heritage protection for significant places (2015-6 for Metropolitan Planning Authority, with follow up heritage amendment documentation for city of Port Phillip.

