

From: [Colin Charman](#)
To: [Colin Charman](#)
Subject: Amendment C258 to the Melbourne Planning Scheme (BH 181202)
Date: Tuesday, 5 February 2019 5:35:21 PM
Attachments: [image001.png](#)
[image002.png](#)
[577-583 Little Collins Street, Melbourne - C258 Panel Raworth.pdf](#)

From: Coral-Leigh Knight [mailto:coral-leigh.knight@besthooper.com.au]
Sent: Monday, 4 February 2019 11:41 AM
To: 'joseph.morrow@delwp.vic.gov.au'
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Subject: Amendment C258 to the Melbourne Planning Scheme (BH 181202)

Dear Mr Morrow,

We continue to act on behalf of Sydney Road Holdings Pty Ltd.

Please see **attached** expert witness statement of Mr Raworth to be relied upon by our client at the forthcoming hearing.

Kind Regards,

Coral-Leigh Knight

Lawyer

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577-583 Little Collins Street
Melbourne

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

Bryce Raworth

Conservation Consultant and Architectural Historian

Prepared under instruction from Best Hooper Lawyers

February 2019

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

February 2019

1.0 Introduction

1. This report was prepared under instruction from Best Hooper Lawyers on behalf of Entertainment Management Services Pty Ltd, owners of the subject site comprising properties at: 577-579 and 581-583 Little Collins Street, Melbourne.
2. I have been asked to provide comment on the heritage considerations associated with *Amendment C258* to the *Melbourne Planning Scheme*, which proposes, amongst other changes, to apply new heritage gradings to the subject site and update the heritage policy at *Clause 22.05*.
3. By way of background, an application has been made for redevelopment of the subject site involving total demolition of the existing building and construction of an 80 metre tower with the lower levels articulated as a podium with a 20 metre street wall height. The application has not been advertised or determined at this point in time.
4. This statement has been prepared with assistance from Guy Murphy and Martin Turnor of my office. The views expressed are my own.

2.0 Sources of Information

5. The analysis below draws upon inspections of the subject site, and a review of the relevant *Amendment C258* documentation, including local heritage policies revised by Council in the post-exhibition phase. Reference has also been made to the *Hoddle Grid Heritage Review* (June 2018)) and the current Heritage Overlay provisions in the *Melbourne Planning Scheme* (Clauses 43.01 and 22.04). Key documents reviewed include:
 - Exhibited Amendment C258 documentation;
 - Amendment C327 & 328 documentation, including the *Hoddle Grid Heritage Review* prepared by Context Pty Ltd (June 2018);
 - Council Amendment C258 Part A Submission, dated 23 Jul 2018;
 - Sophie Jordon Consulting, Amendment C258 to the Melbourne Planning Scheme Planning Evidence Statement, dated 30 July 2018;
 - *Central City Heritage Study Review* (1993);
 - *Central Activities District Conservation Study* (1985);
 - *i-Heritage Database*;
 - *Victorian Heritage Database*.

3.0 Author Qualifications

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

4.0 Declaration

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

A handwritten signature in black ink, appearing to read 'B. Raworth', with a stylized flourish at the end.

BRYCE RAWORTH

5.0 Description

8. The subject site is located in the western side of Melbourne's central business district, on a city block bounded by Little Collins Street to the north, King Street to the east, Francis Street and Spencer Street to the west. The site gently slopes downhill in a southerly direction and comprises two portions of land, 577-579 Little Collins Street on the eastern side and 581-583 Little Collins Street on the western side. The site contains modified two and three storey Victorian warehouses that are presently used as an entertainment venue.

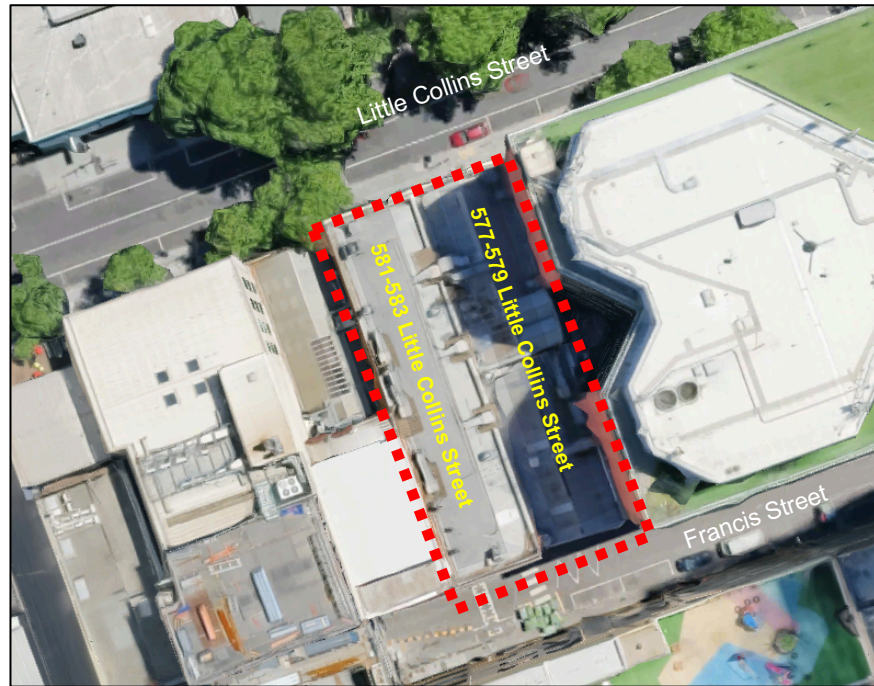


Figure 1 Aerial photograph of the subject site.

9. For the purposes of this panel report, the history and description of the site that was provided in the *Hoddle Grid Heritage Review* is adopted as background:

SITE HISTORY

577-583 Little Collins Street comprises two co-joined three-storey former warehouses, one built at 577-579 Little Collins Street, and the other built at 581-583 Little Collins Street.

In 1855, the subject site was part of the Immigration Depot, but no buildings were in existence at this time. By 1877, a small shed stood at 577 Little Collins Street, and the Russell and Gillespie Flour Mills had been built at 583 Little Collins Street (Fels, Lavelle & Mider 1993).

A flour mill was erected at 577-579 Little Collins Street (Crown allotment 29, section 16a) for Russell and Gillespie in 1875 by builders Corkram and Co of 8 O'Connell Street, North Melbourne (MCC registration no 6581, as cited in AAI, record no 76828). The building at 577-579 Little Collins Street and a two-storey brick store at 16-18 Francis Street (at the rear of 577-579 Little Collins Street) were built as part of the flour mill complex (MCC registration no 9346, as cited in AAI, record no 76863) (see Figure 318 and 319). The flour mill was owned by Mr Russell and George Gillespie and named the City Flour Mills.

The Gillespie family were well known flour millers in Melbourne and Sydney. Scotsman George Gillespie established himself as a produce and grain merchant in Melbourne, and in the 1870s expanded into flour milling. Sons Robert, John and George Gillespie formed Gillespie Bros and Co (later Gillespie Bros Ltd), and became proprietors of the Anchor Flour Mills, extending their business into New South Wales and Queensland (Amos 1983).

Shipping agents Anderson and Marshall occupied 577-579 Little Collins Street until the early 1880s (Age 1 December 1882:3). The building was vacant for some time after the City Flour Mills company moved from the premises c1887 (S&Mc 1888). Fawcett and Co Federal Free Stores briefly occupied the building in 1888 (S&Mc 1889). The building was again left vacant for twelve years between 1898 and 1910 (S&Mc 1898-1911), until occupied by the Wholesale and Agency Co Pty Ltd in the latter year, who continued to use the building until 1920 (S&Mc 1912-1920).

The Detailed Fire Survey plan published in 1910 shows that by that year 577-579 Little Collins and 16-18 Francis Street were interconnected (Mahlstedt Map no 23, 1910). No street number was assigned to these properties until the closure of the flour mill c1887 (Mahlstedt 1888, S&Mc 1876- 1889).

A three-storey warehouse was at 581-583 Little Collins Street c.1887, with the Eureka Free Store of Dummett and Co occupying the building (S&Mc 1888, Mahlstedt Map no 16, 1888). The property at 581-583 Little Collins Street was sold by auction in 1889, and described as a 'three storey brick warehouse, newly and most substantially built...right through to Francis Street, also with cellarage accommodation the full depth' (Age 9 March 1889:2).

After the sale, 581-583 Little Collins Street was occupied in 1889-1901 by various tenants, including Virgoe and Sons, John Barwise, and the Fidelity Free Storage Co (S&Mc 1889-1901). From 1902 until the 1960s, James Hardie and Co, merchants and importers, occupied the building (S&Mc 1903- 1942; Age 8 February 1961:37).

The facade of 581-583 Little Collins Street was altered in the mid-1920s. 577-579 Little Collins and 581-583 Little Collins Street were integrated in 1975 and converted to an office building, and later refurbished and converted to a night club in 1994 (CoMMaps).

SITE DESCRIPTION

These two co-joined Victorian era warehouse buildings are located on the southern side of the Little Collins Street, between King Street and Spencer Street. Whilst built several years apart and for different owners, the two buildings are complementary in form, scale and materiality. Façade detailing varies between the buildings. At the upper levels, 577-579 Little Collins Street retains much of its Victorian era detailing, while number 581-583 has characteristics of later styles following alterations to the façade in the 1920s.

577-579 is a three-level brick building, (now painted). The upper façade of the building remains relatively intact, with simple detailing reflective of the pre-1880s construction date. A set of three identical rounded arched window openings with timber sash windows is located across the face on both the second and third levels. Each window has a stone sill (now painted). A string course marks the transition between the levels. A simple cornice runs across the parapet and a simple arched pediment is centred over the building. At ground level, there have been significant alterations to the shop front, with a section of bluestone plinth being the only early fabric remaining.

The upper façade of 581-583 Little Collins Street reflects the proportions and scale of the adjacent Victorian building, however detailing is more consistent with the Inter-war period. The flat rendered façade is reasonably intact, with window openings grouped and consistent across the two levels. Rectangular window openings remain, with a double opening in the centre and single openings at each end. Original windows and window detailing have been removed.

Flat engaged pilasters separate the openings, and the parapet is gently curved with no pediment details. The upper cornice matches the cornice on the adjacent building, suggesting it may be an original detail. As with the adjacent building, there have been significant alterations made at street level, with a consistent façade running across both buildings.

INTEGRITY

At street level, both buildings have undergone substantial alterations. The Victorian detailing to the upper façade of number 577-579 is largely intact, although the brick work has been painted. On number 581-583, the Victorian era cornice remains towards the top of the building. The façade of this building was altered in the 1920s. The flatness of the rendered finish and pattern of openings from this period are still evident, however windows have been replaced and no other decorative details are evident.



Figure 2 The north, Little Collins Street facade to 577-579 Little Collins Street.



Figure 3 The north, Little Collins Street facade to 581-583 Little Collins Street.



Figure 4 View of the Little Collins Street frontage of the subject site from the north east showing some of the adjacent streetscape context.



Figure 5 View along the Francis Street from the south east, with the full frontage of the subject site at centre. The three storey brick building to the left of 581-583 Little Collins Street is the rear elevation of 585 Little Collins Street.



Figure 6 The bluestone facade of the heritage building to the immediate west, 585 Little Collins Street (HO706).

Context

10. The subject site is located in an urban context that includes heritage buildings in nearby streetscapes, but is also dominated by modern highrise development on nearby blocks. The large adjacent site to the east at 569 Little Collins Street occupies the remainder of the block eastwards to King Street, and contains a modern commercial buildings of at least nine storeys.

11. 585 Little Collins Street on the adjacent site to the west is a former Victorian warehouse which presents a single storey gabled bluestone facade to Little Collins Street, and a three-storey brick facade to Francis Street to the south. Further west at 595 Little Collins Street is a modern four-storey commercial building. Directly opposite the subject site to the north at 582-584 Little Collins Street is a double storey rendered masonry Victorian building, while at the north-east to the corner with King Street at 115-129 King Street is a more substantial three storey rendered masonry Victorian building.

6.0 Current Heritage Listings

12. The subject site is subject to an interim individual heritage overlay, (HO1278), which expires on 29 May 2020. No external paint controls, internal controls or tree controls apply as a result of the Heritage Overlay listing.
13. The adjacent site to the west, 585 Little Collins Street, is also a heritage place, HO706.

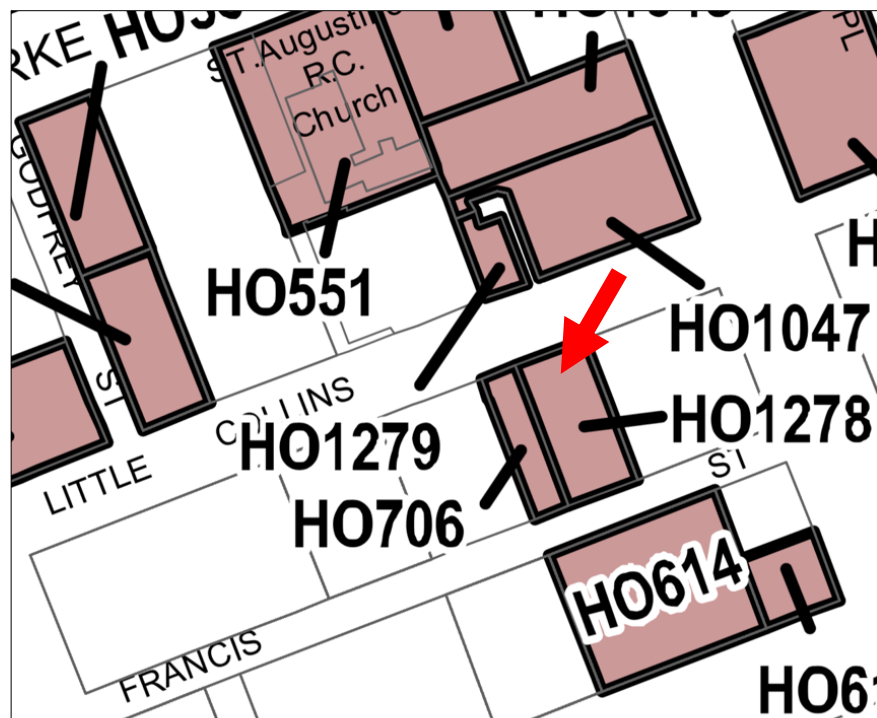


Figure 7 Extract from the Heritage Overlay map showing the interim heritage overlay HO1278 applying to subject site.

7.0 Significance

14. The statement of significance for the warehouses at 577-583 Little Collins Street, as set out in the *Hoddle Grid Heritage Review* (June 2018), is as follows:

WHAT IS SIGNIFICANT

The buildings at 577-579 Little Collins Street, built in 1875, and 581-583 Little Collins Street, built in 1887, are significant.

HOW IT IS SIGNIFICANT

The two buildings at 577-579 Little Collins Street and 581-583 Little Collins Street are of local historic significance to the City of Melbourne. The buildings are significant as remaining representative examples of brick warehouse buildings from the Victorian period. They also have potential value as an historic archaeological place.

WHY IT IS SIGNIFICANT

The site of 577-583 Little Collins Street is historically significant for its use in 1855 as part of the Immigration Depot, although no buildings were in existence at this time. (Criterion A)

The two co-joined three-storey buildings at 577-583 Little Collins Street are historically significant for their association with manufacturing and warehousing in the City of Melbourne. A three-storey flour mill was erected for Russell and Gillespie at 577-579 Little Collins Street in 1875 by builders Corkram and Co. A two-storey brick store was built in 1882 at the rear of 577-579 Little Collins Street (16-18 Francis Street), in association with the Gillespie flour mill, which closed c1887. The two buildings were interconnected by 1910. A three-storey warehouse was built c1887 at 581-583 Little Collins Street, next to the flour mill, and occupied by the Eureka Free Store of Dummett and Co until 1889, when the building was sold. A variety of merchants and importers occupied both buildings from the late 1880s. The facade of 581-583 Little Collins Street was altered in the mid-1920s. 577-579 Little Collins and 581-583 Little Collins Street were integrated in 1975 and developed into an office building, and later refurbished and converted to a night club in 1994. (Criterion A)

The site is part of the archaeological resources of the central city and has research value as an inventoried site. These sites have the potential to retain relics and archaeological deposits. It is also assumed that such deposits have the potential to yield knowledge not available from other sources which may contribute meaningfully to our understanding of settlement in Melbourne. (Criterion C)

The two co-joined three-storey buildings at 577-583 Little Collins Street have representative significance as remaining examples of brick warehouse buildings from the Victorian period. Whilst built several years apart and for different owners, the two buildings are complementary in form, scale and materiality. At the upper levels, 577-579 Little Collins Street retains much of its Victorian era detailing, while number 581-583 has characteristics of later styles following alterations to the facade in the 1920s. (Criterion D)

15. The *Hoddle Grid Heritage Review* proposes that 577-579 and 581-583 Little Collins Street be graded 'significant'. Both buildings were graded 'D3' in the *Melbourne CAD Conservation Study* (1985) and 'C' in the *Central City Heritage Review* (1993). The 1993 report 'encouraged' the retention of C grade buildings outside of heritage precincts (noting that the subject site does not form part of a heritage precinct, nor is this type of heritage overlay control being sought).
16. As per the current Heritage Policy at *Clause 22.05* of the *Melbourne Planning Scheme*, the relevant part of the current grading scheme are defined as follows:

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

8.0 Amendment C258

17. As part of *Amendment C258* (which went on exhibition 30 March 2017) the City of Melbourne are proposing to replace the current A-D grading system with a system that utilises ‘significant’, ‘contributory’ and ‘non-contributory’ gradings.
18. A draft version of the *Heritage Places Inventory 2017* (Corrected for re-exhibition, November 2017), using the new gradings system do not provide gradings for 577-583 Little Collins Street. It is anticipated that the subject site would be added to the inventory with a ‘Significant’ grading as a result of the recommendations of the *Hoddle Grid Heritage Review* (June 2018).
19. Significant and Contributory are defined thus:

A ‘significant’ heritage place is individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the municipality. A ‘significant’ heritage place may be highly valued by the community; is typically externally intact; and/or has notable features associated with the place type, use, period, method of construction, siting or setting. When located in a heritage precinct a ‘significant’ heritage place can make an important contribution to the precinct.

A ‘contributory’ heritage place is important for its contribution to a heritage precinct. It is of historic, aesthetic, scientific, social or spiritual significance to the heritage precinct. A ‘contributory’ heritage place may be valued by the community; a representative example of a place type, period or style; and/or combines with other visually or stylistically related places to demonstrate the historic development of a heritage precinct. ‘Contributory’ places are typically externally intact, but may have visible changes which do not detract from the contribution to the heritage precinct.

20. *Amendment C258* also proposes to revise the existing heritage policy at Clause 22.04 (noting that the proposed Clause 22.05 has been further revised by Council in response to submissions).
21. As discussed below, aspects of revised Clause 22.04 policy in relation to both demolition and development would have a direct impact on the current planning application for redevelopment of the subject site. More generally, the revised Clause 22.04 would place particular limitations on the redevelopment potential of heritage sites in the CBD, viz a vis extent of demolition and setbacks of new built form.

9.0 Analysis

22. As noted, an interim heritage overlay applies to the site, and both buildings are graded significant. This said, it is noted that the facade to 581-583 Little Collins Street plainer and more heavily altered than that to 577-579 Little Collins Street.
23. While the present application for redevelopment of the site involves demolition of all existing built form, options for partial demolition are being considered in the event that permanent HO controls are introduced. This could potentially involve retention of one or both facades with a multi-storey tower above. This form of development is relatively common in the CBD but would be discouraged under the proposed change to Clause 22.04 of the *Melbourne Planning Scheme*, 'Heritage Places within the Capital City Zone'.
24. The current Clause 22.04 does not provide specific policy direction in terms of the extent of retention/demolition of a heritage building and setbacks for rear additions. Instead, Clause 22.04 sets out broad policy objectives:
- *To conserve and enhance all heritage places, and ensure that any alterations or extensions to them are undertaken in accordance with accepted conservation standards.*
 - *To consider the impact of development on buildings listed in the Central Activities District Conservation Study and the South Melbourne Conservation Study.*
 - *To promote the identification, protection and management of Aboriginal cultural heritage values.*
 - *To conserve and enhance the character and appearance of precincts identified as heritage places by ensuring that any new development complements their character, scale, form and appearance.*
25. Inter alia, the current Clause 22.04 also requires that the following matters be taken into account when considering applications for works to heritage places:
- *Proposals for alterations, works or demolition of an individual heritage building or works involving or affecting heritage trees should be accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter).*
 - *The demolition or alteration of any part of a heritage place should not be supported unless it can be demonstrated that that action will contribute to the long-term conservation of the significant fabric of the heritage place.*
 - *All development affecting a heritage precinct should enhance the character of the precinct as described by the following statements of significance.*
 - *Regard shall be given to buildings listed A, B, C and D or significant and/or contributory in the individual conservation studies, and their significance as described by their individual Building Identification Sheet.*
26. The revised Clause 22.04 (as originally exhibited) is more prescriptive in terms of defining an acceptable extent of demolition (particularly with respect to significant buildings) and the siting of additions/new built form:

Demolition

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

[...]

Additions
[...]

Additions should not build over or extend into the air space above the front or principal part of a significant or contributory building.
[...]

Additions to significant or contributory buildings should:

- *Be respectful of the building's character and appearance, scale, materials, style and architectural expression.*
- *Not dominate or visually disrupt the appreciation of the building as it presents to the streetscape.*
- *Maintain the perception of the three-dimensional form and depth of the building by setting back the addition behind the front or principal part of the building, and from visible secondary elevation(s).*
- *Retain significant roof form within the setback from the building façade.*
- *Not obscure views of façades or elevations associated with the front or principal part of the building.*
- *Be distinguishable from the original fabric of the building.*
- *Not employ external column/structural supports through the front or principal part of the building.*

27. I note that aspects of the policy in relation to building over the air space of the front part of a heritage building have been deleted from the proposed Clause 22.04, as adopted post-exhibition in the *Report to the Future Melbourne (Planning) Committee* (20 February 2018). The City of Melbourne have advised that the policy direction in relation to air space was deleted in error. Regardless, this item of the proposed policy is not necessary or appropriate.
28. It is accepted that the construction of additions above the front or principal part of a heritage building is not an appropriate action in a broad range of circumstances, but not in all cases. Indeed, in some circumstances, building above the facade has been achieved with evident success in terms of heritage considerations – eg 167 Flinders Lane. That addition would not be supported by the policy presently proposed in the amended Clause 22.04. Another good example is the Nonda Katsalidis designed additions to the former Russell Street Telephone Exchange and Post Office [c. 1999]. The upper level additions to this building utilise what has become a commonly adopted approach with a shadow line introduced above the host building through one or more levels being set back, and with the upper levels extending to the same alignment as the walls of the host building.
29. It would be unreasonable to introduce policy that discourages building over the air space of the heritage building when there are a number of precedents in the CBD to demonstrate that this can be an acceptable heritage outcome
30. Other notable examples of local and interstate projects with additions over the 'air space' of the front part of a heritage building are illustrated below. Not all of these are exactly similar in terms of the heritage significance or intactness of the host building, but they all display a similar built form outcome in which an addition that is highly visible and essentially not set back provides a positive interface with an older building. While the interstate examples listed below were of course approved

under regulatory frameworks different to that affecting heritage places in the Melbourne CBD, they are of interest, and these examples were considered to be good (award winning) heritage outcomes. It is also noted that the Burra Charter is the overarching document guiding best heritage practice nationally, and these projects would have been permitted and awarded in that context.



Figure 8 (left) Rooftop additions to 167 Flinders Lane at no setback from the facade. The building has an individual Heritage Overlay Control (HO639).



Figure 9 (right) The Hero Apartments, in the former Russell Street Telephone Exchange and Post Office.



Figure 10 Rooftop additions, Victoria University Law School, Little Lonsdale Street. The site is part of the former Records Office, a registered building (VHR H1528). The upper level additions have no setback from the building line of the heritage building below. The project won the 2004 RIAA institutional architecture award.



Figure 11 *Rooftop extension, RMIT Building 9. Note that this addition to a registered historic building (VHR H1506) has no setbacks from the building line. It was the recipient of the 2010 AIA (Victorian chapter) John George Knight Award for Heritage Architecture.*



Figure 12 *Former Irving Street Brewery, Sydney. It was converted into a power plant with modern cooling tower additions built directly above the retained heritage facade. This project won the 2015 AIA (National) Lachlan Macquarie Award for Heritage, the 2015 AIA (NSW) Heritage Award (Creative Adaptation), and 2016 UNESCO Heritage Award for New Design in Heritage Contexts.*



Figure 13 *Former WD & HO Wills warehouse, Perth. Three additional levels were built above the heritage facade at minimal setback. The project was the recipient of the 2009 WA Heritage Council Award for Excellence in Adaptive Reuse.*



Figure 14 *Rooftop additions, Scot's Church, Sydney. The building is identified as being of state significance and is protected under the Sydney Local Environmental Plan (LEP) 2012. This project won the City of Sydney Design Excellence Award.*

31. The adopted post exhibition Clause 22.04 also gives rise to concerns in respect to new policy provisions discouraging facadism, as follows:

Retention of the three dimensional form is encouraged; facadism is discouraged.

32. Facadism is defined in the proposed post exhibition version of Clause 22.04 as follows:

The retention of the exterior face/faces of a building without the three-dimensional built form providing for its/their structural support, and, without retention of an understanding of the function of the three-dimensional building form.

33. As explained in the *Report to the Future Melbourne (Planning) Committee*, the provisions in relation to facadism were introduced post-exhibition in response to C258 submissions in which concerns were raised about the lack of guidelines and direction in the policy in respect to this issue.

34. While facadism is not always an appropriate outcome for heritage places. it has been found to be appropriate in a range of instances, both with respect to buildings subject to the Heritage Overlay and those subject to the Heritage Act, eg Dimmey's, Swan Street, Richmond (VHR 2184), and the Myer Emporium, Lonsdale Street (VHR 2100).



Figure 15 The facade of the Dimmey's building during the redevelopment works (now completed)



Figure 16 A 2012 photograph of the showing the demolition of the Myer Emporium with only the Lonsdale Street facade retained.

35. Notably, facadism is an approach that has often been found appropriate in terms of the redevelopment of commercial heritage places where the side elevations are typically fully concealed by adjoining building (ie they are not experienced ‘in the round’) and where internal alterations controls do not apply, noting that such controls are not recommended for the buildings on the subject site. In these circumstances, it is possible to retain the front part of heritage buildings as visible elements that inform the character and appearance of their streetscape, while also allowing substantial development. Having regard for this, it is not appropriate or reasonable to include such a broad discouragement of facadism within the proposed policy.
36. The introduction of policy seeking to prevent facadism would restrict the redevelopment potential of the subject site in a manner that would be unreasonable, and inconsistent with well-established precedent for changes to heritage places in Melbourne’s CBD.
37. A useful discussion on the issue of facadism by Jim Gard’ner (director of GJM Heritage) was published in the June 2016 VPELA Review (pp. 33-35). I agree with Mr Gard’ner’s fundamental proposition that facadism should not be ruled out as an outcome in all circumstances:

The simplistic proposition that ‘facadism’ is inherently bad is not, in my view, helpful, and like all good heritage decision making the starting point should come down to cultural heritage significance. If the significant fabric of the building is limited only to its facade then that is all we should be concerned about and therefore all we should seek to retain., albeit in a respectful manner ...

Facadism should not be treated as a taboo never to be spoken of but neither should it be a commonplace response to proposals for change to a heritage building. As an option in our collective heritage toolbox it should be used sparingly and should be driven – as by all good heritage practice – by an understanding of cultural heritage significance.

38. There have also been a number of VCAT determinations that comment on this issue and which discourage criticism reliant upon a pejorative use of the term 'facadism' (eg VCAT Ref. Nos. P1450/2016 & P2561/2016). In the case of a proposal for the redevelopment of 160-164 Argyle Street, Fitzroy, the VCAT concluded that *'facadism is not always an inappropriate response to heritage policy'* (VCAT Ref. No. P1279/2012).
39. The evidence of Sophie Jordan on behalf of Council recommended that the separate heritage policies for places inside and outside of the Capital City zone, as exhibited and as included in Council's Part A submission, be combined. This, if implemented, would have the potential to not sufficiently recognise that the heavily developed CBD area (subject to Clause 22.04) and the neighbouring City North area have markedly different built form characters to the finer grain suburbs in the City of Melbourne like Carlton and North Melbourne (subject to Clause 22.05). At the suggestion of the Melbourne C196 Panel, parts of south Carlton within Schedule 5 to the Capital City Zone (wherein high density development is encouraged) were excluded from policy settings at Clause 22.05 in relation to concealment of higher rear parts (including additions) and of facade heights and setbacks.
40. It is appropriate that the Melbourne heritage policies continue to recognise that that visible upper level additions, and visually dominant tall built form, can be a reasonable heritage outcome in this context, given that there are also other aspects of Council policy encouraging high density development.
41. Another aspect of the proposed policy that would need to be considered in relation to this site is the demolition policy. This policy states:

Demolition

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

42. Given the heritage buildings in question are by definition, under C258, significant buildings, this would suggest that neither full demolition nor partial demolition would be permitted. However, the statement of significance makes clear that the extent of significant fabric is the front parts, or facades, of these buildings. There is no reference to the rear parts of the buildings in the statement of significance, nor is any other fabric identified as being of particular significance.
43. This aspect of policy should be made less onerous and broad in its application with regard to buildings in the CBD and in City North, where partial demolition of significant buildings is not only likely to be sought, but will often be an acceptable outcome having regard to both the identified significance of individual places and the balance of planning considerations on such sites.

10.0 Conclusion

44. The policy changes as proposed by *Amendment C258* have the potential to be prejudicial to future change on the subject site in a manner that is not justified by any site-specific analysis or judgement in relation to the identified significance of these places. It is recognised that the significance of the buildings, per se, is not a matter for consideration under the terms of Amendment C258, but will be considered in more detail within the context of Amendment C327.
45. Having regard for these matters, it would be appropriate for the proposed heritage policy to be amended to allow for a more reasonable and discretionary approach to the extent of demolition, facadism, and new built form above heritage buildings. This would better recognise evolving approaches to heritage planning and also provide a degree of consistency with built form outcomes that have been approved for CBD heritage sites in the recent past.

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

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

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

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

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

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STATEMENT OF EXPERIENCE

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BRYCE RAWORTH

Professional Status:	Conservation Consultant and Architectural Historian
Current Positions:	Conservation consultant to the cities of Kingston, Frankston and Stonnington
Organisation Membership:	Australian Institute of Architects
Professional Experience:	<p>independent practice as conservation consultant and architectural historian from January 1991 (ongoing). Services include: identification and assessment of the significance of sites and complexes; preparation of guidelines regarding the safeguarding of significant sites; provision of technical, design and planning advice to architects, owners and government on issues relating to the conservation of sites of cultural significance; expert witness advice on conservation issues before the VCAT</p> <p>member, Historic Buildings Council (architectural historian's chair) 1993-1996; member, Heritage Council (architect's chair) 1998-2002</p> <p>conservation consultant to the cities of Brighton, Northcote and Sandringham (1989 only), Essendon, Hawthorn and Kew (1989-1994), Melbourne (1992-2009) and Prahran (1992-1994)</p> <p>established the Metropolitan Heritage Advisory Service on behalf of the Ministry for Planning & Environment - this service was offered to the cities of Brighton, Essendon, Hawthorn, Kew, Northcote and Sandringham in 1989-90</p>
Studies:	<p>Certificate of Architectural Conservation, ICCROM (International Centre for the Study of the Preservation and the Restoration of Cultural Property at Rome), 1994</p> <p>Master of Architecture by thesis, University of Melbourne, 1993 (thesis: <i>A Question of Style: Domestic Architecture in Melbourne, 1919-1942</i>)</p> <p>B. Architecture (First Class Honours), University of Melbourne, 1986</p> <p>B. Arts (Second Class Honours, Division A), University of Melbourne, 1986</p>
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