



ROYAL HISTORICAL SOCIETY OF VICTORIA INC.

239 A'Beckett Street, Melbourne 3000

Melbourne Planning Scheme Amendment C387melb: Hoddle Grid Heritage Permanent Controls

**Submission of the Royal Historical Society of Victoria
represented by Charles Sowerwine
appearing 27 August 2021**

The Royal Historical Society of Victoria enthusiastically supports Amendment C387melb as presented by Council. We urge the Panel to proceed to adoption. While we accept that there may be details or technical issues that require correction, we submit that the Amendment is based in a rigorous study and will ensure that the development of Melbourne proceed in a manner consistent with its character. Development that threatens the City's character would be self-defeating.

This submission consists of an introduction to the RHSV and a general statement about the Hoddle Grid Heritage Review which underpins Amendment C387, followed by sections discussing specific points made in opposition to the Amendment.

The Royal Historical Society of Victoria (RHSV)

The Royal Historical Society of Victoria functions both as the peak body for the 340 local historical societies of Victoria and as the historical society for central Melbourne. In the first capacity, the RHSV seeks to support the conservation of heritage across the state, including its capital city Melbourne. In the second, the Society seeks to preserve the heritage of the city and its inner area.

The RHSV has been a partner and a key stakeholder with the City of Melbourne since the Society's inception in 1909. The RHSV, located in the City for 111 years, has supported and continues to support the City's long-term development and prosperity. The RHSV is housed at 249 A'Beckett Street in the Former Royal Australian Army Medical Corps Training Depot, generally known as the Drill Hall. It is listed on the Victorian Heritage Register (VHR Number: H0717). While its VHR listing means it is not affected by C387, the RHSV sees that the City of Melbourne needs more than just the odd VHR listed heritage building. It is crucial to the future of the City that there remain sufficient heritage fabric that the City be read as building on its great past.

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The Heritage Committee of the RHSV was formed in 2015 to represent the RHSV on heritage matters. The Committee consists of three members of the RHSV Council, supported by two town planners, two heritage professionals and two historians. I am Emeritus Professor of History at the University of Melbourne and Professeur émérite at the Université de Versailles-Saint Quentin en Yvelines (France). I have had a long involvement in heritage issues since participating as a volunteer in the study that led to the declaration of the South Fitzroy Precinct in 1978. I have chaired the RHSV Heritage Committee since its inception.

I have prepared this submission in collaboration with Mr Cael Leskovec of the RHSV Heritage Committee. Dr Leskovec is a qualified urban planning practitioner and historian, with a keen interest in local heritage. He authored the Heritage Council of Victoria's State of Heritage Review: Local Heritage report. He is currently working as a strategic and heritage planner in local government in Victoria.

Preserving Heritage for Future Growth and Prosperity

The current crisis underlines the need to bring visitors back to the City of Melbourne. Melbourne's historic fabric provides the atmosphere and the character to draw people back to the City. Maintaining what remains of it is one of the most significant challenges facing the City.

That atmosphere and charm owe much to Melbourne's Victorian heritage. In his classic *Victorian Cities* (1963: 277ff), Lord Asa Briggs described Melbourne as one of the world's greatest and most intact Victorian cities. 'Seldom', Briggs argued, 'can domestic architecture have produced such a rich variety of "imposing" styles' as in Melbourne' (p. 289). When Briggs wrote, Melbourne was dominated by Victorian and Edwardian built form, with a sprinkling of inter-war Art Deco, to the point that the City was defined by the aesthetic these styles represented. In popular parlance, the city was deemed 'Victorian', meaning the ensemble of styles just referred to. For much of the twentieth century, it was possible to take Melbourne's 'Victorian' character for granted.

Looking back now, we can appreciate that the extraordinary extent of preserved Victorian and Edwardian built structure led to complacency. There was so much pre-1914 architecture that it didn't seem to need preservation because there were always more examples. This complacency affected heritage reviews. They tended to look only for outstanding examples. But, imperceptibly at first, there were significant losses and then, in the twenty-first century, huge losses.¹ It has now been the case for some time that there are not so many examples remaining and any further losses threaten the City's character. As a result, it is crucial that we protect more of the surviving fabric from earlier epochs. Indeed, we argue, this is the last chance to maintain enough of our heritage to keep Melbourne's character.

Given the pace of development and demolition, it is equally important to seize this opportunity to protect more recent heritage. The modernist architecture of the period following World War II is now increasingly important to the city's character. It is one of the great virtues of C387melb that it recognises, analyses and protects this aspect of the city's built form in listing the significant post-war buildings. Increasingly, these modernist buildings will become as essential to Melbourne's identity as the City's Victorian heritage.

¹ For impressionistic surveys of losses, see Heather Chapman and Judith Stillman, *Lost Melbourne* (London: Pavilion, 2015) and Richard Broome, with Richard Barnden, Don Garden, Don Gibb, Elisabeth Jackson and Judith Smart, *Remembering Melbourne 1850-1960* (Melbourne, Victoria Royal Historical Society of Victoria Inc., 2016; second edition 2018).

We therefore urge the Panel to support Amendment C387melb in its current state. Some property owners appear to see the Amendment as possibly limiting the profit they can draw from their sites, but the good of all property owners and ratepayers will be served by maintaining and enhancing the City's ability to provide an attractive place to work, live and visit. Amendment C387melb will do a great deal in this direction by maintaining what makes Melbourne special, its substantial heritage.

The Hoddle Grid Heritage Review July 2020

The extent and significance of the study can scarcely be overstated. It has completed work that should have been done long ago to evaluate sites throughout the Hoddle Grid and it has done so in a most impressive way. The study has resulted in an extraordinary series of documents which together form a coherent ensemble and a model for local government to deal with heritage. The work has been done so that future work can build on it. In that context, we call particular attention to the careful work listing the sites nominated but ultimately rejected for inclusion (section A6).

The studies of the five precincts now proposed for Heritage Overlays are each exemplary, providing appropriate historical context (with careful attention to the work of the relevant historians), superb visuals and, most importantly, rich histories and citations for each site included in the precinct. That will provide a very solid basis for officers and responsible authorities when discussing, evaluating and assessing future development proposals.

It is the individual place work, however, which is most impressive. Each nominated site is given full and careful history, including context, and many are subjected to rigorous comparative analysis, in which similar buildings are used as benchmarks for the evaluation of the nominated site. As with the precincts, the visuals are of the highest quality and the citations are remarkably full and careful, which will greatly facilitate future planning and development.

Fully 60 per cent of the sites proposed for protection are Victorian or Edwardian. These are the earliest buildings we have. We submit that there is a prima facie case for retention because this is the foundation period of our culture. But a great feature of this review is that it also covers Melbourne's neglected modernist buildings, from the inter-war art deco to the mid-1970s. The buildings of this period provide further richness, enhancing the City's great Victorian heritage. The only limitation to the study is that it stops in 1975. We would have expected the study to complete coverage of all 20th-century built fabric within the Hoddle Grid.

It is sobering that so many fine buildings, more than half of them well over a century old, have not already been granted protection. Many citizens and indeed many CoM constituents would be shocked to learn that such buildings, often comprising key parts of much-loved streetscapes, have had no protection. That no action was taken in such cases does not mean action should not be taken now. Rather it represents a grave indictment of past failure, which, we have no doubt, will be rectified by the Panel proceeding with implementation of the Amendment.

Finally, we point to the rigorous review process to which the Hoddle Grid Heritage Review was subjected by the engagement of GJM Heritage led by Jim Gardner, whose testimony Monday morning further supported the case for C387. GJM assessed each place included in the proposed C387 in accordance with Planning Practice Note 1 (PPN1). All the citations prepared by Context for the original Hoddle Grid Heritage Review (July 2020), were considered against appropriate thematic histories and comprehensive comparative analysis. This process provided additional support to the original Hoddle Grid Heritage Review, which has been shown to be exhaustive and

exemplary. We therefore submit that the Panel should normally accept the findings submitted by the City of Melbourne.

The Arguments against C387melb

It has been argued in some submissions that buildings which have not already been granted protection must have been rejected because they did not merit protection. We disagree emphatically. At the time of the previous reviews in 1985 and 1993, central Melbourne enjoyed a comparative abundance of earlier buildings. Reviews were influenced by the fact that exemplars of given characteristics abounded. With the significant losses of the past 30 years, the remaining earlier buildings have become much more important. We will return to this question below.

It has also been argued that the imposition of these planning amendments might discourage development. That is not the case. Even where HOs are in place, development is not excluded. As the CoM Officers noted, these ‘amendments will provide clarity and certainty for landowners and the community enabling more sensitive and enduring development outcomes on these sites’.

Much of what makes Melbourne attractive to visitors, businesspeople as well as tourists, is its great heritage. That is the strength on which to build. We agree with the CoM Officers: ‘Melbourne’s heritage buildings are critical to the city’s identity and character, and offer adaptable and diverse floor space within the city’. The study team has produced the *Heritage Design Guide* and the *Heritage Owner’s Guide* to facilitate appropriate development. We believe that this points up a great strength of the proposed planning amendment.

Similarly, a common argument is that application of the Heritage Overlay will prevent modifications which may be necessary in the future. It should hardly be necessary to point out that the HO does not in itself prevent alteration or even demolition, which remains to be determined by the responsible authority if an application is made. The only consideration in applying the Heritage Overlay is whether the place reaches the threshold for local heritage significance. We would therefore urge the Panel to discount this argument wherever it occurs.

Finally, the argument has been made that sites subject to a live permit should not be considered. We believe that CoM and GJM have made clear that inclusion of these sites at this stage will not pose a problem for the permit being acted upon if it remains live. We would simply add that not to consider sites with a live or pending permit would be tantamount to abandoning them. In many cases, permits lapse before they are used. If sites subject to permits are not considered in this exhaustive exercise, they won’t be considered for many years. To leave them out is to expose them to demolition even if the permit lapses.

Examples of Opposing Arguments

The rest of this submission is devoted to a discussion of the kinds of arguments used by owners to seek removal of their building from the proposed Amendment. It is important, in our view, to understand that these arguments generally stem from perceived self-interest rather than objective understanding of the heritage issues involved. In each case we have chosen one or more examples to illustrate our point.

Opposing Argument 1: HO affecting value and/or preventing future modification

Many have argued some form of financial loss would result from inclusion of the site in the HO. A good example of these arguments is found in relation to submissions regarding three properties belonging to the Juilliard Group: 430-442 Collins Street – proposed individual HO1010 (Royal Insurance Group Building); 457-469 Little Collins Street – proposed individual HO1353 (Cowan House); 527-555 Bourke Street – proposed individual HO1310 (AMP Tower and St James Building Complex). The Juilliard Group argued as follows:

All properties are proposed to be individually listed which will severely and unnecessarily constrain the continuing evolution of the buildings to accommodate commercial and supporting activities. The inability to substantially modify and change the buildings will significantly affect the long-term utility of the assets.

With regard to 376-378 Bourke Street – proposed individual Heritage Overlay HO1306 – the owner argued similarly:

Placing the building under a Heritage Overlay will limit repositioning opportunities and cap future capital investment required to reposition the building to attract commercial tenants therefore negatively impacting the property's value.

These arguments, we submit, betray the fundamental common thread to most objections: a fear that the HO would prevent alteration and/or negatively affect value. At the risk of repeating ourselves, we submit that nothing in the Heritage Overlay would prevent the owner from applying to the responsible authority for a permit to alter or even demolish the building, citing the factors applicable at the time. Future modification is not an issue that concerns us at this stage.

Loss of future value is often cited, but numerous planning decisions have upheld the precedent that this is not a factor to be taken into consideration at the stage of deciding on the Heritage Overlay. It can of course be a factor to be taken into consideration by the responsible authority at the time of an application for alteration or even demolition, but it is not relevant at this stage.

The argument that the HO might entail financial loss appears to underpin or motivate many other submissions.

Opposing Argument 2: Places not picked up in previous studies should not be protected now

Many have relied on the argument that the building in question would have been included in the HO following earlier studies if had merit. We have referred above to the change in perception from the twentieth century, when it was assumed that Melbourne had a plethora of older buildings and needed only to protect a small number of outstanding examples. And we have argued that the comparative rarity of earlier buildings now makes their protection much more important.

We should add that the point of the Hoddle Grid Review was precisely to pick up places missed in previous studies because of their limited focus. All heritage studies have constraints. Often, it is the time period in question, the number of places to be investigated, or a narrow and specific focus. Budgets may only allow a certain number of places to be investigated and go through the Panels process. Often a review has a specific focus, which may lead to a building's being omitted because it does not correspond to the aim of the review. The Guildford and Hardware Laneways Heritage Study cited by several respondents is a case in point.

As the CoM Officers noted, ‘the majority of these [nominated] places were identified in previous heritage reviews in 1985 and 1993’. Public and professional recognition of heritage has changed dramatically over this time. As times change, so does the value of heritage. More recent heritage, e.g. post-war and modernist, is becoming increasingly valued. Sensitivities are much higher now that the stock of heritage building has significantly diminished. The remaining heritage stock has naturally become more important. The threshold for older heritage reduces as more of it is lost to demolition.

A good example is 178-188 William Street – proposed individual Heritage Overlay HO1377. The owner has argued that ‘the building is not representative of architect Peter McIntyre’s important body of post-war work – i.e. experimental residential designs and the structurally adventurous Olympic swimming pool.’ Rather, they argue, it is ‘a standard example of a 1970s modernist office tower’. We submit that the value of post-war modernist buildings has increased and that it is important to safeguard such a ‘standard example’ by one of Melbourne’s leading modernist architects. Heritage should not be limited to ‘experimental’ and ‘adventurous’ designs, as the submitters appear to suggest; it should include examples of what made the epoch.²

Opposing Argument 3: Insufficient justification for the HO

A number of respondents make general claims that the building in which they have an interest does not merit the HO being applied. GJM Heritage assessed each place in accordance with Planning Practice Note 1 (PPN1). All the citations were also considered against appropriate thematic histories and comprehensive comparative analysis.

For example, it is suggested that 53-57 Lonsdale Street – proposed individual Heritage Overlay HO1253’- is a ‘rudimentary shop with dwellings’ above. But one important reason to preserve such a typical mid-Victorian shop building is precisely that it was typical of its time (1880-81) and, as the study noted, it is remarkably well preserved in its details.³

Similarly, it is suggested that the building is not significant as a representative of Italian influence. They suggest looking instead to Lygon Street for Italian influence. But this would obscure the manifest Italian influence in the development of the City’s restaurant culture. In this case, various Italian families, including some that went on to be major players in the Melbourne restaurant scene, used the premise as an eatery throughout the twentieth century.⁴

Opposing Argument 4: Alterations have reduced heritage significance

This is a common argument precisely because alterations are inevitable for buildings which have served useful purposes over a long period of time. Indeed, most of the owners making submissions would want to be able to make alterations. Sometimes these alterations do make preservation irrelevant. Of the places proposed for the HO in C387melb, however, few if any have been irrevocably altered or altered in such a way to truly diminish its heritage significance.

² Amendment C387 Hoddle Grid Heritage, *Summary of Submissions and Management Responses*, Attachment 2, Agenda item 6.4, Future Melbourne Committee 18 May 2021 [hereinafter *Summary*], p. 43.

³ Volume 2a: Built & Urban Heritage, p. 1405.

⁴ *Ibid.*

A good example of this argument concerns 470-472 Little Lonsdale Street – proposed individual Heritage Overlay HO1281 (Shops). It is suggested that the alterations to the shopfront mean that the building has ‘diminished the heritage integrity of the building to the point that it does not contribute to the heritage significance or historic character of the precinct’.⁵

Alterations to shop fronts are a necessary part of the ongoing life of a building in a commercial area. This 1872 building represents a once common type of housing for city dwellers within the Hoddle Grid in the 1870s. Contrary to the argument, the upper-level is largely intact and its original meaning is highly legible.

Conclusion

If we remove buildings or sites from the Amendment, it is weakened correspondingly. The Hoddle Grid has suffered many losses, especially since the beginning of this century. We have a chance to save what remains and thus to maintain the essence of Melbourne’s character, but this is a last chance.

We submit therefore that Panel should give great weight to the increased values that will accrue from considering the City as a whole. Retaining the City’s character is the best way to draw people to the City and thus to increase values. While technical modifications, if required, should be made, we urge the Panel to support C387melb as it stands submitted.

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⁵ *Summary*, p. 19.