



Panel Hearing  
Montague Commercial Precinct

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**Amendment C186port  
Expert Witness Statement - Heritage**

September 2020

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## TABLE OF CONTENTS

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<b>Experience, Opinion and Declaration</b>	<b>1</b>
Authorship	1
Qualifications/Experience/Expertise	1
Instructions	1
Prior Involvement	1
Declaration	2
<b>Introduction</b>	<b>3</b>
Purpose	3
Background	3
<b>Summary of Review</b>	<b>5</b>
Scope	5
Methodology	5
Findings and Recommendations	7
<b>Submissions</b>	<b>10</b>
Submission No. 1: 530 City Road	10
Submission No. 3: 536 City Road, South Melbourne	10
Submission No. 4: 157-163 Montague Street	12
Submission No. 5: 540-542 and 544-546 City Road	15
Submission No. 6: 538 City Road	20
Submission No. 7: 506 City Road	22
Submission No. 8: 153 & 155 Montague Street	24
Submission No. 9	25
Submission No. 10: 151 Montague Street	26
<b>Conclusion</b>	<b>28</b>

## EXPERIENCE, OPINION AND DECLARATION

### Authorship

My full name is Anthony Scott Hemingway and I am Senior Associate and Architectural Historian of RBA Architects + Conservation Consultants, 4C/171 Fitzroy Street, St Kilda. I have been assisted by Erin Williams, Heritage Consultant of RBA Architects + Conservation Consultants, in the preparation of this statement. The views expressed are my own.

### Qualifications/Experience/Expertise

I have a Master of Planning & Design (Architectural History and Conservation) and Master of Arts (Fine Arts), both from the University of Melbourne. For the former I primarily studied under Professors Miles Lewis and Philip Goad. For my Master of Arts, I undertook a thesis on early Medieval (Pre-Romanesque) churches in northern Spain, in the province of Asturias.

Since 2000, I have worked at RBA and amassed significant experience in all aspects of heritage conservation. I have led the team for the heritage studies for the Strathbogie and Towong Heritage Studies (both stages 1 and 2). In addition, I completed the City North Heritage Review for the City of Melbourne, which included parts of Carlton, Melbourne, North Melbourne in the vicinity of the Queen Victoria market (Amendment C198melb); French Island Heritage Review; and a peer review for Boroondara Council (Amendment C64boro). Newtown West Heritage Review (Amendment C365geel). I am currently overseeing heritage studies in Glen Eira, Banyule, Mornington, and Port Phillip.

More specifically, I have been involved with providing heritage advice to property owners of various heritage places across the Port Phillip municipality, including Singapore Cottage in Coventry Street South Melbourne. I am currently involved in reviewing the HO7 precinct for the City of Port Phillip.

I have worked on a wide variety of sites from humble dwellings to major public buildings throughout Victoria, ranging in origin from the mid-Victorian period through to the later 20th century. As such, I have gained extensive experience in assessing cultural heritage significance, and also developed expertise in managing change at historic sites, where there is a need to balance the retention of heritage values with an awareness that often substantial changes can be made, if handled in a sympathetic manner.

I have also completed many conservation management plans (CMPs), condition surveys and materials and finishes investigations, and have particular skills in carrying out forensic paint-scrape analysis. I have investigated the original colour scheme and prepared a specification for contemporary equivalents for the Maryborough Railway Station Conservation Works, which was recognised with shortlisting in the 2013 Dulux Colour Awards. I have also prepared schemes at Footscray, Kaniva and Wycheproof railway stations. At Footscray Railway Station, I was also involved in overseeing the Heritage Victoria permit conditions for the Regional Rail Link project.

### Instructions

The preparation of this statement has been undertaken at the instruction of Maddocks on behalf of the City of Port Phillip. Specifically, these instructions include:

- *provide an overview of the methodology used in the preparation of the Montague Commercial Precinct Review;*
- *consider amendment C186port;*
- *respond to issues raised by submissions as relevant to your expertise;*
- *consider the Council's proposed post-exhibition change to the Amendment; and*
- *outline any recommended changes to the Amendment in response to submissions.*

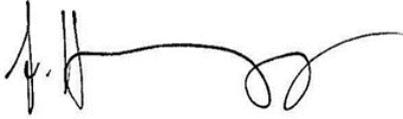
### Prior Involvement

I was responsible for overseeing the preparation of the *Fishermans Bend Heritage Review: Montague Commercial Precinct* at RBA Architects and Conservation Consultants.

## Declaration

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.

September 2020

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

## INTRODUCTION

### Purpose

1. This statement has been prepared for the Planning Panel appointed to consider matters relating to Amendment C186port to the Port Phillip Planning Scheme.
2. Amendment C186port proposes to give statutory effect to the findings of the *Fishermans Bend Heritage Review: Montague Commercial Precinct* (RBA Architects and Conservation Consultants, 2019) (hereafter 'the Review') and amend the Port Phillip Planning Scheme to apply Heritage Overlay HO513 to the Montague Commercial Precinct on a permanent basis.
3. The Montague Commercial Precinct is comprised of 496-546 City Road and 151-163 Montague Street, South Melbourne, and Laneways R3087, R3091 and R3093.



The Montague Commercial Precinct  
(Source: Nearmap showing 4 June 2020)

### Background

4. In January 2016, interim heritage controls were applied to the properties at 496-510 City Road and 157-163 Montague Street, South Melbourne via Amendment C115, as part of an extension of HO442 (Albert Park Residential Precinct) which already included nos 512 to 528 City Road. These controls were later extended through Amendments C146, C152 and C157.
5. Subsequently, the interim heritage controls were sought to be made permanent through Amendment C117, which was prepared to implement the recommendations of the *Fishermans Bend Additional Heritage Place Assessments* (Biosis, 2015).
6. The Planning Panel appointed to consider submissions to Amendment C117 found that although the methodology of the heritage study was sound, the places associated with the former 'Montague slum neighbourhood' should not form an extension of the HO442 precinct, as they do not have an historical relationship with it.
7. The Panel instead recommended assessment of the former 'Montague slum neighbourhood' as a potential separate precinct, a series of individual buildings/infrastructure items, or serial listing. The Panel also noted that there were other places within the Montague neighbourhood that potentially could be of heritage significance.

8. Furthermore, the Panel considered that 157-163 Montague Street did not warrant a significant grading and was 'contributory at best' and that 506 City Road was potentially significant (subject to further research). No comment was made on the proposed 'significant' grading for 496 and 498 City Road.
9. In response to the Panel's recommendation, Council's heritage advisor prepared a draft citation for the 'Montague Commercial Precinct', covering the area included within the interim heritage controls. In addition to this, Council's heritage advisor recommended extending the precinct to include several additional properties in City Road and Montague Street not identified in the 2015 Study.
10. The draft citation was reviewed by RBA Architects and Conservation Consultants, who prepared the *Fishermans Bend Heritage Review: Montague Commercial Precinct* (2019). The Review concurred with the recommendation of Council's heritage advisor to extend the precinct.
11. Accordingly, in January 2020 the boundaries of interim HO442 were extended via Amendment C185port to include 530-546 City Road and 151-155 Montague Street. These interim controls are due to expire on 30 October 2020.

#### **Amendment C186port**

12. On 20 December 2019, Amendment C186port was authorised by the Minister's delegate and exhibited from 16 January to 28 February 2020.
13. In response to the exhibition, Council received 10 submissions, including one submission raising no objection, and nine submissions in objection.
14. Following consideration of the submissions, Council officers recommended that the proposed heritage grading of 544-546 City Road be changed from 'Significant' to 'Contributory' in response to evidence provided of the extent of alterations, which is greater than previously realised.
15. The Planning Committee of the Council resolved to endorse the Council officer's response to the submissions and recommended changes to the Amendment. The Amendment and the submissions (including late submissions) were referred to the Planning Panel.

## SUMMARY OF REVIEW

### Scope

16. RBA were engaged by Council in 2018 to peer review the draft citation for the 'Montague Commercial Precinct', as proposed by Council's heritage advisor, and to determine the following:
  - whether the precinct meets the threshold for local significance.
  - whether additional places in Montague Street and City Road should be included.
17. Subsequently (as it was found that the precinct does meet the threshold for local significance), there was a requirement to revise and expand the draft citation for the Montague Commercial Precinct, as well as the existing citation for 506 City Road, South Melbourne.

### Methodology

18. The key tasks included:
  - An inspection of the precinct from the street.
  - Additional historical research and analysis.
  - Revision of the draft citation for the Montague Commercial Precinct.
  - Revision of the existing citation for 506 City Road.
19. A number of primary and secondary sources were consulted, including the following:
  - Photographs, including aerial photographs, held by the State Library of Victoria, City of Port Phillip Heritage Centre, and Landata,
  - MMBW plans,
  - Sands & McDougall's street directories,
  - Various newspapers via Trove,
  - Rate books for South Melbourne,
  - *Fishermans Bend Heritage Study* (Biosis, 2013),
  - *Fishermans Bend additional heritage place assessments* (Biosis, 2015).
20. The revision of the two citations was undertaken in accordance with the Burra Charter (or The Australia ICOMOS Charter for Places of Cultural Significance) and the Planning Practice Note 1 'Applying the Heritage Overlay' (January 2018).<sup>1</sup>
21. In keeping with the Practice Note, the HERCON criteria were employed in assessing heritage significance. These widely used criteria were adopted at the 1998 Conference on Heritage (HERCON) and are based on the earlier and much used, Australian Heritage Commission (now Australian Heritage Council, AHC) criteria for the Register of the National Estate (RNE).
  - 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).*

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<sup>1</sup> At this time the current August 2018 version of 'Applying the Heritage Overlay' had not been issued.

*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).*

22. Each building within the Montague Commercial Precinct was graded either 'Significant' 'Contributory' or 'Non-Contributory' in accordance with the gradings defined at Clause 22.04 of the Port Phillip Planning Scheme, as follows:

**Significant** heritage places include buildings and surrounds that are individually important places of either State, regional or local heritage significance and are places that together within an identified area, are part of the significance of a Heritage Overlay. These places are included in a Heritage Overlay either as an area or as an individually listed heritage place and are coloured “red” on the City of Port Phillip Heritage Policy Map in the Port Phillip Heritage Review, Volume 1-6.

**Contributory** heritage places include buildings and surrounds that are representative heritage places of local significance which contribute to the significance of the Heritage Overlay area. They may have been considerably altered but have the potential to be conserved. They are included in a Heritage Overlay and are coloured “green” on the City of Port Phillip Heritage Policy Map, in the Port Phillip Heritage Review, Volume 1-6.

**Non-contributory** properties are buildings that are neither significant nor contributory. They are included in a Heritage Overlay and have no colour on the City of Port Phillip Heritage Policy Map in the Port Phillip Heritage Review, Volume 1-6. However any new development on these sites may impact on the significance of the Heritage Overlay, and should therefore consider the heritage characteristics of any adjoining heritage place and the streetscape as covered in this policy.

23. The following discussion explains the rationale for the application of gradings that was adopted for the review based on an interpretation of the above definitions. Some comparative examples of commercial places in Carlisle Street (within HO7) have been included to illustrate the threshold for the gradings.

24. 'Significant' places

- are within the period of significance for the precinct (i.e. late Victorian, Federation and Interwar periods), and
- are intact or largely intact in terms of form, openings, detailing and materials, and
- any alterations are sympathetic and additions usually have limited visibility/impact, and
- are generally distinctive or good examples of their type.

The original shopfront of the commercial buildings did not necessarily need to be intact in order to meet the threshold for 'significant', provided the upper floor and/or parapet was largely intact. This is because most early/original shopfronts have been either replaced or modified, so that an intact shopfront is effectively 'a bonus'. In some instances, an otherwise contributory commercial example might be raised to be a significant place by virtue of an intact shopfront.

The 'significant' graded two storey buildings at 151-157 Carlisle Street have intact and distinguished upper floors while the shopfronts are altered. The pair of single storey shops at 290+290A Carlisle Street have intact and distinctive parapets, with one intact shopfront and one altered shopfront.



151-157 Carlisle Street, Balaclava



290+290A Carlisle Street, Balaclava

## 25. 'Contributory' places

- are within the period of significance for the precinct (i.e. late Victorian, Federation and Interwar periods), and
- may be a typical or representative example of a period/style, and
- may be partly altered but the form and at least some detailing survive so that its original design can be broadly interpreted and/or the alterations would be potentially reversible, and
- any additions usually have limited visibility/impact.

The 'contributory' graded single storey shops at 274-278 and 172-180 Carlisle Street are representative examples of the early 20<sup>th</sup> century (Federation or Interwar periods) commercial buildings with intact, but relatively undistinguished or partly modified, parapets and altered/non-original shopfronts.



274-278 Carlisle Street, Balaclava



172-180 Carlisle Street, St Kilda

## 26. 'Non-contributory' places

- may be outside the period of significance for the precinct, or
- within the period of significance for the precinct but are altered to the extent that the original format can no longer be interpreted and/or the alterations are irreversible.

## Findings and Recommendations

27. The Review found that the Montague Commercial Precinct, including the additional places proposed by Council's heritage advisor, meets the threshold for local significance.
28. The following additional places were found to relate to the historical development of the precinct and contribute to its significance:
  - The Federation period group of shops at 532-538 City Road.
  - The Interwar period buildings at 540-542, 544-546 City Road and 151, 153-155 Montague Street.
29. The Post-WWII shop at 530 City Road was recommended to be included as a non-contributory place.
30. It was also recommended to include the section of basalt paved laneway to the rear of the Montague Street places which is an extension of the laneway between the Hotel Nelson and 163 Montague Street identified in the draft citation.
31. The following diagram shows the places included in the draft citation (and at the time subject to interim heritage controls) (blue) and the additional places (orange).



Blue: The places included in the draft citation for the Montague Commercial Precinct  
 Orange: The additional places recommended for inclusion

32. The draft citation for the Montague Commercial Precinct was revised in light of the expanded period of significance resulting from the inclusion of Interwar period buildings within the precinct. The Interwar period had not been recognised in the draft citation, although the two corner buildings (former Nelson Hotel and 524-528 City Road), both Victorian buildings which were partly remodelled during the Interwar period, have some Interwar character. Revision of the history, description and statement of significance components of the draft citation was undertaken as appropriate in order to recognise the Interwar phase and also more generally as a result of further research and observation.
33. Ten places were graded 'significant', three graded 'contributory', and three graded 'non-contributory', as outlined in the table below. It was recommended to change the then 'significant' grading of 157-161 Montague Street (which applied at the time under the interim extended HO442) to 'contributory' due to the lower integrity of the shops as compared to the combined shop/residence at no. 163 Montague Street.

Address	Grading
496 & 498 City Road (shops & residences)	Significant
500-502 City Road	Non-Contributory
506 City Road (house)	Significant
508-510 City Road	Non-Contributory
512 & 514 City Road (shops & residences)	Significant
516 & 518 City Road (shops & residences)	Significant
520-522 City Road (former Hotel Nelson)	Significant
524-528 City Road (shops & residences)	Significant

Address	Grading
530 City Road	Non-Contributory
532 & 534 & 536 & 538 City Road (shops & residences)	Significant
540-542 City Road (shop)	Contributory
544-546 City Road (shops)	Significant
151 Montague Street (shop)	Significant
153 & 155 Montague Street (shops)	Contributory
157-161 Montague Street (shops)	Contributory
163 Montague Street (shop & residence)	Significant

34. The existing citation for the house at 506 City Road was also revised and expanded based on further research. Although it is now an isolated residence, until at least the 1960s there had been several houses interspersed amongst the commercial buildings on City Road, an aspect of the precinct's historical development that has been almost lost. Thus, despite it being a non-commercial building type, it was recommended to include it within the Montague Commercial Precinct (with the benefit of its own citation) rather than in a separate individual heritage overlay.

## SUBMISSIONS

35. The nine objecting submissions received by Council raised various concerns, including heritage relevant issues which are addressed in detail below.

### Submission No. 1: 530 City Road

36. Submission no. 1 objects to the amendment, particularly in relation to 530 City Road. The following key extract is from the submission:

The property on 530 City Road, clearly has NO historical or cultural importance, and definitely has NO architecture or artistic significance. It is nothing more than an old building, weathered in age, which will probably be in need of a face lift, in the not-to-distant future. Heritage- listing the property will just guarantee its slow dilapidation, which will, in the long term, have an undesired effect on the entire area, turning it into an unwanted location and a 'stain' on our beautiful city.

#### Image



#### Response

37. The single storey Post-WWII shop at 530 City Road is proposed to be graded 'non-contributory', meaning it is not considered to contribute to the attributed significance of the Montague Commercial Precinct as described in the statement of significance.
38. Its inclusion in the Montague Commercial Precinct is only due to its location amongst places which are graded 'significant' and 'contributory'. It is common for heritage precincts to include a certain proportion of non-contributory places.
39. The heritage overlay controls would not preclude the potential for alterations to the existing building or redevelopment of the site subsequent to full demolition, although any proposed future change would be assessed in terms of its impact upon the heritage values of the broader Montague Commercial Precinct. Furthermore, the relevant DDO (Schedule 30 to Clause 43.02) allows for 'low rise' development (up to 6 storeys) along this section City Road, though in cognisance of the existing character and any heritage overlays that may apply.

### Submission No. 3: 536 City Road, South Melbourne

40. Submission no. 3 opposes the inclusion of 536 City Road, and all places west of 524-528 City Road, in the heritage overlay. The following extract is from the submission:

It is acknowledged that these buildings exhibit characteristics of Federation and Interwar architectural styles. However, neither individually nor collectively do they appear to display features that warrant application of a heritage overlay at all, let alone classification as 'individually significant';

As they present to the street, many of these dwellings lack original elements reflective of their era of construction and architectural style. This is either due to building deterioration or alteration that has occurred over time (due to the lack of heritage overlay controls that has enabled works to the building);

It is acknowledged within the heritage report prepared by *RBA Architects and Conservation Consultants* that the ground level shop fronts of a number of properties have been altered, including new window openings, modern materials and removal of original details such as awnings, mouldings and the like;

Many of the buildings are in poor structural condition, rendering them unsafe for occupation and diminishing their contribution

The heritage report prepared by *RBA Architects and Conservation Consultants* identifies the subdivisional pattern within this precinct as being relevant to the heritage significance of individual properties and the precinct as a whole. While the proposed properties exhibit a fine grain subdivisional pattern, this is not a characteristic that is unique to the Montague Precinct or South Melbourne and is evident throughout the City of Port Phillip. This in itself is not seen as highly relevant when considering the value of these properties in a heritage sense; and

Their inclusion in the Heritage Overlay is contrary to the strategic vision for this part of Montague which has been zoned (and a DDO applied) to extend Melbourne's Capital City area.

Furthermore, it is submitted that:

... 536 City Road – and other buildings west of 524-528 City Road – do not have architectural or cultural significance to warrant the application of the overlay.

It is submitted that the application of heritage controls to 536 City Road and adjoining sites is inconsistent with the Practice Note 1 – Applying the Heritage Overlay (August 2018).

#### Image



#### Response

41. No. 536 City Road forms part of a group of four two-storey shops, which had been built by 1910. The upper level of the group is largely intact and features original elements characteristic of the Federation period - face brick (probably red, although now painted, rendered to no. 532) with rendered elements (band, frieze, parapet, Queen Anne sills), casement windows (largely retained). There is also some detailing more commonly associated with the Victorian period such as the brackets with vermiculated panels, urns, and the scroll brackets to the parapet, but which continued to be employed into the early 20<sup>th</sup> century (but overall, there is less embellishment than would be typical of a late 19<sup>th</sup> century example). The central door at ground floor, which provides access to the upper level residences, indicates the dual residential and commercial function of the building. The roofs, largely concealed by the parapet, are hipped and six chimneys survive

which are visible from various vantage points. To the rear, additions have made to nos 532, 534 and 536, while no. 538 appears to retain its original format.

42. There have been some alterations, but most of these are potentially reversible. For instance, it would be possible to replace the missing or broken decorative elements to the upper level (e.g. the urns and cornice above the shopfronts), based on the surviving detail elsewhere on the building. The painted finish could be readily removed from nos 534, 536 and 538 to reinstate the original face brick presentation. Despite the replacement of the ground floor shopfronts (a common alteration for historic commercial buildings) a sense of the original format with stall boards has nonetheless been retained, and when considered overall, the loss of the shop fronts is compensated by the largely intact upper floor.
43. Some cracking is evident to the upper part of the façade, above the central doorway, that is the entrance to 536A. A crack is evident/has been repaired to the parapet of the adjacent premises to the east (no. 534). The lower edge of the rendered lintel to the first-floor window of no. 536 has also deteriorated (similar to that noted at no. 538). These were the principal defects that were evident from the public realm across the façade.
44. Consideration of the structural condition of the building is outside my area of expertise. It is not typically a factor in the determination of heritage significance, and did not influence my assessment of the heritage values of the building.
45. As a largely intact building Federation era commercial building it contributes to the heritage values of the precinct and meets the threshold for a 'significant' grading. It is of a similar ilk to the other Federation and Victorian era two storey buildings in the precinct which are also proposed to be 'significant', and is commensurate with the aforementioned two storey 'significant' examples in HO7 at 151-157 Carlisle Street, Balaclava (refer to point 24).
46. The finer subdivision pattern in the precinct is demonstrative of that which characterised the Montague area generally prior to the mid-20<sup>th</sup> century when land was consolidated and redeveloped for industrial/commercial purposes. The historic subdivision pattern of an area typically has a fundamental influence on the development of the built environment, particularly in urban areas, and it is highlighted in the statement of significance for this reason.

#### Submission No. 4: 157-163 Montague Street

47. Submission no. 4 objects to the inclusion of 157-163 Montague Street in the heritage overlay, for the following reasons:
  - The analysis underpinning the proposed Amendment lacks justification.
  - None of the buildings occupying the Site are of any heritage significance.
  - The buildings occupying the Site have been substantially altered and are not intact.
  - Imposition of the proposed HO513 does not align or relate to the objectives and strategies outlined in the Local Planning Policy Framework of the Port Phillip Planning Scheme.
  - The Site, and indeed the Precinct as a whole, fails to meet the requisite HERCON threshold.

#### Image



## Response

48. The two-storey shop and residence at no. 163 was constructed during 1890-91.<sup>2</sup> The rendered façade features hood mouldings, frieze, brackets, and panelled parapet. The roof is hipped and there is a visible chimney typical of the period. At ground floor the arched residential entry survives set between Tuscan order pilasters.
49. The primary alteration has been the replacement of the shopfront, which is common for historic commercial buildings, and as a proportion of the overall building the impact is minor. Furthermore, the shopfront, whilst likely larger than the original, is relatively sympathetic in that timber framing has been employed and the window is multi-paned rather than having only one large light (pane of glass).
50. It is also possible that the parapet was partly remodelled (e.g. urn and scroll ornaments may have been removed) circa 1920 to integrate it with the later shops adjacent at nos 157-161 – if this is the case, it nonetheless remains intact to its Interwar period state which is recognised as being within the period of significance for the precinct. Moreover, the two corner buildings (former Nelson Hotel and 524-528 City Road), both Victorian period buildings, were similarly partly remodelled during the Interwar period.
51. As a largely intact late Victorian era shop, no. 163 warrants inclusion in the Montague Commercial Precinct and is consistent with the definition for a 'significant' grading. As such, the building is commensurate with the aforementioned two storey 'significant' examples in HO7 at 151-157 Carlisle Street, Balaclava (refer to point 24).
52. The three, single storey shops at nos 157-161 were constructed c.1920, replacing earlier residences on the site.<sup>3</sup> The shops have a curved rendered parapet and pilasters with brackets typical of the late Federation and early Interwar periods. The roof is clad in corrugated sheet metal and is comprised of a transverse gable (partially visible) at the front with two sawtooth sections (circa mid-20<sup>th</sup> century) at the rear.
53. Like no. 163, the shop fronts have been replaced; two with modern plate glass windows and the other with a full width roller door. Being single storey with low parapets however this change represents a considerable proportion of the façade and this is reflected in the attribution of a 'contributory' grading. They are commensurate with the aforementioned examples in HO7 at 274-278 Carlisle Street, Balaclava and 172-180 Carlisle Street, St Kilda (refer to point 25).
54. At the panel hearing in relation to C117, there was apparently a perception that the shops are altered versions of the earlier residences on the site. This is illustrated by the Panel's following consideration:

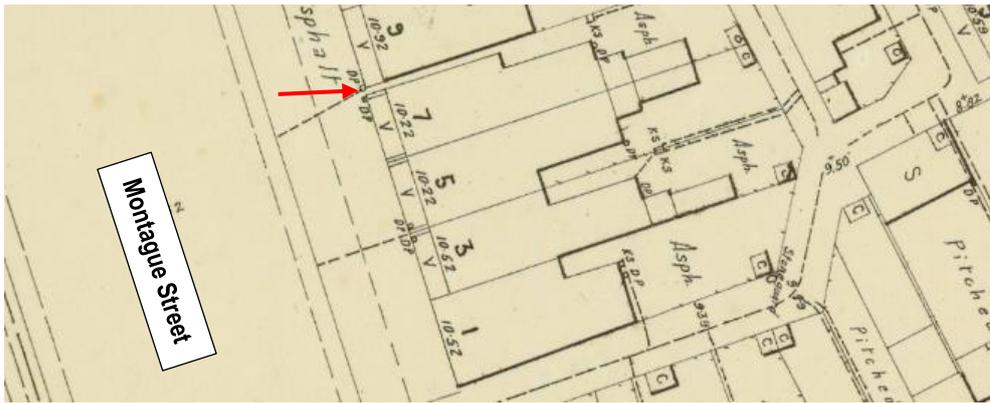
157-163 Montague Street has been heavily modified and its residential component is neither intact, nor does it have integrity to its original form. The Panel accepts that at first glance its scale and form are characteristic of late nineteenth century, however the majority of the building (excluding the two-storey component) is largely unoriginal and is therefore not significant and is contributory at best.<sup>4</sup>

Whilst it is possible that some of the 1890s fabric survives to the front part of nos 157-161, regardless of whether it is fully replaced or modified earlier fabric it nonetheless presents as an early 20<sup>th</sup> century/Interwar period building and relates to the precinct's period of significance. It is noted that in 1895 there was a gap between the side of the building and the property boundary on the north/west side - the extant building however extends to that boundary, though the property boundary may have been changed. Refer MMBW plan below.

<sup>2</sup> South Melbourne Rate Books 1890 and 1891. It is described in the 1890 rate book as a 6-roomed brick building. The adjacent sites at nos 157-161 were also developed at the same time with three 4-roomed brick buildings (houses). All the buildings were owned by Patrick Woulfe.

<sup>3</sup> An advertisement for Zmood & Co (drapers) in the *Geelong Advertiser* (2 December 1921, p3) refer to 157-163 Montague Street as the head office for the business.

<sup>4</sup> Panel Report for Port Phillip Planning Scheme Amendment C117 (16 September 2016), p47



MMBW detail plan no 493 & 497 dated 1895. Numbering was different at that time – No. 1 (no. 163), Nos 3, 5 & 7 (nos 157-161). Note the narrow space on the north side of no.7 (157) between the side of the building and the property boundary (red arrow). (Source: State Library of Victoria)

55. The neighbouring Interwar period shops at nos 151 and 153 & 155 Montague Street also replaced earlier residences. As a group, these places demonstrate the transition from residential to commercial and industrial that was occurring in Montague at that time.
56. At the Panel Hearing for C117, Mr Trethowan (the expert witness for the property owner) stated that it is unlikely that the moulding is original across the four properties, with the moulding across the single storey facades possibly added in the 1980s.  
I note however that there is no further evidence in Mr Trethowan’s expert statement to support the suggestion that the mouldings may have been replaced in the 1980s.
57. In the absence of firm evidence to the contrary, there is no reason to think that the mouldings are not original to c.1920. The mouldings to the façades of the single and two storey sections are similar. Although some slight differences in the console brackets between the two sections do suggest different dates, it is reasonable to suppose that the mouldings from the earlier two storey section were broadly copied when the single storey section was constructed c.1920, particularly as both parts were in the same ownership.



Showing different console bracket detailing - bracket on the left (single storey section), bracket on the right (two storey section).

## Submission No. 5: 540-542 and 544-546 City Road

58. Submission no. 5 objects to the inclusion of 540-542 and 544-546 City Road in the heritage overlay. The following extract is from the submission:

### 1 Negligible Heritage Value

Neither building presents as a heritage premises nor warrant inclusion within a Heritage Overlay.

As detailed at Section 2 to this submission, each of the subject single level properties have over time been subject to numerous and significant building alterations and additions.

Each of the subject buildings has over time undergone extensive alterations and additions such that any heritage value that may have once been attributed have long been altered or removed.

The result of such alterations and additions is the subject buildings, as clearly shown below, present simply as typical single level modern retail-commercial-office premises devoid of any perceived heritage values.

Alterations and additions to the subject properties include, inter alia:

#### No 540-542 City Road

- removal of original heritage building and structures rear of the City Road frontage
- replacement of original buildings with brick and central pitched corrugated roof warehouse structure extending to all property boundaries
- removal and replacement of original front City Road shopfront windows and window framing with new modern windows and fittings
- removal and replacement of original front timber shopfront door with new modern glazed door
- alterations to original shopfront awning with fitting sheet metal advertising signage paneling
- introduction of new upper parapet, located in front of hidden original stepped upper parapet behind, comprising metal sheet advertising paneling
- numerous internal structural alterations
- presentation and use as a typically modern retail-office-warehouse premises

#### No 544-456 CITY ROAD

- removal of original heritage building and structures rear of the City Road frontage
- replacement of original buildings with brick and corrugated flat roof structure warehouse extending to all property boundaries
- removal of original shopfront façade with sandblasting to remove original paintwork and parapet treatment exposing typical exposed brick parapet
- removal of original upper broken window lead lights located above the main shop front windows and replacement with timber framed glazed upper window panels
- removal of original shop front lower tiles located beneath shop windows and significantly damaged over time and replacement with concrete rendering
- removal of original solid timber front doors and replacement with new commercial timber framed glazed doors
- removal of original metal and timber window frames to the shop frontage and replacement with new timber framed glazed windows.
- all original internal walls and fittings have been significantly altered including dividing walls being removed, remaining brick walls being stripped of plaster and sand blasted, plaster ceiling being removed and replaced with pine lining panel boarding.
- presentation and use as a typically modern commercial-office premises

Acknowledging the above, it is accepted the subject properties present negligible scientific, aesthetic, architectural or historical heritage interest or cultural heritage value.

Accordingly, it remains perplexing and completely unfounded how each of the subject properties can therefore be included in the following assessment policy and criteria applying to consideration for inclusion of properties within proposed Amendment C186port:

*'The Amendment implements should follow the objectives of planning in Victoria, under Section 4 of the Planning and Environment Act 1987:*

- *4(1)(d) – to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.'*

*'The Amendment will have a positive social effect through the preservation of historically significant places often which reflect social history, for the benefit of current and future generations.'*

*'Heritage Conservation*

*Objective:*

- *To ensure the conservation of places of heritage significance.*

*Strategies:*

- *Identify, assess and document places of natural or cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of a heritage place.'*

The above assessment criteria simply do not and should not apply to the subject properties as neither property presents or displays built form elements and/or qualities that satisfy such heritage criteria.

In essence, each of the subject properties present as unremarkable typical modern single level retail-commercial-office premises from a heritage perspective, land use perspective, strategic planning perspective, statutory planning perspective and visual and built form perspective.

Acknowledging the above, it remains extremely difficult to understand or accept why the subject properties have been recommended for individual listing as being 'contributory' and 'significant' heritage premises.

From a heritage planning perspective, the subject dwellings simply do not suitably satisfy the applicable descriptions applied to 'contributory' or 'significant' heritage places and for reasons highlighted so not warrant inclusion within Heritage Overlay 513 (HO513).

The inclusion and individual building category listings are even more confusing when reviewing the heritage descriptions applied to each premises during assessment for inclusion within proposed Amendment C186port- Heritage Overlay 513 (HO513):

## 540-542 City Road

- *'Probably Interwar (or mid-20th century)*
- *Single storey shop with stepped parapet (partly obscured) characteristic of the Interwar period. Ground floor shopfront has been altered. Rendered though possibly face brick originally.'*

The actual age and architectural building style is not/cannot be identified, former stepped parapet is located behind a new modern parapet and the building is typically unremarkable modern retail and does not warrant or justify a 'contributory' heritage place listing.

## 544-546 City Road

- *'Single storey paired shops with wide brick parapet with rendered panels.*
- *A pier divides the façade into two parts. The shopfront is largely intact with timber window frames and doors, and rendered stallboard with vents.'*

The actual age and architectural building style has not been identified, the upper parapet has been sand blasted and altered, shopfront windows, framing and doors have all been removed or replaced and the building presents as typically common and unremarkable and does not warrant or justify a 'significant heritage place listing.

In review, the inclusion of No 540-542 City Road and No 544-546 City Road within proposed Amendment C186port – Heritage Overlay 513 (HO513) subject to and based upon the negligent heritage values and elements of each premises is strongly objected to.

**2 The subject properties are distinct and separate from the row of adjoining two level heritage properties**

Review or proposed Amendment C186port – Heritage Overlay 513 (HO513) indicates the subject properties have been included and form the last two properties located at the lower south-western end of proposed Amendment C186port – Heritage Overlay 513 (HO513) affecting the Montague Commercial Precinct, as it extends along City Road.

The subject single level properties have been questionably included and attached as part of the adjoining row of properties extending north-east to Montague Street, being No's 524 - 538 City Road.

It is noted the adjoining row of six properties extending to Montague Street contain attached two level terrace style buildings constructed during the 19th century and accordingly exhibiting heritage value.

It is accepted, however that No 530 City Road, located centrally within the row of terrace style buildings being a narrow single level retail outlet, is somewhat absorbed within the wider two level streetscape and built form presentation afforded to the enveloping two level terrace style buildings ...

In this respect, it is accepted the subject single level commercial properties present substantially separate and distinct from a use and built form heritage perspective to the abutting north-eastern row of two storey attached terrace style buildings extending to Montague Street ...

There is indeed a built form clear and exposed dividing boundary wall between the row of two level terrace style buildings and the subject properties which it is accepted provides a suitable visual and built form boundary between places of heritage value and other more modern retail-commercial-warehouse properties ...

Taking into consideration the subject properties have been proven to display negligible heritage values and accepting the subject properties appear and present as distinct and separate from the attached row of two storey heritage terrace style buildings, particularly when viewed from City Road, their inclusion within proposed Amendment C186port Heritage Overlay 513 (HO513) is strongly objected to.

### **3 The subject properties should not be subject to arbitrary heritage controls, policies and requirements**

Accepting the subject properties display and are afforded negligible heritage value and do not associate or form part of the row of two level attached heritage properties, particularly from a built form, visual, use or heritage perspective, they accordingly should not be subject to unwarranted, restrictive and arbitrary heritage controls, policies and requirements.

I note with regard to potential environmental, social or economic impacts, proposed Amendment C186port Explanatory Report includes:

*'The Amendment is not expected to have significant economic effects, although it is likely to impose some additional costs on the owners or developers of the affected properties as a planning permit will be required for most buildings and works. The economic effects of requiring a planning permit may be reduced through the availability of Port Phillip's heritage, urban design and planning officers' free-of charge at any time prior to, during, or following the planning permit application process to assist in the planning permit process.'*

I would contend the above is a gross understatement and misrepresentation of the actual impact of inclusion within proposed Amendment C186port – Heritage Overlay 513 (HO513).

The impact upon the subject properties from the unwarranted inclusion within Heritage Overlay 513 (HO513) and with 'contributory' and 'significant' heritage place listings, would indeed be significant and detrimental.

The subject properties will accordingly be unduly subject to the restrictive heritage controls pursuant to the Heritage Policy at Clause 22.04 and proposed Heritage Overlay No513 (HO513) at Clause 43.01 to the Port Phillip Planning Scheme, particularly the Performance Measure requirements and resultant impacts upon alterations, additions and general development of the properties.

In this respect, please refer to the restrictive heritage controls, policies and requirements proposed to be applied to the subject properties at Section 4 'Implications Upon Subject Properties' to this submission.

To infer that the impact upon the properties to be subject to such restrictive planning application and heritage requirements, associated delays and related costs as 'not expected to have significant economic effects' is simply not true.

Taking into consideration, the inclusion of No 540-542 City Road and No 544-546 City Road within proposed Amendment C186port – Heritage Overlay 513 (HO513) and accordingly being subject to the restrictive heritage planning controls at Clause 22.04 Heritage Policy and Clause 44.03 Heritage Overlay 513 (HO513), is strongly objected to.

#### **59. The submission also includes a separate heritage assessment, which includes the following comments:**

It is submitted that whilst the interwar existed as period of change, the existence of these two building, which present very utilitarian presence, in this street is unedifying and without evident or demonstrable heritage value. The building at 540 is without any premodern character as it expresses today other than perhaps the stepped parapet that is so hidden by the awning as to be only visible from some 30 metres away. This is a building that has been changed beyond recognition of its origins as it generally presents to the public realm. It may be advanced that the buildings of similar period on the east side of Montague Street can be appreciated as being a group or row of similar buildings and as collectively establishing a streetscape of prevailing inter-war and heritage presence, at least for some short distance. In City Road however the sand blasted brickwork of 546 City Road exists in complete isolation from any other similar character let alone heritage character from the same period.

It would appear that the assessment of individual significance has been based upon the mistaken premise that the timber shopfronts at 546 City Road date from between the war rather than being late century. If the shopfronts had been intact and original it may well be that they would have imparted individual heritage significance to the property. As this is not the case it is my recommendation that both properties be excluded from the Heritage Overlay.



544-546 City Road



540-542 City Road

**Response**

- 60. Nos 544-546 are a pair of single storey shops which were built in 1922, and for about the first 20 years were occupied by a chemist and a pastry shop.<sup>5</sup> The shops have a tall brick parapet that returns on the sides, with rendered panels. A pier divides the façade into two parts and an original canopy has been removed. The roof is low pitched and concealed. The building now extends the length of the block with a large vehicular opening and recessed pedestrian entry to the rear, non-original red brick wall.
- 61. Based on my initial inspection, and without evidence to the contrary, I previously considered that the extant timber shopfronts of nos 544-546 may have been original because their format is indicative of the period. However, I accept the

<sup>5</sup> Sands and McDougall's Directory for 1922 records 'two shops being built' (page 704)

evidence of the property owner that the extant shopfronts are later replacements (since the 1980s) and that the original shopfront had leadlighting to the upper part.

62. It is common for historic commercial buildings to have later shopfronts. While the shopfronts are not original, the façade nonetheless retains its original configuration – surviving elements include the stallboard (although the tiles have been removed), the vents, the central pier, and the entrances locations to the sides. The replaced shopfronts, albeit generic, are indicative of an earlier format in that they have highlight windows and framing.
63. Originally, the brickwork would have been unpainted. The removal of the later paint finish has restored the original face brick presentation, although it is unfortunate that this was achieved by sandblasting, a method which is damaging to the surface of bricks.
64. In response to the extent of alterations to the shopfront of nos 544-546 identified in the submission, I now consider that a 'contributory' grading is more appropriate than 'significant' as was originally proposed in the *Fishermans Bend Heritage Review: Montague Commercial Precinct*. It satisfies the definition of a 'contributory' place, in that is a 'representative' example of an Interwar period shop which, despite some alterations, remains legible as such and has the 'potential to be conserved'. They are commensurate with the aforementioned examples in HO7 at 274-278 Carlisle Street, Balaclava and 172-180 Carlisle Street, St Kilda (refer to point 25).
65. Nos 540-542 is a single storey shop which was built c.1935 and occupied by 'Crofts Stores' and Marshalls Art Metal Works' for a long period.<sup>6</sup> It has a broad stepped parapet, that also steps forward of the main wall plane/naked, characteristic of the Interwar period and which is rendered (although may have originally been face brick). The hipped roof, clad in corrugated sheet metal, is visible from some vantage points. The shopfront has been replaced, which is a common alteration for historic commercial buildings. The extant non-original signage obscures rather than alters the parapet and could be readily removed to reveal the central, broad peak/pediment. The side wall along the narrow walkway (east side) is intact with red brick, concrete lintels, and openings, whereas the rear wall has been partly altered.
66. Nos 540-542 satisfies the definition of a 'contributory' place, that is, it is a 'representative' example of an Interwar period shop which, despite some alterations, remains legible as such and has the 'potential to be conserved'. They are commensurate with the aforementioned examples in HO7 at 274-278 Carlisle Street, Balaclava and 172-180 Carlisle Street, St Kilda (refer to point 25).
67. When the extant brick shops at nos 540-542 and 544-546 were built (in c.1935 and 1922 respectively) they replaced smaller Victorian era timber buildings (probably shop residences). This was a typical scenario in Montague where a large proportion of the original Victorian era buildings had been timber and redevelopment of sites during the Federation and Interwar periods with more permanent brick building stock was common.
68. The composition of the Montague Commercial Precinct follows a common pattern demonstrating the growth of commercial centres over time, whereby the earlier Victorian buildings are at the core, with later Federation and Interwar buildings at the edges. In addition to the Interwar places in the proposed precinct (540-546 City Road and 151-161 Montague Street), other places on the west side of Montague Street also date to the Interwar period, including 150 and 160 Montague Street (not proposed to be included in the precinct due to their poor level of intactness) and the two storey former bakery at 146 Montague Street (individual heritage overlay HO272).

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<sup>6</sup> Sands and McDougall's Directory for 1935 does not record an entry for nos 540-542 suggesting that the earlier building had been removed in readiness for replacement. The 1938 directory (i.e. the next available year) includes a listing for nos 540-42.



I see properties left of me starting from 540 City Road to be contemporary and modern looking, including the property to the right at 530 City Road South Melbourne which interrupts the string of properties from the corner of Montague Street.

They [532-538 City Road] have, especially my own property, been architecturally altered in the way of design amendments over the years, they no longer represent much original or consistent features that would generally be evident and apparent for buildings from that Era. They look awful in comparison to the beauty and comprehensive architectural properties adjacent from the corner 526 City Road to 528 City Road, which show significant Heritage features that are still evident and have been visibly apparent throughout the years.

It is apparent that there has been extensive works performed on the external areas of these buildings that have indirectly diminished any trace of original architectural presence. May I also mention that the internal improvements that I have carried out in the years since I purchased the property at 538 City Road have been of a modern design, not by choice, I would have loved to preserve any original materials but due to the historic damage caused by flooding on City Road, I have had to gut out the entire bottom floor of the building having to re stump the entire building as my engineer raised concerns about the sinking foundation, since these works were carried out in 2007 the building continues to sink into the side along the lane way which is a thoroughfare for the public?? I fear the unknown of how much longer the structure can hold up.

Lastly, may Council share some empathy for the hundreds of thousands of dollars spent on repairing and maintaining this debilitating property to have it in its current reasonable condition has cost a small fortune, the consolation was that in the hope that soon I would have the opportunity to re develop the building to a much better design that was more in line with the recently imposed Fisherman's Bend Capital Zoning that was commissioned only a short time ago where I could also recoup some of my investment and leave the legacy to my children. The plan was to design a new property to submit to Council with a significant and refreshing modern. This is what I best understood was the direction that the Council of Port Phillip took when the release of the Capital Zoning was established.

## Response

73. This submission raises similar issues to submission no.3 (relating to 536 City Road), and as such, my response is largely the same.
74. No. 538 City Road forms part of a group of four two-storey shops, which had been built by 1910. The upper level of the group is largely intact and features original elements characteristic of the Federation period - face brick (probably red, although now painted, rendered to no. 532) with rendered elements (band, frieze, parapet, Queen Anne sills), casement windows (largely retained). There is also some detailing more commonly associated with the Victorian period such as the brackets with vermiculated panels, urns, and the scroll brackets to the parapet, but which continued to be employed into the early 20th century (but overall, there is less embellishment than would be typical of a late 19th century example). The central door at ground floor, which provides access to the upper level residences, indicates the dual residential and commercial function of the building. The roofs, largely concealed by the parapet, are hipped and six chimneys survive which are visible from various vantage points. To the rear, additions have made to nos 532, 534 and 536, while no. 538 appears to retain its original format.
75. There have been some alterations, but most of these are potentially reversible. It would be possible to replace the missing or broken decorative elements to the upper level (e.g. the urns and cornice above the shopfronts), based on the surviving detail elsewhere on the building. The painted finish could be removed from nos 534, 536 and 538 to restore the original face brick presentation. Despite the replacement of the ground floor shopfronts (a common alteration for historic commercial buildings) a sense of the original format with stall boards has nonetheless been retained, and when considered overall, the loss of the shop fronts is compensated by the largely intact upper floor.
76. Some deterioration to the upper part of the façade is evident – including the lower edge of the rendered lintel to the first-floor window and some cracking/movement may have occurred to the section of wall to the east side of the first-floor window, though the extent is not clear beneath the current paintwork.
77. As a largely intact building Federation era commercial building it contributes to the heritage values of the precinct and meets the threshold for a 'significant' grading. As such, the building is commensurate with the aforementioned two storey 'significant' examples in HO7 at 151-157 Carlisle Street, Balaclava (refer to point 24).
78. Consideration of the structural condition of the building is outside my area of expertise. It is not typically a factor in the determination of heritage significance, and did not influence my assessment of the heritage values of the building.
79. The modern internal alterations have no bearing on the attribution of heritage significance.
80. The heritage overlay controls, if they were to be permanently applied to 538 City Road, would not preclude the potential for sympathetic alterations and additions to the existing building, although any proposed future change would be assessed in terms of its impact upon the heritage values of the Montague Commercial Precinct. Furthermore, the relevant

DDO (Schedule 30 to Clause 43.02) allows for 'low rise' development (up to 6 storeys) along this section City Road, though in cognisance of its existing character and any heritage overlays that may apply.

### Submission No. 7: 506 City Road

81. Submission no. 7 objects to the inclusion of 538 City Road in the heritage overlay, and includes the following statement:

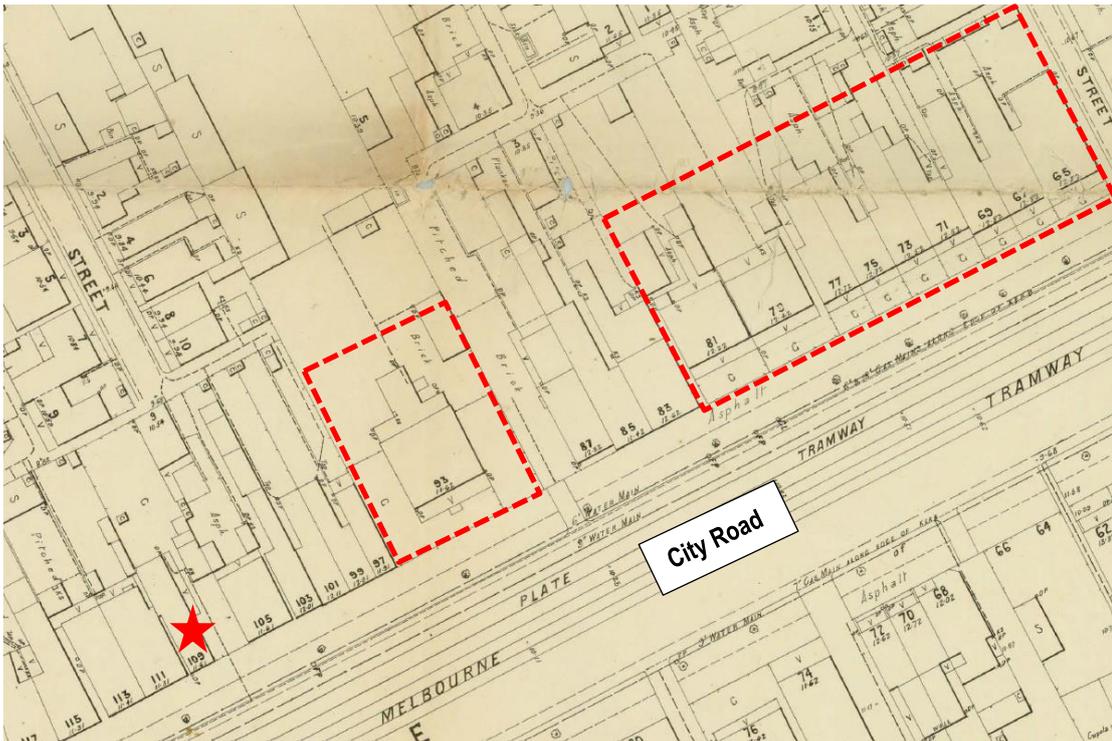
I am still in disagreement with the Heritage Overlay placed on individual properties, particularly when you allow multistorey developments next to such properties that tower over and cause significant shadowing issues – with all complaints falling on deaf ears. Furthermore, any possible development on 506 City Road, South Melbourne would be limited by this Heritage Overlay, which no doubt has also affected the value of the property and the dismissal of possible buyers.

### Image

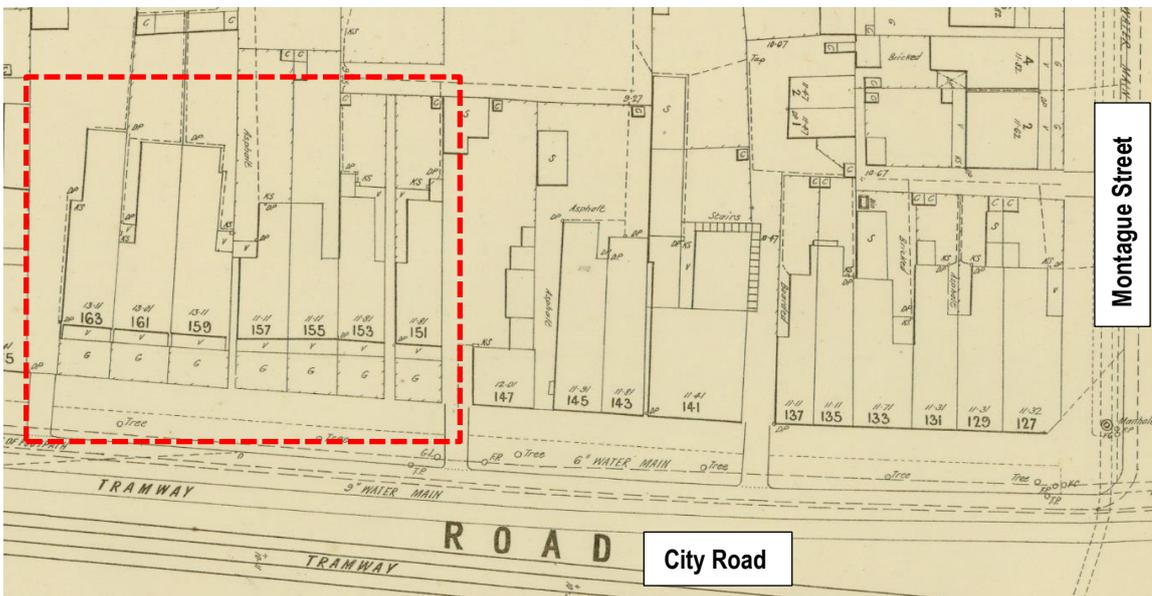


### Response

82. 506 City Road, South Melbourne, was built in 1914. It is one of the few remaining examples of an early 20th century house associated with the former Montague neighbourhood. Although it is now the only surviving house in this part of City Road, there had previously been many others, as evidenced by the MMBW plan reproduced below.



MMBW detail plan no 493 & 497 dated 1895, showing a number of nearby residences on City Road east of Montague Street. 506 City Road is marked with a star. (Note, there may have been more residences at this time that did not have a verandah and front garden but these are difficult to distinguish from the commercial buildings). (Source: State Library of Victoria)



MMBW detail plan no 347, 348 349 492 dated 1895, showing nearby residences on City Road west of Montague Street.

83. The house has a strong historical association with the Cogan family, long-time Montague residents who owned and occupied the site for almost a century between 1868 and 1965. The three Cogan siblings were closely involved with various local organisations and actively worked to improve the welfare of the Montague community during the first half of the 20th century, and one of the brothers, Robert Hennessey Cogan, was a local councillor throughout the 1930s and one-time mayor of South Melbourne.
84. The single storey brick house is a good and largely intact example of a Federation period residence with an Arts and Crafts influence design characteristic of the time. With its prominent gable end and rising sun motif, it is the most

distinctive of the few surviving Federation period houses in the Montague area. It satisfies the definition of a 'significant' place.

85. It has a hip roof, pair of red brick chimneys with rendered tops and terracotta pots, gable end with a rising sun motif (comprising battens and render, partly roughcast) and timber console brackets, presumed red brick walls (now overpainted) with remnant tuck pointing, wing walls with arched niches, verandah with cast iron column and remnant cast iron frieze, exposed rafters ends to verandah roof, tessellated tiling to deck, bay window with presumed timber window frames, timber entrance unit with panelled door with glazing to upper half, and decorative sidelight and toplight.
86. Although the current overpainting has diminished the original contrasting effect of the materials and finishes, this could be readily removed to reinstate the original appearance of the house.
87. At the panel hearing for C117, it was submitted that:

...the dwelling lacks intactness; it has a Colorbond roof and painted external bricks. The verandah, roof, door and fence are not original. The building is a hybrid of styles and there is no evidence this style was typical of the dwellings that existed in the area. He argued that the dwelling is not part of a group of intact buildings of similar style, but instead is a single residential building among two storey commercial buildings. He submitted that if the building was removed, it would not detract from the area. 506 City Road warrants inclusion in the Montague Commercial Precinct as a 'significant' place.

The Panel determined that the house is potentially 'significant', subject to further research on the Montague Precinct.

88. The heritage overlay controls would not preclude the potential for sympathetic alterations or additions at the site, although any proposed future change would be assessed in terms of its impact upon the heritage values of the Montague Commercial Precinct.
89. The redevelopment of the adjacent site (508-510) has no bearing on the contribution of 506 City Road to the heritage values of the Montague Commercial Precinct.

### **Submission No. 8: 153 & 155 Montague Street**

90. Submission no. 8 objects to the inclusion of 153 & 155 Montague Street in the heritage overlay. The following extract is from the submission:

... there is no real heritage appearance in respect of either properties. Whilst the properties may have been built during a period of other buildings in the area, the façade is of simple brick construction of no historical appearance. Modern front aluminum display windows have been installed for many years giving a modern appearance. Older buildings in the area have modern display frontages. Any historian or conservation consultant would look at our buildings and say it is old but of no historical or heritage appearance or consequence.

We acquired the buildings some 9 years ago in anticipation of being able to redevelop the site at a future date. Downgrading the properties into a heritage overlay will significantly reduce the value.

Older properties on the area historically over the last 20 years have shown extended periods of vacancy and hard to let. The council should be encouraging redevelopment to suit a modern society and in keeping with current substantial redevelopment in the precinct.

This is a commercial precinct focusing on modern commercial outcomes. Not a residential street focusing on historical residential outcome like you would expect in a residential area and side streets in Albert Park.

## Image



## Response

91. The single storey pair of shops at 153 & 155 Montague Street were probably built c.1924 and replaced earlier timber residences.<sup>7</sup> They are amongst several in the proposed precinct constructed during the Interwar period. Other Interwar buildings in the precinct include 151 and 157-161 Montague Street and 540-42 and 544-46 City Road.
92. Similarly, the adjoining Interwar period shops at 151 and 157-161 Montague Street also replaced residences, demonstrating the transition from residential to commercial and industrial that was occurring in Montague at that time.
93. The simple brick parapet with plain divisions is typical of the period.
94. The primary alteration has been the replacement of the shopfronts, which is common for historic commercial buildings, and as a proportion of the overall building the impact is minor. The original façade configuration with the stallboards and the central pier has been retained, and it continues to read as two premises.
95. The current painted finish could be readily removed to reinstate the original face brick presentation.
96. Although an undistinguished building, its parapet design is indicative of commercial buildings of the Interwar period and as such satisfies the definition of a 'contributory' place. As such, they are commensurate with the aforementioned 'contributory' examples elsewhere in the municipality at 274-278 Carlisle Street, Balaclava and 172-180 Carlisle Street, St Kilda, all in HO7 (refer to point 25).
97. The heritage overlay controls would not preclude the potential for sympathetic alterations to the existing building or additional development of the site, although any proposed future change would be assessed in terms of its impact upon the heritage values of the Montague Commercial Precinct. Furthermore, the relevant DDO (Schedule 30 to Clause 43.02) allows for 'mid-rise' development (though only up to 8 storeys) along this section Montague Street in cognisance of its existing character and any heritage overlays that may apply.

## Submission No. 9

98. Submission no. 9 objects to the proposed Montague Commercial Precinct generally. The following extract is from the submission:

from 151 montague street to city road, are all small buildings, if theses buildings don't merge with the neighbour building to construct something with a commercial and residential or office twist, they will all sit there vacant, the majority are too small to do anything with, that pocket of montague street and city road all the way to ferrars street is a current mess, vacancies everywhere, its a ghost town, it is ugly, and its been that way for years, City road is the gateway into bay street and port melbourne shopping centre,

<sup>7</sup> An advertisement in the *Argus* confirms that the timber residences remained in 1920 (*Argus*, 8 May 1920, p2). The Sands and McDougall's Directory from 1925 records nos 153-155 was occupied by a dairy and a butcher, indicating a change in use from residential (as recorded in the 1924 directory) to commercial.

how sad is that, and how ugly is it on the eye currently, property will sit vacant from 1 to 5 years, if they aren't allowed to be developed, how could you have all these little buildings in amongst high rise developments, they will look silly, they will eventually be used as cheap residential accommodation, it already looks like a ghetto, the zoning in that whole Montague precinct is capital city zone, lets create a capital zone there with offices shops and residents, Before you decide to slap heritage overlays to stop the facades from changing or buildings being dropped, please look at the bigger picture, you already have big buildings coming out of the ground now being built, that will dwarf these smaller buildings, which in the future will look silly and out of place being there,

## Response

99. Issues of vacancy and current use are unrelated to assessment of heritage value. Assessment of heritage value goes beyond the current appearance - it is an analytical assessment of intactness of historic fabric and how that represents key development themes in an area.
100. The demographics and economic circumstances of areas is often in a state of flux, and what at one point in time seems undesirable, becomes desirable due to changing circumstances. There are manifold instances of where what was once a seemingly unloved area being rejuvenated, with historic buildings being conserved and the foundation for further development.
101. Whilst the Montague area is part of the capital city zone, a DDO (Schedule 30 to Clause 43.02) is in place which seeks to manage development in the area with development being limited between 4 and 8 storeys to areas with an established fine grain (Boundary Street and nearby sections of the connecting streets, City Road, and southern end of Montague Street) in cognisance of its existing character and any heritage overlays that may apply. Taller development has been allowed for further away from these sections (refer to maps 1 and 2 in the aforementioned DDO).

## Submission No. 10: 151 Montague Street

102. Submission no. 10 raises concerns about the proposed heritage overlay in relation to no. 151 and the impact on the precinct generally. The following extract is from the submission:

Firstly, the shop facade of our building has no trait of heritage character apart from this parapet wall which sits behind a street canopy. The shop front and rest of the building was upgraded many years ago. The modern upgrades that were made on the facade & building attributed to the loss of its yesteryear character. If you take a closer look at the shop as it stands today, the modern improvements which were made on the facade and building (prior to my purchase) nullify most of its heritage existence and has completely transformed the building to a modern looking commercial shop.

I do believe in preserving heritage buildings, however in this instance trying to maintain a wall above the shop while the rest of the shop front & building has been completely changed will significantly impact my investment. It will deter future investors in purchasing my building and my neighbours buildings too.

Your proposal of maintaining the parapet wall will not significantly increase the identity of the building nor will it add heritage value to the area and there is no streetscape identity. In trying to implement heritage overlay on a building which has flaws in heritage appeal is unjust to my property and to the neighbourhoods future. I see no value to your proposal in keeping the wall.

The buildings on either side of my shop both have no significant heritage character.

The double fronted shop to the right is quite an unattractive building and lacks character.

The building to the left number #149 Montague St is a huge double fronted double story modern office complex with a completely different architectural style and the building to the left of them on the corner (the old olympia gym) is also lacking in any heritage appeal and is of another era.

We have conflicting styles with one another, we have no identity as a streetscape presently. My wall above my single fronted shop with a modern take frontage will not make any difference to the street or neighbourhood as you are suggesting. It will not make an impact on the streetscape character you are trying to achieve.

Looking at the streetscape as a whole apart from the corner double storey building on city road and the recently refurbished Japanese furniture shop, the rest of the streetscape really lacks character and the different architectural styles conflict with one another and make the streetscape quite unappealing. Therefore again, trying to retain a small wall amongst this streetscape with mostly no character is foolish.

Most small buildings like mine attract buyers who are keen to buy the adjoining properties and merge the properties to develop an attractive commercial, residential and office building.

Your proposal will deter developers from this part of the Montague precinct and in turn will affect the future of this precinct.

We need to look at the bigger picture here before you decide on imposing these HO on our buildings. In future, your proposal could end up in a scenario where my small building is dwarfed by other hi rise developments. My building will look out of place and unattractive to future investors or businesses.

This uninviting streetscape particular in my pocket has a history of long term vacancies. Currently my shop is vacant and has been for 6 months and before that was vacant for 7 months. It's hard enough to rent it out as it is.

### Image



### Response

103. The single storey shop at 151 Montague Street is one of several in the proposed precinct constructed during the Interwar period, and was likely built c.1925.<sup>8</sup> Other Interwar buildings in the precinct include 153-155 and 157-161 Montague Street and 540-42 and 544-46 City Road.
104. The shop at no. 151 replaced an earlier timber residence. The adjoining Interwar period shops at 153-155 and 157-161 Montague Street also replaced residences, demonstrating the transition from residential to commercial and industrial that was occurring in Montague at that time. As a group, these shops form a consistently Interwar period streetscape displaying a variety of design approaches (e.g. concealed and visible roofs) with the more elaborate parapet at the subject site, creating a definitive bookend at this end of the precinct.
105. No. 151 has a tall decorative parapet with central pediment, large keystones, central panel, dentillation, roughcast and smooth render finishes.
106. The primary alteration has been the replacement of the shopfront, which is common for historic commercial buildings, and as a proportion of the overall building the impact is minor.
107. The current painted finish could readily be removed to reinstate the original contrasting render presentation.
108. As a largely intact Interwar period shop, no. 151 warrants inclusion in the Montague Commercial Precinct and is consistent with the definition for a 'significant' grading. As such, the building is commensurate with the aforementioned single storey 'significant' examples in HO7 at 290+290A Carlisle Street, Balaclava (refer to point 24).
109. The adjacent building to the north at 147-149 Montague is not proposed to be included in the precinct. The adjacent building to the south is proposed to be included in the Montague Commercial Precinct as a 'contributory' place.

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<sup>8</sup> The Sands and McDougall's Street Directories records a change in occupant and use from a confectioner (possibly a business that was run from the earlier house) to a loans company between 1925 and 1926, indicating a possible construction date for the extant shop.

## CONCLUSION

110. I support the proposed amendment C186port to apply Heritage Overlay HO513 to the Montague Commercial Precinct on a permanent basis.
111. I support the proposed post-exhibition change to amendment C186port, that is, changing the grading for 544-546 City Road from 'significant' to 'contributory' on the basis that the alterations are more extensive than I initially thought.
112. Accordingly, I recommend that the description section of the *Fishermans Bend Heritage Review: Montague Commercial Precinct* document be updated for 544-546 City Road to replace the words 'largely intact' with the words 'later replacement' in relation to the shopfront.
113. Additionally, in light of some further historical research undertaken as part of this report, I recommend that the description section of the *Fishermans Bend Heritage Review: Montague Commercial Precinct* document be updated to include more precise construction dates for the following places:
  - 540-542 City Road: Built c.1935
  - 544-546 City Road: Built c.1922
  - 151 Montague Street: Built c.1925
  - 153-155 Montague Street: Built c.1924
114. I have no further changes to recommend to the amendment in response to the submissions.