

*Planning and Environment Act 1987*

**Panel Report**

**Port Phillip Planning Scheme Amendment C142port  
St Kilda East Heritage Overlay Review**

**13 December 2019**

*Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the Act

Port Phillip Planning Scheme Amendment C142port

St Kilda East Heritage Overlay Review

13 December 2019

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

Tim Hellsten, Chair

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## Glossary and abbreviations

|                    |   |
|--------------------|---|
| Act                | <i>Planning and Environment Act 1987</i>  |
| Council            | Port Phillip Council  |
| Heritage Review    | <i>Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)</i>                                |
| National Trust     | National Trust of Australia (Victoria)  |
| Owners Corporation | Owners Corporation (Plan No 23531)  |
| Planning Scheme    | Port Phillip Planning Scheme  |
| PPN01              | Planning Practice Note 1 Applying the Heritage Overlay, August 2018                                   |
| Precinct Review    | <i>HO6 St Kilda East Precinct Review, Final report, David Helms Heritage Planning, September 2018</i> |
| the Amendment      | Port Phillip Planning Scheme Amendment C142port   |

## Overview

| Amendment summary          |  |
|----------------------------|--|
| <b>The Amendment</b>       | Port Phillip Planning Scheme Amendment C142port  |
| <b>Common name</b>         | St Kilda East Heritage Overlay Review  |
| <b>Brief description</b>   | Applies the Heritage Overlay to 138 additional properties within an expanded HO6 precinct and HO391 precinct and to three individual places in St Kilda East   |
| <b>Subject land</b>        | Land in St Kilda and St Kilda East as shown in Figure 1  |
| <b>The Proponent</b>       | Port Phillip City Council  |
| <b>Planning Authority</b>  | Port Phillip City Council  |
| <b>Authorisation</b>       | 24 April 2019  |
| <b>Exhibition</b>          | 30 May to 30 June 2019   |
| <b>Submissions</b>         | Number of Submissions: 13<br>These are identified in Appendix A  |
| Panel process              |  |
| <b>The Panel</b>           | Tim Hellsten   |
| <b>Directions Hearing</b>  | 1 October 2019, Planning Panels Victoria, 1 Spring Street, Melbourne   |
| <b>Panel Hearing</b>       | 29 October 2019, St Kilda Town Hall  |
| <b>Site inspections</b>    | 26 September 2019, unaccompanied   |
| <b>Appearances</b>         | <ul style="list-style-type: none"> <li>- City of Port Phillip represented by Briana Eastaugh of Maddocks, and supported by Alexandra Hodgson and Kelly White of Council, and who called expert heritage evidence from David Helms of David Helms Heritage Planning</li> <li>- 322-332 St Kilda Road Owners Corporation (Plan no. 23531) represented by Reto Hofmann of Rigby Cooke Layers, who called expert heritage evidence from John Briggs of John Briggs Architects P/L</li> <li>- Mina Gordon</li> <li>- Inga Walton</li> </ul> |
| <b>Citation</b>            | Port Phillip PSA C142port [2019] PPV   |
| <b>Date of this Report</b> | 13 December 2019   |

## Executive summary

Port Phillip Planning Scheme Amendment C142port (the Amendment) seeks to implement the *HO6 St Kilda East Precinct Review, Final report, David Helms Heritage Planning, September 2018* (Precinct Review). The Precinct Review provides the first significant precinct wide review of HO6 since its introduction into the Port Phillip Planning Scheme following the *Port Phillip Heritage Review 1998*.

Specifically, the Amendment proposes to:

- apply the Heritage Overlay to 138 new properties in the expanded HO6 (St Kilda East Precinct) and HO391 (Murchison Street/Alma Road Precinct) and remove one property (14 Raith Court, St Kilda East) from HO6
- transfer 34 existing Heritage Overlay properties from HO6 to HO391
- apply individual Heritage Overlays to 21 Redan Street, St Kilda (HO503), 226 Alma Road, St Kilda East (HO505) and 264-266 St Kilda Road, St Kilda (HO506)
- amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* (Heritage Review) to reflect the findings and recommendations of the Precinct Review including replacing and updating existing citations to change building gradings and inserting new citations
- include three new Statements of significance as incorporated documents for new individually significant properties (HO503, HO505 and HO506) in the schedules to Clause 43.01 and Clause 72.04
- update the *City of Port Phillip Heritage Policy Map* and *City of Port Phillip Neighbourhood Character Map*
- include the Precinct Review as a background document.

Exhibition of the Amendment resulted in 13 submissions, including a supporting submission from the National Trust of Australia (Victoria). The remaining submissions:

- sought the removal of the Heritage Overlay from specific buildings based on their alteration or removal diminishing any heritage significance
- sought changes to property gradings and citations
- identified concerns about reduction in property value, financial impacts and the ability to undertake alterations or realise development potential
- asserted that the Amendment lacked community benefit.

Council identified a number of post-exhibition changes to address various submissions including the removal of 11 Hotham Street, St Kilda and 23 Lambeth Place, St Kilda from the proposed Heritage Overlay (HO6) and alterations to the Citations for the two St Michael's Grammar School sites in Chapel Street, St Kilda and 42 Hotham Street, St Kilda East. These proposed changes are supported by the Panel.

The Council's submission was supported by the heritage evidence of Mr Helms who authored the Precinct Review. In the main the Panel supports the evidence of Mr Helms and considers that the Precinct Review was appropriately conducted and prepared in a manner consistent with the Burra Charter and *Planning Practice Note 1 Applying the Heritage Overlay*, August 2018.

The Panel considers that the Amendment is strategically justified and will, on balance, result in a net community benefit through the appropriate management of places of local cultural heritage significance to Port Phillip.

The Panel supports the adoption of the Amendment subject to:

- the inclusion of Council's proposed post-exhibition changes
- changes to the HO6 St Kilda East (HO6) Precinct Citation relating to clarification of the significant elements of the site at 322-332 St Kilda Road, St Kilda and retaining the current curtilage extent of HO6 pending further analysis
- the inclusion of additional changes identified by Council during its Part B submission including mapping error corrections
- minor consequential Amendment 'clean up' corrections identified by the Panel.

Finally, the Panel acknowledges the extensive work undertaken by Council and its consultants in undertaking the Precinct Review and preparing the Amendment given the large number of properties affected. This is generally reflected in the relatively low number of submissions to the Amendment and limited number of proposed post-exhibition changes.

A common thread in submissions from residents was a confusion around potential impacts, the Precinct Review and Amendment process and Council's communication with residents. These concerns were acknowledged by Council in its submission to the Panel. Council is encouraged to implement effective engagement strategies with the community in future amendments of this nature.

### **Recommendations**

Based on the reasons set out in this Report, the Panel recommends that Port Phillip Port Phillip Planning Scheme Amendment C142port be adopted as exhibited subject to the following:

- 1. Remove the following properties from the Heritage Overlay (HO6):**
  - a) 11 Hotham Street, St Kilda
  - b) 23 Lambeth Place, St Kilda.
- 2. Do not extend the curtilage of the Heritage Overlay (HO6) to the whole of 322-332 St Kilda Road, St Kilda as exhibited. Retain the existing curtilage.**
- 3. Amend Map 7HO to:**
  - a) include all of the property at 19 Hotham Street, St Kilda East in HO6
  - b) remove 42 Hotham Street, St Kilda East from HO397 and include it in HO391
  - c) remove 18 Lansdowne Road, St Kilda East from HO179 and include it in HO391
  - d) remove 26A Lansdowne Road, St Kilda East from HO180 and include it in HO391
  - e) include 119, 119A, 121 and 123 Alma Road, St Kilda East in HO6.
- 4. Amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* as follows:**
  - a) Amend the St Kilda East HO6 Precinct Citation to:
    - remove references to 11 Hotham Street, St Kilda

- remove references to 23 Lambeth Place, St Kilda
  - include the changes relating to 322-332 St Kilda Road, St Kilda shown in Appendix C of this Report.
- b) Amend Citations 78 (4 Chapel Street, St Kilda) and 2388 (25-27 Chapel Street, St Kilda) as shown in Appendix D of this Report.
  - c) Amend Citation 2015 for 42 Hotham Street, St Kilda East to replace the reference to 'Summers House' with 'House'.
5. Amend the *Port Phillip Heritage Review Volumes 1-6* (Version 28, May 2019) Murchison Street/Alma Road HO391 Precinct Citation or the Schedule to Clause 43.01 ensure a consistent precinct title for HO391.
  6. Amend Clause 21.07, Clause 22.04, the schedules to Clause 43.01 and 72.04 and the Statements of Significance for HO503, HO505 and HO506 to reflect the revised date and version number of the Port Phillip Heritage Review Volumes 1-6.
  7. Amend the City of Port Phillip Heritage Policy Map and Neighbourhood Character Map to remove 11 Hotham Street, St Kilda and 23 Lambeth Place, St Kilda and to include mapping corrections to reflect the recommended changes to the *Port Phillip Heritage Review Volumes 1-6* (Version 28, May 2019) and Map 7HO.
  8. Amend the Schedule to Clause 72.04 to reflect the revised date and version numbers of the City of Port Phillip Heritage Policy Map and the Neighbourhood Character Map.
  9. Amend the HO6 *St Kilda East Precinct Review, Final report*, David Helms Heritage Planning, September 2018 to reflect the recommended changes to citations and other content of the amended *Port Phillip Heritage Review Volumes 1-6*. Include the updated document date references in Clause 22.04 and the Statements of Significance for HO503, HO505 and HO506.



# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

The purpose of the Amendment is to implement the *HO6 St Kilda East Precinct Review, Final report, David Helms Heritage Planning, September 2018* (Precinct Review).

Specifically, the Amendment proposes to:

- amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 6HO and 7HO, to apply the Heritage Overlay to 138 new properties in the expanded HO6 (St Kilda East Precinct) and HO391 (Murchison St/Alma Road Precinct) and remove one property (14 Raith Court, St Kilda East) from HO6
- amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 6HO and 7HO, to apply individual Heritage Overlays to 21 Redan Street, St Kilda (HO503), 226 Alma Road, St Kilda East (HO505) and 264-266 St Kilda Road, St Kilda (HO506)
- incorporate an updated *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* (Heritage Review) to:
  - replace the existing HO6 and HO391 citations with new citations
  - replace 76 existing individual property citations with new citations
  - add 5 new citations for individually significant properties within the HO6 and HO391 precincts
  - add 3 new citations for new individually significant properties (HO503, HO505 and HO506)
  - update the grading of 63 properties already included in HO6 and HO391
  - transfer 34 existing Heritage Overlay properties from HO6 to HO391
- amend the Schedule to Clause 72.04 (Documents incorporated in this scheme) to include three new incorporated documents, comprising the individual statements of significance for new individually significant properties HO503, HO505 and HO506
- incorporate an updated *City of Port Phillip Heritage Policy Map (Version 28, May 2019)* to show added and removed 'Significant Heritage Place', 'Contributory Heritage Place' and 'Nil/Non-contributory Place' gradings in the HO6 and HO391 precincts
- incorporate an updated *City of Port Phillip Neighbourhood Character Map (Version 28, May 2019)* to show removal of 'Contributory Outside HO' graded properties to be included within the HO6 or HO391 precincts
- include the Precinct Review as a background document in Clause 22.04 (Heritage Policy)
- make other consequential changes to Clauses 21.07 (Incorporated Documents), Clause 22.04 (Heritage Policy) and the Schedule to Clause 72.04 (Documents incorporated in this scheme) to update the version number and date of the Heritage Review (including the *City of Port Phillip Heritage Policy Map* and the *City of Port Phillip Neighbourhood Character Map*).

**(ii) The subject land**

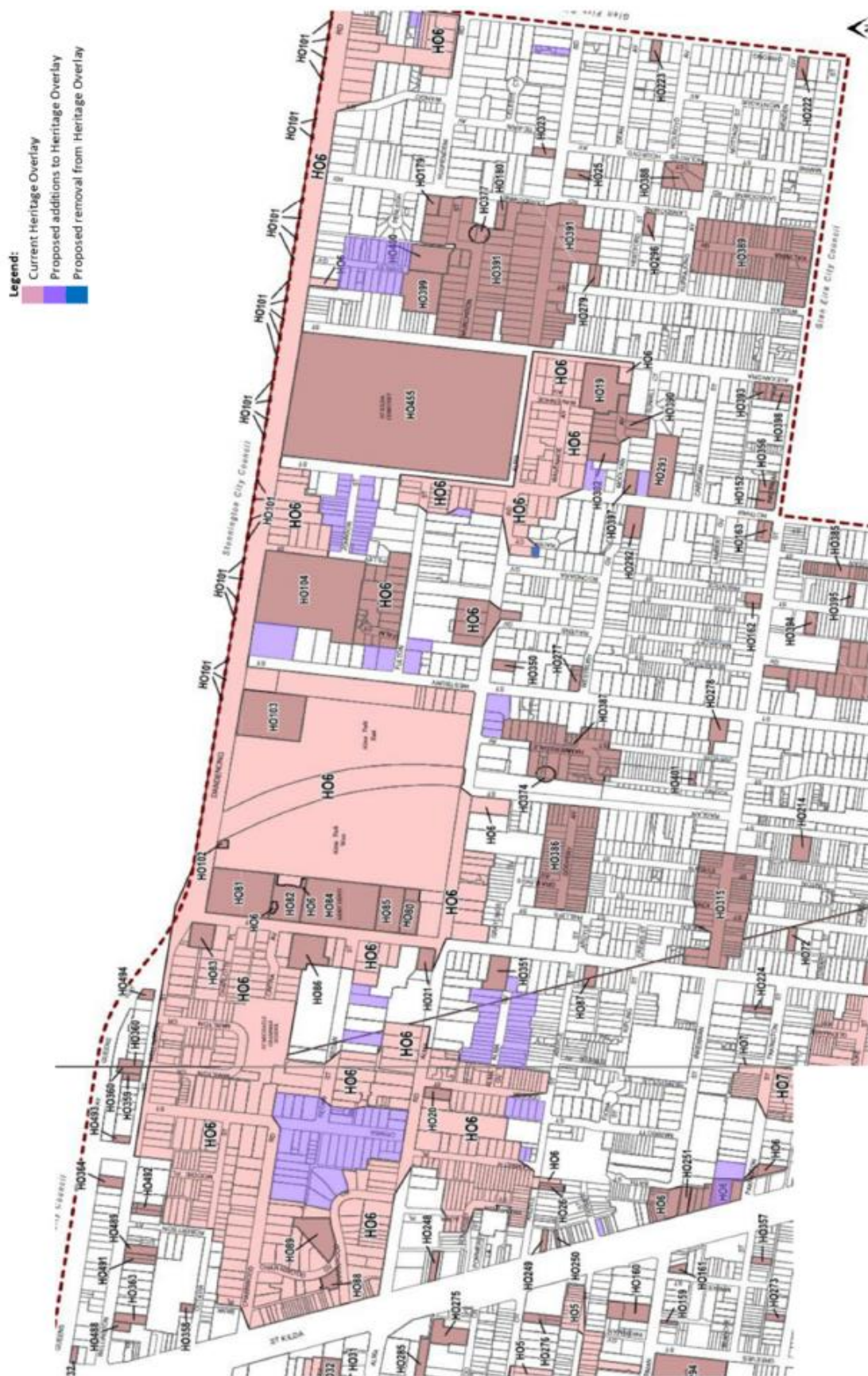
The Amendment applies to land shown in Figure 1 and includes:

- the area identified as the Heritage Overlay 6 - St Kilda East (HO6) Precinct generally bound by Wellington Street/Dandenong Road, Orrong Road, Argyle Street, Inkerman Street and St Kilda Road
- the area identified as the Heritage Overlay 391 - Murchison Street/Alma Road precinct (HO391) generally bound by Alma Road, Alexandra Street, Mooltan Avenue and Hotham Street
- and more particularly:
  - 138 properties within St Kilda East as identified in Table 1
  - 21 Redan Street, 226 Alma Road, St Kilda East and 264-266 St Kilda Road, St Kilda
  - 14 Raith Court, St Kilda East, which is to be removed from HO6.

**Table 1 Properties proposed to be included in HO6 and HO391**

| HO Number | Additions to Heritage Overlay   |
|-----------|---|
| HO6       | 1-31 Alma Grove<br>52, 58, 119-119a, 121 and 123 Alma Road<br>16, 18, 20-22 and 26 Charnwood Crescent<br>23-25, 27, 29, 31, 33 and 35-39 Charnwood Road<br>20-37, 39, 41, 43 and 45 Crimea Street<br>214 Dandenong Road<br>1 and 3 Fulton Street<br>9 and 11 Hotham Street<br>1-27, 29, 31 and 33 Johnson Street<br>19, 21 and 23 Lambeth Place<br>2 and 4 Mooltan Avenue<br>15, 17, 19, 21 and 23 Odessa Street<br>341 and 1/343 Orrong Road<br>1, 27 and 29 Redan Street<br>1-15, 17-19 and 21 Shirley Grove<br>18, 22, 24 and 49 Westbury Street |
| HO391     | 57, 69, 71, 73, 75 and 77 Alexandra Street<br>157, 159 and 161 Alma Road<br>28, 30, 32, 34, 36, 38, 40, 42 and 44 Hotham Street<br>18 and 26A Lansdowne Road<br>1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 19 and 21 Wavenhoe Avenue  |

Figure 1 Land affected by the Amendment



## 1.2 HO6 St Kilda East Precinct Review

HO6 is a precinct-based Heritage Overlay that applies to many properties within the St Kilda East area. It has not been holistically reviewed since its introduction in the early 2000s. The precinct was identified as a priority for review in the *Port Phillip Planning Scheme Review Audit Report 2018*.

The Amendment Explanatory Report identified that:

The review of HO6 is part of Council's on-going program to review heritage precincts to address the limitations of existing 'Statements of Significance' which generally cover extensive areas and lack detail. The review process addresses identified gaps in the extent of heritage precincts and updates heritage gradings where required. Similar reviews undertaken in 2010 for HO3 (South Melbourne, Albert Park, Middle Park and St Kilda West) and in 2013 for HO1 (Port Melbourne).

The review ensures the heritage controls remain current and reflect best practice to assist in the conservation of heritage places.

The amendment is required to apply and delete the Heritage Overlay as recommended by the review, revise the incorporated *Port Phillip Heritage Review Volumes 1-6 (Version 26 September 2018)* to reflect changes to property gradings and existing citations as well as the introduction of citations for new properties. The citations and statements have been updated, or prepared, consistent with the principles outlined in *Planning Practice Note 1: Applying the Heritage Overlay*. Following the implementation of Amendment VC148 in 2018, individual Statements of Significance for proposed new heritage places must be included in the Schedule to the Heritage Overlay and incorporated in the Schedule to Clause 72.04.

The Precinct Review is discussed in more detail in Chapter 3. The recommendations, citations and statement of significance of the Precinct Review have been translated into the Heritage Review.

## 1.3 Authorisation

The Amendment was authorised by the Department of Environment, Land, Water and Planning under delegation on 24 April 2018. The authorisation was conditional on the inclusion of statements of significance for new individually significant heritage places consistent with changes to Clause 43.01 (Heritage Overlay) introduced in October 2018 by Amendment C148. The conditions of authorisation were satisfied prior to exhibition of the Amendment.

## 1.4 Summary of issues raised in submissions

The Amendment was exhibited from 30 May to 30 June 2019 with 13 submissions received. One submission (National Trust, Submission 7) supported the Amendment in its entirety. The remaining submissions:

- sought removal of the Heritage Overlay from specific buildings based on their alteration or removal diminishing any heritage significance
- sought changes to property gradings or citations
- identified concerns about reduction in property value, financial impacts and the ability to undertake alterations or realise development potential
- asserted that the Amendment lacked community benefit.

Table 2 summarises the proposed Heritage Overlay precincts or individual places the submissions relate to.

**Table 2 Exhibited heritage precincts and places and submissions received**

| Precincts                    | Criteria*     | HO Ref | Submission number           |
|------------------------------|---------------|--------|-----------------------------|
| St Kilda East                | A, C, D, E, G | HO6    | 1, 2, 3, 4, 5, 6, 9, 11, 13 |
| Murchison Street/Alma Road   | A, D, E       | HO391  | 8, 10                       |
| Individual places            | Criteria*     | HO Ref | Submission number           |
| 226 Alma Road, St Kilda East | A, D, E       | HO505  | 12                          |

\* Model criteria specified in Planning Practice Note 1 (see Chapter 2.4(i))

## 1.5 Changes proposed since exhibition

After considering submissions to the Amendment, Council identified the following changes in response to submissions (Part A submission, Document 2):

- remove 23 Lambeth Place, St Kilda (Submission 1) and 11 Hotham Street (Submission 13) from HO6
- update the Heritage Review citations 78 and 2388 relating to the former St George's Presbyterian Church and Hall in Chapel Street and St Michael's Grammar School in response to Submission 6
- update the Heritage Review citation 2015 (42 Hotham Street, St Kilda East) to remove reference to 'Summers House' in response to Submission 8.

At the Hearing Council identified further Amendment changes (Part B submission, Document 5) to correct minor errors which are addressed in Chapter 8.

## 1.6 The Panel's approach

### (i) Consideration

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

While only three submitters (Submissions 8, 9 and 10) sought to be heard by the Panel, it has considered all written submissions made in response to the exhibition of the Amendment in reaching its conclusions, regardless of whether they are specifically mentioned in the Report. The Panel viewed all submission properties from the street frontage and their immediate streetscape and precinct context. The photos in the Report were taken by the Panel unless other sources are acknowledged. The Panel has considered its observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report.

Any reference in this report to the Amendment refers to the exhibited version which submitters responded to. Any reference to the 'Precinct Review' refers to the exhibited version of the *HO6 St Kilda East Precinct Review, Final report, David Helms Heritage*

*Planning, September 2018, and any reference to 'Heritage Review' refers to the exhibited Port Phillip Heritage Review Volume 1 – Version 28, May 2019.*

**(ii) Report structure**

This report deals with the issues raised in submissions under the following headings:

- Planning context
- Strategic justification
- Common issues
- St Kilda East Precinct (HO6)
- Murchison Street/Alma Avenue Precinct (HO391)
- 226 Alma Road, St Kilda East (HO505)
- Form and content of the Amendment.

## 2 Planning context

### 2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

#### Victorian planning objectives

The Amendment will assist in implementing the following objectives of planning in Victoria set out in section 4(1) of the *Planning and Environment Act 1987* (the Act):

...

- (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;

...

- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);

- (g) to balance the present and future interests of all Victorians.

The Amendment is consistent with these objectives by ensuring that the heritage significance of the relevant precincts and buildings are protected, and that heritage matters are considered as part of any planning permit applications for land within the precincts, or the sites proposed to be identified as individually significant.

#### Planning Policy Framework

Council identified that the amendment supports the Planning Policy Framework objective to ensure the conservation of places of heritage significance (Clause 15.03-1S). The heritage assessment has been conducted a suitably qualified, independent consultant and confirms that the relevant properties proposed to be included in the precinct extensions or identified as individually significant are of local significance which warrants the application of strengthened heritage controls in the Port Phillip Planning Scheme.

#### Clause 21 (the Municipal Strategic Statement)

The Amendment is consistent with the objectives and strategies outlined in the Local Planning Policy Framework of the Port Phillip Planning Scheme, particularly the vision set out at Clause 21.05-1 of the Municipal Strategic Statement and policy to guide the application of discretion at Clause 22.04 (Heritage Policy). More specifically, Clause 21.05-1 seeks the conservation and enhancement of the architectural and cultural heritage of Port Phillip, with policy seeking to:

- protect, conserve and enhance all identified significant and contributory places, including buildings, trees and streetscapes
- protect the original subdivision patterns within heritage places
- support the restoration and renovation of heritage buildings and discourage their demolition
- encourage high quality design that positively contributes to identified heritage values

- ensure that new development respects and enhances the scale, form and setbacks of nearby heritage buildings
- encourage urban consolidation only where it can be achieved without affecting heritage significance
- protect the identified significant heritage features and qualities of Port Phillip's gardens and parks
- ensure that development in public spaces is consistent with the identified heritage characteristics of Port Phillip's heritage places
- maintain the visual prominence of historic buildings, local landmarks and icons
- conserve, enhance and recover the traditional character of laneways and narrow streets.

## **2.2 Relevant planning strategies and policies**

### **(i) Plan Melbourne**

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved.

Council identified that the Amendment is consistent with Direction 4.4 of Plan Melbourne 2017-2050 in seeking to "*respect our heritage as we build for the future*" as it proposes to make changes to ensure the Planning Scheme continues to guide appropriate development in the municipality, and that the built heritage of the municipality is retained and respected. Specifically, it is consistent with the following:

- 4.4.1 – Recognise the value of heritage when managing growth and change.
- ...
- 4.4.3 – Stimulate economic growth through heritage conservation.
- 4.4.4 – Protect Melbourne's heritage through telling its stories.

## **2.3 Planning scheme provisions**

The Heritage Overlay purposes include:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The Heritage Overlay requires a planning permit to undertake demolition, subdivision, buildings and works. The Heritage Overlay enables the Schedule to Clause 43.01 to:



- identify additional controls for specified trees, external painting (painting previously unpainted surfaces) and internal alterations
- allow prohibited uses to be permitted
- identify outbuildings and fences which are not exempt from the notice provisions or review rights of the Act for demolition or removal.

External paint controls currently apply in precincts HO6 and HO391. The Amendment proposes to apply external paint controls to proposed individual heritage places HO503, HO505 and HO506.

## 2.4 Ministerial Directions and Practice Notes

The following Ministerial Directions are relevant to the Amendment:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46). That discussion is not repeated here.

The following planning practice notes are relevant to the Amendment:

- *Planning Practice Note 1: Applying the Heritage Overlay*, August 2018 (PPN01)
- *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46).

### (i) Planning Practice Note 1

PPN01 provides guidance about using the Heritage Overlay. It states that the Heritage Overlay should be applied to, among other places:

Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

PPN01 identifies the importance of comparative analysis and provides guidance around statement of significance content and development, schedule content, use of schedule permit triggers and mapping.

PPN01 specifies that documentation for each heritage place needs to include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria. It recognises the following model criteria (the Hercon criteria) that have been adopted for assessing the value of a heritage place:

- Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).
- Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).
- Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The Panel considers that the exhibited statement of significance has been prepared in a manner and form consistent with PPN01.

**(ii) Planning Practice Note 46**

PPN46 identifies that in addressing whether an amendment implements the objectives of planning and identifies any environmental, social and economic effects:

An environmental, social and economic assessment should include an evaluation of the costs and benefits to businesses and the community arising from any requirement of the amendment.

PPN46 identifies that:

The normal way of assessing the social and economic effects of an amendment is to consider whether or not the amendment results in a net community benefit.

The Explanatory Report identified that the Amendment would:

have positive social impacts by protecting a place of heritage value. No broader environmental or broader economic impacts are likely as a result of this amendment.

Council identified that the amendment will have a positive environmental impact by contributing to the continual protection and management of the City's heritage and was consistent with *Victoria's Heritage, strengthening our community* (DSE, 2006), specifically:

"Heritage policies and programs can help achieve the broader goals of sustainability. Conserving heritage places and giving them new life supports sustainability. It recognises the embodied energy and life-cycle value of traditional materials, and reduces the waste associated with demolition and new buildings." (p21)

Council stated that the Amendment will have a positive social effect through the preservation of historically significant places for the benefit of current and future generations.

## 3 Strategic justification

### 3.1 Heritage Review methodology

#### (i) The issue

The issue is whether the methodology in the Heritage Review is appropriate.

#### (ii) Background

The Heritage Review was completed by David Helms Heritage Planning on 19 September 2018 following a period of community consultation in June 2018.

The primary tasks of the Heritage review included:

- reviewing and preparing a new citation and statement of significance for the HO6 precinct which was first introduced into the Port Phillip Planning Scheme based on the *Port Phillip Heritage Review 1998*
- reviewing the boundaries of the HO6 precinct
- reviewing the gradings of properties within the HO6 precinct
- reviewing and updating the citations for individually significant places within the HO6 precinct
- identifying and assessing new places of potential individual significance.

The Precinct Review was prepared in two stages – Stage 1 which was completed in June 2016 and involved the identification of key issues and Stage 2 which contains the findings and recommendations of the review and is the focus of the Precinct Review document.

Some of the issues identified in Stage 1 included:

- little information on the history of the precinct generally
- a focus on nineteenth century development
- the statement of significance doesn't appear to apply to the eastern portion of the precinct including the St Kilda Road commercial area
- the boundaries of the precinct were designed to minimise the number of Nil graded properties but may have excluded some significant properties in the process
- the significance gradings of some places appeared incorrect
- some citations appeared to be incomplete, inadequate or not in the right format.

Stage 2 comprised:

- Fieldwork which included:
  - Follow up site visits, detailed documentation of features of note, intactness and recording contributory and no-contributory features.
- Historic Research - using primary and secondary sources of information including early mapping, directories and rate records, newspapers and historic photographs, heritage studies and databases and building permit plans.
- Assessment and analysis including:
  - a detailed assessment methodology (in its Appendix A) which identify how thresholds were defined, discusses 'intactness' and 'integrity', the role of the thematic history, how precincts were defined

- comparative analysis to determine if the place and precinct met the local threshold for heritage significance
- assessment against the Hercon model criteria in PPN01
- development of new or revised statements of significance – prepared in accordance PPN01.
- Statutory recommendations including:
  - the application of the Heritage Overlay to an expanded HO6 or HO391 precinct or an individual HO
  - revised incorporated documents including Heritage Policy maps.

### **Preliminary consultation**

Council consulted with the community on the draft Precinct Review from 1 to 25 June 2018 which included 4,000 letters sent to owners and occupiers of affected properties, and to relevant community groups, a drop-in session and an opportunity for submissions.

Council's heritage consultants and officers considered the 31 submissions received and recommended changes to the draft Precinct Review including:

- the correction of administrative errors
- changes to nine citations (including the citation for 226 Alma Road) to include additional information, clarify gradings or extent of appropriate development
- changing the grading of one property
- removing several properties from HO6.

### **Findings**

The findings of the Precinct Review were:

- an update to the citation for the HO precinct with a change of the heritage status of some places, several extensions of the precinct and one section transferred to HO391
- extend the boundaries of HO6 and HO391 to include an additional 140 significant and contributory heritage places
- enlarge HO391 with the transfer of places from HO6 between Hotham and Alexandra Streets
- identify eight new individually significant places (four within HO6, one within HO391 and 3 outside these precincts – 21 Redan Street, St Kilda, 226 Alma Road, St Kilda East and 264-266 St Kilda Road, St Kilda) and develop citations and statements of significance prepared for each
- make changes to the gradings of 63 existing places in HO6 and HO391 and for St Kilda Cemetery (HO455) and amend 76 existing individual citations.

The recommended citations and statements of significance have been included in the updated Heritage Review which is to be incorporated into the Planning Scheme as part of this Amendment. The Precinct Review is proposed to be a reference document (background document) in Clause 22.04 and referenced in the Heritage Review and Statements of Significance for HO503, HO505 and HO506.

The current Heritage Review (Version 27, November 2018)) is an incorporated document in Clause 21.07, Clause 22.04 and the Schedule to Clause 72.04.

**(iii) Evidence and submissions**

Submissions 8, 9 and 10, were critical of the methodology applied to individual sites including the extent of research and comparative analysis.

The National Trust submission however supported the Amendment and the Precinct Review underpinning it.

Council's Part A submission (paragraphs 14-22) outlined the series of heritage reviews and studies that led to the appointment of David Helms Heritage Planning to undertake a review of HO6 and produce the Precinct Review. The methodology applied to the development of the Precinct Review was identified in the heritage evidence by Mr Helms (Document 3) and in Council's Part A submission (paragraphs 24-37). Council submitted that its heritage consultants had used a recognised methodology for preparing a heritage study including the approach and recognised criteria in PPN01.

**(iv) Discussion and findings**

The Panel considers that the Precinct Review has applied an appropriate methodology for identifying, assessing and recommending properties and precinct changes for the Heritage Overlay consistent with PPN01. While the submission process has identified a range of necessary corrections and changes this is not unusual for a review undertaken on such an extensive scale and over a period of years.

The Panel considers that the Precinct Review has been undertaken to a sufficient level of rigour and is consistent with the methodology and criteria identified in PPN01.

### **3.2 Policy support**

**(i) Submissions**

Council submitted that the Amendment is consistent with, or supported by, State and local policies. Relevant policies are summarised in Chapter 2 of this report.

No submission provided information to show that the Amendment was not strategically justified.

**(ii) Discussion and findings**

The Panel considers that the one of the objectives of the Act is to conserve and enhance buildings or places of historical interest. This is achieved through the Victoria Planning Provisions and the Planning Scheme. Planning policy does not seek to conserve all historic buildings – only those of interest. The Precinct Review and the Amendment have adopted this approach by including only places or precinct changes which have been assessed to meet local heritage significance to justify the Heritage Overlay.

The Panel considers that the Amendment has achieved an appropriate balance between broader policy provisions at the state and local level and the protection of heritage fabric and places that are locally significant to Port Phillip and St Kilda and St Kilda East in particular. The Panel considers that the Amendment is consistent with, and supported by, the Planning Policy Framework and is likely to deliver a net community benefit.

### 3.3 Conclusions and recommendation

For the reasons set out in the following chapters, the Panel concludes that the Amendment:

- is supported by, and implements the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified
- is likely to deliver a net community benefit and sustainable development outcomes as required by Clause 71.02-3
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

The Panel recommends:

**Amendment C142port be adopted as exhibited subject to the changes recommended in this report.**

## 4 Common issues

### 4.1 Property value and financial implications

#### (i) The issues

The issues are:

- whether property value and financial implications are relevant when considering whether a place has sufficient local heritage significance to justify the Heritage Overlay
- whether the application of the Heritage Overlay will have a positive community impact.

#### (ii) Evidence and submissions

Submissions 2, 8, 10 and 12 were concerned that applying the Heritage Overlay would reduce their property value and cause resultant financial stress. They were concerned that the overlay may introduce negative financial impacts in the event those properties needed to be altered, redeveloped or sold.

Submission 10 reiterated this concern, identifying that their property was their only asset of significant value and that the limitations of a heritage listing “*will lower the land value and make it harder to sell*”. The submitter questioned whether the Amendment was best for the residents of the area. Submission 11 suggested this impact was exacerbated by “*an already declining property market*”. Submission 8 expressed similar sentiments. It considered that the heritage controls would “*undermine and compromise the value of their home*”, have a punitive effect by forcing older residents out of their homes if they were unable to maintain them in a depressed market when it was not a prestige property that investors would pay more for.

Council submitted that the private financial impacts for property owners are not the relevant economic matters to take into account when considering an amendment. It considered these sorts of financial impacts (including issues relating to building condition) were more appropriately dealt with at the time a planning permit is applied for. Council identified that the financial impacts raised in submissions were site specific and not at the broader community level and were therefore not relevant considerations when assessing the Amendment. It submitted that this approach was consistent with other panels. Referring to section 12(2)(c) of the Act Council adopted the position reached in *Dustday Investments Pty Ltd v Minister for Planning* [2015] VSC 101 that:

Where planning authorities are directed to consider conservation or heritage matters, or social and economic effects, consideration must inevitably be given as to the stage in the planning process that has been reached, and the nature of the consideration that is to be given to these matters or effects at that stage.

Council indicated that it has taken into account the social and economic impacts of the Amendment and considered that it would have a positive social effect by preserving historically significant places in the municipality for the benefit of the community, consistent with the objectives of the Planning Policy Framework.

### **(iii) Discussion**

Both the Act and Planning Practice Note 46 require the assessment of social and economic impacts of an Amendment. The Panel notes that while Planning Practice Note 46 identifies the ways in which social and economic (and environmental) impacts can be assessed, there is no particular guidance about the level of detail required.

The Panel considers that the level of social and economic analysis of the impacts of the Amendment undertaken as part of the development of the Precinct Review was minimal and there was limited reference to it in the Explanatory Report.

Social and economic impacts are difficult to quantify and often intangible in the absence of any analysis and evidence. As identified in the *Heritage Listing & Property Valuations in Victoria, Heritage Victoria, March 2001* report, property values are influenced by a complex range of factors.

The Panel acknowledges that the Amendment may have some economic impact on land owners, however this is a private economic impact rather than a broader community impact. The Panel does not consider that these private impacts outweigh the broader community benefit of the Amendment.

The Amendment proposes to apply the Heritage Overlay to a considerable number of properties in St Kilda and St Kilda East. However, the Panel was not presented with information from any submitter which demonstrated:

- the difference in property value between properties with and without the Heritage Overlay
- a clear and direct relationship between property value and the impact of the applying the Heritage Overlay to properties in St Kilda and St Kilda East
- economic effects of a broad community nature.

The Panel supports Council's position that the Amendment will achieve a net community benefit by ensuring heritage places are protected and heritage values are taken into account when determining whether new development is acceptable. The Panel considers that the any financial impacts will be relatively short-term impacts with the broader community benefit of retaining a precinct of cultural heritage significance having a more enduring impact. The Amendment delivers an outcome that is consistent with the objectives of the Act and Planning Policy Framework, Municipal Strategic Statement and Local Planning Policy which aim to conserve heritage places within Melbourne and the municipality.

### **(iv) Conclusion**

The Panel concludes:

- Individual property value and financial implications are not relevant when considering whether a place has sufficient local heritage significance to justify the Heritage Overlay.
- Individual economic impacts are more appropriately dealt with at the planning permit stage.
- The Amendment will have a net community benefit.



## **4.2 Building condition, development opportunity, building alterations and maintenance**

### **(i) The issue**

The issue is how building condition, development opportunity, and the ability to undertake building alterations and maintenance are relevant when considering whether a place has sufficient local heritage significance to justify the Heritage Overlay.

### **(ii) Submissions**

Submissions 5, 8, 10 and 12 considered that applying the Heritage Overlay would restrict future development opportunity which included renovating and extending a dwelling, consolidating adjoining parcels to form a larger development opportunity site or developing the land for units. For example, Submission 5 was concerned that the Heritage Overlay would restrict the ability to renovate their home. Submission 8 identified the Heritage Overlay as onerous. The addendum to Submission 10 (Document 1) indicated that modifications would need to be made to her house to meet changing needs and that *“repairs and rebuilding would be more limited and more expensive”*.

Several submissions (including Submission 11) pointed to building damage or alterations which impact integrity and would require maintenance, demolition or major reconstruction.

Council acknowledged that:

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.

Council identified that many planning applications in the municipality were for minor alterations such as external painting and minor works and could be processed without advertising or the need for external referrals. This enabled those applications to be dealt with much more quickly than standard planning applications.

Council’s submission considered the concerns relating to future redevelopment opportunities of heritage properties were immaterial at this stage of the planning process and were more appropriately considered at the time when a planning permit is sought. It pointed out that where a permit was triggered ‘heritage’ would become a matter for consideration and that it did not preclude buildings, works or demolition of a property. Council identified that Clause 22.04 requires applications to be considered on a case by case basis and did not prohibit a range of alterations and extensions, with support for such changes evident in the approval of such alterations.

Council acknowledged that not all buildings in HO6 are in perfect condition. It submitted that structural integrity and intactness, while important considerations, were separate issues for consideration at a different stage (planning permit) and not relevant to assessing heritage significance. Council considered that the identification and protection of heritage places would allow the structural integrity and condition of buildings to be assessed against

identified heritage values at the planning permit stage. It considered that it was possible to repair and restore structurally compromised buildings and such outcomes were typically encouraged while acknowledging the need for a balance to be struck.

**(iii) Discussion**

Building condition and development opportunities are not generally relevant to an amendment that seek to apply a heritage overlay, and can be considered at the planning permit stage. The Panel considers that building condition may be relevant where there is clear technical evidence that the building is in a such poor structural condition that the heritage fabric is unlikely to survive in the short term. No evidence or submissions were put to the Panel to identify that such a risk existed for particular sites.

The Amendment proposes to apply the Heritage Overlay to properties which achieve local heritage significance. The Heritage Overlay enables the ability to apply for future development, demolition, works and subdivision through a planning permit application. This includes allowing an owner to improve the condition of their building.

Council acknowledged that the Heritage Overlay introduces another layer of control over property owners by imposing permit triggers and relevant considerations. The Panel considers that the Heritage Overlay is necessary to ensure that heritage values are recognised and appropriately managed. Applying the Heritage Overlay to sites establishes the need to take heritage values into account rather than precluding development. This process allows issues of property condition and integrity to be more fully considered in the context of a development proposal.

The Panel notes that only those with development aspirations would ever need to apply for a permit. Property owners who only seek to alter the building interior and conduct general external maintenance would not be required to apply for a permit.

**(iv) Conclusion**

The Panel concludes that building condition, development opportunity, ability to undertake building alterations and maintenance are not relevant when considering whether a place has sufficient local heritage significance to justify being included within a Heritage Overlay.

## 5 St Kilda East Precinct (HO6)

### Exhibited HO6 Citation extract - Statement of Significance

#### What is significant?

The St Kilda East precinct covers a large area contained in several parts with Wellington Street and Dandenong Road as its north boundary extending from St Kilda Road to Orrong Road. Development began in the 1850s and by the 1870s the area contained several mansions on large allotments, closely settled streets containing modest cottages, several private schools, as well as six churches and the St Kilda Drill Hall surrounding Alma Park. Much of the vacant land between St Kilda Road and Hotham Street was built upon during the boom of the 1880s, and successive building booms before and after World War I resulted in the development of the remaining vacant sites, as well as the redevelopment of the original mansion estates. By the end of the interwar period the precinct was almost fully developed, and the next development boom of the 1960s was characterised by the replacement of older building stock, mostly by flats, continuing the trend toward higher density living that began during the early 1900s. Primarily a residential area, the precinct also includes the eastern side of St Kilda Road, which grew to become St Kilda's premier commercial centre by the early 1900s, but declined by the 1930s and was partially destroyed by road widening in the early 1970s.

The precinct comprises buildings predominantly from the Victorian, Federation/Edwardian and interwar periods interspersed with a lesser number of early post-war buildings, mostly flats. Many of the houses and flats, particularly those of the interwar period, retain original front fences. The buildings within the precinct are complemented by historic infrastructure and other features such as bluestone kerb & channels, bluestone laneways, the pillar post box on the north side of Alma Road east of Chapel Street, two remnant cast iron bases of former gas street lamps, and the mature street trees (*Platanus sp.*) in Charlotte Place, Charnwood Road, Cintra Avenue, Crimea Street, Dandenong Road and Redan Street.

Building and features that contribute to the significance of the precinct are shown on the precinct map.

#### How is it significant?

The St Kilda East precinct is of local historic, aesthetic, architectural significance to the City of Port Phillip.

#### Why is it significant?

It is historically significant as evidence of the successive waves of growth in St Kilda from the mid nineteenth to the mid twentieth century. It demonstrates how, by the late nineteenth century, the residential areas of St Kilda had advanced as far as Hotham Street (with the outlying areas such as Shirley Grove of note as evidence of the remote subdivisions partially developed during the 1880s boom) and, following the opening of the electric tramway along Dandenong Road in 1911, had reached the easternmost municipal boundary at Orrong Road by the early twentieth century. The precinct is also significant as evidence of the rapid growth of St Kilda during the early to midtwentieth century and the trend to higher density living during that time. This is demonstrated by the groups of Federation/Edwardian and interwar houses, and the sheer numbers of duplexes and flats, which demonstrate the importance of St Kilda to the development of apartment living in Melbourne. **(Criterion A)**

Of particular significance are buildings dating from the 1870s or earlier, which are now rare within St Kilda, and the grand mansions and villas that demonstrate how the high ground associated with Dandenong Road and Alma Road and the building of some of St Kilda's earliest churches surrounding Alma Park led to this becoming one of the most prestigious residential areas in Melbourne by the end of the nineteenth century. The presence of these mansions alongside the modest cottages in nearby streets illustrates the diverse socio-economic groups that have co-existed in St Kilda since it was first settled. This is also demonstrated by the simple form and small

scale of the General Baptist Church in Pakington Street that contrasts with the grand church complexes in Chapel Street and Dandenong Road. **(Criteria A & G)**

This group of churches surrounding Alma Park is significant as an expression of the status enjoyed by the churches during the nineteenth century and expresses it not only in architectural terms but also in the number of churches located within close proximity of each other. The presence of the synagogue in Charnwood Crescent as well as houses associated with prominent Jewish families recalls the long-standing presence of the Jewish community in the area. **(Criteria A & G)**

The buildings along St Kilda Road are significant as the surviving remnants of the former High Street shopping centre that was St Kilda's most important retail centre until the 1930s. **(Criterion A)**

Collectively, the duplexes and flats within the precinct are significant for their ability to demonstrate the development of multi-dwelling and flat design in Melbourne during the early to mid-twentieth century and forms part of the important collection of flats within the broader St Kilda and Elwood area. **(Criteria C & D)**

Architecturally and aesthetically, the precinct is significant for its rich and diverse collection of residential buildings. The resultant streetscapes include those that were developed at one time and are more homogeneous in character to those that represent several phases of growth and are quite diverse. The latter streetscapes that comprise a mix of late nineteenth and early twentieth century houses interspersed with interwar and post-war flats are a distinctive characteristic that distinguishes St Kilda and sets it apart from other areas within Port Phillip. **(Criteria D & E)**

Within the precinct, the following streets are of note:

- Dandenong Road, which is a remarkable boulevard because its very great width and landscaped plantation with rows of mature Plane trees and the central tramway reservation enriched by the row of decorative centre span poles.
- Chapel Street, which contains an impressive group of landmark buildings including three churches, the St Kilda Drill Hall and Astor Theatre, as well as three late nineteenth century mansions and two groups of Federation/Edwardian and interwar housing.
- Charnwood Crescent and Charnwood Grove, which comprise late nineteenth century houses interspersed with early twentieth century flats surrounding the landmark St Kilda Hebrew Congregation Synagogue and hall/school complex.
- Charnwood Road and Crimea Street, which contain a rich collection of late Victorian, Edwardian and interwar houses and flats including several individually notable examples, as well as the former Baptist Church in Crimea Street, and are also enhanced by the mature street trees.
- The highly intact and very consistent Edwardian housing in Charlotte Place & Cintra Avenue (and the intervening section of Chapel Street), Moodie Place, and along the west side of Lambeth Place.
- Palm Court, a very intact interwar cul-de-sac containing flats and duplexes with original front fences and garages.

## 5.1 11 Hotham Street, St Kilda



11 Hotham Street (Source: Council's Part A submission)

### (i) The issue

The Amendment proposes to include 11 Hotham Street, St Kilda in HO6 and graded as 'Non-contributory'. The dwelling is identified in the revised precinct Citation.

The issue is whether 11 Hotham Street, St Kilda should be included in the St Kilda East Precinct (HO6) as a Non-contributory graded property.

### (ii) Background

The Precinct Review identified:

...

Development of Hotham Street and Johnson Street began in the late nineteenth century and by 1900 Johnson Street contained several small cottages, whilst there were two large mansions on the west side of Hotham Street, including one at the south corner of Johnson Street (the present no.24), and 'Waitara' between Fulton Street and Alma Road. Development recommenced in the early 1900s and was encouraged by the opening the tram along Dandenong Road in 1911. By the 1930s Johnson Street, and the west side of Hotham Street between Dandenong and Alma roads were fully developed.

The following areas are recommended for inclusion in the HO6 precinct.

...

- 9 & 11 Hotham Street. Both Nil-grade places, these 1960s houses are recommended for inclusion in HO6 to manage future development impacts upon the adjoining early Victorian villa at 24 Johnson Street (both houses have been built in the former front garden of the villa).

Council's identified post-exhibition changes propose to remove 11 Hotham Street from the Heritage Overlay (HO6).

### (iii) Evidence and submissions

The submission from the owner of 11 Hotham Street (Submission 13) sought the removal of the site from Heritage Overlay (HO6) on the basis that it was a Nil graded 1950s house which

is adjoined by 1960s flats and separated from the Edwardian and interwar houses to the north.

Council submitted that it initially proposed to include 11 Hotham to manage the interface with Johnson Street and particularly 24 Johnson Street. Council identified that the dwelling at 11 Hotham Street was built on land that was originally part of the front garden of the c.1870s house at 24 Johnston Street. Council submitted (based on the evidence of Mr Helms) that further analysis had concluded that while future development of 11 Hotham Street could impact on 24 Johnson and Johnson Street generally this was ameliorated by the site's frontage to Hotham Street and its location on the edge of the precinct.

**(iv) Discussion**

The Panel supports the conclusions of the further analysis undertaken by Council and Mr Helms that there is little value to the precinct with the site's inclusion and that its removal will not compromise the significance of HO6.

**(v) Conclusions and recommendations**

The Panel concludes that:

- it is not appropriate or sufficiently justified to include 11 Hotham Street, St Kilda in the St Kilda East Precinct (HO6)

The Panel recommends:

**Remove 11 Hotham Street, St Kilda from the Heritage Overlay (HO6).**

**Amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* as follows:**

- **remove references to 11 Hotham Street, St Kilda.**

## 5.2 21 and 23 Lambeth Place, St Kilda



21 Lambeth Street

(Source: Council's Part A submission)

23 Lambeth Street

### (i) The issues

The Amendment proposes to include the properties at 21 and 23 Lambeth, St Kilda in HO6 and graded as 'Contributory' and 'Significant' respectively. The dwellings are identified in the revised precinct Citation.

The issues are:

- whether 21 Lambeth Street should be included in the St Kilda East Precinct (HO6) as a Contributory graded property
- whether 23 Lambeth Place should be removed from the St Kilda East Precinct (HO6).

### (ii) Background

The Precinct Review identified that:

HO6 currently applies to Lambeth Place except for nos. 19-23.

Lambeth Street was partially formed in the nineteenth century and one house (no.2) dates from the 1850s. However, most development occurred during the Edwardian and interwar periods when the street was extended southward to Argyle Street.

The street contains a mix of Edwardian and interwar houses and interwar flats. The excluded houses all date from the late Edwardian or interwar period and while nos. 19 and 21 have been altered the form, materials and details (asymmetrical plan, hip and gable tiled roofs, half-timbered gable ends, chimneys) are consistent with the houses within the precinct. No.23 is relatively intact.

Accordingly, 19 & 21 (as Contributory places) and 23 (Significant) are recommended for inclusion in HO6.

(Note: A development approval has been granted for no.23, which would result in the demolition of this house. If this proceeds no.23 should be excluded. The inclusion of 78 Argyle Street, which appears to have been built at the same time as no.23 was considered, but it was excluded as it does not form part of a consistent streetscape.)

Council's post exhibition changes propose to remove 23 Lambeth Place from HO6 on the basis that the dwelling has been demolished and the property is on the edge of the precinct

extension, with its future redevelopment not likely to impact on the significance of the streetscape.

### **(iii) Evidence and submissions**

The submission from the owner of 21 Lambeth Place (Submission 4) sought the removal of 21 Lambeth Place from HO6 on the basis that the property has been altered to include aluminium windows and requires restumping.

Council's submission based on the evidence of Mr Helms acknowledged alterations to the place but considered that it should retain a Contributory grading as an Edwardian house of comparable integrity to other contributory houses in the Lambeth Place extension of HO6 and that it contributes to the historic streetscape through the retention of a chimney, the roof form and roof materials.

The submission from the owner of 23 Lambeth Place (Submission 1) sought the removal of the property from the Heritage Overlay on the basis that it been demolished, and two townhouses constructed on it.

Council's submission and the evidence of Mr Helms supports this position.

### **(iv) Discussion**

The Panel agrees with the submission of Council and the evidence of Mr Helms relating to 21 Lambeth Place. While the building has been altered, its Edwardian form is readily apparent through the retention of the typical gable-fronted form and tiled roof and the chimney. Given the alteration of windows and other changes a Contributory grading is appropriate as the dwelling is not as intact or the same level of integrity as the Significant graded places in the street and precinct. The Panel considers that the building does contribute to the overall significance and the heritage streetscape of that part of Lambeth Street contained in HO6.

The Panel considers it appropriate to remove 23 Lambeth Street from HO6 on the basis that the contributory dwelling has been removed, that a new dwelling has been constructed on the site and because of the site's location on the edge of the precinct. With recent construction on the site it is unlikely any further site development will impact on the significance on the HO. Council's proposed post exhibition changes are supported.

### **(v) Conclusions and recommendations**

The Panel concludes:

- 21 Lambeth Street should be included in HO6 as a Contributory graded building as exhibited
- 23 Lambeth Place should be removed from HO6.

The Panel recommends:

**Remove 23 Lambeth Place, St Kilda from the Heritage Overlay (HO6).**

**Amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* as follows:**

- **remove references to 23 Lambeth Place, St Kilda.**



### 5.3 9 Johnson Street, St Kilda East



9 Johnson Street (Source: Council's Part A submission)

#### (i) The issue

The Amendment proposes to include 9 Johnson Street, St Kilda East in HO6 and graded as 'Non-contributory'. The dwelling is identified in the revised precinct Citation.

The issue is whether 9 Johnson Street, St Kilda East should be included in the St Kilda East Precinct (HO6) as a Non-contributory graded property.

#### (ii) Background

The Precinct Review identified (in addition to that already quoted in section 5.1):

The following areas are recommended for inclusion in the HO6 precinct.

- The whole of Johnson Street. The housing stock in Johnson Street, which comprises the early (c.1865) Victorian villa at no.24, the Victorian cottages at 3-7 & 10, 12 & 25, Edwardian duplexes at 1-8 & 27-33 and interwar duplexes at 14-20 & 17-21, is typical of the diverse streetscapes in HO6 and clearly demonstrates the three phases of development. Places are Significant, except for nos. 7 & 10 (Contributory) and 1, 9, 11, 22 & 23 (Nil); ...

...

The Precinct Review rationale for including 9 Johnson Street in the Heritage Overlay (HO6) was:

Post-war house. Include as Nil-graded to manage future development as part of Johnson Street extension.

#### (iii) Evidence and submissions

The owner of 9 Johnson Street (Submission 2) raised general issues regarding the need for approval for changes and property values which are discussed in Chapter 4. The submission considered that the property did not contribute anything from a heritage standpoint.

Mr Helms' evidence was that the HO6 precinct extension into Johnson Street contained houses predominantly from the Victorian, Federation and interwar periods with only a small proportion of post war houses.

Council's submission identified that the dwelling was a post war dwelling and that its heritage policy generally allowed demolition of non-contributory graded buildings but sought to apply the Heritage Overlay to manage future development which might adversely impact on adjacent heritage places, the heritage streetscape and broader precinct.

**(iv) Discussion**

The Panel agrees that the dwelling at 9 Johnson Street is of a different building period and style from the predominantly Victorian and Federation dwellings in this part of the HO6 precinct. The dwelling is not contributory to the precinct.

There may be circumstances where it is appropriate to exclude a Non-contributory property on the edge of a precinct, where future development is unlikely to affect how the precinct is interpreted. Removing Non-contributory properties from such locations is likely to result in a more cohesive precinct. The dwelling at 9 Johnson Street is, however, spatially proximate and visually connected to the Significant and Contributory graded buildings in the Johnson Street portion of the HO6 precinct and its future development does have the potential to compromise the integrity and heritage significance of the precinct. The site's inclusion in HO6 as identified by Council and Mr Helms will ensure new development respects and responds to the heritage characteristics of adjoining heritage places and the streetscape.

**(v) Conclusions**

The Panel concludes:

- The dwelling at 9 Johnson Street is appropriately identified as a Non-contributory building in the St Kilda East (HO6) Precinct Citation.
- It is appropriate and justified to include 9 Johnson Street, St Kilda East in the St Kilda East Precinct (HO6).

## 5.4 31 and 35 Crimea Street, St Kilda



31 Crimea Street



35 Crimea Street

### (i) The issue

The Amendment proposes to include the properties at 31 and 35 Crimea Street, St Kilda in HO6 and graded as 'Significant'. The dwellings are identified in the revised precinct Citation.

The issue is whether 31 and 35 Crimea Street, St Kilda should be included in the St Kilda East Precinct (HO6) as Significant graded properties.

### (ii) Background

The Precinct Review identified that:

HO6 currently applies to the whole of the north section of Crimea Street between Wellington Street and Charnwood Road. The balance of the street including 21-35 and 20-34 is recommended for inclusion to protect and conserve Significant or Contributory heritage places and to manage future development, as follows:

- The western side (21-35) is relatively intact with only three Nil grade places (25, 33 & 37). It otherwise contains a diverse range of late Victorian (asymmetrical villas at 27, 31, 35, 39), Federation/Edwardian (identical houses at 41-45) and interwar houses and flats (duplexes at 21, 23, attic bungalow at 29). Overall this streetscape is comparable to the northern section of Crimea Street and justifies inclusion in HO6;
- The eastern side, which is divided into two groups by Redan Street, is less intact. To the north are four blocks of post-war flats at nos. 20, 22, 22A and 22B. Nos. 20, 22 and 22A are Nil grade, while 22B is Significant as a representative example of architect-designed post-war flats. Inclusion of these flats is recommended to manage future development which could impact upon nearby Significant places (for example, 18 Crimea Street, 2 Redan Street) within HO6 and the overall streetscape; and
- To the south of Redan Street on the east side is a recent block of apartments at no.24, which is an intrusive element and demonstrates the type of inappropriate development that the proposed extension of HO6 is intended to prevent. To the south of this is a group of three late Victorian houses, which have been altered to varying degrees. Of these two are Significant (28 & 30) while no.26/26A is Nil due to its degree of alteration. Finally at the south end are blocks of flats at nos. 32 and 34. While the visual cohesion of the east side is lower than the west inclusion is recommended to encourage conservation of the Significant Victorian houses and to manage future development to minimise impacts on the overall streetscape.

The Precinct Review rationale for including the properties at 31 and 35 Crimea Street in the Heritage Overlay (HO6) were, respectively:

- Victorian villa. Some alterations (verandah removed, rendering), but comparable integrity to Significant houses within HO6 and part of the Crimea Street extension.
- Victorian house with Federation additions. Relatively intact to Federation era - comparable integrity to Significant houses within HO6 and part of the Crimea Street extension.

### **(iii) Evidence and submissions**

The owner of 31 Crimea Street (Submission 5) sought the removal of the property from the proposed Heritage Overlay (HO6) and considered the character of the southern portion of the street to be devalued by buildings that were out of character and because most houses had already been significantly altered.

The submission from the owner of 35 Crimea Street (Submission 3) which is used for a childcare centre did not oppose the Heritage Overlay (HO6) but sought that the property be downgraded from Significant to Non-contributory "*as there was nothing to be preserved*".

Council submitted that the assessment methodology underpinning the Precinct Review and revised Citation was consistent with the Burra Charter and PPN01. The evidence of Mr Helms was that the Precinct Review identified a collection of late Victorian, Federation and interwar houses in Crimea Street that had comparable integrity and visual cohesion with the broader HO6 precinct.

Mr Helms referred to his property descriptions in the Precinct Review and identified that while both dwellings had been altered, they were largely intact in terms of form and detailing and comparable to other Significant buildings in HO6.

### **(iv) Discussion**

The Panel in its visit to Crimea Street noted that both dwellings at 31 and 35 Crimea Street have been altered or are undergoing alterations. The dwelling at 31 Crimea Street was difficult to view behind a large fence and dense vegetation. While the large modern flat developments in the street are strong built form elements within the streetscape, they do not overly intrude into the precinct, and the balance of buildings in this section of Crimea Street are apparent as a cohesive precinct.

The Panel is satisfied that while the subject buildings have been altered, they are largely intact and retain their integrity and are appreciably Victorian villas. The Panel is satisfied that the Precinct Review and Citation have been appropriately prepared consistent with the Burra Charter and PPN01. The Panel considers that the dwellings at 31 and 35 Crimea Street are comparable to other Significant places of similar period dwellings in Crimea Street and the wider precinct.

### **(v) Conclusions**

The Panel concludes:

- It is appropriate and justified to include 31 and 35 Crimea Street, St Kilda in the St Kilda East Precinct (HO6) as Significant graded properties.

## 5.5 322-332 St Kilda Road, St Kilda



322-332 St Kilda Road



Source: Council's Part A submission



Partial rear view

### (i) The issues

The Amendment proposes to extend HO6 to include the entire property at 322-332 St Kilda Road, St Kilda (Plan of Strata Subdivision 23531) and to upgrade the current precinct Citation grading from 'Non-contributory' to 'Significant'.

The issues are:

- whether the land at 322-332 should be graded as Significant within the HO6 precinct
- whether HO6 should be extended over the entire land holding at 322-332 St Kilda Road, St Kilda.

### (ii) Background

322-332 St Kilda Road, St Kilda is currently partially included in the Heritage Overlay (HO6) and identified as a Nil graded building.

The 2868 square metre property comprises a series of separately strata titled commercial buildings including a contiguous group of buildings divided into 8 tenancies (with 4 tenancies accessed via an internal walkway with roof lantern over) and a more recent double storey building (two tenancies) fronting the site's Pakington Street frontage (separated from the main commercial complex by a common property courtyard). A carpark (accessed via Pakington Street) is located to the site's eastern section.

The site's 33 metre St Kilda Road frontage comprises a heritage style façade with five arched parapets, one featuring 'The Gresham' (Gresham parapet) in relief framed by decoration (dating to c.1920). The shop front façade features include glazing and tiling, a single recessed entry and a bull nose verandah the result of subsequent alterations. A central bay walkway extends between tenancies 1 to 4 and features an exposed timber truss structure and clearstorey lantern which is visible from the rear courtyard. The precinct citation notes this structure but does not propose internal controls.

The proposed revised citation for the Heritage Overlay (HO6) refers to the site:

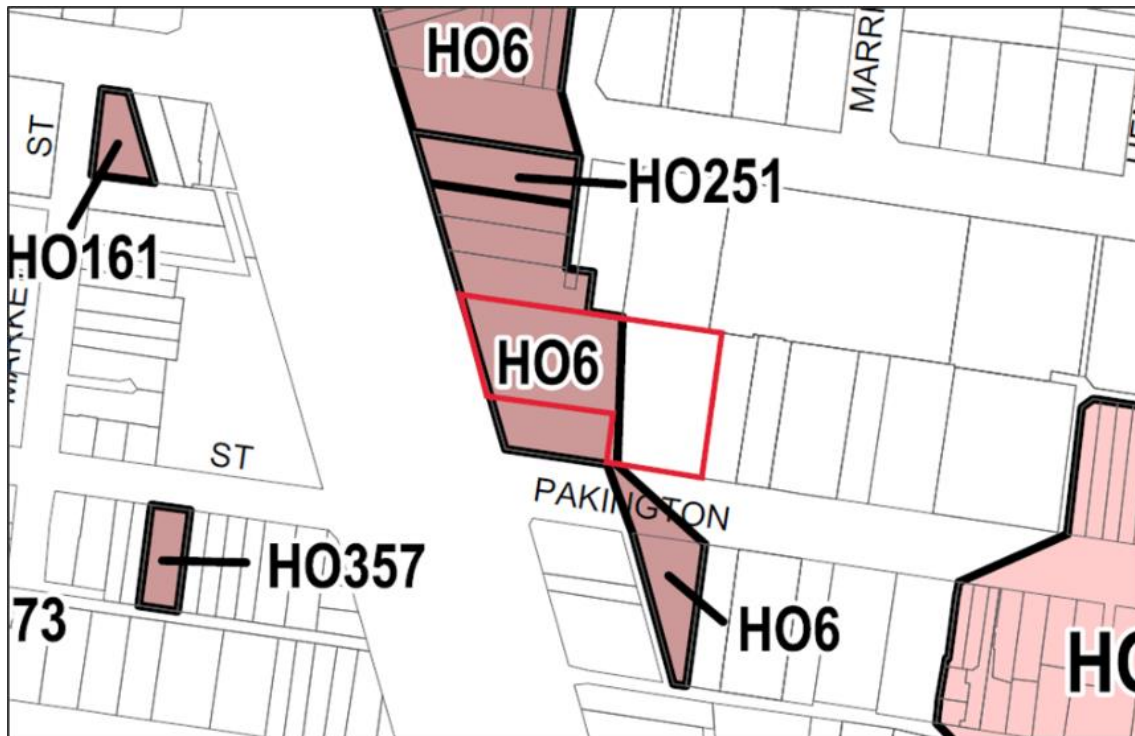
To the south of Pakington Street is 'The Gresham' at nos. 322-332, which retains an intact Edwardian style parapet divided into four bays with arched panels separated by engaged piers. The central panel with 'The Gresham' in relief framed by sinuous Art Nouveau floral decorations and flanked by hexagonal piers is of note.

The Precinct Review proposes a Significant grading as an:

Edwardian commercial complex. Altered, but retains original parapet with notable Art Nouveau detailing, and some internal fabric of interest. Altered and extended at the rear. Comparable integrity to Significant places within HO6.

The current HO6 curtilage extends some 40 metres from the site's St Kilda Road frontage and possibly reflects the series of earlier titles relating to the historic subdivision pattern of the site. The current extent of HO6 is shown in Figure 2, with the proposed expanded HO6 curtilage outlined in red.

**Figure 2** Current extent of HO6 to 322-332 St Kilda Road, St Kilda



Source: Council Part B submission

### (iii) Evidence and submissions

The submission (Submission 9) from Owners Corporation (Plan No 23531) (Owners Corporation) considered the grading change from Nil to Significant to be unwarranted because the proposed Heritage Review citation and Precinct Review do not provide a thorough analysis or comparative analysis to support a Significant grading and that alterations to the façade and rear of the building have no value.

The submission concluded that if the grading is to be upgraded, the citation should be revised to limit the Significant grading to the front façade incorporating the central panel with 'The Gresham' sign and to identify the extent of the façade that has substantially modified, and exclude the rear office suites.

Mr Hofmann representing the Owners Corporation relied on the heritage evidence of Mr Briggs (Document 4) and provided a detailed submission which was accompanied by a series of site titles and *Sands & McDougall Directory* extracts from 1925, 1930, 1935 and 1940 (Documents 10 to 13) to establish the site's development history and its relationship to the operations of *The Gresham Laundry and Dry Cleaners Proprietary Limited*. The submission

identified that much of the original fabric of the shop fronts (as evidenced from earlier streetscape photographs) had been almost entirely removed, leaving the earlier Gresham parapet as the only element of heritage significance on the site.

Both the Owners Corporation submission and Mr Briggs' evidence were critical in the level of analysis (including comparative analysis) undertaken to support the change in grading or the extension of the HO6 to cover the more recent site buildings and carpark. Mr Briggs recommended that the HO6 be left as it is or preferably contracted to a 10-metre-wide strip (including airspace) along the St Kilda Road frontage to enable the principal part of the building to contribute to *"the understanding and appreciation of the historical development and importance of the former High Street shopping centre of St Kilda"*. He considered the balance of the site to have no significance or value. Mr Briggs recommended that the significance of the site be addressed by a clear explanation in a statement of significance or appropriate mapping. Mr Briggs was also critical of the appropriateness of using a Significant grading within a precinct although he considered that nothing turns on the distinction.

The Owners Corporation considered that the existing HO6 extent and local policy provided sufficient tools to manage the heritage elements of the site. While seeking the retention of the Non-contributory grading and retaining the existing mapping extent (or that recommended by Mr Briggs) the submission from the Owners Corporation included a proposed modification to the HO6 precinct Citation (Document 20). The revised precinct Citation elements were developed by Mr Briggs and subsequently refined after the presentation of Council's Part B submission and the evidence of Mr Helms. The Briggs/submitter proposed changes included:

- replacing the reference to 'Gresham Laundry' with the broader description of 'commercial complex at 322-332 St Kilda Road, St Kilda'
- identifying the site development history and building changes
- removing references to the 'arcade'
- identifying the remaining elements of significance.

The evidence of Mr Helms included further site research based on Council building permit records, photographs, Sands & McDougall directories and building permit plans for the site from 1986 which:

- identified building permits and shop development activity in 4 stages prior to the extensive remodelling in 1985 (1914, 1915, 1918 which included the Gresham parapet and 1920)
- established that only 3 parapets were original with only the Gresham parapet remaining intact and unaltered
- the internal walkway, roof lantern and trusses were retained and adapted.

Mr Helms considered that the building does not meet the threshold of individual significance but does contribute to the significance of the precinct and justifies a Significant grading based on his comparative analysis of other shops and gradings in Port Phillip with similar intact parapets (118 and 122-124 St Kilda Road, St Kilda and 156, 156A and 156B Carlisle Street, St Kilda). He considered the distinctive central parapet detailing had no other comparable example in Port Phillip.

Mr Helms considered that a separate citation for the site was not required as it was not individually significant but recommended further changes to the precinct Citation for HO6 under section 6.10.2 'History' (The Interwar boom) and section 6.10.3 'Description' (St Kilda Road commercial) to better explain the historic development of the site, extent of modification and to describe the features that contribute to the significance of the precinct (primarily the façade incorporating the central panel containing the Gresham sign). Council's submission supported the evidence of Mr Helms and included a further iteration of the HO6 precinct Citation (Document 24) with further changes including the incorporation of some of the more substantial changes identified by Mr Briggs.

Council's submission considered the Precinct Review methodology sound and did not support a change to the grading or the changes proposed by the Owners Corporation and Mr Briggs to the proposed mapped extent of HO6 to the site. Council identified that the HO6 mapping proposed was consistent with PPN01 and that there was no basis or precedence in Port Phillip to reduce its application to the site.

#### **(iv) Discussion**

The Panel considers that the methodology applied by Mr Helms in the preparation of the Precinct Review and identification of the site for a grading review was appropriate. The Panel acknowledges that the approach of not developing individual citations for buildings that are significant within a precinct is problematic and can make it difficult to determine the context of the gradings and the extent of significant heritage fabric.

The Panel has had the benefit of the additional research of both Mr Helms and Mr Briggs into the development history of the site and the clarification and identification of significant fabric elements. That evidence largely concurred following various proposed iterations to the precinct Citation.

The Panel's observations of the site matched the evidence which showed extensive changes to the buildings over time. The Panel considers the significant elements of the site are largely restricted to the Gresham parapet and the way in which the site's St Kilda Road façade contributes to the local significance of the St Kilda Road commercial area generally. The Panel supports the precinct Citation changes proposed by Council (included in Appendix D as the Panel's preferred version of Citation changes relating to 322-332 St Kilda Road, St Kilda) noting that they contain the essential elements of Mr Briggs' suggested changes.

The Panel agrees with Council that a Non-contributory grading for the site would be inconsistent with the related definition in Clause 22.04 given the view of both heritage experts that the Gresham parapet was of significance. The Panel accepts the evidence of Mr Helms regarding the comparative analysis undertaken and the uniqueness of the original Gresham parapet within the municipality. While there may be some merit in applying an individual heritage overlay to this part of the site, this was not sought by Council and it is considered that identifying that element as significant within the wider site and precinct is more appropriate, by providing a site and streetscape context for that element. This is consistent with the broader approach adopted by Council in the Amendment.

The Panel notes the comments of Mr Briggs relating to his concerns about the appropriateness of using both Significant and Contributory gradings within precincts but



notes this is a reasonably established practice within the Port Phillip Planning Scheme and needs to read in the context of the definitions of Clause 22.04. As noted by Mr Briggs, in the context of the application of Clause 22.04, nothing particularly turns on this.

The Panel acknowledges that the Heritage Overlay mapping approach applied by Council to include the whole of the property is broadly consistent with PPN01, and is not one of the listed examples of situations in which it *may* (Panel's emphasis) be appropriate to include only part of a property in the Heritage Overlay. The Panel considers that what is critical to the mapping is whether the application of the Heritage Overlay to the whole site provides for the appropriate management of what is significant. The Panel notes that a reduced mapping area also has the benefit of reducing the number of permit applications for more minor alterations.

In this case the significant site element is the Gresham parapet and the contribution made by the St Kilda Road frontage to the significance of the St Kilda Road commercial area. The carpark and two storey building fronting the Pakington Street have little in common architecturally or from a streetscape perspective to the significant site elements and make no appreciable impact on the St Kilda Road heritage streetscape.

The Panel considers that the current mapping provides sufficient space around the significant elements to ensure that any development does not affect the setting, context or significance of the significant heritage elements as sought by PPN01, particularly when viewed from St Kilda Road. It is unnecessary to extend the HO6 mapping to include the eastern portion of the site as it has no significance and serves no real benefit, without further justification, apart from achieving a mapping convention.

The Panel does not support the suggestion of Mr Briggs to reduce the HO6 extent to a 10-metre-wide strip along St Kilda Road. This is without foundation in this context and inconsistent with the Heritage Overlay mapping approach applied by Council across the municipality.

The Panel notes that the current eastern edge of HO6 dissects the site at an angle and that it is difficult on ground to determine its extent. The Panel considers that there is merit in adjusting the HO6 curtilage to provide greater clarity for Council and land owners. While the Panel explored various options at the Hearing to align the boundary to the extent of some of the strata title boundaries for example, this approach was equally as arbitrary.

The Panel therefore adopts a more conservative interim approach for now which involves leaving the HO6 as it currently applies to the site until further analysis is undertaken by Council to determine a more appropriate curtilage.

#### **(v) Conclusions and recommendations**

The Panel concludes:

- The land at 322-332 St Kilda Road, St Kilda is appropriately graded as Significant in the St Kilda East (HO6) Precinct Citation.
- The HO6 precinct Citation should be amended to clarify the site history and significant site elements, consistent with the content of Appendix C.
- HO6 should not be extended over the entire land holding at 322-332 St Kilda Road, St Kilda as exhibited.

The Panel recommends:

**Do not extend the curtilage of the Heritage Overlay (HO6) to the whole of 322-332 St Kilda Road, St Kilda as exhibited. Retain the existing curtilage.**

**Amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* St Kilda East (HO6) Precinct Citation to:**

- **include the changes relating to 322-332 St Kilda Road, St Kilda as identified in Appendix C of this Report.**

## 5.6 9 Shirley Grove, St Kilda East



9 Shirley Grove

### (i) The issue

The Amendment proposes to include the property at 9 Shirley Grove, St Kilda East in HO6 and graded as 'Significant'. The dwelling is identified in the revised precinct Citation.

The issue is whether it is appropriate and justified to include 9 Shirley Grove, St Kilda East in the St Kilda East Precinct (HO6) as a Significant graded property.

### (ii) Background

The Precinct Review identified that:

However, the diverse streetscape of Shirley Grove is characteristic of the broader HO6 precinct, and similarly demonstrates the distinct phases of development over time. Consistent with houses elsewhere, the interwar alterations to the Victorian houses contribute to the architectural diversity and layering that is a distinctive part of St Kilda precincts such as HO5, HO6 and HO7. In addition, Shirley Grove is historically significant in the context of the HO6 precinct as the most remote of the nineteenth century subdivisions and demonstrates how far development progressed during the land boom.

The whole of Shirley Grove is therefore recommended for inclusion in the HO6 precinct on this basis except for the two individually listed HO places ('Shirley Court' at no.20 and 'Pine Nook' at no.22). Places are Significant, except for nos. 2, 5 & 8, which are Nil-grade.

### (iii) Evidence and submissions

The owner of 9 Shirley Grove (Submitter 11) sought the removal of the property from the proposed Heritage Overlay (HO6). The submission identified that the dwelling was constructed in the 1940s, had not been well maintained and was showing signs of rot (walls, around windows, verandah posts and some floors) and had been externally altered.

The Precinct Review rationale for including 9 Shirley Grove in the Heritage Overlay (HO6) was:

Edwardian timber house with early front fence. Relatively intact - comparable integrity to Significant houses within HO6 and part of Shirley Grove extension.

Mr Helms' evidence was that the diverse streetscape of Shirley Grove was characteristic of the distinctive phases of development in the precinct over time and that Shirley Grove was historically significant as the furthest east nineteenth century land boom subdivisions in the municipality. He indicated that 9 Shirley Grove was one of several early 1900s houses in the street and displayed the typical asymmetrical form of Edwardian houses.

Council submitted that while it acknowledged the house had been altered it retained much of its original form and detailing including the hipped tiled roof, half-timbered gable end, chimney and timber casement windows. It considered the dwelling comparable in integrity to other HO6 significant graded properties and within Shirley Grove. It considered issues of structural integrity and condition of the dwelling were not relevant considerations for the Amendment.

**(iv) Discussion**

The Panel agrees with Council's submission that issues of dwelling condition and structural integrity are matters for the next phase of the planning process as discussed at Chapter 4.

The Panel considers that the dwelling is an integral part of a cohesive heritage streetscape within Shirley Grove. While alterations to the building's original fabric are apparent it clearly displays the built form characteristics that are comparable to other significant graded dwellings in the street and precinct generally.

**(v) Conclusions**

The Panel concludes:

- It is appropriate and justified to include 9 Shirley Grove, St Kilda East in the St Kilda East Precinct (HO6) as a Significant graded property.

## 5.7 4 and 25-27 Chapel Street, St Kilda



4 Chapel Street



25-27 Chapel Street (Source: Council's Part A submission)

### (i) The issue

The Amendment proposes to:

- update the Citation (Citation number 78) for 4 Chapel Street, St Kilda (former St George's Presbyterian Church and Hall and part of St Michael's Grammar School campus)
- include 25-27 Chapel Street, St Kilda (St Michael's Grammar School) comprising Marlton House, former Kindergarten and Bishop's Hall and the 1925 School building as a Significant property within the St Kilda East Precinct (HO6) with a new Citation (Citation number 2388).

The issues are:

- whether 25-27 Chapel Street should be included in the St Kilda East Precinct (HO6) as a Significant graded property
- whether the Citations for 4 and 25-27 Chapel Street should be amended to include additional information regarding alterations and gradings.

### (ii) Evidence and submissions

The submission from St Michael's Grammar School (Submission 6) did not oppose the inclusion of 25-27 Chapel Street in HO6 but proposed a range of changes to the exhibited citations to include additional information about alterations to site buildings and clarifying the significance gradings of different buildings or building elements.

Council submitted that it proposed to accept all the changes to Citations 78 and 2388 following consideration of those changes by its heritage advisor. A tracked changes format version of both Citations was included in Appendix 5 of Council's Planning Committee report dated 28 August 2019 and as an attachment to Council's Part A submission.

The agreed changes clarified the significant parts of the 1925 School buildings and identified that the church hall and Sunday School buildings adjacent to St George's Church are of secondary significance.

**(iii) Discussion**

The Panel notes the proactive and positive approach adopted by the submitter to work with Council to develop a more accurate citation for the two places. The proposed changes to the citations are considered minor and include clarification of significant elements and make other minor corrections. On the basis that Council supports the proposed citation changes informed by the heritage advice of Mr Helms, the Panel is comfortable to support the inclusion of 25-27 Chapel Street, St Kilda in HO6 as significant and to amend the content of the exhibited citations as identified in Council's post-exhibition changes. A copy of the amended documents are included in Appendix D as the Panel's preferred version of Citations 78 and 2388.

**(iv) Conclusions and recommendations**

The Panel concludes:

- St Michael's Grammar School comprising Marlton House, former Kindergarten and Bishop's Hall and the 1925 School building is a place of local cultural heritage significance and should be included within the St Kilda East Precinct (HO6) as Significant, and the Citation (Citation number 2388) updated to reflect the proposed post-exhibition changes.
- The proposed post-exhibition changes to Citation number 78 for 4 Chapel Street, St Kilda (former St George's Presbyterian Church and Hall) are appropriate.

The Panel recommends:

**Amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* as follows:**

- **Amend Citation 78 (4 Chapel Street, St Kilda) and Citation 2388 (25-27 Chapel Street, St Kilda) consistent with the Panel's preferred versions in Appendix D.**

## 6 Murchison Street/Alma Road Precinct (HO391)

### Exhibited HO391 Citation extract - Statement of Significance

#### What is significant?

The St Kilda East: Murchison Street & Wavenhoe Avenue precinct includes all houses and flats along both sides of Murchison Street (2-24 and 1-29) and Wavenhoe Avenue (1-21 and 2-12), the parts of Alma Road between Hotham Street and Lansdowne Road (160-88 and 157-211), and 57-77 Alexandra Street, 30-44 Hotham Street and 18A-28 Lansdowne Road. In the nineteenth century this area contained a small number of large mansions set within spacious grounds, two of which survive today: the former 'Yanakie' (later 'Wavenhoe') at 161 Alma Road and 'Holmwood' (later 'Fairholm') at 61 Alexandra Street. Otherwise, the area remained largely undeveloped until the Edwardian period, when a few scattered houses were built, but more intensive development did not occur until the land was subdivided for speculative housing in 1919 and from 1923 to 1927. The estate developed quickly during the 1920s and '30s, and was entirely filled out by the Second World War. Consequently, most of these houses are modest bungalow-style dwellings erected during the 1920s, supplemented by a few surviving Edwardian houses, some detached houses and blocks of flats erected in the mid to late 1930s or early 1940s in the Old English, Mediterranean Revival, Georgian Revival and Moderne styles.

The Significant places within the precinct are:

- 57-77 Alexandra Street.
- 160-168, 172-188 and 161, 183-193, 195, 197-201, 205-211 Alma Road.
- 32-44 Hotham Street.
- 18, 18A, 22, 26A, 28 Lansdowne Road.
- 2, 4 Mooltan Avenue.
- 1-7, 11, 11A, 13-27 and 2-16, 16A, 18, 18A, 20-26 Murchison Street.
- 1-15 and 8-10 Wavenhoe Avenue.

Of these, 61 Alexandra Street, 161, 186 and 207 Alma Road, 32 and 42 Hotham Street, 18 and 26A Lansdowne Road, 23 and 27 Murchison Street, and 19 Wavenhoe Avenue have an individual citation in the Port Phillip Heritage Review.

The Contributory places are:

- 157, 159 Alma Road.
- 17 Wavenhoe Avenue.

The Non-contributory (Nil) places are:

- 170, 195A, 203 Alma Road.
- 28, 30 Hotham Street.
- 1, 9 Murchison Street.
- 2, 4 Wavenhoe Avenue.

#### How is it significant?

The St Kilda East: Murchison Street & Wavenhoe Avenue Precinct is of local historical and aesthetic significance to the City of Phillip.

#### Why is it significant?

Historically, the precinct illustrates the significant growth of St Kilda during the early twentieth century. It is a representative example of a typical pattern of settlement in St Kilda East, where large Victorian properties were sold off and subdivided during the interwar period and is notable for the retention of two of the original mansions within the precinct which provide rare evidence of the nineteenth century development of this area. A small number of surviving Edwardian houses also

provide valuable evidence of the sparser residential settlement prior to the more intensive speculative subdivision and development of the 1920s. **(Criteria A & D)**

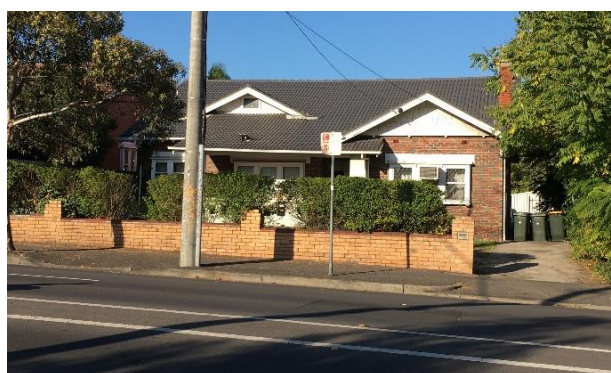
Aesthetically, it is an early twentieth century residential area, consisting primarily of many fine bungalow-style single dwellings built in the early to mid-1920s, supplemented by some flats, duplexes, semi-detached pairs and detached dwellings in a variety of popular styles including Old English, Georgian Revival, Mediterranean and Moderne built in the later 1920s and 1930s. The few remaining Edwardian houses, representing both detached timber dwellings (in Murchison Street) and semidetached brick pairs (in Alma Road) are comparable in scale, form and material, if not in composition and detailing. Collectively, the housing displays notable cohesion in terms of its scale, composition, materials and detailing, with many properties retaining their original front fences. In Murchison Street and Wavenhoe Avenue, these qualities are enhanced by the street setting, which includes bluestone gutters to the street, wide nature strips and mature street trees. **(Criterion E)**

The Amendment proposes to apply the Heritage Overlay (HO391) to an additional 37 properties including 31 properties transferred from Heritage Overlay (HO6).

## 6.1 42 and 44 Hotham Street, St Kilda East



42 Hotham Street



44 Hotham Street (Source: Council's Part A submission)

### (i) The issues

The Amendment proposes to:

- transfer 42 Hotham Street from HO397 (individual heritage place) to HO391 (Murchison Street/Alma Road Precinct) and update the existing Citation (number 2015)
- include 44 Hotham Street, St Kilda East in HO391. The dwelling is identified as 'Significant' in the revised precinct Citation.

The issues are:

- whether it is appropriate to include 42 and 44 Hotham Street, St Kilda East in the Murchison Street/Alma Road Precinct (HO391)
- whether it is appropriate to apply a Significant grading to 42 and 44 Hotham Street.

### (ii) Background

The Precinct Review identified that:

The adjoining section of HO6 south of Alma Road between Hotham Street and Alexandra Street has a very similar history and built form character to HO391. It comprises mostly detached interwar houses in Alexandra Street, Hotham Street and Wavenhoe Avenue that were built on subdivisions created within the grounds of two



mansions ‘Yanakie’, later ‘Wavenhoe’ (161 Alma Road) and ‘Holmwood’, later ‘Fairholm’ (61 Alexandra Street), both of which survive today.

For this reason, the transfer of this part of HO6 to HO391 is recommended. In addition, the following interwar houses are also recommended for inclusion in HO391:

- 38, 40 & 44 Hotham Street; and

...

The above houses were all built on the same subdivision that created Wavenhoe and Mooltan avenues, are comparable to the housing within HO6 and HO391, and they fill in the missing gaps in an intact streetscape of interwar houses and flats along the east side of Hotham Street between Alma Road and Mooltan Street. All the houses are Significant.

In addition, the following three places that historically form part of the precinct, but are currently included within individual HOs, are recommended for transfer into HO391 as the HO schedule controls are the same and there no statutory reason for applying an individual HO:

- House, 42 Hotham Street (HO397). This was built on part of the Wavenhoe/Mooltan subdivision and historically forms part of the area that is proposed for inclusion within the extended HO391;

...

The updated Citation (No. 2015) for 42 Hotham Street identifies ‘Why is it significant?’:

Historically, the house is a representative example of the type of housing that proliferated in East St Kilda in the 1920s, when large Victoria estates were carved up into new residential subdivisions. Aesthetically, the house stands out from the average inter-War bungalow by its intactness and its high level of decorative detailing, notably the unusual shaped shingles to the gable ends, and the extensive use of patterned and moulded brickwork, which extends to the matching front fence. (Criteria D & E)

The Precinct Review rationale for including 44 Hotham Street in the Heritage Overlay (HO391) was:

Interwar bungalow. Relatively intact – comparable integrity to similar Significant houses within HO6 or HO391 (for example no.36 Hotham) and part of the Hotham Street extension.

### **(iii) Evidence and submissions**

Submission 10 requested that 44 Hotham Street not be included in a Heritage Overlay (HO391) because of the impacts on property value and the ability to redevelop the site. The submission identifies that the house is “*pretty rundown, due to shifting of the ground and natural wear and tear*”. The owner of 44 Hotham Street presented a more detailed submission (Document 21) to the Panel. Her submission was critical of the process leading up to the Amendment, the ability for Mr Helms to provide impartial advice as author and expert of the Precinct Review and the significant grading being applied despite numerous heritage reviews over 24 years that had not identified the property as significant. This, she considered, demonstrated the arbitrary and inconsistent approach to establishing heritage value.

The owner’s submission additionally identified concerns about the challenges proposed by a Heritage Overlay to undertaking building upgrades to accommodate mobility and improved amenity and that the financial impacts of the Amendment did not provide for a positive community benefit.

Ms Walton presenting on behalf of the owners of 42 Hotham Street (Submission 8) provided a passionate submission to the Panel (Document 22). Submission 8 rejected the Significant grading of the building identifying the addition of a fence and enclosure of a verandah among other alterations and suggested that the Precinct Review does not identify anything of real importance. Ms Walton's submission articulated significant frustration at the Amendment process from the initial inclusion of the property in HO397 in 2006 (through Port Phillip Planning Scheme Amendment C46) to related and ongoing issues associated with Council's consultation and communication efforts stemming back to 2004. She felt that residents were disadvantaged as they could not afford to retain lawyers and experts to support their submissions. Ms Walton pointed to the application of a fictitious place name ('Summers House') in the existing Citation as an example of what she submitted was the 'presumptuous approach' taken by Mr Helms.

Mr Helms referred to the findings of the Precinct Review and considered that the bungalow at 44 Hotham Street and the dwelling at 42 Hotham Street historically form part of the HO391 precinct, containing detached interwar homes with a similar history and built form character with the dwellings located in a relatively intact streetscape on the east side of Hotham Street between Alma Road and Mooltan Street. He noted the dwelling at 44 Hotham Street had good integrity and intactness that justified a significant grading within the extension to HO391.

Council acknowledged the issues raised in Submission 8, but submitted they were not relevant to determining whether this aspect of the Amendment was justified. Council submitted that 42 Hotham Street has been an individually significant heritage place (HO397) since 2006 and that the Precinct Review had determined that no substantive changes had been made to the building. It also relied on the existing assessment of local significance in 2004 (*East St Kilda Heritage Study, Heritage Alliance, 2004*).

Mr Helms identified that the Citation for 42 Hotham Street was updated consistent with PPN01. Council submitted that the updated Citation identified the significant elements of the house and the brick walling which had been unsympathetically altered by the addition of a fence, but that the alterations and additions were not significant. It concluded that the property's integrity was comparable to other similarly graded properties in HO6 and HO391. Council's post-exhibition changes propose to remove the reference to 'Summers House' from Citation 2015.

#### **(iv) Discussion**

The issues regarding impacts on property values, future development potential and Precinct Review methodology are discussed in Chapters 3 and 4.

The Panel is sympathetic to the concerns of the submitters who have clearly been frustrated about the adequacy of communication relating to the application of the Heritage Overlay (now and previously) and confused about the Amendment process and its rationale. Ms Walton clearly found the process harrowing, stressful and at times overwhelming to navigate (referring to the 'behemoth' sized report and Amendment materials which were difficult to access and consequently disenfranchising). These concerns were echoed by other submitters, and point to the need for councils to provide adequate guidance and

information to residents when introducing complex and significant amendments which impact on large numbers of land owners.

That said, the Panel's task is to consider whether the Amendment as it relates to 42 and 44 Hotham Street is strategically justified based on the underpinning Heritage Review and PPN01.

While the Panel notes that both dwellings have had minor alterations, these are not significant and do not compromise their integrity. In the absence of any heritage evidence to the contrary, the Panel is largely reliant on the evidence of Mr Helms that both dwellings are comparable in grading to other significant interwar dwellings in the precinct. In the instance of 42 Hotham Street, the place is already identified as an individually significant heritage place. No information has been provided to the Panel which supports the position that the existing grading is inappropriate or that the site no longer has the heritage values it did when first identified in 2004 or that it should be removed from the Heritage Overlay.

The Panel agrees that both dwellings, with others in Hotham Street, form a collection of intact interwar dwellings that are appropriately included within HO391.

The Panel considers that the revised Citation (2015) for 42 Hotham Street has been prepared consistent with PPN01, identifying the relevant significance criteria (D and E) and providing an appropriate level of comparative analysis. The Panel agrees with the submission of Ms Walton, however, that there is little basis to attribute the place name 'Summers House' to 42 Hotham Street and supports Council's post-exhibition change to remove this reference from Citation 2015.

#### **(v) Conclusions and recommendations**

The Panel concludes:

- It is appropriate and justified to include 42 and 44 Hotham Street, St Kilda East in the Murchison/Alma Road Precinct (HO391) as Significant graded properties
- The changes to Citation 2015 for 42 Hotham Street are generally appropriate however the reference to 'Summers House' should be replaced with 'House'.

The Panel recommends:

**Amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* as follows:**

- **Amend Citation 2015 for 42 Hotham Street, St Kilda East to replace the reference to 'Summers House' with 'House'.**

## 7 226 Alma Road, St Kilda East (HO505)

### Exhibited Statement of Significance



#### What is significant?

The concrete house, constructed in 1912, at 226 Alma Road, St Kilda East is significant. This house has rendered concrete walls and a hip tile roof with a central gablet at the front. The render to the front walls has 'fish scale' detailing below a band of textured render set between a stringcourse and the eaves. There is a box bay window and tall double-hung timber windows. The entrance is via a typical Edwardian style high-waisted timber door with an arched window and flanked by sidelights and highlighted located at one end of the inset porch, which has sinuous Art-Nouveau style timber frieze. Non-original alterations and additions are not significant.

#### How is it significant?

The house at 226 Alma Road, St Kilda East is of local historic, architectural and aesthetic significance to the City of Port Phillip.

#### Why is it significant?

It is significant as an early example of a concrete house. One of several constructed in the City of Port Phillip in the first two decades of the twentieth century it is notable as one of the first, pre-dating the nearby house at 200 Alma Road (designed by a leading advocate of concrete houses, Leslie Perrott) by three years. It is also significant as one of the earliest houses in the eastern section of Alma Road and is associated with the first phase of suburban residential development that followed the opening in 1911 of the electric tram along Dandenong Road. (Criteria A & D) While mostly conventional in its form and detailing it is also significant for how the render has been used as a decorative device on the front elevation. (**Criterion E**)

#### (i) The issues

The Amendment proposes to identify the property at 5/226 Alma Road as of individual cultural heritage significance in the Heritage Overlay (HO505).

The issue is whether it is appropriate and justified to apply the Heritage Overlay (HO505) to 226 Alma Road, St Kilda East.

#### (ii) Evidence and submissions

The owner of the property at 5/226 Alma Road (Submitter 12) objected to the Amendment on the basis that a Significant grading would limit options for renovating and expanding the

dwelling and result in a loss of property value. Submitter 12 was unable to attend the hearing but was able to provide a more detailed submission (Document 25). The more detailed submission identified the owner's desire to build a second storey addition to a similar footprint as the existing single storey dwelling and subsequent advice from Council that has supported a smaller, more recessed upper level. The submission pointed to this impacting on the owner's ability to use the property as anticipated when purchased and the resultant financial loss.

Council submitted that it did not intend to change the Amendment in response to the submission. It considered that property value impacts were not a relevant consideration and that concerns around redevelopment were matters for the next stage of the planning process when a planning permit is considered.

The evidence of Mr Helms relied on the reasons set out in the Citation to support the site's Significant grading and inclusion in the Heritage Overlay.

### **(iii) Discussion**

The issues regarding impacts on property values and future development potential are discussed in Chapter 4.

The submission from the owner of 5/226 Alma Road did not indicate any aspects of the site's integrity or intactness that might diminish the identified heritage values of the place.

In terms of concluding whether the dwelling has the level of integrity, intactness and heritage value to warrant identifying it as a place of local cultural heritage significance within Port Phillip, the Panel is largely reliant on the evidence of Mr Helms, which supports the inclusion of the dwelling in the Heritage Overlay.

The Panel considers that the methodology applied by Mr Helms, including his comparative analysis, is appropriate and consistent with PPN01. It accepts the evidence presented that the concrete dwelling is one of the earliest of its material types in Port Phillip, significant for its decorative detail and its association with early suburban development along the tram line and as one of the earliest houses in the eastern sections of Alma Road. The Panel is satisfied that the building meets the threshold of individual cultural heritage significance at the local level, satisfying Criteria A, D and F referred to in PPN01.

### **(iv) Conclusions**

The Panel concludes:

- It is appropriate and justified to identify the property at 5/226 Alma Road, St Kilda East as a heritage place of individual cultural heritage significance and apply the Heritage Overlay (HO505) to it.

## 8 Form and content of the Amendment

### 8.1 Murchison Street/Alma Road Precinct Citation

The Panel notes that while Council's submission, the Amendment Explanatory Report and the Schedule to Clause 43.01 generally refer to the HO391 precinct as the 'Murchison Street/Alma Road precinct', the exhibited Precinct Review and Statement of Significance refer to it as the 'Murchison Street & Wavenhoe Avenue precinct'. The Panel suggests that this inconsistency be corrected in the final Amendment documentation.

The Panel recommends:

**Amend the *Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019)* Murchison Street/Alma Road HO391 Precinct Citation or the Schedule to Clause 43.01 ensure a consistent precinct title for HO391.**

### 8.2 Content of Precinct Review

While the Precinct Review is proposed to be a Background Document only it should be updated to reflect the supported post-exhibition changes and recommendations of the Panel regarding amended citations and content of the Heritage Review. This will result in a revised date of the document which should be reflected in a final Amendment version of Clause 22.04 and the Statements of Significance for HO503, HO505 and HO506.

The Panel recommends:

**Amend the *HO6 St Kilda East Precinct Review, Final report, David Helms Heritage Planning, September 2018* to reflect the recommended changes to citations and other content of the amended *Port Phillip Heritage Review Volumes 1-6*. Include the updated document date references in Clause 22.04 and the Statements of Significance for HO503, HO505 and HO506.**

### 8.3 Updating the Heritage Review

The Panel has recommended several changes to the Heritage Review which will require the document to be updated with a new version number and date. These incorporated document reference changes should be reflected in the final Amendment version of Clauses 21.07 and 22.07, the Schedules to Clauses 43.01 and 72.04 and the Statements of Significance for HO503, HO505 and HO506.

The Panel recommends:

**Amend Clause 21.07, Clause 22.04, the schedules to Clause 43.01 and 72.04 and the Statements of Significance for HO503, HO505 and HO506 to reflect the revised date and version number of the *Port Phillip Heritage Review Volumes 1-6*.**

## 8.4 City of Port Phillip Heritage Policy Map and Neighbourhood Character Map

The Heritage Policy Map and Neighbourhood Character Map which are proposed to be amended are incorporated documents. The recommended abandonment of 11 Hotham Street and 23 Lambeth Street from HO6 and other mapping changes should be reflected in an updated version of the Heritage Policy Map and Neighbourhood Character Map. These changes will also require revised Maps version and date references to be reflected in the final Amendment version of the Schedule to Clause 72.04.

The Panel recommends:

**Amend the City of Port Phillip Heritage Policy Map and Neighbourhood Character Map to remove 11 Hotham Street, St Kilda and 23 Lambeth Place, St Kilda and to include mapping corrections to reflect the recommended changes to the Port Phillip Heritage Review Volumes 1-6 (Version 28, May 2019) and Map 7HO.**

**Amend the Schedule to Clause 72.04 to reflect the revised date and version numbers of the City of Port Phillip Heritage Policy Map and the Neighbourhood Character Map.**

## 8.5 119, 119A, 121 and 123 Alma Road, St Kilda East

Council identified in its Part B submission that four properties (119, 119A, 121 and 123 Alma Road, St Kilda East) were inadvertently omitted from Map 7HO although owners and occupiers of these properties were correctly notified of the proposed inclusion of these properties in the Heritage Overlay, and the Heritage Policy Map was exhibited correctly. Council provided copies of Amendment notices sent to these land owners (Document 19).

The Panel is comfortable with the notification undertaken by Council and that the mapping was an administrative oversight and does not affect the intent of the Amendment or form a transformation of the Amendment.

The Panel recommends:

**Amend Port Phillip Planning Scheme Map 7HO as follows:**

- **Include each of 119, 119A, 121 and 123 Alma Road, St Kilda East in HO6.**

## 8.6 Other post-exhibition changes

Council's Part B submission identified a range of administrative changes to address document changes, cross references and mapping corrections:

- Update the schedule to Clause 43.01 to correctly identify the HO6 precinct boundaries and statements of significance being incorporated in the Scheme under Clause 72.04.
- Update Clause 72.04 to reference the correct address for the statement of significance for 264-266 St Kilda Road, St Kilda (mislabelled in the exhibited document as 264-226 St Kilda Road).
- Update the Scheme Maps 7HO to correct HO numbers (where properties have been transferred from one HO precinct to another) or mapping extent, specifically:

- 42 Hotham Street, St Kilda East (to be deleted from HO397 as it is being transferred into HO391)
- 18 Lansdowne Road, St Kilda East (to be deleted from HO179 as it is being transferred into HO391)
- 26A Lansdowne Road, St Kilda East (to be deleted from HO180 as it is being transferred into HO391)
- Include the entirety of 19 Hotham Street, St Kilda East (currently partially mapped in the Heritage Overlay).

The Panel considers these proposed post-exhibition changes are minor and do not change the intent of the exhibited Amendment.

The Panel recommends:

**Amend Map 7HO as follows:**

- a) include all of the property at 19 Hotham Street, St Kilda East in HO6**
- b) remove 42 Hotham Street, St Kilda East from HO397 and include it in HO391**
- c) remove 18 Lansdowne Road, St Kilda East from HO179 and include it in HO391**
- d) remove 26A Lansdowne Road, St Kilda East from HO180 and include it in HO391.**



## Appendix A Submitters to the Amendment

| No. | Submitter                                |
|-----|--|
| 1   | R Reiger                                 |
| 2   | A McLaren                                |
| 3   | G Bernath                                |
| 4   | S Ardolli                                |
| 5   | S Rowles                                 |
| 6   | St Michael's Grammar School              |
| 7   | National Trust of Australia (Victoria)   |
| 8   | M & J Walton                             |
| 9   | 322-332 St Kilda Road Owners Corporation |
| 10  | M Gordon                                 |
| 11  | S Laing                                  |
| 12  | S Lazarus                                |
| 13  | A Shepherd                               |

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## Appendix B Document list

| No. | Date       | Description  | Provided by        |
|-----|------------|--|--------------------|
| 1   | 7/10/2019  | Submission 10 addendum   | Ms Gordon          |
| 2   | 21/10/2019 | Council Part A submission  | Council            |
| 3   | "          | David Helms expert witness statement   | Council            |
| 4   | "          | David Briggs expert witness statement  | Owners Corporation |
| 5   | 29/11/2019 | Council Part B submission  | Council            |
| 6   | "          | Helms evidence PowerPoint slides   | Mr Helms           |
| 7   | "          | Planning and Building permit plans for 322 - 332 St Kilda Road                         | Council            |
| 8   | "          | Port Phillip Heritage Review Field Notes: 1997, Andrew Ward, excerpt for St Kilda Road | Mr Helms           |
| 9   | "          | Planning Practice Note 1 Applying the Heritage Overlay                                 | Owners Corporation |
| 10  | "          | Sands & McDougal Directory 1925 excerpt, page 885                                      | "                  |
| 11  | "          | Sands & McDougal Directory 1930 excerpt, page 635                                      | "                  |
| 12  | "          | Sands & McDougal Directory 1935 excerpt, page 604                                      | "                  |
| 13  | "          | Sands & McDougal Directory 1940 excerpt, page 661                                      | "                  |
| 14  | "          | Title details for 322 - 332 St Kilda Road  | "                  |
| 15  | "          | Sands & McDougal Directory 1925 excerpt, alphabetical listing, page 1962               | Council            |
| 16  | "          | Map showing current extent of HO6 to 322 – 332 St Kilda Road                           | "                  |
| 17  | "          | Consolidation titles, 322 – 332 St Kilda Road  | Owners Corporation |
| 18  | "          | Owners Corporation submission  | "                  |
| 19  | "          | Exhibition notification letters for Alma Road properties                               | Council            |
| 20  | 30/10/2019 | Owners Corporation proposed revised HO6 Citation content for St Kilda Road             | Owners Corporation |
| 21  | "          | Mina Gordon submission   | Ms Gordon          |
| 22  | "          | Inga Walton submission   | Ms Walton          |
| 23  | "          | Council closing submission   | Council            |
| 24  | "          | Council's proposed revised HO6 precinct Citation content for St Kilda Road             | "                  |
| 25  | 1/11/2019  | Further submission from Shalom Lazarus   | Mr Lazarus         |

| No. | Date      | Description                            | Provided by |
|-----|-----------|--|-------------|
| 26  | 4/11/2019 | Council response to Lazarus submission | Council     |

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## **Appendix C Panel preferred version of the Heritage Review HO6 precinct Citation (amended 322-332 St Kilda Road content) and Appendix C Table 1 Additions to the HO6 precinct**

[Tracked Added](#)

~~Tracked Deleted~~

## **HO6 Citation**

### **'History', Page 13 amend as follows:**

In the High Street shopping centre new buildings were constructed on the remaining vacant sites. ~~included 'The Gresham' laundry opened c.1920~~ In the block to the south of the Post Office, for example, the prominent grocery firm Moran & Cato erected a new shop at no.330 in 1914. The following year two new brick shops replaced old timber shops at nos. 322 & 324. Between these buildings was 'The Gresham', at nos. 326-328. The remaining vacant site at 332 immediately to the south of Moran & Cato was built on by 1920 ~~while next-door~~ and the rebuilding of this block was completed when the Queens Arms Hotel was rebuilt in 1923-24 to designs prepared by architects Sydney Smith & Ogg. The Post Office Hotel further to north was remodelled in 1931. The construction of several motor garages including the one designed by Oakley & Parkes and erected in 1925 for the Canada Cycle & Motor Co. at the south corner of Charnwood Crescent demonstrated the growth of car ownership.

### **'History', Page 15 amend as follows:**

The other significant change during the late 1960s and early 1970s was the rebuilding of St Kilda Junction and widening of High Street/St Kilda Road, which resulted in the destruction of all of the buildings along the west side between the Junction and Carlisle Street. This hastened the decline of High Street/St Kilda Road as a commercial centre. Many shops were closed or changed to other uses. In 1985/86 the five shops at 322-332 St Kilda Road were consolidated and redeveloped as an office and showroom complex. The original parapets to nos. 322-328 and an internal passageway with a roof lantern above were retained. The parapet to no. 330 was modified and a parapet to no. 332 added to match those at 322-328 and a 'heritage' style bullnose style verandah was added. New buildings and car parking were constructed at the rear.

### **'Description', Page 32 amend as follows:**

To the ~~south~~ north of Pakington Street is the former High Street shopping complex, including the property known as 'The Gresham' at nos. 322-332. The 1985 redevelopment described in the history ~~which~~ retained the central and two northern ~~an intact original northern and central sections of the~~ Edwardian style parapets divided into ~~four~~ three bays with arched panels separated by pilasters ~~engaged piers~~ and the internal passageway and roof lantern. The central panel with 'The Gresham' in relief framed flanked by sinuous Art Nouveau floral decorations and flanked by hexagonal piers is of note. Alterations and additions including the two modified parapets to the south of the central panel, the bullnose verandah, and the façade below the verandah, the additions and new buildings at the rear of the site are not significant.

## Appendix C - Place by Place Findings and Recommendations: Table 1 Additions to the HO6 & HO391 precincts, Page 59

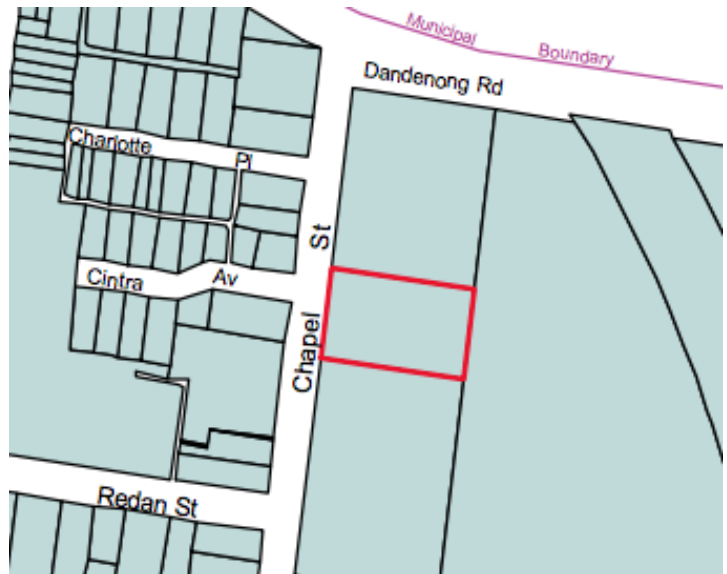
Amend Rationale as follows (vertical to fit onto page):

|                  |  |
|------------------|--|
| Street No        | 322-332  |
| Street           | St Kilda Road  |
| Description      | <a href="#">Former High Street Shopping Complex including 'The Gresham'</a>  |
| HO#              | HO6  |
| Citation #       | Precinct   |
| Rationale        | <p><del>Edwardian commercial complex. Altered, but retains original parapet with notable Art Nouveau detailing, and some internal fabric of interest. Altered and extended at the rear. Comparable integrity to Significant places within HO6.</del></p> <p><u>Originally five single storey Edwardian shops consolidated and redeveloped in 1985/86, but retaining three original parapets, one with notable Art Nouveau detailing, and some internal fabric of interest. Altered and redeveloped at the front and rear. Comparable integrity to Significant places within HO6.</u></p> |
| Current grading  | Nil  |
| Proposed grading | Significant  |

## **Appendix D Panel preferred version of Citation numbers 78 (4 Chapel Street, St Kilda) and 2388 (25-27 Chapel Street, St Kilda)**

**Place name:** St George's Presbyterian Church and Hall (former)  
 Other names: St Michael's Grammar School

Citation No:  
**78**



**Address:** 4 Chapel Street, St Kilda East

**Heritage Precinct:** St Kilda East

**Category:** Religion: Church, Manse, Hall

**Heritage Overlay:** HO6 & HO82

**Style:** Victorian: Gothic;  
 Interwar: Tudor

**Graded as:** Significant

**Victorian Heritage Register:** Yes, H864

**Constructed:** 1877-1880, 1927-28

**Designer:** Albert Purchas (1877),  
 Hare & Hare (1927)

**Amendment:** C29, C142

**Comment:** Revised citation

## Significance

The former St George's Presbyterian Church (including the front fence, but excluding the hall) is included on the Victorian Heritage Register (VHR H864) as a place of State significance. Please refer to the VHR citation for the statement of significance. The local statement of significance is as follows:

### What is significant?

The former St George's Presbyterian Church complex at 4 Chapel Street, St Kilda is significant. The significant features are:

- The church, designed by Albert Purchas and constructed in 1877-80 in a polychrome Gothic style, and the interior including the organ, original decoration and associated objects;
- The former church hall & Sunday School, [designed by Hare & Hare and constructed in 1927-28, is of secondary significance due to its low integrity. A gabled building of generally simple detailing, its most prominent](#) ~~The significant element is the designed by Hare & Hare and constructed in 1927-~~



~~28, which is a gabled brick building with a~~ rendered entry porch that features a Tudor arch and abstracted Gothic detail; and;

- The cast iron palisade fence on a bluestone base across the frontage.

Non-original alterations and additions to the above buildings and the post-war former manse are not significant.

### *How is it significant?*

The former St George's Presbyterian Church complex is of local historic, architectural and aesthetic significance to the City of Port Phillip.

### *Why is it significant?*

It is significant for its associations with the establishment of the Presbyterian Church in St Kilda and the scale and quality of the church demonstrates the increasing wealth and prominence of Presbyterians in Victoria during that time. Together, the church and hall demonstrate the important role of St George's as a parish centre in St Kilda. The hall provides a reminder of the importance of Sunday Schools to church life in the twentieth century and the social welfare activities of the church. (Criterion A)

St George's Presbyterian Church is of architectural and aesthetic significance as a fine example of the polychromatic Gothic Revival style and is important for its **early** use of polychromatic brick for both the exterior and interior. The tall banded tower is a most important element of the composition and makes this church highly significant. The church is a notable landmark, which is complemented by the [visible portion of the](#) hall and [the](#) front fence that form part of an important grouping of nineteenth century church and public buildings flanking Alma Park along the east side of Chapel Street. (Criteria D & E)

## Thematic context

### Victoria's framework of historical themes

8. Building community life: 8.1 Maintaining spiritual life

### Port Phillip thematic environmental history

5. Settlement: growth and change: 5.3 The late nineteenth century boom

## History

### Contextual history

Among the earliest buildings in St Kilda East are the churches, established from the 1850s to the 1870s. The presence of these churches and the early mansions of prominent residents such as 'Charnwood', 'Marlton' and 'Cintra' established the prestige of St Kilda East as a desirable residential address, and encouraged further development as St Kilda's population grew from 6,000 residents in 1861 to almost 12,000 by 1881.

Between Chapel and Westbury streets the Government reserved the area bounded by Dandenong and Alma roads in the early 1850s. From this land was set aside for what would become Alma Park and reservations were excised for churches and other public uses. The Catholic Church was first to build, and the first St. Mary's Catholic Church opened in 1854 at the west corner of Westbury Street and Dandenong Road. The foundation stone of the present church was laid in 1859, but due to a lack of funds it was not completed until 1864. As the congregation grew additions were carried out and the enlarged church was blessed by Bishop Goold in 1871, and consecrated in 1887.

St. Mary's was soon joined by All Saints' Anglican Church and the Free Presbyterian Church, both fronting Chapel Street. The Free Presbyterian Church built a manse at the northeast corner of Alma Road in 1858 and in 1864 erected a bluestone church on the north side. Meanwhile, All Saints' was opened at the

corner of Dandenong Road in 1861 and, after two additions, was consecrated in 1892. To the south of All Saints' St. George's Presbyterian Church was opened in 1877 after the congregation had been meeting in the 'Orderly Room' just to the south since the previous year.

## St George's Presbyterian Church & Hall

One acre of land was reserved in Chapel Street for the Presbyterian Church and was gazetted on 10 September 1866. In June 1876 a public meeting was held in the Orderly Room in Chapel Street, St Kilda East, adjoining the church's land, to gauge interest in establishing a church. Sunday services began on 13 August 1876 in the Orderly Room with the Reverend Groundwater Fraser preaching (Bomford 2003).

On 21 April 1877 the foundation stone for the church was laid by Sir James McCulloch, the former Premier of Victoria and a founding trustee. Albert Purchas was the architect, Robert S. Ekins was the contractor and his tender was £3000. The church, of which only the western portion was constructed, opened on 1 October 1877 and at the first Communion Service, held on 9 December 1877, fifty-one communicants were present (Bomford 2003).

The congregation soon outgrew the church's capacity and so it was decided to complete the church to the original design. Sir James McCulloch once again laid the foundation stone and the enlarged church, designed to accommodate 650 people and built at an estimated cost of £8700 was opened on 3 October 1880. In 1881 an organ by Lewis & Sons of London was installed and St George's thereafter established a proud tradition for music in its services (Bomford 2003).

A Sunday school with Mr. A. Anderson as Superintendent commenced in August 1876. Three years later, it moved to Hornby Street State School where there was an average attendance of one hundred children and eighteen teachers. The first Sunday School hall in the church grounds was opened on 14 February 1886. This was destroyed by fire and a new hall, designed by Hare & Hare, was built in 1927-28. After World War II the numbers of children attending declined and the Sunday school 'went into recess', probably in the late 1960s (Bomford 2003).

Many sons and fathers of the St George's congregation enlisted during World War I and twenty died, including St George's own minister, the Reverend Andrew Gillison, MA. The first AIF chaplain to die in the war, he was deeply mourned by his military companions and his parishioners. The 14th Battalion and the congregation at St George's jointly erected a memorial tablet in the church and provided a communion table. The congregation raised almost £700, which was placed in trust for his family. The commemorative service in 1917 to install the memorial forged a bond between the battalion and the congregation at St George's. A roll of honour, installed in the vestibule made of Victorian blackwood carved in high relief, commemorates the twenty men who died and another eighty-nine who served (Bomford 2003).

After World War II, St George's suffered from a decline in church attendances due to the changing nature of St Kilda and the decrease in numbers of residents living in the vicinity of the church. In 1997 the congregations of St George's and the East St Kilda and Windsor Congregational Churches joined together to form the East St Kilda Uniting Church parish. The Centre for Creative Ministries now operates from the former Congregational church and hall on the corner of Hotham and Inkerman Streets, St Kilda East (Bomford 2003).

St Michael's Grammar School now uses the St George's Church and hHall as a performing arts complex.

## References

Bomford, Janette, *The spirit of St Kilda. Places of worship in St Kilda*, 2003, viewed online [http://skhs.org.au/spirit\\_of\\_st\\_kilda.htm](http://skhs.org.au/spirit_of_st_kilda.htm) on 22 May 2016

Cooper, J.B., *The History of St Kilda. From its settlement to a city and after. 1840 to 1930*, Melbourne, 1931 vol. 2, p.15

Corrigan, P., 'The History of St Kilda', p.54, Research Essay, University of Melbourne, Department of Architecture

Port Phillip Heritage Review (PPHR) Volume 1, Version 17, September 2015

*The Australasian Sketcher*, 9 June 1877, pp. 38-9, 23 October 1880, p.278

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## Description

St George's Presbyterian Church, St Kilda is constructed in a polychromatic Gothic Revival style. The main feature is the slender, striped octagonal tower, which rises from the base of the building to high above the steep roof and terminates in a spire. This feature of the front facade overshadows the other side tower, but does not distract from the double arched entrance or the main pointed tracery window over. Freestone dressings and cream brickwork relieve the overall red brickwork and the roof is of slate with a fleche at the intersection of the nave and transepts.

Internally, the church has a T-shaped plan with an aisleless nave, raked floor and broad transepts, a shallow sanctuary and no chancel, representing a Protestant reduction of the ideas of British architects such as Pearson and Butterfield. On the walls cream bricks are exposed and coloured brickwork used in pattern strings. There are several stained glass windows including non-figurative windows by Ferguson & Urie, a large triple window in the chancel presented by Lady McCulloch, and others in memory of John Kane Smyth, former Vice-Consul for the United States of America in Melbourne, and Samuel McKenzie, church minister from 1930 to 1948.

At the rear is the church hall and Sunday School of 1928, which is a gabled red brick building [of relatively simple character](#) with terracotta tiled roofs. The roof of the main hall has tall metal ventilators, and pilasters divide the sidewalls into four bays, which contain large multi-pane metal frame windows. The rendered entry porch [that is the key element visible from the Chapel Street](#) features a Tudor arch and abstracted Gothic detail.

The church and hall are substantially intact and the original cast iron fence across the frontage still remains.

A post-war two storey cream brick manse is situated to the north of the church building.

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## Comparative analysis

No information.

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## Assessment

This place has been assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS *Charter for Places of Cultural Heritage Significance* (The Burra Charter) 2013, using the Hercon criteria.

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## Recommendations

2016: Retain in HO84 and part HO6 St Kilda East precinct as a Significant place.

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## Primary source

Helms, David, *HO6 St Kilda East Precinct heritage review*, 2016

## Other studies

Nigel Lewis and Associates, *St. Kilda Conservation Study*, 1982

## Other images



**Place name:** St Michael's Grammar School  
**Other names:** Marlton

**Citation No:**  
**2388**



**Address:** Marlton Crescent & 25-27 Chapel Street, St Kilda

**Heritage Precinct:** St Kilda East

**Category:** Residential: House  
 Education: School

**Heritage Overlay:** HO6

**Graded as:** Significant

**Style:** Victorian Italianate, Federation, Interwar

**Victorian Heritage Register:** No

**Constructed:** c.1855, c.1864, 1899, 1906, 1925

**Designer:** Lloyd Tayler (1864), Bates Smart & Peebles (1899), Sale & Keague (1925)

**Amendment:** C142

**Comment:** New citation

## Significance

### What is significant?

St Michael's Grammar School at 25-27 Chapel Street, St Kilda is significant. The buildings of primary significance are:

- The former 'Marlton', comprising the c.1864 building designed by Lloyd Tayler and the 1906 extension. It is an early example of an Italianate villa with classical detailing. The original house was symmetrical in form and has a hipped roof clad in slate, round-headed windows set above inset panels with moulded architraves and keystones, below a frieze comprised of paired eaves brackets with moulded panels set within a stringcourse, and a simple verandah with timber frieze and brackets (possibly reconstructed). The side entrance has a shallow porch with columns and an entablature, while the rendered chimneys have bracketed cornices and stringcourses. The 1906 addition on the east side is sympathetic in detail, but disrupts the symmetry of the original house.
- The former Kindergarten and Bishop's Hall as constructed in 1899 and extended in 1909. This is a brick gabled hall with side walls divided into five bays by buttresses. Each bay contains a single segmental arch window. The stages of development are demonstrated by the bi-chromatic brickwork that is confined the three bays closest to Marlton Crescent, which have a cream brick

band at sill height and cream bricks used in the arch above the windows, whereas the southern two bays are of plain red brick.

- The two late Victorian era Italianate brick houses facing Marilton Crescent. Of similar design, each house is asymmetrical in plan with hipped slate roof and a return verandah with cast iron frieze set between the projecting front and side bays, with the polygonal front bay containing segmental arch timber frame sash windows with further timber frame sash windows in the main elevations. Each is constructed of bi-chrome brick, which is notable for the bold patterning created by the decorative quoining around the openings and wall corners, diaper work to the walls and between the eaves brackets. The chimneys are also of bi-chrome brick and have rendered cornices.

The 1925 school building is of secondary significance due to its low integrity. The ~~significant-surviving original~~ elements are the ~~surviving-1925-section-comprising-the~~ projecting entry porch and the two bays immediately to the east on the north elevation. The porch has a castellated parapet with a triangular pediment over the pointed arch entry and above the stairwell behind there is another triangular pediment, this time flanked by low piers surmounted with orbs.

Other buildings and non-original alterations and additions to the above buildings are not significant.

*Note: The former 'Rondebosch' and 'Elmwood' at 25-27 Chapel Street, and the former Particular Baptist Church at 16 Crimea Street are not significant as part of St Michael's Grammar, but are individually significant for other reasons – please refer to the separate PPHR citations.*

### How is it significant?

St Michael's Grammar School is of local historic, social, architectural and aesthetic significance to the City of Port Phillip.

### Why is it significant?

It is historically significant as an example of the private schools established within St Kilda during the late nineteenth century and as one of the few that have continuously operated until the present day. It demonstrates the continuing development of the private school system during the late nineteenth and early twentieth century. The complex of buildings demonstrates how many of these schools were established in former mansion houses and then expanded with purpose built facilities. (Criteria A & D)

'Marilton', as constructed in c.1864, is historically significant as one of the earliest mansions within St Kilda East and is of architectural significance as an early example of the Italianate style with restrained classical detailing by the noted architect, Lloyd Tayler. (Criteria A & D)

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## Thematic context

### Victoria's framework of historical themes

- 6. Building towns, cities and the garden state: 6.3 Shaping the suburbs, 6.7 Making homes for Victorians
- 8. Building community life: 8.2 Educating people

### Port Phillip thematic environmental history

- 5. Settlement: growth and change: 5.1 Three settlements: Sandridge, St Kilda and Emerald Hill; 5.3 The late nineteenth century boom
- 6. Education: 6.3 Other schools

## History

### 'Marlton' c.1855 to c.1895

The development of St Kilda began following the first land sales in 1842 and by 1854 there were over two hundred houses. The plan compiled in 1855 by James Kearney (see Figure 1) shows that most of these were situated to the west of Brighton Road (later High Street and now St Kilda Road). The St Kilda East area, by comparison, was largely undeveloped and most buildings were located within the block bounded by Brighton Road, Wellington Street, Chapel Street, and Alma Road. The prominent situation of this block on the highest point in St Kilda adjacent to an important thoroughfare attracted the attention of leading citizens, such as Octavius Browne who purchased approximately half of the land within this block at the first land sales. He established a small farm and in 1851 commissioned Samuel Jackson to design his grand residence, 'Charnwood', which faced toward the corner of Brighton and Alma Roads. He lived there only briefly before selling in 1854 to Matthew Hervey, MLC.

As shown on Figure 1 'Charnwood' was one of four early mansions within this area in 1855; the others were 'Nicholson House', 'Marlton' and 'Cintra'.

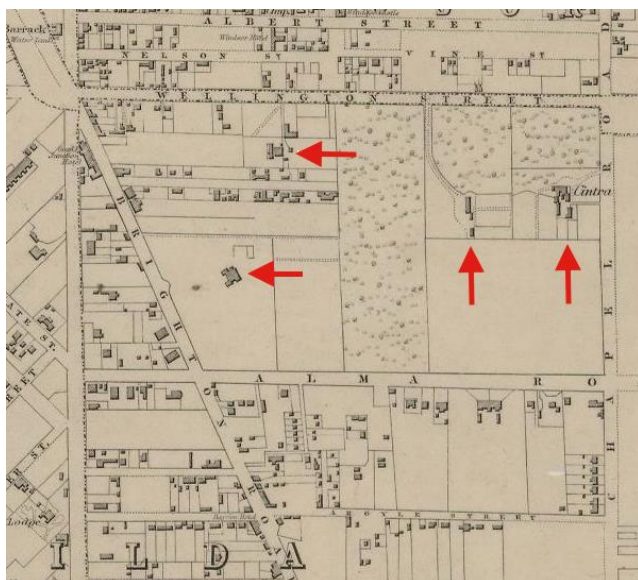


Figure 1 – Extract from Kearney's 1855 map of Melbourne prepared by Captain Andrew Clarke, Surveyor General showing (from left) 'Charnwood', 'Nicholson House', 'Marlton', and 'Cintra'

'Marlton' was constructed by 1855 for Edwin Fowler. In the first St Kilda Rate Book of 1859 Fowler is described as the owner and occupier of an eight roomed brick house in Wellington Street with coach house and stables and 'large gardens and paddock', and a substantial Net Annual Valuation of £425 (RB, 1859, no. in rate 631).

In early 1861, according to newspaper reports, 'Marlton' was sold to Dr. Henry Madden, a surgeon (although rate books continue to list John Fowler as owner until 1862). At the time the house was rented out to Benjamin Nicholson (*Argus*, 11 February 1861, p.2, RB). In 1864 Lloyd Tayler, architect, invited tenders for additions and improvements to 'Marlton' (*Argus*, 25 April 1864, p.3) and it appears that Dr. Madden moved in once the improvements were carried out. The St Kilda Rate Books consequently record an increase in the number of rooms from eight to 15 by 1866 (RB, 1866, 1078).

In early 1866 Dr. Madden offered 'Marlton' for sale ahead of his departure for England. It was described as a mansion containing 10 bedrooms, dining room, drawing room, breakfast room, kitchen, scullery, coach house and stabling (*Argus*, 25 January 1866, p.2). It was sold 'to Mr. J.S. Miller who established his boys' school, Yarra-lodge Academy, at the house. A notice in the *Argus* advised:

*This elegant residence is situated in one of the healthiest and most eligible suburbs of Melbourne, only five minutes walk from Chapel-street railway station, and possesses every advantage that could be desired in connexion with an academy for young gentlemen – seven acres of land attached, extensive playground, gymnasium and baths, easy access to sea-bathing and ample accommodation for the ponies of day-boarders. (Argus, 26 January 1866, p.8)*

The school must have been short-lived (or perhaps did not open as planned) as by 1867 Andrew Murray, a squatter from the western district of Victoria, was the owner and occupier (RB, 1867, 1085). Murray remained until February 1872 when he sold 'Marlton' and moved to 'Wool Wool', his country estate near Colac. The description of the house and grounds in the auction notice was very similar to when it was sold in 1866 (Argus, 7 February 1872, p.2). George P. Robertson was then the owner/occupier for a brief period before selling to G.W. Parbury. Parbury offered the mansion for let before holding a clearing sale of furniture and effects at 'Marlton' in December 1873 (Argus, 9 December 1873, p.3). Archibald Menzies and his family were in residence by late 1874.

In late 1882 'Marlton' changed hands again. The frontage of the estate to Wellington Street was offered for sale in September and it appears that Marlton Crescent may have been created around this time because when the mansion and remaining land was offered for sale in December it was described as being in 'Marlton-Crescent, Wellington Street, St Kilda' and as having a 'charming carriage drive through an avenue of pines, gums and other beautiful forest trees' (Argus, 16 September 1882, p.7; 5 December 1882, p.3). Soon afterwards 'Marlton' was again offered for lease. Meanwhile, the Marlton Estate subdivision comprising 30 'magnificent villa sites' fronting Wellington Street, Marlton Crescent and Crimea Street was offered for sale in April 1883 and the first houses in Marlton Crescent were completed by December (Argus, 24 April 1883, p.2; 15 December 1883, p.7).

In late 1884 'Marlton' once again became a school when St Kilda Grammar relocated there under Head Master Howell J. Thomas (*Church of England Messenger*, 6 November 1884, p.14). The school continued at 'Marlton' until around 1892 when, under HM Edward L. Backhouse, it was relocated to Orrong Road, Caulfield (RB, 1892, no. in rate 521, SM).



*Marlton, c.1885, showing E.L. Backhouse and family members standing in the doorway. (Source: Peel 1999)*



## St Michael's Grammar School

The status of St Kilda as a desirable residential area in the late nineteenth century led to the establishment of several private schools and in 1891 St Kilda and Hawthorn contained nearly thirty private schools between them, the highest proportion per head of population in Melbourne (Peel 1999:47). Several of these were within St Kilda East including All Saints' Grammar School, Alma Road Grammar School, Fairelight Ladies' College, The Priory Ladies' College, Wattle House School and Cumloden College. Most, however, were relatively short-lived and some were closed during the economic depression of the 1890s when enrolments in private schools fell dramatically. Further closures followed the introduction of the *Education Act* in 1910, which saw the opening of new State secondary schools and imposed new costly regulations upon private schools, leading to the number of independent schools falling from 945 in 1898 to almost half that number in 1912 (Peel 1999:60).

For example, at The Priory Girls School, established by Miss Hatchell Brown in 1887 on the site of the Alma Road Grammar School at 59 & 61 Alma Road, numbers plummeted from 66 to just 27 in 1893 and the school eventually closed in December 1913 (Peel 1999:36, SKHS).

One school that continues today is St Michael's Grammar, which was opened in 1895 as the Church of England Day School for Girls. The school was established by the Community of the Sisters of the Church (CSC), an Anglican religious community founded in London in 1870. Twenty-two years later members of the CSC arrived in Australia and between 1892 and 1904 founded five schools throughout Australia (Peel 1999:ix).

Upon arriving in Melbourne members of the CSC settled in Prahran and formed an association with All Saints' Church in Chapel Street, St Kilda East. Despite some initial difficulties they expanded their support network within the district and found an 'enthusiastic band of workers' for the cause. They identified the need for a day school for a 'different clientele from the families who pursued the social cachet' of nearby schools such as Priory Ladies' College and Wattle House School and soon began the search for a suitable building (Peel 1999:31). In 1895 Melbourne was in the grip of an economic depression and many of the grand mansions were vacant. After briefly considering 'Cintra', the CSC decided upon 'Marlton', which had seen a reduction in rent from £325 per annum to just £100 (Peel 1999:28-32).

The Day School opened on 22 April 1895 when Dolly Ziebell was enrolled as the first student. By mid-November enrolments had reached 73 infants and girls and new enrolments topped 100 annually for the first three years (although the actual attendance usually fluctuated between 50 and 80). The new school was judged a success and within two years the concept of a secondary school seemed feasible. A senior class was formed in 1898 and by 1899 the school had outgrown 'Marlton' and necessitated the building of a school hall to be used as the kindergarten, which was adjacent to the main building and formed an area that came to be known as the Quadrangle. Lady Brassey, wife of the Governor of Victoria, attended the opening and agreed to become a patroness of the school. The kindergarten was designed by architect, Mr. Smart of Bates Smart ('A history to hold' pp.5-6).

The first boarder was admitted to the school in 1905 and, as enrolments grew, an east wing was added in 'Marlton' in 1906, increasing the number of rooms to 26, and in 1907 the former stables was converted into bedrooms at a cost of £250. The final stage of this first significant period of expansion was the doubling in size of the kindergarten hall, which became the main school hall for sixty years. Opened in 1909 by Archdeacon Crossley and Canon Hughes, it became known as 'Bishop's Hall'. In 1912 the school was granted registration as a Secondary School and by 1913 was known as 'St Michael's Collegiate School'. In 1913 an influx in new boarders led to the purchase of a neighbouring house in Marlton Crescent to the east of 'Marlton' known as 'Eastongrey', which was converted to new junior classrooms and renamed as 'St Gabriel's' (Peel 1999:59, 69, 75; 'A heritage to hold').

Growing enrolments and new regulations imposed as a result of secondary school registration led to the need for new and expanded accommodation during the interwar period. In 1919 the school was gifted a house in Barkly Street, St Kilda that for a short time became the junior boarding house known as 'St Margarets'. In 1924, after abandoning a previous scheme, the school engaged architect Mr Sale of Sale & Keague to prepare a design for a new school building to replace the ageing 'Cloisters' building. Canon

Hughes blessed and laid the foundation stone for the new building in October 1924, which was opened by the Archbishop in the following year.



*View of the new school classrooms completed and opened in 1925 (Source: Peel, 1999)*

In 1931 the old science lab house in the converted coach house was replaced by a new building. From 1930 to 1935 the school incorporated 'Oberwyl' in Burnett Street, St Kilda that had operated as a girls' school since the 1860s, and in 1937 further updates were carried out and two further properties in Marlton Crescent (nos. 2 and 16) were purchased becoming a boarding house and small kindergarten/preparatory school, and later as accommodation for the Sisters (Peel 1999:89, 98-99, 114, 120, 139-40).

The school continued to grow in the post-war era. By 1946 the enrolments had risen to almost 500 and with post-war restrictions upon building this was set as the limit that the existing infrastructure could accommodate. In 1947 the school began purchasing adjoining land to enable future expansion beginning with 20 Redan Street and in 1950 added 4 Cintra Avenue. Further sites were acquired in Redan Street, the houses demolished and replaced with the new Senior School. Around the same time the old St Gabriel's was demolished and replaced with the Frances Newson Oval, while the May Vicars Foote Hall, complete with Chapel was opened in 1972 (Peel 1999:189).

Significant changes occurred during the 1970s. The boarding house was closed in 1975 and co-education began in the Junior School in 1977. The beginning of co-education coincided with the last of the CSC sisters leaving St Michael's. In 1980 Mr Hewison became the first headmaster and further building work was undertaken. In 1987 the former 'Rondebosch' mansion at 27 Chapel Street was purchased and renamed as 'Hewison House', while in 1997 the former Baptist Church (and later Masonic Lodge) at 16 Crimea Street was acquired and became the Emily Hall and Wilma Hannah Library.

## Lloyd Tayler

Lloyd Tayler (1830-1900), architect, was born in London, June 1851 he migrated to Australia and by 1856 was working on his own in Melbourne and had designed premises for the Colonial Bank of Australasia. In the 1860s and 1870s he won repute by his designs for the National Bank of Australasia; distinguished by a refined strength, they follow simple Renaissance revival formulae. His major design for the bank was the Melbourne head office (1867) which he described as Palladian (ADB).

According to Dunbar & Tibbits "In all his public and commercial designs he seems to have been committed to a restrained classicism spiced with reserved mannerist details", while his domestic architecture featured similar characteristics; the finest example is the colonnaded mansion Kamesburgh, Brighton, commissioned by W. K. Thomson in 1872. Other houses include Thyra, Brighton (1883); Leighswood, Toorak; Roxcraddock, Caulfield; Chevy Chase, Brighton; Blair Athol, Brighton; and a house for his son-in-law J. C. Anderson in Kew (ADB). Tayler was particularly active in St Kilda in the mid to late nineteenth century and designed several houses and mansions include 22-24 Princes Street (1856), 'Fernacres' (1863), 'Marlton' (1864), 'Yanakie' (1868), 'Decomet' (1870) 'Hereford' (or 'Herford', 1870), and 'Pladda' (1889).

In 1881 Tayler went into partnership with his pupil and assistant, Frederick A. Fitts. Tayler and Fitts were complimented for the design of a building for Lambert and Son, Melbourne (1890), for 'avoidance of the overcrowding of ornamentation ... which forms a far too prominent feature on [many contemporary] façades'. In 1899 Tayler opposed decorative stucco work and warned against extremes in which the picturesque became the grotesque (ADB).

One of his last major commissions, in 1890, was for the Melbourne head office of the Commercial Bank of Australia; he and Alfred Dunn (1865-1894) became joint architects. The vast, domed banking chamber created a sensation at the time and is carefully preserved. His last important design was the Metropolitan Fire Brigade Headquarters Station, Eastern Hill (1892) (ADB).

Tayler was active in the architectural profession. He was an inaugural member of the Victorian Institute of Architects in 1856, helped to obtain its Royal Charter in 1890, and was president in 1886-87, 1889-90 and 1899-1900. In May 1900 he read a paper on 'Early and later Melbourne Architects' before the institute. While on a two-year visit to Europe and Britain, he was admitted a fellow of the Royal Institute of British Architects in 1874, and in 1899 contributed a paper on 'The Architecture of the Colony of Victoria' to its *Journal*. He was a 'staunch and valued supporter' of the Architectural and Engineering Association (ADB).

Tayler died on 17 August 1900 and his obituarists referred to him as 'probably the best known figure in the architectural profession in Melbourne' (ADB).

## References

'A heritage to hold: An account of St Michael's CEGGS 1895-1975', research by The Rev. Wenman Bowak Th. Schol. Hon. C.F., 1975

Dunbar, Donald James and George Tibbits, 'Lloyd Tayler (1830-1900)' in Australian Dictionary of Biography (ADB) viewed on line at <http://adb.anu.edu.au/biography/tayler-lloyd-4689> on 5 December 2016

Peel, Victoria, *St Michael's Grammar School. A study in educational change*, 1999

'Plan of the Borough of St Kilda Surveyed and Compiled under the direction of the Borough Council by J.E.S. Vardy', 1873

*Port Phillip Heritage Review (PPHR) Volume 1, Version 17, September 2015*

St Kilda Rate Books (RB) Public Records Office of Victoria Series Title 2335/P Microfilm copy of Rate Books, City of St Kilda [1858-1900] viewed at Ancestry.com on 21 May 2016

Victoria. Surveyor-General (1855) Melbourne and its suburbs [cartographic material] compiled by James Kearney, draughtsman; engraved by David Tulloch and James R. Brown (referred to as the 'Kearney Plan')

## Description

St Michael's Grammar occupies a large site now extending from Marlton Crescent to Chapel Street and Redan Street. The oldest buildings associated with the development of the school prior to World War II are clustered in the northern part of the site closest to Marlton Crescent. They are the former 'Marlton' mansion, 'Bishop's House', two former residences at 4 & 6 Marlton Crescent and part of the 1925 school.

'Marlton' is an early example of an Italianate villa with classical detailing. The original house, which probably dates to the 1864 remodelling by Lloyd Tayler, was symmetrical in form and has a hipped roof clad in slate, round-headed windows set above inset panels with moulded architraves and keystones, below a frieze comprised of paired eaves brackets with moulded panels set within a stringcourse, and a simple verandah with timber frieze and brackets (possibly reconstructed). The side entrance has a shallow porch with columns and an entablature, while the rendered chimneys have bracketed cornices and stringcourses. The 1906 addition on the east side is sympathetic in detail, but disrupts the symmetry of the original house.

Immediately to the east of 'Marlton' is the 'Bishop's Hall'. This is a brick gabled hall with side walls divided into five bays by buttresses. Each bay contains a single segmental arch window. The two stages of development are demonstrated by the bi-chromatic brickwork that is confined the three bays closest to Marlton Crescent, which have a cream brick band at sill height and cream bricks used in the arch above the windows, whereas the southern two bays are of plain red brick.

Behind 'Bishop's Hall' is part of the 1925 school. This is a two storey building constructed of red brick with a hipped roof and large square windows. The most distinctive feature is the projecting entry porch, [originally to the centre of the northern elevation](#), which has a castellated parapet with a triangular pediment over the pointed arch entry and above the stairwell behind there is another triangular pediment, this time flanked by low piers surmounted with orbs. ~~It appears the section~~ [A substantial portion](#) of the 1925 school, west of the porch, has been demolished, and the building has been extended [in stages](#) at the eastern end. Other alterations include the replacement and enlargement of windows. [The fabric of the building to the east, west and south elevations is of no significance.](#)

To the west of 'Marlton' and facing Marlton Crescent are two similar late Victorian Italianate villas, each asymmetrical in plan with hipped slate roof and a return verandah with cast iron frieze set between the projecting front and side bays, with the polygonal front bay containing segmental arch timber frame sash windows with further timber frame sash windows in the main elevations. Each house is constructed of bi-chrome brick, which is notable for the bold patterning created by the decorative quoining around the openings and wall corners, diaper work to the walls and between the eaves brackets. The chimneys are also of bi-chrome brick and have rendered cornices.

## Comparative analysis

'Marlton' is perhaps the oldest of the surviving early mansions within the St Kilda East precinct. The others are 'Toldara' (later 'Shirley'), 40 Alma Road (1868), 'Aldourie', 87 Alma Road (1864), 'Kangatong' 91 Alma Road (1865), 'Fairleigh' 134 Alma Road (c.1869) and 'Rondebosch, 25 Chapel Street (1869). Of these, 'Marlton' and 'Rondebosch' are the most intact and comprise the original mansion with an early (late nineteenth or early twentieth century) addition. By comparison, 'Toldara' retains the remarkable classical style façade, but the rear wing has been demolished and 1960s flats that wrap around now hide it. Similarly, 'Aldourie' is almost completely concealed by later additions and only parts of the north and west side elevations are visible. 'Kangatong' is more visible, but much of the original detail was stripped away in the 1930s when it was converted to flats. 'Fairleigh' is relatively intact, apart from the enclosure of the front verandahs, whereas at 'Yanakie' is the main visible change has been the overpainting of the face brickwork and the enclosure of verandah.

'Marlton' is one of at least three surviving residential buildings in St Kilda designed by Lloyd Tayler. The others include 'Yanakie' at 161 Alma Road, St Kilda East (c.1868, HO391 precinct) and the pair of houses at 22-24 Princes Street (c.1856, HO230).

As an early private school, St Michael's compares with the Christian Brothers College (CBC) that is adjacent to the St Mary's Catholic Church complex. Like St Michael's, the CBC comprises a complex of buildings that date from the late nineteenth century to the present day including several that have been significantly altered and extended. Notable within the CBC complex is the former school hall at the west corner of Dandenong Road and Westbury Street, constructed in 1902. The other major building in the complex is the gabled school building along the west side of Westbury Street, which has been built in stages from the late nineteenth to the mid-twentieth century. Other buildings in the complex date from the postwar era.

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## Assessment

This place has been assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS *Charter for Places of Cultural Heritage Significance (The Burra Charter) 2013*, using the Hercon criteria.

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## Recommendations

Retain in the HO6 St Kilda East Precinct as a Significant place.

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## Primary source

Helms, David, *HO6 St Kilda East Precinct heritage review*, 2016

## Other studies

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## Other images





*Showing the 1925 school at left and Bishop's Hall at right*