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MEMORANDUM

TO	Mietta Gleeson	FROM	Kate Gray
RE	607-623 Collins Street Melbourne	DATE	18 October 2023

Dear Mietta

We have reviewed the City of Melbourne City Design referral advice (dated 10 August 2023) and that of the Heritage Advisor (prepared by Mr John Briggs and dated 9 August 2023) and provide the following responses to issues raised.

1.0 CITY DESIGN

Issues raised

The majority of comments on heritage are covered in the Heritage Advisor's referral and are addressed below at section 2.0.

The City Design response does raise one additional issue.

The Heritage Impact Statement considers the inclusion of the infill building at 607 - 613 Collins Street on the heritage overlay to be a mapping error, noting that this building does not contribute to the identified heritage and that's its demolition would not detract from the identified heritage but, and importantly, has not made any assessments of the heritage values of the infill building itself.

We defer to heritage advice, noting the building is included on the heritage overlay and appreciating some detail and architectural qualities, and recommend an assessment of the infill building is undertaken and recommend a more sensitive adaptive reuse or sustainable retrofit response at 607-613 Collins Street.

Response

Heritage Impact Statement

The existing building at 607-613 was constructed in 1969 as a five-storey office building. It replaced an earlier single-storey shop. Viewed from Collins Street it abuts the former State Savings Bank.

Historical and descriptive information on this building was provided in the HIS and is reproduced below, with some minor amendments:

[History]

[Prior to the construction of the existing building in 1969], the 607-613 Collins Street ... [site] comprised a single-storey shop with a hipped lantern-style roof. A c. 1940 image shows the building as it presented to Collins Street. At that time, it was occupied by the Gippsland and Northern Co-operative Co. Ltd who sold engines and machinery largely for farmers and dairy production. The building had a

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double-door vehicle entry to the west, accessed via a bluestone crossover. The north façade of the Batman's Hill Hotel is visible behind the building.

[Description]

607-613 Collins Street is located on the south side of Collins Street near the corner of Spencer Street (Figure 2). The building abuts the State Savings Bank to the west and the Batman's Hill Hotel to its rear (south). It is separated from a single storey contemporary infill to its east by a narrow walkway, which adjoins a late twentieth century tower rising behind it.

The building at 607-613 Collins Street is a six-storey office building constructed in 1969, originally comprising five-storeys. It is constructed of reinforced concrete and masonry. It presents to Collins Street with a series of pre-cast concrete rectangular framing elements containing aluminium framed windows above a concrete spandrel panel. At street level the eastern half of the facade contains a contemporary glazed shopfront and to the western half is the hotel car park entry that accesses the basement levels, with fixed glazing to its west. The east façade is characterised by expressed concrete slabs with Roman brick cladding. The envelope of a building that formerly adjoined the site is evident on the façade. The building originally had flat concrete roof with a small plant room to the northeast but has since had an additional floor added, contained within a mansard style roof with street facing shed dormers. The south of the west elevation faces the former State Savings Bank, and the south elevation faces the Batman's Hill Hotel. Both elevations contain windows.

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Figure 1 The earlier building at 607-613 Collins Street, c. 1940. Note the north elevation of the Batman's Hill Hotel in the background
Source: H.H Paynting, SLV file pi009814

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Figure 2 The modern infill building at 607-613 Collins Street from Collins Street

Additional comment

The building is included in the mapping for HO1013 (Former State Savings Bank), but is not included in the Heritage Overlay Schedule description of the heritage place. It is historically and architecturally unrelated to the former State Savings Bank and is not referenced in the relevant statement of significance in the Incorporated Document 'Central City Heritage Review Statements of Significance June 2017'. As noted in the HIS, it is not included in the Incorporated Document Heritage Places Inventory March 2022 (Amended January 2023). On this basis it has reasonably been assumed that its inclusion is a mapping error.

Additionally, to the question of potential heritage value raised by City Design, the recent Hoddle Grid Heritage Review, undertaken for the City of Melbourne by Context and GJM Heritage in 2020 included a comprehensive survey of buildings in the central city of the post-war period (1945-1975) including a review of existing HOs). The study identified more than 50 postwar buildings (mostly commercial office buildings) for individual HO controls (see Amendment C387 to the Melbourne Planning Scheme). The subject building was not identified or put forward for individual listing, nor was there a recommendation that the existing HO1013 be amended to recognise the 1969 building.

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2.0 HERITAGE

Responses to the issues raised are provided as follows:

2.1 Heritage Impact Statement

Issue raised

The Heritage Advisor does not agree with some of the conclusions in the Heritage Impact Statement and on this basis notes that it is 'not accepted' and recommends it 'should not be endorsed'.

'the HIS is not accepted as a balanced account of the likely heritage impacts, or clear statement of anticipated change to experience and appreciation of the heritage places'. [Assessment against Clause 15.03-1S, p. 4]

'it is my recommendation that the *Heritage Impact Statement* should not be endorsed' [Key recommendations, p. 8].

Response:

Heritage Impact Statements generally are not 'endorsed'. We note there are particular issues raised and areas of disagreement in terms of the assessment of heritage impacts. Responses and additional commentary is provided on these below. Some amendments have been made to the HIS itself.

2.2 Extent of Demolition

Issue raised:

The Heritage Advisor notes that the extent of demolition varies from the policy guidance at Clause 15.03-1L-02 and suggests justification is required if that variance is to be accepted.

'The onus must be upon the applicant to make clear how the proposed public realm approach, limiting retention of heritage fabric, would not extend to the majority of 'Significant' graded buildings contrary to policy that is "regardless of visibility". What is exceptional about the subject sites must be explained if conservation of fabric and setting is to be waived.' [refer to p. 4 and the response to Clause 15.03-1S].

And further, in the assessment against the Demolition Strategies at Clause 15.03-1L-02:

As a two individually significant building [sic], even if appreciation is taken to be only a public realm experience, the expectation is that -as generally applied- the rear parts of the building entity will not be demolished.

Respect for the individual significance of the buildings, as distinct from value as contributory to a public realm appreciation of a wider heritage place, requires that the public realm perception is one in which the whole building entity is retained. This is the expectation even if the private realm has been altered or demolished.

Response:

The extent of demolition is discussed in some detail in section 5.1 of the HIS. The discussion explicitly goes to the issue raised by the Heritage Advisor, which is that the extent of demolition does not comply with a specific clause under Demolition Strategies at Clause 15.03-1L-02, as follows:

Partial demolition in the case of significant buildings, and of significant elements or the front or principal part of contributory buildings will not generally be permitted.

As a related issue, the strategies also include the following, commenting on the visibility of fabric:

Encourage the retention of the three-dimensional form regardless of whether it is visible whilst discouraging facadism.

These clauses are read in conjunction with the decision guidelines at Clause which follow:

Demolition policy guidelines

The assessed significance of the heritage place or building.

The character and appearance of the proposed building or works and their effect on the historic, social and architectural values of the heritage place and the street.

The significance of the fabric or part of the building, and the degree to which it contributes to its three-dimensional form, regardless of whether it is visible.

Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of the building.

Whether the demolition will adversely affect the conservation of the heritage place.

Whether there are any exceptional circumstances.¹

As noted in the HIS, the other key relevant matter is that of the decision guideline at Clause 43.01.

Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.²

The Heritage Advisor appears to suggest that a basis for varying the principle of full retention for Significant heritage places (*Partial demolition in the case of significant buildings, and of significant elements or the front or principal part of contributory buildings will not generally be permitted*) needs to be established by reference to 'exceptional circumstances' in the decision guidelines at Clause 15.03-1L-02.

It is noted that taken literally, the demolition strategy expectation for full retention would preclude demolition of any existing external fabric, whether visible or not and, including fabric that is of recent origins (which could be non-significant or even intrusive) as well than original or early fabric.

In this case, the HIS recognises the extent of demolition does not meet the detail of all of the strategies in the case of Significant heritage places; specifically it does not retain all external fabric of the two heritage buildings. Rather than seek to establish 'exceptional circumstances', to explain the variance from the 'full retention' principle, however, the approach in the proposal and as considered in the HIS has been to consider the issue of demolition having regard for the specific nature of the fabric impacted and its contribution to the significance of the place and its presentation. It is respectfully suggested that there is strong support in both the local policies for heritage and the decision guidelines at Clause 43.01 (as reproduced above) for such an approach.

The decision guidelines themselves make it clear that significance is a factor to be considered. See, for example, the following:

¹ Clause 15.03-1L-02, 'Heritage - 'Demolition Strategies'

² Clause 43.01 Heritage Overlay Decision Guidelines

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The significance of the fabric or part of the building, and the degree to which it contributes to its three-dimensional form, regardless of whether it is visible.

This guideline does not confirm all fabric regardless of visibility should be retained, rather the significance of all fabric is required to be considered. Moreover, it does not imply that visibility cannot be considered as a factor. Importantly, the language and intent of the local policies do not prohibit partial demolition. The local heritage policies and guidelines at Clause 15.03-1L-02 and the decision guidelines at Clause 43.01 allow scope for partial demolition of significant heritage places where the nature of the fabric to be removed and its relative contribution to the significance of the place would support such an approach.

These considerations (the nature of the fabric and the significance of each of the buildings) have led to different approaches to the two heritage buildings. This is explained in detail in the HIS (at Section 5.1).

In the case of the State Savings Building, the approach was to retain parts of the east and south walls, in order to maintain awareness of the three-dimensional form. The eastern wall of the building would have been visible when the single storey retail building at 607-613 remained but since the construction of the existing building in 1969 has been largely concealed. It was a utilitarian rather than finished elevation, incorporating a light-court and stairwells. The roof is not original.

In the case of the hotel, it is important to recognise (as noted in the HIS) that the bulk of the rear portion of the building has been extensively altered and the significance derives primarily from the facade. This was a key factor in supporting more extensive demolition (beyond that contemplated by policy) in that case.

The northern wall fronting an earlier Right of Way was utilitarian in presentation and has been altered including through the infill building; it is to be rebuilt in part to reinstate a sense of the earlier north return wall.

Ultimately, while noting the general expectation for Significant heritage place, the test for demolition should consider the relationship of the fabric to the heritage values/significance of the heritage place. In these cases, the judgement has been made that the extent of demolition proposed is acceptable in that context.

Note also the HIS comments on the balance of retention between the two buildings, with the more extensive fabric retention for the State Savings Bank allowing for the retention of the banking chamber internally.

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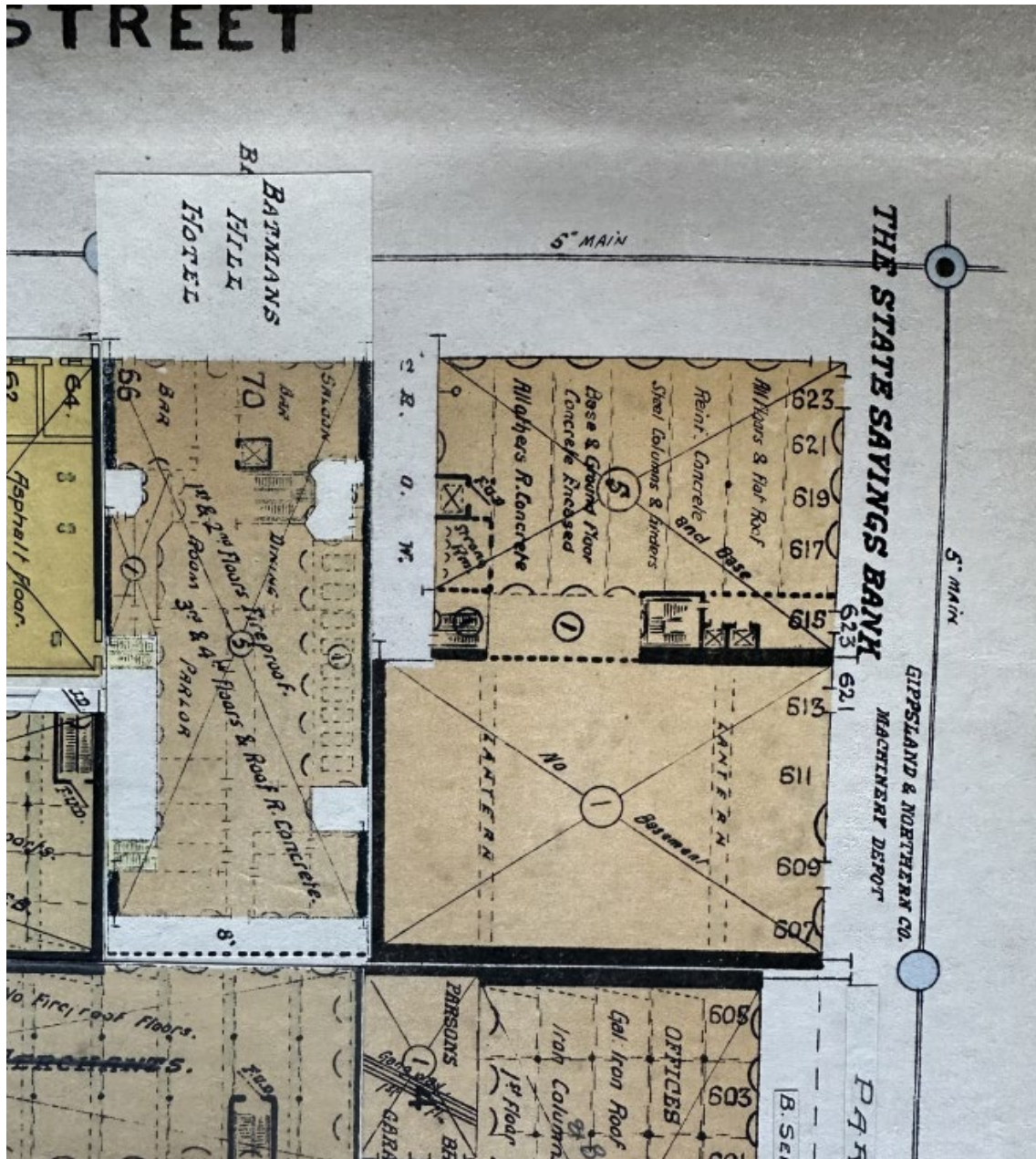
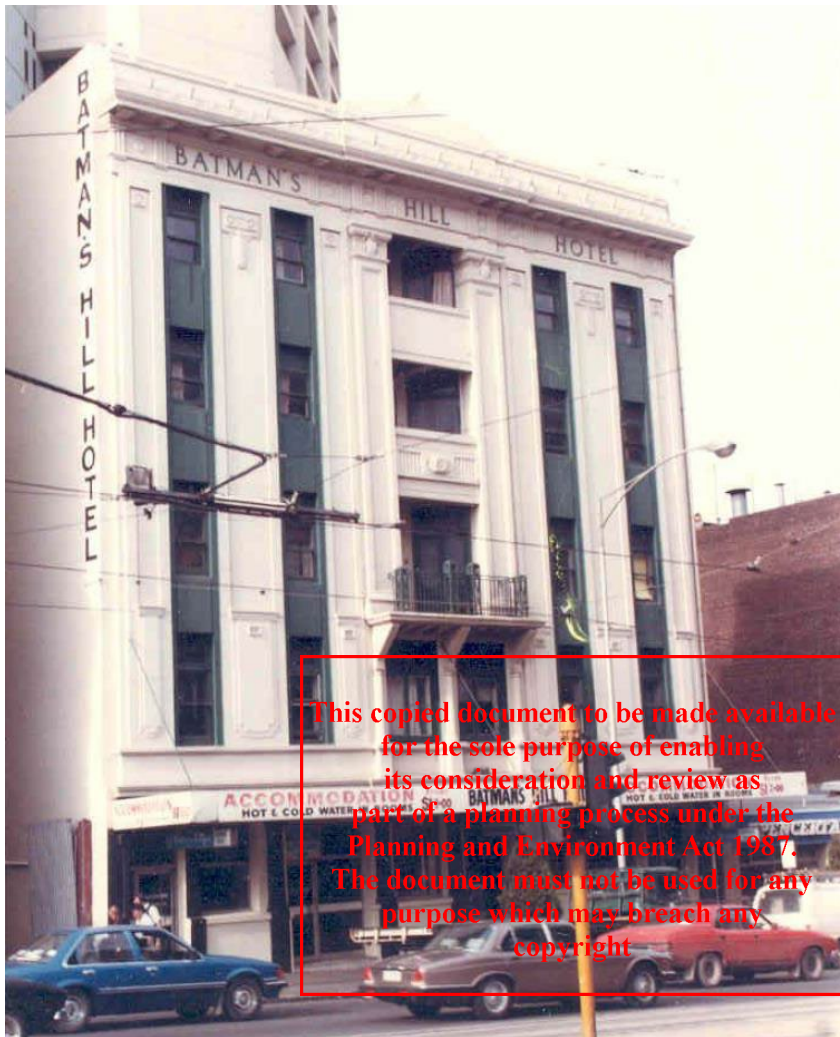


Figure 3 Mahlstedt Fire Insurance plan (1923 base with additional layers) showing R.O.W between the bank and the hotel
 Source: Lovell Chen collection

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Figure 4 Image of the Batman's Hill Hotel included in the 1985 Building Identification Form
Source: Graeme Butler via Hermes Database, Department of Environment, Land, Water and Planning

2.3 Three-dimensional form of the heritage buildings

Issue raised:

The Heritage Advisor is concerned that the proposal does not result in an appreciation of the three-dimensional form of the buildings:

The design whilst having qualities independent of heritage, raises evident contention in being termed quality contextual design. The proposal does not demonstrably retain the three dimensional form of the whole significant building entity and rather is expressive of the destruction of the rear parts of both the individually significant buildings on the site.

The Batman's Hill Hotel will in fact be reduced to its façade and whilst the side wall will be reconstructed to present a building entity extending some depth to the property the tower, rising at a little over the two room depth, will make prominent

expression of the retention of only the front part of the heritage host. [refer to p. 5 and the response to Clause 15.03-1L-02]

Response

As related to the demolition issue, the Heritage Advisor’s concern is for the impact that the evident new works would have on an understanding of the ‘three dimensional form of the whole significant building entity’; in other words, the fact of the new build to the rear and above, will make it evident that parts of the original buildings have been removed.

As an overall comment, it is agreed that it will be evident parts of the buildings have been demolished. A tower development of this nature could not be delivered without partial demolition.

Equally, in both cases the design has been developed in a manner which has regard for the significance, presentation and original fabric of the heritage buildings and which retains or reinstates evidence of their three-dimensional form. As for demolition, the response is different for the two buildings.

In the case of the former State Savings Bank, the overall form and scale of the building and its primary volume will continue to be expressed by the powerful Collins Street/Spencer Street elevations and the retained sections of the east and south returns. The treatment to the south will be an improvement in terms of the expression of this volume following the removal of the infill building on Spencer Street; similarly on the east the relationship with the new build is established with an offset.

In the case of the hotel, a section of the northern return wall to the building is to be rebuilt and this will allow for an improved reading of the three-dimensional form of the front wing of the hotel.

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2.4 Impact of the tower form

Issue raised

The Heritage Advisor raises concerns about the visual dominance of the tower design, as related to setbacks in particular.

‘In this public realm the tower will be visually dominating of the heritage buildings and will not be able to be ‘unseen’ in any view.’

The current tower form design does not have “generous” setbacks as is asserted in the HIS. Few if any properties have a depth of only 8 metres from their frontage and so there can be no credible expectation that the tower form is other than imposed over, and therefore occupies the property and building itself.

The CoM definition for front or principal part of a non- residential building is generally 8-10 metres in depth. [under the response to Additions strategies under Clause 15.03-1L-02]

The Heritage Advisor considers the 8m setback to be ‘a minimum setback having gesture of compliance with the heritage strategies for fabric retention and for avoidance of cantilevering’.

It is further commented that the increased setback for the ‘necked’ component of the design ‘may have some merit but cannot be claimed to ensure that the new presence will be generally experienced as ‘respectful’ of the heritage hosts.’

Under Key recommendations at p. 8, the Heritage Advisor notes:

The tower form set back only 8 metres from the frontages and 'necked', nominally, into the rear of the heritage buildings cannot credibly be considered to 'ensure' the heritage hosts will be appreciated as having been respected when viewed from the surrounding, and quite extensive, public realm.

Response:

While expressing concern about the visual dominance of the tower, the Heritage Advisor has not recommended specific changes.

The setback proposed is within the range sought by the local policy (8-10 metres) and consistent with the minimum recommended by the Heritage Advisor.

The setback to Spencer Street has been increased by 300mm to 8.3 metres (to the glass façade).

The assessment in the HIS is that the setbacks provided are sufficient to ensure that the heritage buildings remain dominant in a pedestrian interface level. Clearly, the tower will be evident in longer views. This is an approach which in a central city context can successfully manage the transition from heritage building as podium and contrasting tower form above.

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