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FORMER TAXATION OFFICE

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HERITAGE IMPACT STATEMENT
436-450 Lonsdale Street, Melbourne

May 2024

Prepared for

**DEPARTMENT OF TRANSPORT AND
PLANNING**

Prepared by

LOVELL CHEN



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ACKNOWLEDGEMENT OF COUNTRY

436-450 Lonsdale Street is located, and this report was prepared, on the lands of the Wurundjeri people who have been custodians of this land for thousands of years. We acknowledge their stories, connection to land, water and culture which is embedded in Country. We pay our respects to their Elders past and present and acknowledge that this report includes a post-contact history that forms only a small part of the ongoing story.

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Quality Assurance Register

The following quality assurance register documents the development and issue of this report prepared by Lovell Chen Pty Ltd in accordance with our quality management system.

Project no.	Issue no.	Description	Issue date	Approval
10264	1	Heritage Impact Statement	28/05/2024	MK

Referencing

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Front elevation of 436 – 450 Lonsdale Street, Melbourne

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1.0 INTRODUCTION

This Heritage Impact Statement (HIS) has been prepared on behalf of the Department of Transport and Planning (DTP) to accompany a planning permit application for the partial demolition and redevelopment of the former Taxation Office at 436-450 Lonsdale Street, Melbourne (Figure 1).

In the preparation of this report, reference has been made to the following documentation:

- Architectural drawings prepared by Wardle, dated 20 May 2024 and numbered (all Revision 1):
 - AR0000
 - AR0100 – AR0101
 - AR300 – AR0308 (inclusive)
 - AR0600 – AR0602 (inclusive)
 - AR1000 – AR1007 (inclusive)
 - AR3000 – AR3001
 - AR3500
 - AR9002 – AR9005 (inclusive)
- Urban Context Report, prepared by Wardle, dated May 2024

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Figure 1 Plan showing the location of the subject site, indicated by the red star

Source: www.streetdirectory.com.au

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1.1 Background

A series of pre-application discussions have been held with the City of Melbourne and DELWP to facilitate the development of a design response that addresses the heritage considerations raised in these discussions.

Pre-application discussions – August 2023

Initial pre-application discussions were held with the City of Melbourne in August 2023 to introduce the project and discuss the existing condition of the building and the relevant planning considerations. The proposal as initially presented included partial demolition of the existing building, retaining the Art Deco façade to Lonsdale Street and returns to the east and west elevations, and a new tower to the rear of the retained façade rising to approximately 80 metres to the roof level with plant and a rooftop garden above. The setback to the new development above the retained building included in this scheme was five metres from Lonsdale Street, and five metres from the east property boundary (to the south-east corner) with construction to the east property boundary to the rear (north) (Figure 2).

The key heritage issues raised in these discussions were focussed on the partial demolition of a significant building, as well as the siting and response of the new building to the heritage context. Specific elements of the design were also identified, including the five metre setback to Lonsdale Street and the east property boundary, the connection between the retained heritage building and the new building, and a 1.7 metre cantilever of the tower over the south-east corner of the heritage building.

Revisions to the proposal provided to the City of Melbourne for further review included an increase to the setback to the south-east corner to eight metres from the east property boundary to delete the cantilever element, and minimally increasing the overall height of the tower to achieve the required floor plate areas (Figure 3). Given the issues with providing a viable tower floorplate in the south-east corner of the new building, a consistent setback of five metres from Lonsdale Street was maintained in this scheme.

Subsequently, the City of Melbourne raised general concerns with the overall proposal, relating to the extent of demolition of a significant building and the interface with the new building.

Assessment of Heritage Issues - October 2023

To respond to the issues raised by the City of Melbourne, an Assessment of Heritage Issues was undertaken in October 2023. This provided an assessment of the revised proposal as presented to the City of Melbourne and the potential impacts on the heritage values of the subject property and surrounding heritage context. The conclusion of this assessment was that, on balance, 'the proposed development presents as a scheme that has had due regard for the significance of the subject building and specific site conditions, and responds appropriately to the heritage and planning controls that apply to the place.'

Where relevant, the assessment of the proposal as addressed in the October 2023 Assessment of Heritage Issues has been included in this HIS.

Pre-application discussions – November/December 2023

Subsequent pre-application discussions were held with Council in November 2023, and comments from Council's Heritage Advisor were received in December 2023. The outcome of these discussions indicated a level of comfort with the proposal for partial demolition of the subject building, with retention of the stepped façade and returns to the east and west, although the setback of a new tower of 5 metres from Lonsdale Street was raised as a heritage concern.

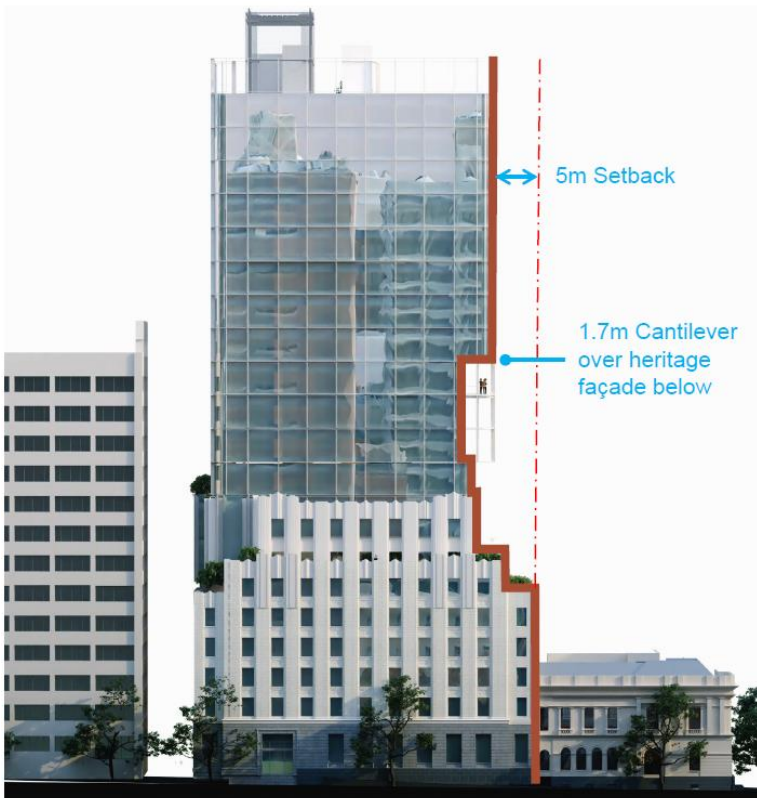
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Pre-application discussions – February/March 2024

Further pre-application discussions were held with the City of Melbourne and DELWP in February and March 2024. The initial outcome of these discussions was that a setback to the new tower of five metres from Lonsdale street and an additional two-three levels in height could be contemplated from a heritage perspective if a greater setback was incorporated in the south-east corner of the building.

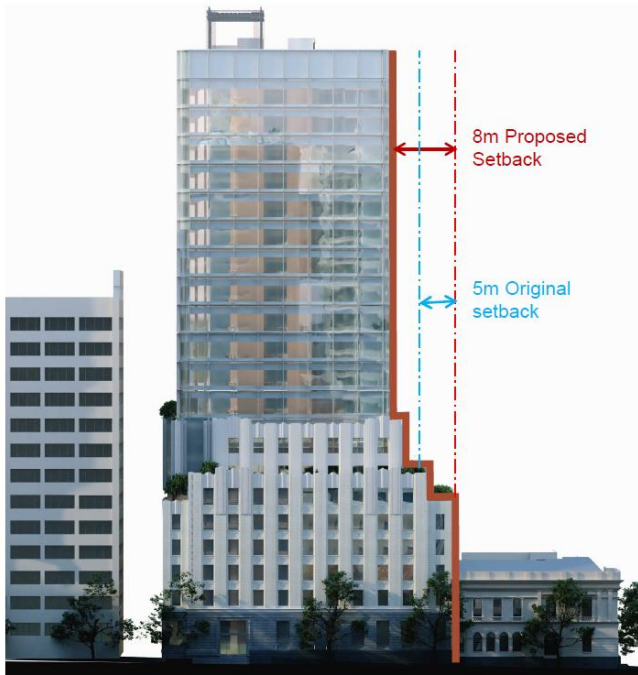
The conclusion of these discussions identified a preferred option (from Council and DELWP) for the proposed new development, adopting a rectangular form aligning with the east property boundary to the rear of the site and incorporating a five metre setback from Lonsdale Street, a five metre setback from the centre of Lonsdale Lane to the west (two metre setback to the west property boundary), and three metre setback to the north property boundary (Figure 4). With a greater setback of the tower element from the east side of the building (in the order of 18 metres), this approach was considered to provide a greater relief to the heritage façade of the subject building and to the Land Titles Office neighbouring the subject property to the east.

Further exploration of the interface between the retained façade and new tower, as well as a design response to integrate the rooftop services into the façade design for the building was encouraged in these discussions. The current proposal for the redevelopment of 436-450 Lonsdale Street, and the subject of this permit application, is consistent with this approach.



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Figure 2 Initial scheme for 436-450 Lonsdale Street, presented August 2023
Source: Wardle



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Figure 3 Revised scheme for 436-450 Lonsdale Street, presented August 2023
Source: Wardle



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Figure 4 Preferred option for the redevelopment of 436-450 Lonsdale Street, presented March 2024
Source: Wardle

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2.0 STATUTORY CONTROLS AND LISTINGS

2.1 Melbourne Planning Scheme

The subject site at 436-450 Lonsdale Street is individually identified as HO717 in the Schedule to the Heritage Overlay (HO) of the Melbourne Planning Scheme. The mapped extent of the HO is provided at Figure 5. There is a discrepancy between the mapping of HO717 and the footprint of the subject building, although this presents as, and is understood to be, a mapping error.

The Schedule to the HO applies external paint controls and solar energy system controls. Internal alteration controls and tree controls do not apply. Under the provisions of the HO, the site is subject to the decision guidelines for permit applications at Clause 43.01 'Heritage Overlay' and the strategies and guidelines at Clause 15.03-1L -02 'Heritage'.

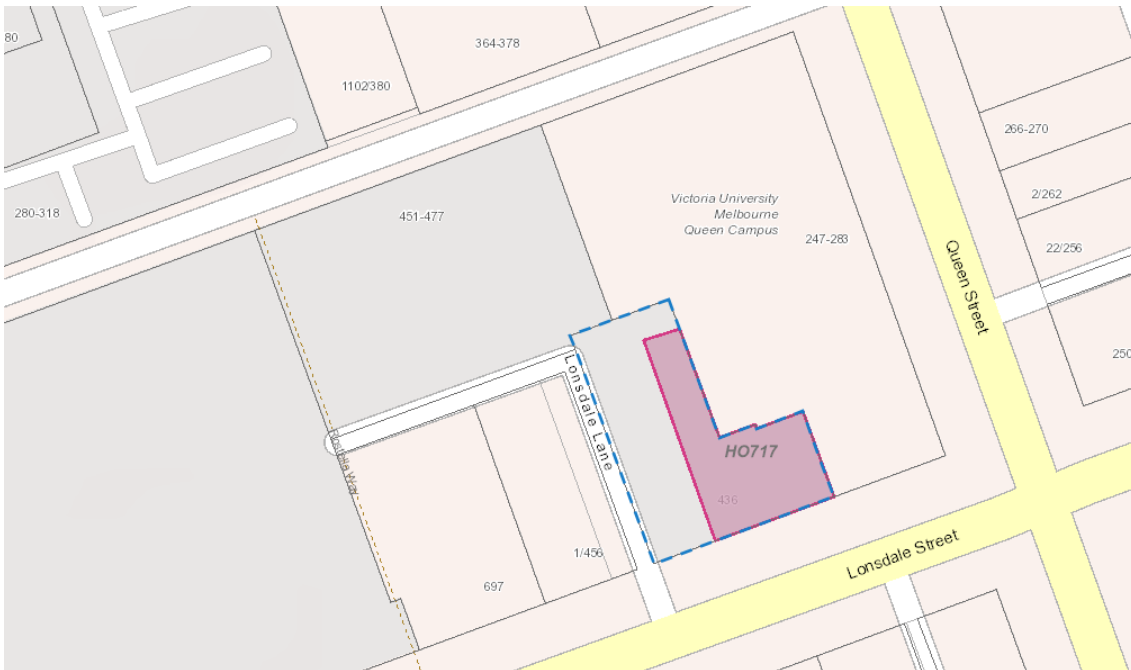


Figure 5 Detail of the Heritage Overlay extent for the subject site (HO717) with the full extent of the subject property to the title boundaries identified in blue hatch

Source: VicPlan

Statement of Significance

The statement of significance for the site as included in the *Central Activities District Conservation Study* (Butler, 1984) is as follows:

The Taxation Office was built in 1924 to a design by architects Oakley and Parkes. The two top floors were added by the Public Works Department in 1935. The design of the building conveys a deliberate attempt to marry the Renaissance [sic] style of the adjacent Titles Office with the 'Wall Street' image of a modern financial

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building. It is a notable indicator of the early establishment of the Commonwealth Government in Melbourne.¹

This statement of significance also appears on the Council's i-Heritage database. It is noted that that the statement of significance appears to contain several errors. Notably, the building was constructed in 1929-1930 with two subsequent programmes of work. The first in c. 1938 added three additional storeys above the rear sections of the building and the second in c. 1942 added three additional storeys to the Lonsdale Street frontage (refer Section 3.0).

Building grading

The property is identified as a 'significant' building in the *Heritage Places Inventory March 2022 (Amended May 2023)*, an incorporated document to the Melbourne Planning Scheme.

Significant heritage places are defined in this document as follows:

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

Individual heritage places are defined in this document as follows:

An individual heritage place is equivalent to a significant heritage place. It may be categorised significant within a heritage precinct. It may also have an individual Heritage Overlay control, and be located within or outside a heritage precinct.

2.2 Other planning controls

The subject site is located in the Capital City Zone (CCZ) and is subject to Clause 43.02- 2 Design and Development Overlay (DDO1 – Urban Design in Central Melbourne) and (DDO10 – General Development Area – Built Form).

3.0 BRIEF HISTORY AND DESCRIPTION

History

Former State and Federal Taxation Office

The MMBW plan from 1895 shows the subject site occupied by a cottage, laneway and Crown Law Offices (Figure 6). The earliest version of the Mahlstedt plan from 1923-28 (Figure 7), shows little change to the site when compared to the MMBW, with the photograph from c. 1927-28 (Figure 8) providing a view of the site at this time. Based on the dates of these maps and image, it is unlikely that the building was constructed in 1924 as suggested by the statement of significance. The date of 1929 as indicated above the main entrance does appear to be a more accurate construction date. A photograph from 1930 indicates that this is the year of completion (Figure 9).

¹ i heritage database, <https://www.melbourne.vic.gov.au/building-and-development/heritage-planning/Pages/i-heritage-database-search-results.aspx?heritageid=2121>, accessed 27 September 2023.

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The subject building was built to a design by the notable Melbourne firm Oakley and Parkes. It was constructed by McLennon Brothers. The original design was of five-storeys in a Neoclassical mode. The steel and concrete building was faced in granite at ground level, and Stawell sandstone above. A decorative freeze at parapet level was adorned with victory wreaths with acroteria above. The decision to use natural materials rather than concrete, as had originally been proposed, increased the cost of the building by £10,000 but was thought to be more suitable and in-keeping with the fine government buildings such as the Law Courts in the vicinity.²

Substantial works to the building appear to have been undertaken in the mid/late-1930s, including three additional levels and rooftop elements (caretaker's cottage) to the rear by 1938. Further changes occurred in 1941, including the remodelling of the façade and an increase in the building height to the street with additional levels constructed above the Lonsdale Street frontage. These works brought the entirety of the building to eight storeys to the front and nine storeys to the rear.

Specific changes included extending the street wall vertically with the addition of an additional part storey and a new parapet in artificial stone; the original frieze and acroteria were entirely removed. At a setback from the street wall, two further storeys and, cement rendered a parapet were constructed.³ These works were designed under the supervision of Percy Everett, the Chief Government Architect,⁴ and produced the present-day building to an expression more typical of an interwar Art Deco building.

Throughout these works, the footprint of the subject building remained unchanged and the columnar configuration of the façade has been preserved in the later streamlined façade.⁵ HVAC plant has subsequently been introduced above the facade which is visible from Lonsdale Street. A view of the western elevation of this building shows the building largely as it is today, showing the stepped levels from five up to nine. It is noted however, that the construction of the subject building saw the movement of Lonsdale Lane to the west, adjacent to 452 Lonsdale Street.

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² 'News of the Day, New Taxation Offices', *The Age*, 11 December 1928, p.9

³ Victorian Public Records Office, Taxation Office, Front Elevation to Lonsdale Street, 1941, VPRS 3686 P19, unit 1579.

⁴ Peter Andrew Barrett -State Public Offices, 436 Lonsdale Street, Melbourne, www.facebook.com

⁵ Victorian Public Records Office, Taxation Office, Ground Floor Plan, 1928, VPRS 3686 P19, unit 1563; Front Elevation to Lonsdale Street, 1941, VPRS 3686 P19, unit 1579.

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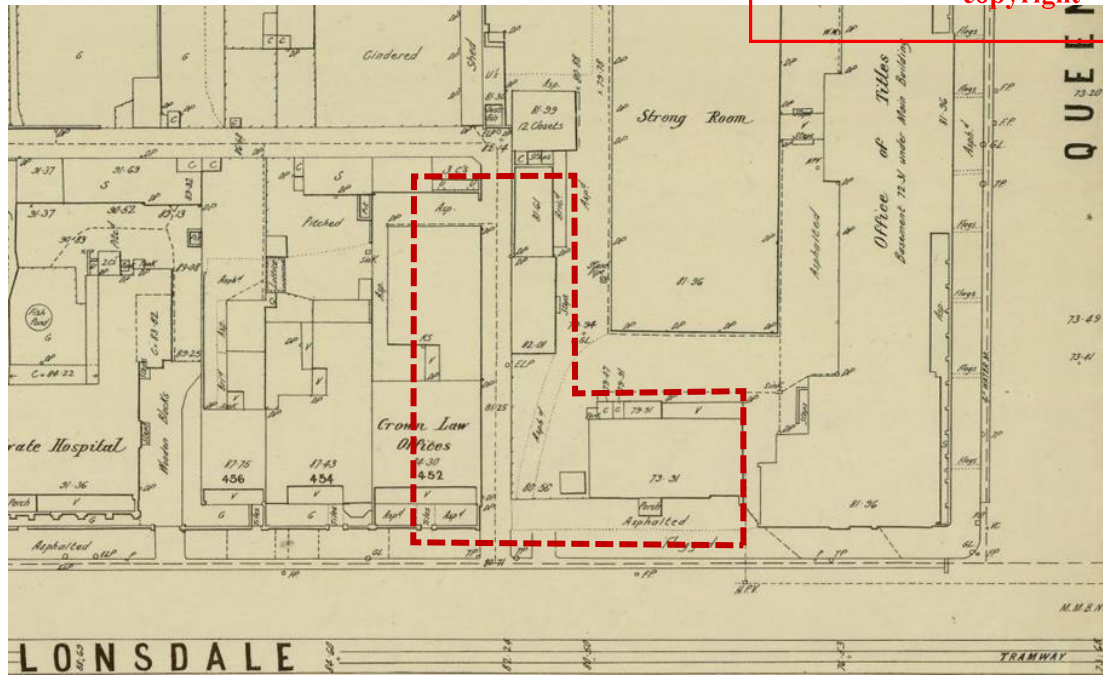


Figure 6 MMBW detail plan 1017 from 1895 showing the approximate extent of the subject site (outlined)
Source: State Library of Victoria

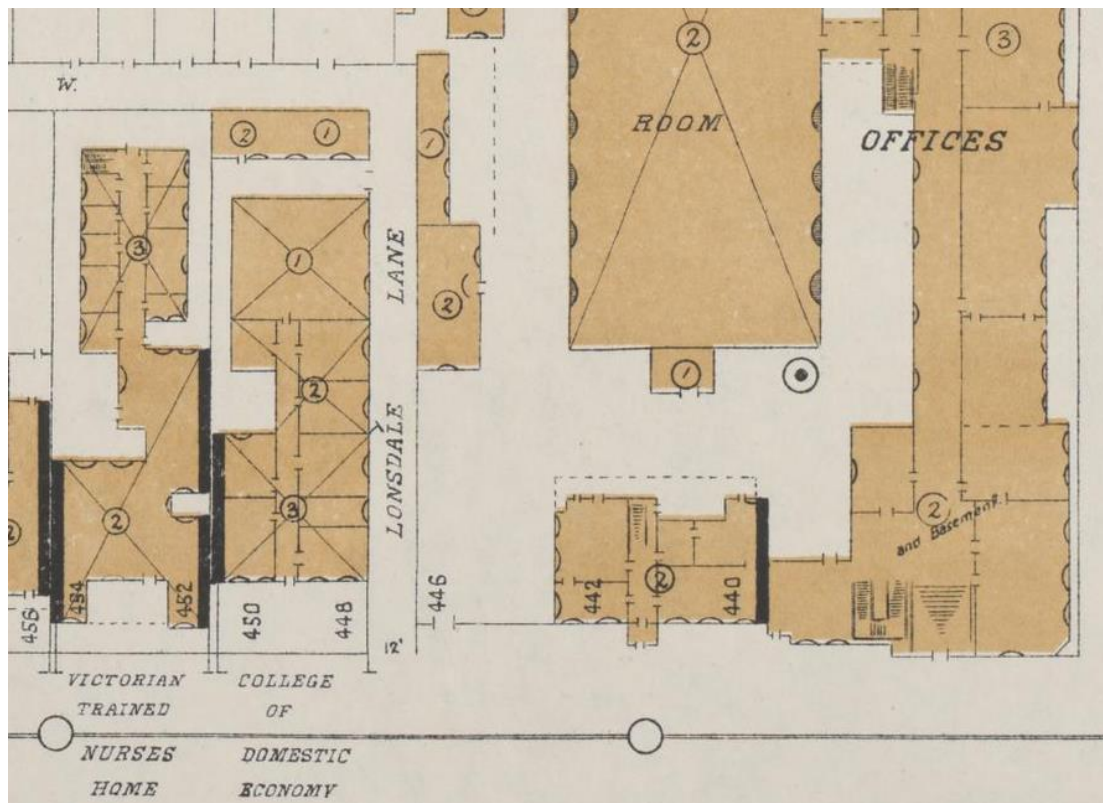


Figure 7 Mahlstedt Plan, Section 2, Version 1, Plan 3A from 1923-1928
Source: State Library of Victoria

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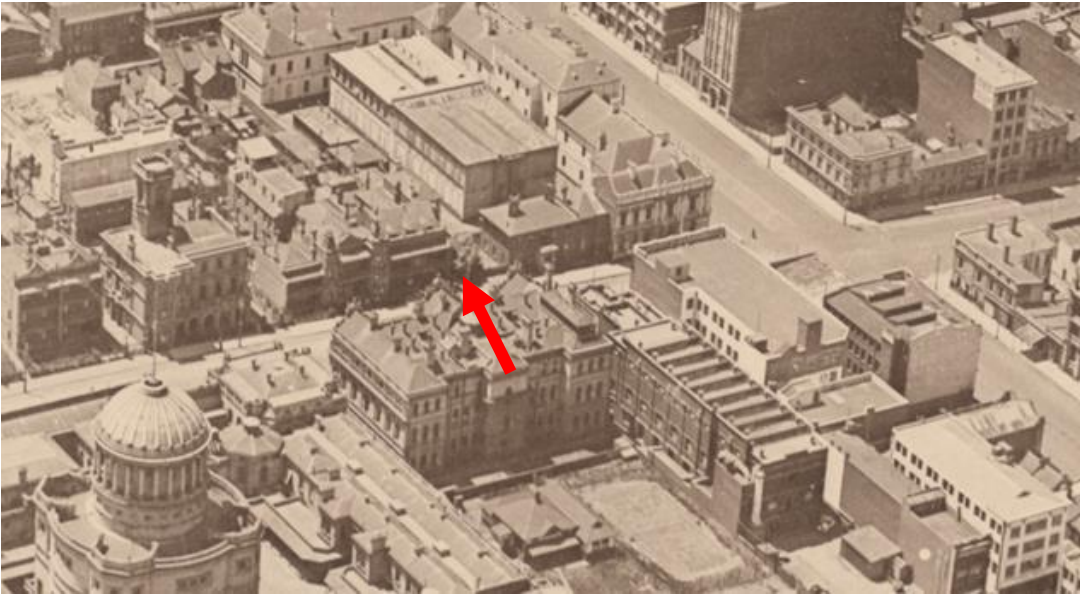


Figure 8 Aerial view of the subject site in c. 1927/1928 with site of the subject building indicated
Source: State Library of Victoria



Figure 9 Taxation Offices, Lonsdale Street, on completion in 1930
Source: State Library of Victoria, Commercial Photographic Co., Bib Id 3394306

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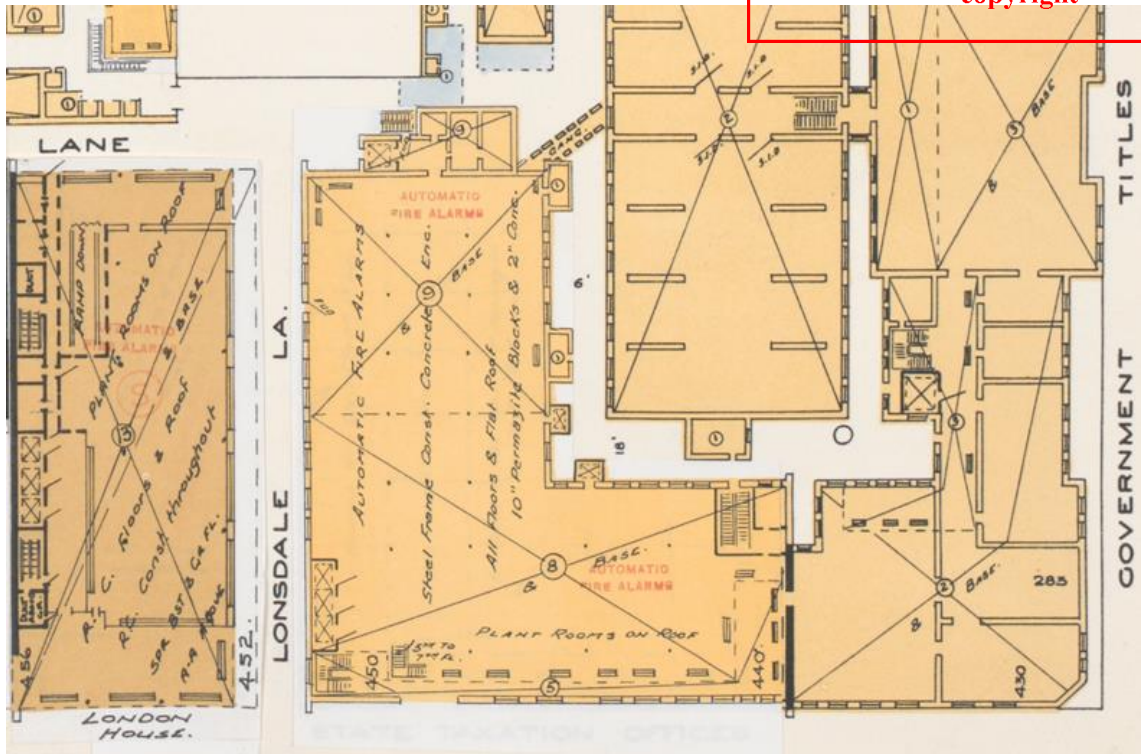


Figure 10 Mahlstedt plan, Section 2, Version 7, Plan 3A, from 1948
Source: State Library of Victoria

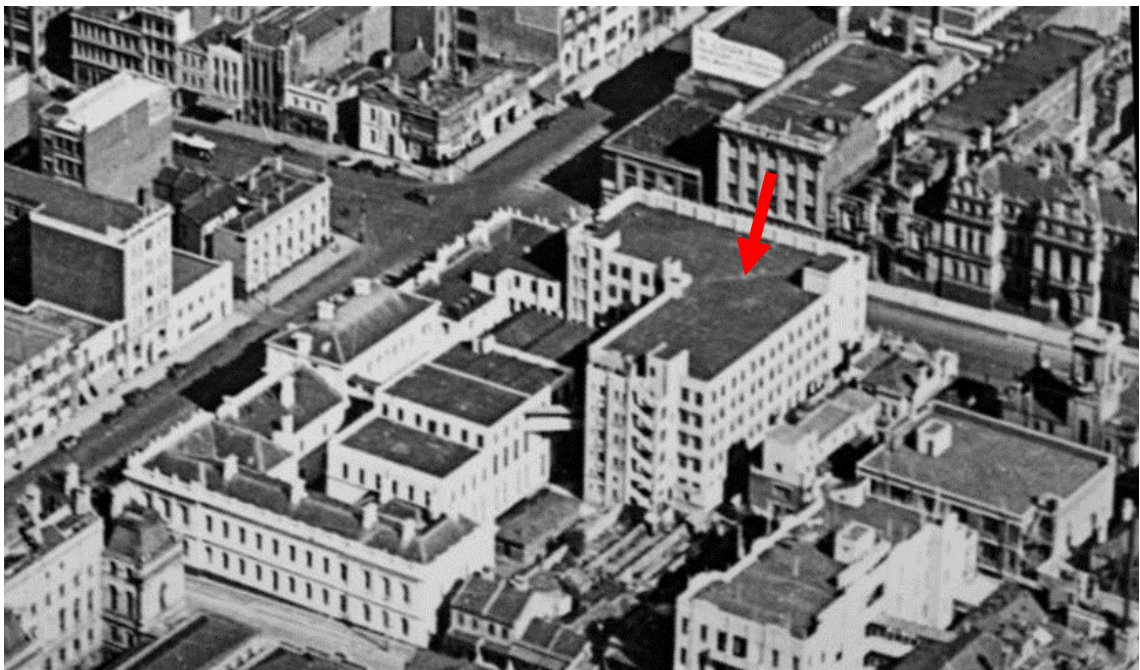


Figure 11 [Detail] Oblique aerial view south east from above the corner of Lonsdale and Elizabeth Streets, c. 1935/36, Kerr Brothers, photographers: the Taxation Office is indicated
Source: State Library of Victoria, accession no. H99.100/13

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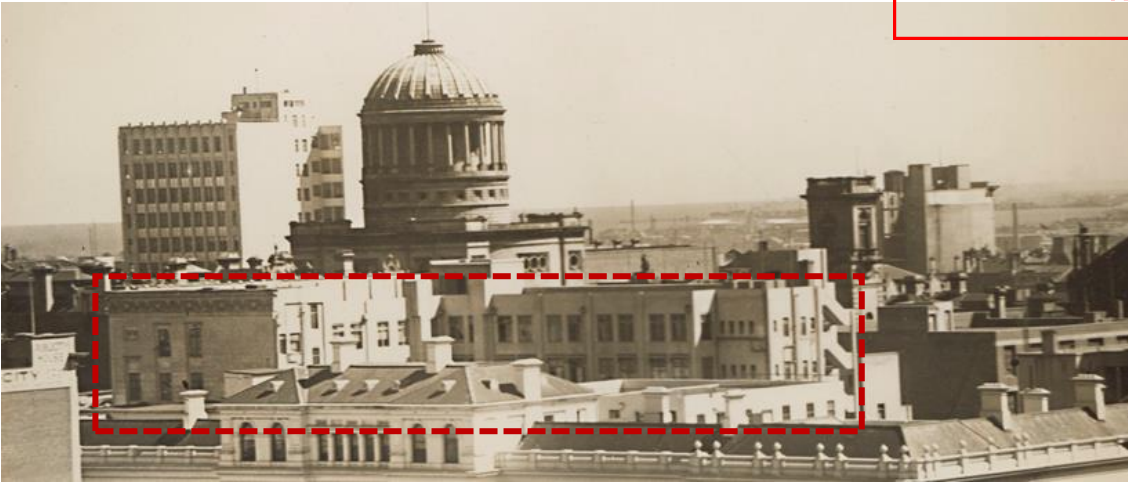


Figure 12 Rear view of the Taxation Offices [indicated] c. 1930-40 Thomas O G Mahood, photographer; likely to date from 1930-1937 as the upper storeys and caretaker's cottage are not present.

Source: State Library of Victoria, BIB ID2291493



Figure 13 [Detail] View looking north-east, 1938: by this time the Taxation office (indicated) had been extended vertically by three levels and a caretaker's cottage had been added to the roof.

Source: State Library of Victoria, accession no: H99.149/532

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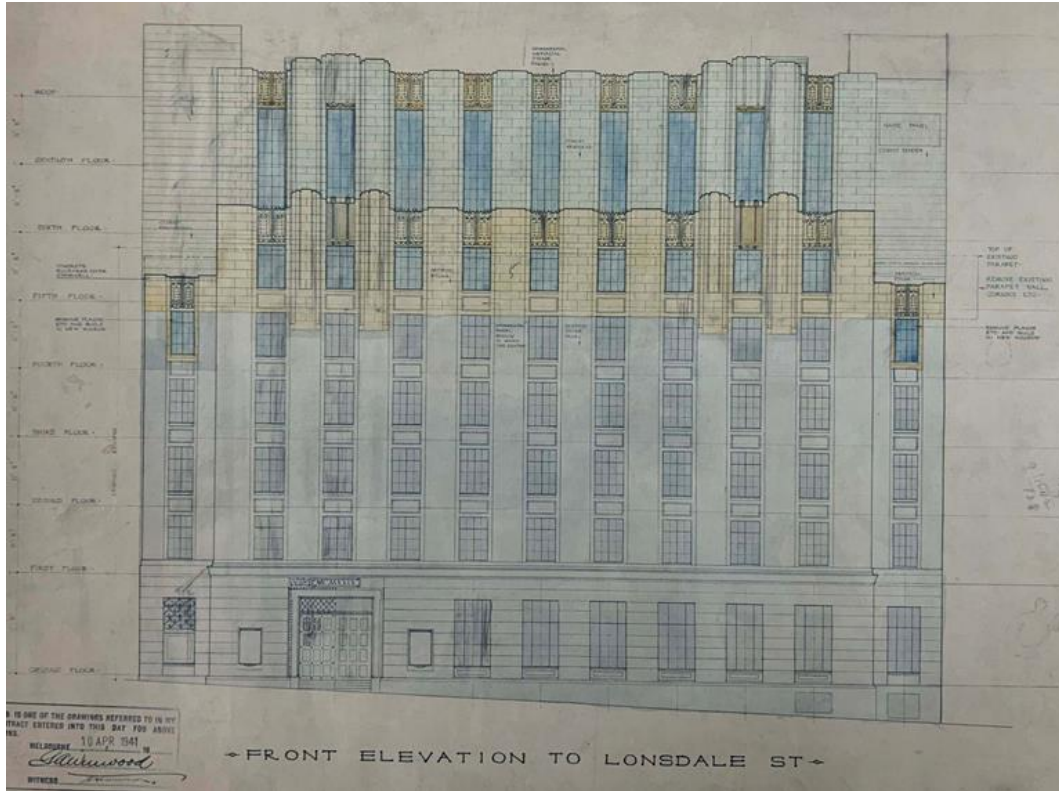


Figure 14 Taxation Offices, Lonsdale Street, drawing of new façade, 1941
Source: Victorian Public Records Office: VPRS 3686 P19, unit 1772

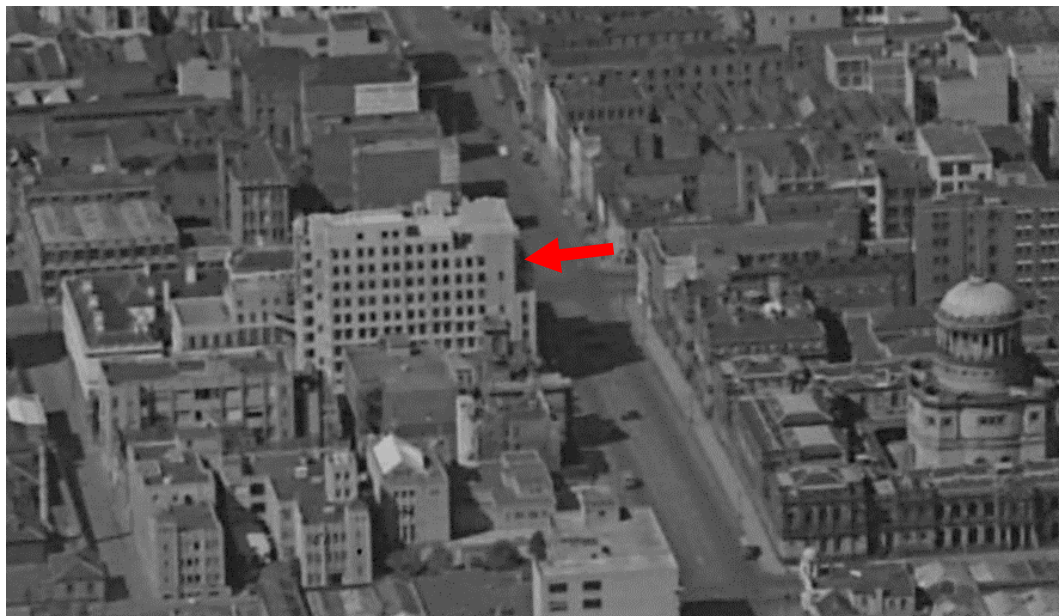


Figure 15 Aerial photograph from 1945 showing the western elevation of the subject site (indicated)
Source: State Library of Victoria

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Site description

The subject site is a nine-storey building located on the north side of Lonsdale Street between William and Queen streets and bounded by Lonsdale Lane to the west (Figure 16). The lower five levels of the building comprise a granite base, while the sandstone clad upper floors are designed in a restrained classical revival style. The added floors above are finished in moulded render and are designed in an Interwar Art-Deco style.

The front façade is largely symmetrical with the main entrance at the western end of the front (south) façade. Ten bays across the front façade are separated by flat faced piers (Figure 17). The building has stepped upper levels with six-storeys to the street, and additional two storeys stepped back from this, progressing to nine storeys at the rear. The joinery to the building is metal in a bronze colour with a decorative element above the main entrance door, which includes a modern automatic door. Beneath the projecting sill of each window on the front façade is a decorative panel containing an urn with a wreath on either side. At the upper level this decorative treatment is at the base of vertical fluting. A simply decorated arch surrounds the main entrance with two floral ornamentations and MCMXXIX between, above the door. The Roman numerals above the main entrance of 1929 indicates the possible date of construction or completion of the subject building. The rear the building is largely utilitarian in design, with rendered facades and no window ornamentation (Figure 18). Located in this area to the rear, is an external stairwell accessible from the laneway on the western side of the building (Figure 19). The eastern façade contains a three-bay return with plain render to the rear of the elevation (Figure 20). There is a one bay return to the western façade to Lonsdale Lane.

Streetscape

Historically, the area in which the subject site is located has functioned as a legal precinct dominated by courts and civic buildings. Adjacent to the eastern side, addressing Queen Street, is the Former Land Titles Office at 283 Queen Street (Figure 21). The building was constructed in three stages to designs by J. J. Clark. The front façade spans the full length of the Queen Street block and is symmetrical, constructed of rendered brick, built over a bluestone plinth with two wings to the north and south, with the south wing abutting the subject site. This property is individually identified as HO732 in the Schedule to the Heritage Overlay of the Melbourne Planning Scheme and is included on the Victorian Heritage Register, designated as place number H1529. Also in close vicinity are the former Public Records Office at 287-297 Queen Street (VHR H1528, Melbourne Planning Scheme HO733) and the Supreme Court Building at 210 William Street (VHR H1514/H1477, Melbourne Planning Scheme HO757).

The area is undergoing change and increasingly includes development of multi-storey commercial or residential towers. Adjacent to the subject site at 456 Lonsdale Street on the western side, separated by Lonsdale Lane, is a 13-storey tower. Notwithstanding that Heritage Overlay mapping (identified as HO719) has been applied to the full extent of this property to the title boundaries, this building was not identified in the *Central Activities District Conservation Study (Butler, 1984)* and is not included in the *Melbourne Planning Scheme, Heritage Places Inventory March 2022 (Amended May 2023)*. This mapping error is addressed in Section 5.2 of this HIS.

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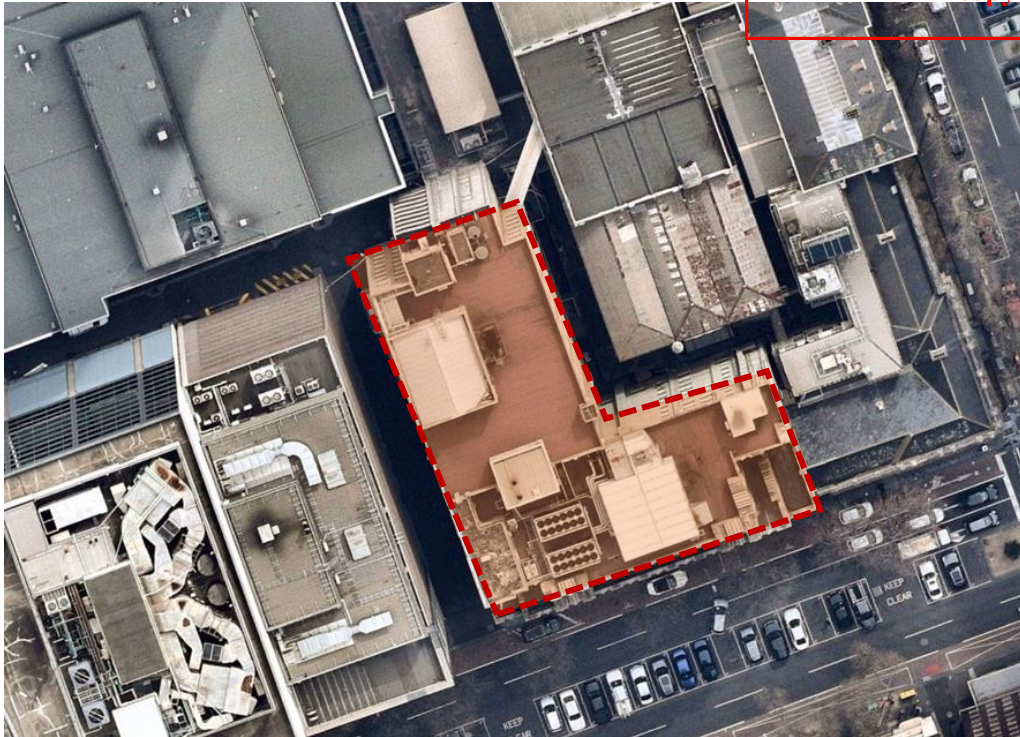


Figure 16 Aerial view of 436-450 Lonsdale Street, the subject site is outlined
Source: Nearmap, 3 September 2023



Figure 17 The southern (front) elevation as viewed from Lonsdale Street

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Figure 18 The western elevation as viewed from Lonsdale Lane (left) and detail of the return from the front façade (right)



Figure 19 The external stairwell and north (rear) elevation of the building

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Figure 20 Oblique view west to the eastern façade of the subject building as viewed from the intersection of Lonsdale and Queen streets



Figure 21 View west to the Former Land Titles Office at 283 Queen Street with the top of the subject site visible above the trees

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4.0 PROPOSED WORKS

The proposal is for the partial demolition of the existing building to the rear of the principal façade and construction of a tower development to the rear.

The full extent of the stepped façade of the building will be retained, as well as the full extent of the façade returns to the east and west. The remainder of the building to the rear will be demolished (refer Figure 22).

The extent of the heritage building to be retained will be supported and protected during demolition (to the rear) and construction works. The proposal will also include conservation and make good works to the retained building façade and returns, as well as the replacement of window glazing in the existing openings to meet building performance standards.

The proposed new development is a rectangular tower to the rear of the retained façade, rising to approximately 98 metres, with a rooftop garden at level 23 and services above largely concealed within a continuation of the building façade.

The base of the proposed new building to the rear of the retained façade (to level 8 to the west and level 5 to the north and east) will comprise a combination of projected vertical stripped windows with fluted precast panels between (Figure 24). To Lonsdale Lane, the proposed new building will incorporate a series of deep reveal glazed window openings to the lobby and end of trip facilities.

The tower above will comprise a glazed curtain wall overlaid with a gridded façade system matching the colour of the sandstone in the retained heritage façade (Figure 23).

At the interface of the retained façade, the existing solid stair tower and flagpole element at the upper level of the western end of the façade will be removed. It will be replaced with a solid vertically fluted precast element, matching the height of the existing element and coloured to match the existing sandstone façade (Figure 25).

The development scheme includes a five metre setback to the tower from Lonsdale Street, with new built form to the rear of the retained building. The tower will be set back in the order of two metres from the title boundary of Lonsdale Lane and in the order of five metres from the rear property boundary. Above level nine, the tower will be contracted to the western extent of the site, with the full extent of the tower aligning with the east property boundary to the rear of the site. At the south-east corner of the subject property, the tower will be set back in the order of 18 metres.

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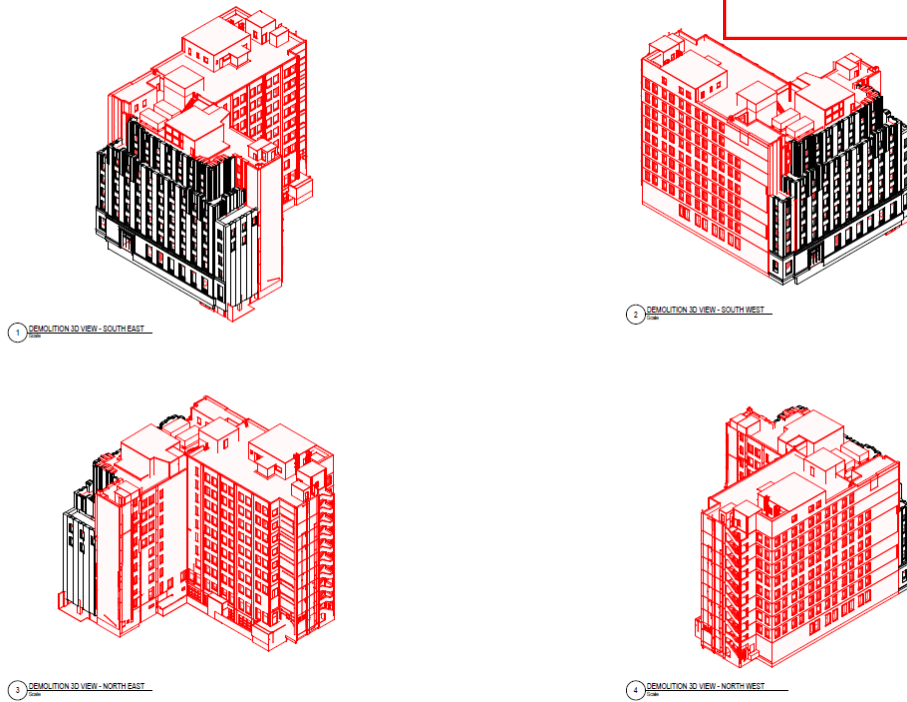


Figure 22 Proposed extent of demolition shown in red
Source: Wardle



Figure 23 Render view of the proposed development from the corner of Lonsdale and Queen streets
Source: Wardle

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Figure 24 Render view of proposed tower interface with heritage building (at south-east corner)
Source: Wardle



Figure 25 Render view of proposed tower interface with heritage building (at south-west corner)
Source: Wardle

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4.1 Reason for the works

Before its closure, the subject building at 436 Lonsdale Street was leased by DTP (then DTF Property Group) to Court Services Victoria and accommodated hearing rooms used by the Supreme Court and the Children’s Court, and associated office accommodation for jurisdictional staff. The Supreme Court occupied six floors of the building, which contained eight courtrooms used for commercial and common law matters, mediation rooms, registries, chambers, and administrative areas. The Children’s Court also occupied part of the building. On 26 February 2021, the building was unexpectedly vacated when serious problems in its fire management system were discovered. The building is currently still vacated and the original user, Court Services Victoria, indicated that they have no desire to move back into the building as-is or refurbished as it is not fit for purpose.

Adaptation of the existing building for other uses, including for short-term accommodation or office use was considered, however there has been no interest from potential tenants for this option due to the current condition of the building which provides low amenity spaces. The existing built form offers little opportunity for viable refurbishment for several reasons, including low floor to ceiling heights of 3.5 metres, and limited floor area with inadequate circulation within the existing levels. The ratio of solid/windows offers limited access to natural light to the rear of the building, and the existing fabric provides little opportunity for ground level activation. The fire rating requirements to adapt the existing building are also cost prohibitive.

The proposed redevelopment scheme is in response to the current building and site conditions and constraints. The potential heritage impacts of the proposed scheme are addressed below.

5.0 ASSESSMENT OF HERITAGE IMPACTS

The proposal is for partial demolition of the existing building with façade retention to Lonsdale Street and new development behind. The key heritage considerations are the extent of the proposed demolition and the scale, form and setbacks of the proposed addition. As noted, the relevant heritage provisions in the Melbourne Planning Scheme are Clause 15.03-1L-02 ‘Heritage’ and the decision guidelines at Clause 43.01 ‘Heritage Overlay’. Relevant definitions in informing the policy are contained in the *Heritage Places Inventory March 2022 (Amended May 2023)*.

5.1 Demolition

The relevant decision guideline in Clause 43.01 relating to demolition requires that consideration must be given to whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.⁶

The demolition strategies included in Clause 15.03-1L-02 in relation to partial demolition of significant heritage places are 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.
- Encourage the retention of the three-dimensional form regardless of whether it is visible whilst discouraging facadism.

⁶ Melbourne Planning Scheme, Clause 43.01-8 ‘Decision Guidelines’.

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- Encourage adaptive reuse of a heritage place as an alternative to demolition.
- The poor structural or aesthetic condition of a significant or contributory building will not be considered justification for permitting demolition.
- A demolition permit will not be granted until the proposed replacement building or works have been approved.

In applying this policy the relevant definitions are as follows:

<p>Front or principal part of a building</p> <div style="border: 2px solid red; padding: 10px; margin: 10px 0;"> <p style="text-align: center; color: red; font-weight: bold;">This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>	<p>The front or principal part of a building is generally considered to be the front two rooms in depth, complete with the structure and cladding to the roof; or that part of the building associated with the primary roof form, whichever is the greater...</p> <p>For most non-residential buildings, the front or principal part is generally considered to be one full structural bay in depth complete with the structure and cladding to the roof or generally 8-10 metres in depth.</p> <p>For corner sites, the front or principal part of a building includes the side street elevation.</p> <p>For sites with more than one street frontage, the front or principal part of a building may relate to each street frontage.</p>
<p>Facadism</p>	<p>The retention of the exterior face/faces of a building without the three-dimensional built form providing for its/their structural support and understanding of its function.</p>

The proposal involves demolition of the rear of the building with retention of the façade and returns to the east and west. Recognising the proposal for partial demolition is not an action typically supported by the local policy, the assessment below has had regard for the evolved nature and specific site conditions of the subject building, as well as the context of heritage places within the City of Melbourne.

In applying the applicable strategies, the demolition policy guidelines include the following relevant considerations for demolition of heritage places:

- The assessed significance of the 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.

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- Whether the demolition will adversely affect the conservation of the heritage place.
- Whether there are any exceptional circumstances.

The former Taxation Office Building is a building of individual significance. While the existing citation for the building is not comprehensive, the building is significant as a prominent example of the work of notable architects Oakley and Parkes, with additions by the PWD under Chief Architect Percy Everett; for the design of its 1930/1941 façade; as a notable indicator of the early establishment of the Commonwealth Government in Melbourne; and as an important element in the streetscape.

The demolition of the building to the rear of the façade will result in the loss of the majority of the existing built form, including the additional levels and the added caretaker's cottage at roof level. The rear of the building appears generally to be intact to the late 1930s, and the demolition of this rear part of the building will impact on an understanding of the form as developed to this date. In considering the unique site conditions and presentation of the building however, the subject building clearly presents as an evolved façade to Lonsdale Street, with the stepped arrangement of the upper levels and façade returns to the east and west clearly distinguishing the principal and more decorated front façade from the functional unadorned structure to the rear.

The key consideration from a heritage perspective is the degree to which the extent of the building proposed for demolition contributes to the significance and understanding of the subject property. In this instance, the significance of the building is derived almost entirely from the form and detail of the building façade, as noted in the statement of significance which identifies the civic context and style of the design by Oakley and Parkes, and later the PWD under Percy Everett, in expressing the status of the offices in a location with a focus on civic buildings. The historical significance of the building is derived from its location within this civic and legal precinct, and the manner in which the building façade evidences this function in proximity to the former Land Titles Office, the former Public Records Office and the Supreme Court Building. Although the fabric of the building to the rear of the façade is partly visible within the surrounding streetscape context, the rear building form does not demonstrate this status or historical connection to this precinct, and does little more than provide the necessary office accommodation in a utilitarian building form. While the heritage policy encourages the retention of the three dimensional form of heritage buildings, the evolved design of the subject building clearly differentiates the formality of the façade and returns from the utilitarian nature of the building to the rear.

In responding to this hierarchy of importance the proposal will retain the full extent of the façade and returns to the east and west, so that the primary presentation of the building to Lonsdale Street and in oblique views from the east and west will be retained. The nature of the façade and side returns is such that an understanding of the three dimensional form of the front section of the building (refer Figure 26) will be maintained as will the significant streetscape presentation to Lonsdale Street.

The approach is one which, additionally, responds to the fact that the current building and site conditions are highly constrained, including minimal floor to ceiling heights, which limit the scope to either adapt the structure, or retain the full extent of the building with additional levels above.

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Figure 26 View of the subject site from the corner of Lonsdale and Queen Streets showing the eastern elevation, with the proposed extent of demolition indicated

The demolition policy guidelines included at Clause 15.03-1L-02 provide for consideration of partial demolition of heritage places, with consideration given to the assessed significance of the place and the relative significance of the building fabric to be demolished. As associated with the local heritage policies and guidelines at Clause 15.03-1L-02, 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. Where opportunities for the successful utilisation or adaptation of an existing building do not exist, these policies provide for consideration of demolition of part of significant heritage places where there is potential for sensitive redevelopment. This is the case for the subject building, where the proposal for demolition does not extend to the significant form or fabric of the building as it presents to Lonsdale Street and sensitive redevelopment behind the retained façade is proposed.

The proposed extent of demolition will result in a changed presentation to the existing significant building however the proposal is a considered and responsive strategy for the particular building and site conditions and provides a reasonable approach for the retention of the fabric of the building that clearly demonstrates the significance attributed to the place. Conservation and make good works to the façade to be retained are also proposed to ensure the condition of the building to be retained is appropriately addressed.

The heritage strategies state that a demolition permit will not be granted until the proposed replacement building or works have been approved. An assessment of the proposed development scheme for the subject property is provided below.

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5.2 Additions

The proposed redevelopment is for the construction of a new tower behind the retained heritage building. The relevant decision guidelines regarding new works at Clause 43.01 require that consideration be given to whether the location, bulk, form and appearance of the proposed building will adversely affect the significance of the heritage place and is in keeping with the character and appearance of adjacent buildings and the heritage place.

Further, where additions to significant (and contributory) buildings are contemplated, the heritage strategies and policy guidelines at Clause 15.03-1L-02 aim to ensure that they:

- Are respectful of the building's character and appearance, scale, materials, style and architectural expression.
- Do not visually dominate or visually disrupt the appreciation of the building as it presents to the street.
- Maintain the prominence of the building by setting back the addition behind the front or principal part of the building, and from other visible parts.
- Do not build over or extend into the air space directly above the front or principal part of the building.
- Retain significant roof form within the setback from the building façade together with roof elements of original fabric.
- Do not obscure views of façades or elevations associated with the front or principal part of the building.
- Are distinguishable from the original fabric of the building.

As relevant to the proposal, the addition strategies also aim to ensure additions:

- Adopt high quality and respectful contextual design.
- Avoid direct reproduction of the form of historic fabric.

The 'front or principal part of a building' as defined in the *Heritage Places Inventory March 2022 (Amended May 2023)* is reproduced in Section 5.1 above.

The key considerations from a heritage perspective relate to a change to the presentation of the existing building and the potential for the proposed new development to adversely impact on the significance of the former Taxation Office and the surrounding buildings/heritage context.

The proposed tower development rising behind the retained building will make evident that the balance of the existing building to the rear has been removed. This will result in a changed outcome which will visibly alter the existing presentation of the heritage building, predominantly in longer views along Lonsdale Street and from the corner of Queen Street to the east, but far less so from the immediate pedestrian perspective. The potential for impacts from the loss of the existing fabric is addressed above. This assessment demonstrates that there is tolerance for such a change within the subject site (refer Section 5.1). In considering the proposed new works, the careful integration of new built form with the retained heritage fabric, as well as the siting, design and presentation of the proposed new development to the rear have been developed to ensure that impacts on the heritage building are appropriately managed.

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Consistent with the relevant strategies for additions at Clause 15.03-1L-02, the proposed new development has been designed to respond to the existing site conditions and the heritage fabric to be retained. To the lower levels, the proposed new building will respond to the presentation and details of the heritage façade through complementary materiality, a combination of solid form with regular window openings, and height to the east, west and north (rear) that responds to the tiered form of the heritage façade. Above this podium level, at the interface of the proposed new tower with the retained façade, the existing stair tower and flagpole element at the corner of Lonsdale Street and Lonsdale Lane will be removed, but replaced with a solid vertically fluted precast component that matches the height and colour of the stair tower to reflect the presentation of this element of the existing building.

The proposed new tower to the rear will present as a distinct element to the rear of, and separate from, the retained heritage façade. The design reflects the materiality of the heritage building and responds to the façade arrangement in a contemporary manner which appropriately manages the transition from the retained building to the tower above. No part of the tower as proposed will conceal or obstruct views to the significant fabric of the former Taxation Office, or cantilever over the retained building. The arrangement of the existing building façade and design of the tower above will be clearly distinguishable as distinctive elements, and the tower development as proposed adopts a respectful contemporary design which responds appropriately to the heritage building below.

The key heritage sensitivity relates to the setback of the new tower as proposed, particularly from Lonsdale Street. A setback of five metres from the Lonsdale Street property boundary is a direct response to the requirement to provide an adequate floorplate for a viable commercial space within the subject site. While such a setback may not be acceptable in all cases, the form of the building to be retained, including the stepped arrangement of the façade and returns to the east and west, provides an opportunity for development with a more limited setback to be contemplated. Within the subject site, with this particular building arrangement, the proposed new tower will be located entirely to the rear of the façade to be retained. Such an approach will maintain an understanding of the three-dimensional form of the retained building. The nature of tower development is such that it will be visible above and to the rear of the heritage building, but the design response has been developed to ensure the existing building remains clearly evident as a significant heritage place and that the elements that demonstrate the significant aspects of its evolved design and function are maintained.

Importantly, the setback to Lonsdale Street is balanced by the significant setback in the order of 18 metres of the proposed new tower from the heritage façade to the south-east. This is a key component in the design to carefully manage the transition of the proposed new tower at the interface of the building to be retained, and ensure that appropriate space is held around the heritage building. The outcome of such an approach locates the height of the tower to the west of the site, against a backdrop of higher built form opposite the subject site to the west.

The form of the proposed tower and setback from the south-east is also important in addressing view lines and the surrounding streetscape and heritage context. The design of the proposed tower development has had consideration for views to the subject site, including the visual relationship with the adjoining former Land Titles Office. In these views, the tower as proposed will serve as a high quality background building, particularly when compared with the blank walls and utilitarian presentation of the existing building. The substantial separation of approximately 18 metres of the proposed tower from the south-east corner of the existing building also helps to manage the sensitivity of the height transition from the low-scale former Land Titles Office building to the east.

In considering the balance of the streetscape context, it is noted that despite a HO mapping error, there are no heritage sensitivities immediately the west of the subject site. The HO mapping for HO719 has been misapplied to the neighbouring building at 456 Lonsdale Street and does not relate to this building. HO719 is identified in the Schedule to the Heritage Overlay of the Melbourne Planning Scheme as 472-474 Lonsdale Street, which is the Former Lonsdale House Private Hospital, a pair of three-storey terraces further west along Lonsdale Street. As noted above, the building adjoining Lonsdale Lane to the west is Clarence Chambers, a 13 level office building. A new tower development to the rear of the retained heritage façade will have no adverse heritage impacts on the Former Lonsdale House Private Hospital further to the west of the subject site.

Opposite the subject property on the south side of Lonsdale Street is a mixed streetscape of heritage buildings identified as Significant in the *Heritage Places Inventory March 2022 (Amended May 2023)*. This streetscape comprises the Former State Savings Bank of Victoria on the corner of Queen Street (HO1373), a rendered interwar office building at 439-445 Lonsdale Street (HO1064) and the Lonsdale Exchange Building at 447-453 Lonsdale Street (HO1361). Further west is the Court of Appeal at 455-469 Lonsdale Street, Melbourne (HO718 and VHR H1478) and the Melbourne Law Courts and Library of the Supreme Court on the corner of William Street, Melbourne (HO757 and VHR H1514/H1477). As noted above, the redevelopment as proposed will result in a changed presentation of the subject property in longer views along Lonsdale Street but less so from an immediate streetscape perspective. In these longer views, the proposed new tower will be visible as new development to the rear of the heritage building, but these works will not disrupt the contribution of the subject building to the surrounding civic and legal precinct or streetscape context.

5.3 Design and Development Overlay

The property is subject to Design and Development Overlay Schedule 1 – Urban Design in Central Melbourne (DDO1) and Schedule 10 – General Development Area – Built Form (DDO10).

DDO1 seeks to manage urban design in Central Melbourne, specifically to manage urban design, architecture and the public realm and includes design outcomes and design requirements as related to built form. DDO1 includes design outcomes and requirements for design details, achieved through architectural expression, materials and finishes. Specifically, DDO1 requirements identify that facades should avoid finishes which cause glare, materials should be robust and low maintenance to higher parts of the building, avoid blank walls and employ materials which are natural and visually interesting at the lower levels. This DDO encourages the implementation of designs which provide visual interest and create a positive and engaging public realm. Where relevant to the proposal, DDO1 also includes some design outcomes and requirements that address heritage buildings relating to streetwalls, building mass and street frontages. No change to the presentation of the former Taxation Office to Lonsdale Street is proposed, however the activation of the new building to the rear of the retained façade return along Lonsdale Lane forms part of the project. The proposed design of the tower adopts a glazed façade system which avoids blank walls and utilises vertical and horizontal sunshades to break up the glazed expanses and provide visual interest.

DDO10 includes a number of design objectives and built form requirements which seek to manage the built form within the Central City and as relevant to the proposal, encourages the adoption of a podium and tower format for intensive developments. DDO10 includes a number of design objectives and built form outcome requirements, including for towers and additions adjoining heritage places, requiring these to be designed and spaced to ensure buildings do not visually dominate heritage places and

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streetscapes, or significant view lines. The design objectives and built form outcomes also identify overall height and setbacks for buildings and works, including preferred and modified requirements.

The preferred setback above the street wall included at DDO10 is 10 metres, with a modified setback of 5 metres above the street wall provided the relevant built form outcomes are met. The built form outcomes require that large buildings do not visually dominate the street or public space, the prevalent street wall scale is maintained and the tower or addition includes a distinctly different form or architectural expression. It is clear that setbacks from the street wall of less than 10 metres are contemplated in the planning scheme under particular circumstances for the subject site, and the tower as proposed has had regard to the requirements of the built form outcomes, particularly for the significant presentation and legibility of the building proposed to be retained. The proposed building extends above the overall height identified in DDO10 as related to proposed setbacks, however the proposed form of the tower and interface with the retained heritage building is such that there will be no adverse heritage impacts associated with this additional height.

6.0 CONCLUSION

The proposal for the redevelopment of the property at 436-450 Lonsdale Street has been guided by the heritage significance of the former Taxation Office and consideration of whether the proposed extent of demolition will have an unacceptable impact on the cultural heritage significance of the place. While the local heritage policy generally discourages the demolition wholly or in part of significant heritage places, partial demolition is an action for which the heritage strategies and guidelines do provide scope for consideration. In the case of the subject building, and due to the existing and specific site conditions, demolition as proposed will remove only fabric which does not contribute in a meaningful way to the significance of the place and will not unacceptably impact on the understanding or legibility of the evolved nature of the building. As such, this presents as an action which can reasonably be contemplated for the subject property.

The tower development as proposed will result in a change to the subject property, but this is predominantly above and to the rear of the building to be retained and the streetscape views to the significant building will remain largely unchanged. Where the new tower will be visible in longer views to the subject property, this will be evident in a streetscape and broader city context of tower development and will not adversely impact on an understanding of the evolved nature of the heritage building as retained. The outcome for tower development such as that proposed is also contemplated for the subject site in the planning scheme. On balance, the proposed development presents as a scheme that has had due regard for the significance of the subject building and specific site conditions, and responds appropriately to the heritage and planning controls that apply to the place.

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