

19 December 2019

Statutory Planning Department
City of Yarra
PO Box 168
Melbourne, Vic 3121

To Whom It May Concern

Re: *223-229 Johnston Street, Fitzroy*
Proposed demolition works and redevelopment

This letter was prepared on behalf of the owners of the subject site at 223-229 Johnston St, Fitzroy in support of an application for works. It comments on the potential heritage impacts of a proposal for demolition works and subsequent redevelopment on the site to construct a new multi-storey mixed-use medium-rise development.

The site has been inspected (externally) along with its environs. A review has been undertaken of relevant sections of the *Yarra Planning Scheme*, including the City of Yarra's Development Guidelines for Sites Subject to the Heritage Overlay at *Clause 22.02* and the Heritage Overlay at *Clause 43.01*. Also referenced is the *City of Yarra Review of Heritage Overlay Areas 2007* (Revised May 2017) and the *Yarra Heritage Database*. This letter should be read in conjunction with the drawings and other documentation dated December 2019, prepared by SJB in relation to this application.

Along the south frontage at 223 Johnston Street, the site contains a single-storey modern commercial showroom/office building graded 'not contributory'. Adjacent to the east is another single storey factory/warehouse which is constructed of painted brick and appears to date from the interwar period. It is also graded 'not contributory'.

The site also includes, at the corner of Johnston and Gore Street, a double-storey modified, rendered brick Victorian shop. This is not specifically identified in the *City of Yarra Review of Heritage Overlay Areas* with a separate street number and grading. Changes have been made to the ground floor door and window openings, the original window joinery has been replaced, and the roof clad with unsympathetic glazed tiling with the chimneys removed. The building nevertheless remains broadly legible as a mid-late Victorian shop typology. The shop was numbered 237 Johnston Street in the 1900 MMBW Plan for the area (see Figure 1 below).

On the northern side of the site with frontages onto Gore and Argyle Streets is a relatively imposing single storey Victorian brick (now painted) factory. This is identified as the 'Former Argyle Shirt Factory' in the *City of Yarra Review of Heritage Overlay Areas 2007* and is graded 'individually significant'. It is shown in the 1900 MMBW plan. In between this building and the modified double-storey Victorian brick shop at the corner of Johnston and Gore Streets are several (3) sections of single-storey painted brick factory infill, which appear partly interwar and partly later in origin. It is presumed this later envelope is not included in the 'individually significant' graded portion of the site, although there is some ambiguity. West of the Victorian frontage along Argyle Street to the laneway, the site includes a small car parking area and the rear elevation of a modern brick commercial building.

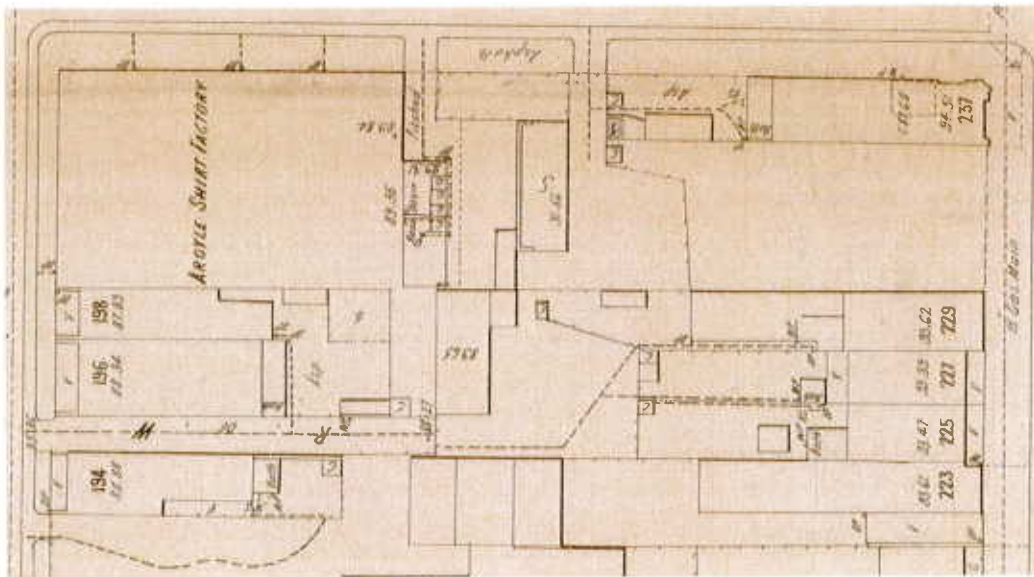


Figure 1 – portion of 1900 MMBW Detail plan of the area, showing the Argyle Shirt Factory to the upper left and the two storey corner shop (no. 237) to the upper right.

Although it is not specifically identified in the *City of Yarra Review of Heritage Overlay Areas* with a separate street number and grading, the site includes, at the corner of Johnston and Gore Street, a double-storey modified, rendered brick Victorian shop. Changes have been made to the ground floor door and window openings, the original window joinery has been replaced, and the roof clad with unsympathetic glazed tiling with the chimneys removed. The building nevertheless remains broadly legible as a mid-late Victorian shop typology. The shop was numbered 237 Johnston Street in the 1900 MMBW Plan (see figure 1 below).

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The subject site is located within the South Fitzroy Heritage Precinct (HO334). No internal controls or external paint controls apply under the provisions of this overlay. Council's citation provides the following Statement of Significance.

The South Fitzroy Heritage Overlay Area is significant:

- As the earliest urban area outside the Melbourne City grid to be settled in the Melbourne municipality, with several buildings from the mid nineteenth century surviving as testimony to its early establishment;
- For the unusually high number of early Victorian-era and some Regency period buildings, being generally simply detailed and a clear reflection of the early date of Fitzroy's settlement.
- As evidence of early government planning controls or Acts of Parliament, from the 1850s, that aimed to solve street alignment problems in this privately planned suburb, arising from a hitherto lack of co-ordination between neighbouring allotment owners;
- As a good example of the successful application of the Act for Regulating Buildings and Party Walls, and for Preventing Mischiefs by Fire in the City of Melbourne (Melbourne Building Act 1849), which forced the use of fireproof construction and gave South Fitzroy a character distinct from other inner suburbs such as Richmond and Collingwood, that have a greater proportion of Victorian-era timber buildings.

- *As a substantially intact collection of predominantly mid to late nineteenth and early twentieth century building stock, interspersed with well preserved inter-war residential, commercial, retail and industrial buildings that contribute to the historical character of the area.*
- *For the relatively large number of individually significant buildings, being predominantly solid masonry rather than clad with timber, largely as a result of the Melbourne Building Act, 1849*
- *For the ornate and exuberant detail of many late nineteenth and early twentieth century buildings in the suburb, reflecting the affluence of many of the inhabitants of this area, particularly in the late 19th century.*
- *For the early street, lane and allotment layouts, some original bluestone kerbs, paving and guttering, and some mature exotic street trees, providing an appropriate setting for this collection of residential, retail, commercial and industrial buildings.*
- *For the landmark qualities of some large factory and warehouse buildings from the late 19th and earlier 20th century, such as the MacRobertson confectionary complex which are significant features in the skyline of this predominantly low rise suburb; and*
- *For the major early institutions that developed on its fringes, in particular, St Vincent's Hospital and The Convent of Mercy, as closely linked with the area's history, education and welfare within the metropolitan area.*

The South Fitzroy Precinct (HO334) is within close proximity to the Royal Exhibition Building and is adjacent to the World Heritage Environs Area precinct. The nineteenth century development and character of the South Fitzroy Precinct contributes to the broader setting and context of the Royal Exhibition Building. Views and vistas of the Royal Exhibition Building from within the South Fitzroy Precinct, including views to the dome from Gertrude Street, are also an important feature of the precinct.

The site is subject to the provisions of *Clause 43.01*, the Heritage Overlay and the associated policy at *Clause 22.02*. *Clause 22.02* offers the following relevant guidance for both demolition within Heritage Overlays and new developments at heritage places, and alterations and additions to them.

Demolition

Removal of Part of a Heritage Place or Contributory Elements

Encourage the removal of inappropriate alterations, additions and works that detract from the cultural significance of the place.

Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless:

- *That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s) [...]*
- *For individually significant building or works, it can be demonstrated that the removal of part of the building or works does not negatively affect the significance of the place.*

22.02-5.7 New Development, Alterations or Additions

22.02-5.7.1 General

Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:

- *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*
- *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*
- *Be visually recessive and not dominate the heritage place.*
- *Be distinguishable from the original historic fabric.*
- *Not remove, cover, damage or change original historic fabric.*
- *Not obscure views of principle façades.*
- *Consider the architectural integrity and context of the heritage place or contributory element.*

Encourage setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback will apply.

Encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height. [...]

22.02-5.7.2 Specific Requirements (where there is a conflict or inconsistency between the general and specific requirements, the specific requirements prevail)

Corner Sites and Sites with Dual Frontages

Encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.

Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.

Industrial, Commercial and Retail Heritage Place or Contributory Elements

Encourage new upper level additions and works to:

- *Respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements. Each higher element should be set further back from lower heritage built forms.*
- *Incorporate treatments which make them less apparent.*

A Design and Development Overlay (DDO10) applies to this site that will also inform the scale of any proposal on the land, and this recommends a street façade height of not more than 3 storeys or 12 metres, and development above street height that is set back and does not exceed 4 to 6 storeys. It also includes the following design principle: *In the area north of Johnston Street and east of Napier Street, new development must respect the height of the former MacRobertson complex and avoid dominating these buildings.* The decision guidelines of DDO10 include consideration of: *the effect of the development on any building of architectural or heritage significance.*

We have been asked to comment on the development proposal prepared by SJB Architects on behalf of Pace. The proposed building envelope has been derived with particular reference to the heritage policies and DDO control cited above, but has also had regard for the VCAT decision for the 10 storey development at 239-247 Johnston Street to the east – this is considered to be a key precedent for determining appropriate development parameters for the subject site.

The 'not contributory' gradings of the commercial buildings to Johnston Street are appropriate given these are of no architectural note, and on this basis their demolition is acceptable and will not represent any loss of significance to the precinct. The double-storey shop at the corner of Johnston and Gore Streets is heavily altered and appears to be either 'not contributory' or ungraded, and its demolition can be supported on that basis.

The key significant heritage fabric on the site is that of the Victorian era Former Argyle Shirt Factory. The proposed extent of retention of this building, comprising the east elevation to Gore Street and the north elevation to Argyle Street, is appropriate in regard to heritage policy, as the key significant fabric is retained.

The extent of retention is similar to what is seen for other Industrial buildings in the inner metropolitan area, including nearby industrial buildings of individual significance such as St Crispin House, the former boot factory building at 247-249 Johnston Street, also recently redeveloped by Pace to designs by SJB. The heritage fabric will continue to read as a three dimensional envelope turning its corner at Argyle Street, as is appropriate. There are no interior controls to the present building under the provisions of the Heritage Overlay.

The removal of the building's roof is also supported. The building has a high parapet line such that the roof is largely concealed in views from the street and does not contribute appreciably to the factory's street presentation. Notably, the scheme also retains the 20th century extensions to the south of the main factory building. The status of this fabric is not clear, and it is potentially ungraded. In any case, its retention is a positive for the site and its Gore Street context in terms of its industrial character and brick materiality.

Other modifications that are proposed to the site include removal of paint from the face brick of the factory buildings and appropriate repairs to the brickwork, potentially including reinstatement of tuckpointing to the key corner building. The rendered dressings will be retained and either cleaned to a natural render finish or repainted in an appropriate colour scheme, and the bluestone sills of the original corner building will be cleaned of paint. The bars to windows, where found, will be retained as an element of the historic character of the industrial buildings. Overall, the intent is to retain and conserve the key heritage fabric associated with this industrial building.

It is proposed to construct a multi-storey building (comprising floors at ground, upper ground, 1-9, and rooftop amenities with food and beverage) within the retained fabric and extending to the frontage to Johnston Street and at the corner with Gore Street. The scheme integrates a single storey podium at the new frontages with the retained heritage facades. This development concept has been developed having regard for DDO10 and the height achieved nearby at 239-247 Johnston Street.

It is noted that large sites containing non-heritage buildings further west along Johnston Street along the same block are likely to receive comparable multi-storey development in future.

The character of the podium is responsive to the guidelines provided at Clause 22.02 -5.7 New Development, Alterations or Additions and is supported on this basis. Notably, it incorporates arched openings that interpret and reflect the arched windows of the historic Former Argyle Shirt Factory.

Above the podium, it is proposed that Levels 2-5 will be set back 4.5 metres from the historic façade at the Gore Street and Argyle Street corner, with the setbacks decreasing to the south along Gore Street where the podium is either the 20th century extension to the original Former Argyle Shirt Factory or where the podium is new. This is an appropriate strategy, with the greater setbacks being associated with the more significant fabric, and the lesser upper setbacks associated with the less significant podium elements. These levels are finished primarily in concrete cast with a board finish, and with brick patterned concrete to balconies, and feature a combination of rectilinear and arched windows that echo the combination of window types seen to the heritage facades below.

Levels 6-9 and the terrace and amenities level above are at greater setbacks relative to the heritage fabric, generally in the order of 7 metres, and are treated in a sculpted, non-rectilinear manner (to balconies) that contrasts with the more rectilinear treatment of the levels below. Levels 6-9 levels are to be faced with panels that have a brick pattern in green, with charcoal coloured metal railings to the balconies.

The terrace and amenities level has its built form at a greater setback and is designed in a more recessive manner to complement its largely concealed location.

The height and setbacks of the built form to Johnston Street and to the corner are essentially a matter for consideration against the DDO and broader planning matters. To the extent that this portion of the site is within HO334 and should be assessed to ensure it does not result in adverse impact to heritage places, it is noted that the streetscape to the west does not include heritage buildings, and the streetscape to the east is that associated with the 10 storey development at 239-247 Johnston Street that is presently under construction. No adverse impact upon heritage buildings will arise in relation to the proposed built form on Johnston Street.

In conclusion, the proposed development for 223-229 Johnston Street, Fitzroy can be supported with regard to any heritage impacts on the significance of the subject sites, the surrounding streetscapes and the South Fitzroy Heritage Precinct.

The scheme retains and conserves the key fabric on the site, and establishes higher built form at appropriate setbacks from the retained fabric.

The proposal demonstrates an appropriate, considered response to the policies and provisions at Clauses 43.01 and 22.02 of the Yarra Planning Scheme, and on this basis is acceptable.

Bryce Raworth Pty Ltd