



## Gertrude Street Built Form Framework: Heritage Analysis & Recommendations



Figure 1. Looking east from the corner of Gertrude Street and Napier Street,

**9 December 2019**

**Prepared for the City of Yarra**

**GJM Heritage**

a: Level 3, 124 Exhibition Street [GPO Box 2634], Melbourne, VIC 3001

t: 0408 321023

e: [enquiries@gjmheritage.com](mailto:enquiries@gjmheritage.com)

w: [www.gjmheritage.com](http://www.gjmheritage.com)

© GJM Heritage (2019)  
All Rights Reserved

**Personnel:**

Jim Gard'ner, Director	GJM Heritage   Registered Architect
Rena Jarman, Director	GJM Heritage   Heritage Planner
Ros Coleman, Associate	GJM Heritage   Architectural Historian

**Photographic credits:**

All photos were taken by GJM Heritage unless otherwise stated.

**Document versions**

Project no.	Version	Issued to	Date issued
2019-047	0.1 Draft	Joerg Langeloh, Project & Policy Coordinator	5 December 2019
	0.2 Final	Joerg Langeloh, Project & Policy Coordinator	9 December 2019

## Table of Contents

<b>Executive Summary</b>	<b>iv</b>
Presentation of the Report	iv
<b>Part I: The Project and the Study Area</b>	<b>1</b>
<b>1. Introduction</b>	<b>2</b>
1.1 Yarra’s High Streets	2
1.1.1 Brief history of the Gertrude Street Area	2
1.1.2 Brief description of the Gertrude Street Study Area	3
1.1.3 Brief description of the broader Brunswick and Smith Street Study Area	4
1.2 Scope of the Heritage Analysis & Recommendations Report	8
1.3 Methodology	9
<b>2. Analysis of the Planning Context</b>	<b>12</b>
2.1 Activity Centre Planning and Heritage	12
2.2 Yarra Planning Scheme – Heritage Provisions	14
2.2.1 Heritage policy	14
2.2.2 Landmarks and Tall Structures	17
2.2.3 World Heritage Environs Area Strategy Plan	18
2.2.4 Schedule 8 to the Design and Development Overlay	20
2.2.5 Heritage Overlay	21
<b>3. Heritage in Design and Development Overlays – Panel Findings</b>	<b>23</b>
3.1 Yarra Planning Scheme Amendment C231	23
3.2 Yarra Planning Scheme Amendment C220	24
3.3 Melbourne Planning Scheme Amendment C258	25
3.4 Moreland Planning Scheme Amendment C134	26
3.5 Boroondara Planning Scheme Amendment C108	27
3.6 Whitehorse Planning Scheme Amendment C175	28
3.7 Stonnington Planning Scheme Amendment C223	28
3.8 Darebin Planning Scheme Amendment C161	29
<b>4. Mandatory and Discretionary Height and Setback Controls</b>	<b>33</b>
<b>Part II: Heritage Analysis</b>	<b>35</b>
<b>5. The Gertrude Street Study Area</b>	<b>36</b>
5.1 Study Area Boundary	36
5.2 Physical Description	36
5.3 Heritage Characteristics	36
5.4 Local Landmarks	40
<b>6. Statutory Framework</b>	<b>43</b>

6.1	Heritage Status	43
6.1.1	Existing conditions	43
6.1.2	Recommended changes	45
6.2	Zoning	46
6.2.1	Existing conditions	46
6.2.1	Recommended changes	47
7.	Potential Future Character Considerations	48
7.1	Recommended Built Form Parameters	48
<b>8.</b>	<b>Built Form Testing</b>	<b>50</b>
<b>Part III: Built Form Recommendations</b>		<b>51</b>
<b>9.</b>	<b>Built Form Recommendations</b>	<b>52</b>
9.1	Recommended Controls	52
9.2	Additional Guidance	54
<b>Appendix 1: Proposed Heritage Citation – Gertrude Street Precinct</b>		<b>55</b>

## Executive Summary

Hansen Partnership, in conjunction with GJM Heritage and on behalf of the City of Yarra (Council), has prepared a Built Form Framework for the Gertrude Street area in Fitzroy (*Gertrude Street Built Form Framework*, November 2019) (Built Form Framework). The purpose of the Built Form Framework is to determine where and how new development can appropriately occur within the Gertrude Street area. The desired built form outcomes will be translated into Design and Development Overlay (DDO) controls for the area. The Built Form Framework forms part of a broader project to consider appropriate built form parameters for the Brunswick Street and Smith Street areas.

The advice in this report considers the built form parameters that are needed to ensure the heritage values of the Gertrude Street area are appropriately managed and protected, and that good heritage outcomes are being achieved for new or redevelopment. This includes a consideration of whether mandatory or discretionary controls are appropriate to achieve greater clarity in heritage outcomes and impacts on the Royal Exhibition Building and Carlton Gardens World Heritage Environs Area (WHEA).

A separate *Brunswick and Smith Street Built Form Review: Heritage Assessments* report (GJM Heritage, 25 November 2019) analyses the existing heritage values and qualities along Gertrude Street as well as Brunswick, Johnston and Smith Streets, and the Fitzroy Town Hall and Fitzroy East mixed-use precincts, which are the subject of a separate heritage built form review. The Heritage Assessments Report identifies gaps, inconsistencies and inaccuracies with the current heritage controls and provides recommendations for addressing these issues and should be read in conjunction with this report.

## Presentation of the Report

This Heritage Analysis and Recommendation Report is presented in three parts:

### **Part I: The Project and Planning Framework**

Part I introduces the project, the methodology applied to the project and the planning framework in which the project is occurring.

### **Part II: Heritage Analysis**

Part II contains a heritage analysis of the study area. It details the heritage qualities and values of the Gertrude Street precinct, identifies any gaps or issues with the existing heritage framework and provides recommendations for appropriately managing heritage places within the area.

### **Part III: Built Form Recommendations**

Part III contains specific built form recommendations to ensure heritage places and values are appropriately managed within a changing urban context. The specific recommendations are informed by modelling prepared by Hansen Partnership.

## **Part I: The Project and the Study Area**

## 1. Introduction

### 1.1 Yarra's High Streets

The City of Yarra is endowed with one of the largest and most highly intact collections of turn of the century 'High Streets' in the State of Victoria. These High Streets include the Major Activity Centres of Swan Street and Bridge Road in Richmond, Brunswick Street in Fitzroy, Smith Street straddling the suburbs of Fitzroy and Collingwood and Victoria Street, in Abbotsford and Richmond. They also include a number of Neighbourhood Activity Centres, including Gertrude Street in Fitzroy, Johnston Street in Fitzroy & Collingwood, Rathdowne Street and Nicholson Street in Carlton North, St Georges Road in Fitzroy North, and Queens Parade in Fitzroy North & Clifton Hill.

This collection of High Streets is unique to Melbourne and helps to define the character of the municipality. Their value to the community is recognised by their inclusion in the Heritage Overlay of the Yarra Planning Scheme. However, the Activity Centre status of these high streets presents a challenge: how do we manage the tension between the desire to retain the heritage values of these areas and the need to ensure the long-term sustainability of these centres and meet the growth objectives of the Yarra Planning Scheme?

This project considers development within the area of Gertrude Street, Fitzroy.

#### 1.1.1 Brief history of the Gertrude Street Area

The following brief history of this area is drawn from the Statement of Significance for HO334 South Fitzroy Precinct, the 1998 *City of Yarra Thematic History* (Allom Lovell & Associates) and supplemented with additional research.

The first 'suburban' land allotments to be sold outside of the Melbourne town reserve were in the areas now known as Fitzroy, Collingwood and Richmond. Allotments 48 to 88 covered the area known colloquially in the mid-nineteenth century as the 'district of Collingwood'. These allotments lay to the north-east of the City of Melbourne and covered the area bounded by Nicholson Street, Reilly Street (now Alexandra Parade), the Yarra River and Victoria Parade. A smaller portion of this area, bounded by Nicholson Street, Smith Street, Victoria Parade and Alexandra Parade came to be known as Fitzroy. The original allotments in Fitzroy varied in size, with most falling between 12 and 28 acres. These were suitable for large estates, and for small-scale rural or semi-industrial pursuits such as dairy farms, market gardens and brickyards.

Land reserved by the Government for roads consisted solely of Nicholson Street, Johnston Street, Smith Street, and Victoria and Alexandra Parades. Following the first land sales in 1838-9, there were no controls imposed upon the purchasers of the land. The lack of controls on the size and orientation of subdivision and the width of private roads led to the emergence of an ad-hoc street pattern and layout of allotments in South Fitzroy. The *Act for Improvements in Fitz Roy Ward in the City of Melbourne*, passed in 1854, was designed to solve the street alignment problem and local politics in the area in the 1850s and 1860s were largely concerned with the realignment of the worst of these streets.

Despite these issues, Fitzroy was an attractive residential locale in the 19th century and large villas were built for bankers and merchants on the wide thoroughfares between Gertrude Street and Victoria Parade. It was simultaneously a favoured location for manufacturing, including the boot and clothing trades and metal industries. Workers lived in more cramped conditions, generally comprising one or two-roomed terraces.

In 1850, the *Act for regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne*, which enforced fireproof construction and minimum street widths in the City of Melbourne was introduced. This encompassed South Fitzroy and resulted in most buildings of the period being constructed of bluestone or brick. One of the earliest surviving houses in Fitzroy is the two-storeyed central section of Osborne House, constructed in 1850 at 38-44 Nicholson Street. The following two decades (1860s and 1870s) were a period of consolidation for South Fitzroy – works included the replacement of insubstantial structures of the earlier decades with more permanent premises along commercial strips, as well as the completion of terraces



and the renovation of many 1850s bluestone buildings. An example of a commercial shop row is the former Gertrude Hotel (63-65 Gertrude Street), which was designed with a row of shops attached in 1873. The first stage of the Fitzroy Town Hall was completed in 1873-4, four years after the area was proclaimed a town. It was proclaimed a City in 1878.

In 1886-7, a cable tram was introduced to South Fitzroy. Comprising routes along Nicholson Street from the city, Gertrude Street to Smith Street, and Brunswick Street, the new transport system boosted trade along these commercial strips. The tram also increased the mobility of Melbourne's population and as a result, inner suburban residents began to move further out. The former cable tram engine house (1886) survives at the corner of Gertrude and Nicholson streets.

With the onset of the 1890s depression and the movement of Fitzroy's wealthier residents to the outer suburbs, the large villas located at the southern end of Fitzroy were repurposed as boarding houses for factory workers and the suburb became more working class. Brothels also began to appear, with Gertrude Street in particular becoming a 'red light' district. The economic fortunes of Victoria recovered after the turn of the century, and while there was a period of optimism at the beginning of the century accompanied by some new development, Fitzroy had become a less desirable place to live. The already low number of owner-occupied properties decreased further, as more owners moved out of the working-class suburb and leased their buildings to tenants.

Following World War I, there was an increased demand for housing from returned servicemen, from people moving towards the city for improved job prospects, an increased number of immigrants, and the return of Aboriginal people to the area. With this influx, Fitzroy became a poorer population and, because of its proximity to Melbourne, continued to attract the unemployed and homeless. Criminal activities thrived and by the 1930s, Fitzroy was regarded as slum territory, its name synonymous with crime, poverty and immorality. In the 1950s, the State Government drew up plans for slum clearance and two public housing estates were built in South Fitzroy in the 1970s: one in Hanover Street and one at the southern end of Brunswick Street. More than 120 houses and 60 shops were demolished as a result.

During the post-war period, a number of Aboriginal people returned from rural locations to their friends and family around Gertrude Street, in part due to the closure of reserves and missions which were subdivided by the government to make way for soldier settlements. Fitzroy – and Gertrude Street in particular – became the social and political hub of Melbourne for the Aboriginal community. From the 1960s to 1980s a number of services for the Aboriginal community were set up on Gertrude Street, focussed on health, legal and housing assistance.

The demographic landscape of Fitzroy also transformed in the post-World War II era with the arrival of large numbers of European immigrants from Greece, Italy, Yugoslavia, Turkey, Lebanon and Spain. These groups altered the commercial and street life of the suburb, introducing new foods and languages as well as institutions such as espresso bars, cabarets and gambling clubs. Fitzroy witnessed further revitalisation in the 1970s when the area began attracting an increasing number of university students and artists. This new influx again altered the social and economic fabric of Fitzroy and it is today regarded as a vibrant centre for food, culture, and the arts.

At the end of the twentieth century and into the first decades of the twenty-first century Fitzroy has undergone in gentrification (or 'trendification'<sup>1</sup>) which has resulted resurgence of popularity as a residential area as well as commercial, entertainment and cultural destination.

### **1.1.2 Brief description of the Gertrude Street Study Area**

The following description is drawn from the citation prepared by GJM Heritage in October 2019 as part of the *Brunswick Street and Smith Street Built Form Review Heritage Assessments* report (25 November 2019).

The Gertrude Street Study Area is a commercial precinct in Fitzroy that:

---

<sup>1</sup> As described in *Trendyville: The Battle for Australia's Inner Cities*, Renate Howe, David Nicols and Graeme Davison, Monash University Press, 2014.



- runs on the northern side of Gertrude Street from Nicholson Street to Brunswick Street (excluding the terraces fronting Nicholson Street);
- runs on both the northern and southern sides of Gertrude Street from Brunswick Street to Smith Street (excluding the Atherton Gardens Estate and properties fronting Smith Street); and
- extends along the eastern side of Young Street south towards the Australian Catholic University complex.

The main development period of the Gertrude Street commercial strip is from the 1850s to the 1890s and the streetscape dates largely from this period. It is a commercial precinct with a dominant streetscape of attached two-storey Victorian shops and residences, with no setback from the street boundary. The facades of these buildings are predominantly cement rendered and parapeted with repetitive rows of upper level fenestration. They vary in both scale and detailing - generally facades from the earlier Victorian period of the 1850s-70s are smaller in scale with little applied decoration, and those from the High Victorian period of the 1880s and 1890s are of greater height with more elaborate detailing. This is evident throughout the streetscape including Early Victorian examples (nos. 153-159) and High Victorian examples (nos. 161-167; 184-186; and Blackett's Shop and Residence at nos. 158-164 - an elaborate three-storey red brick row).

Other commercial buildings contribute to the Victorian character of the precinct, including the Former ES&A Bank (nos. 136-138) and corner hotels such as the Builders Arms Hotel (nos. 211-217), the former United Service Club (no. 122) and the former Leviathan Hotel (nos. 146-148).

A small group of Edwardian buildings from the early twentieth century also make a contribution to the precinct. These present as red brick (some overpainted) facades with cement render detailing. The most elaborate and intact building from this period is the Champion Hotel at the south-east corner of Brunswick Street and the associated shops and residences to the east in Gertrude Street (nos. 94-100).

The original form and detailing of a small number of shopfronts remains evident in the precinct with display windows, tiled plinths and entry recesses retained.

Unlike Brunswick, Smith and Johnston Streets, Gertrude Street is notable for its limited amount of early twentieth century development and as such retains a higher degree of consistency in scale, form and architectural detailing than comparable high streets.

### **1.1.3 Brief description of the broader Brunswick and Smith Street Study Area**

The Gertrude Street Built Form Framework forms part of a broader built form review of the Brunswick and Smith Street study area. This broader area is bound by Alexandra Parade to the north, Nicholson Street to the west, Wellington Street to the east and Victoria Parade to the south (Figure 2).

The land specifically considered in this report is subject to either a commercial (C1Z and C2Z) or mixed use (MUZ) zone within the study area (refer to Figure 3). The Heritage Overlay coverage within the study area is extensive (see Figure 4).

Part II of this report describes the Gertrude Street study area in greater detail.

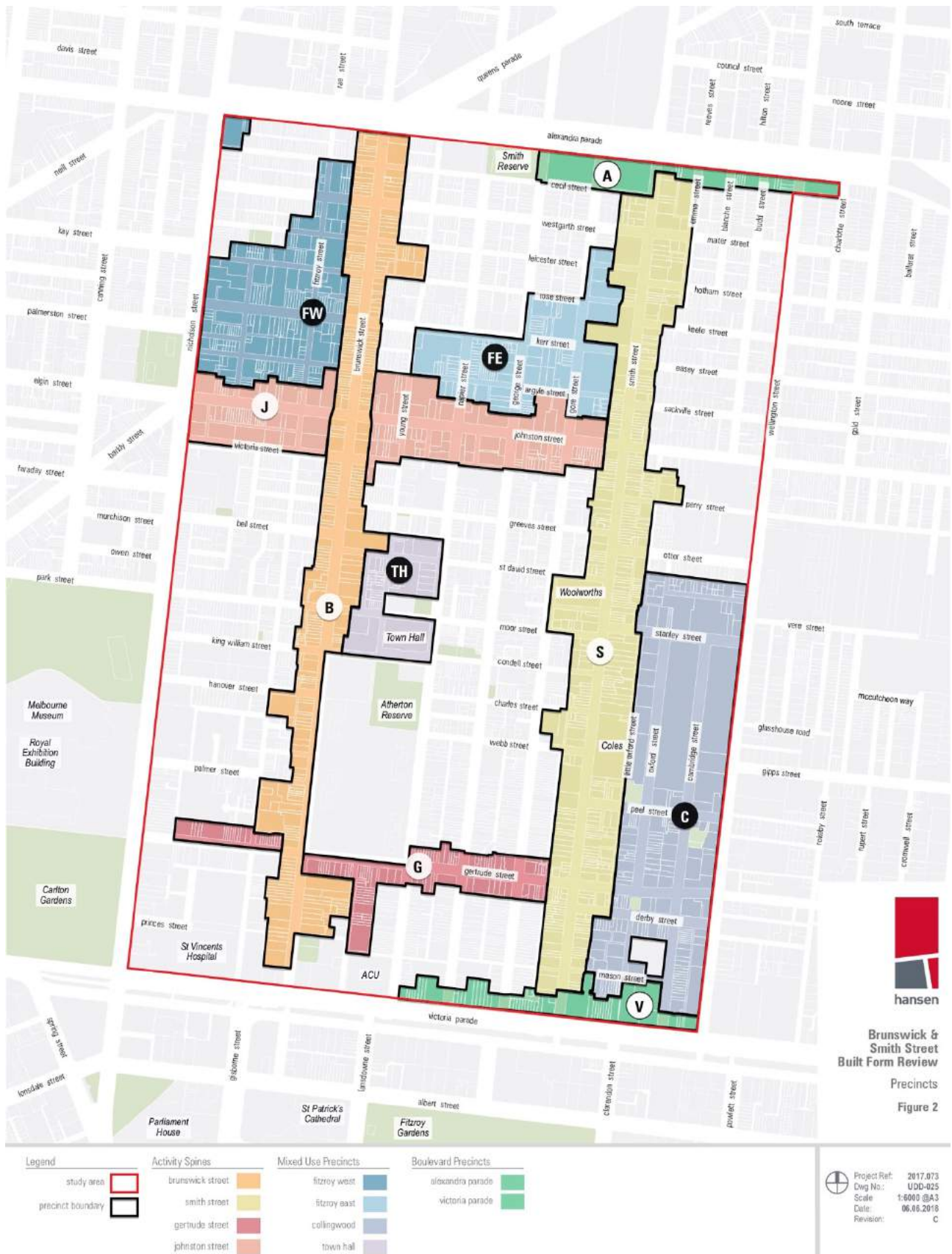


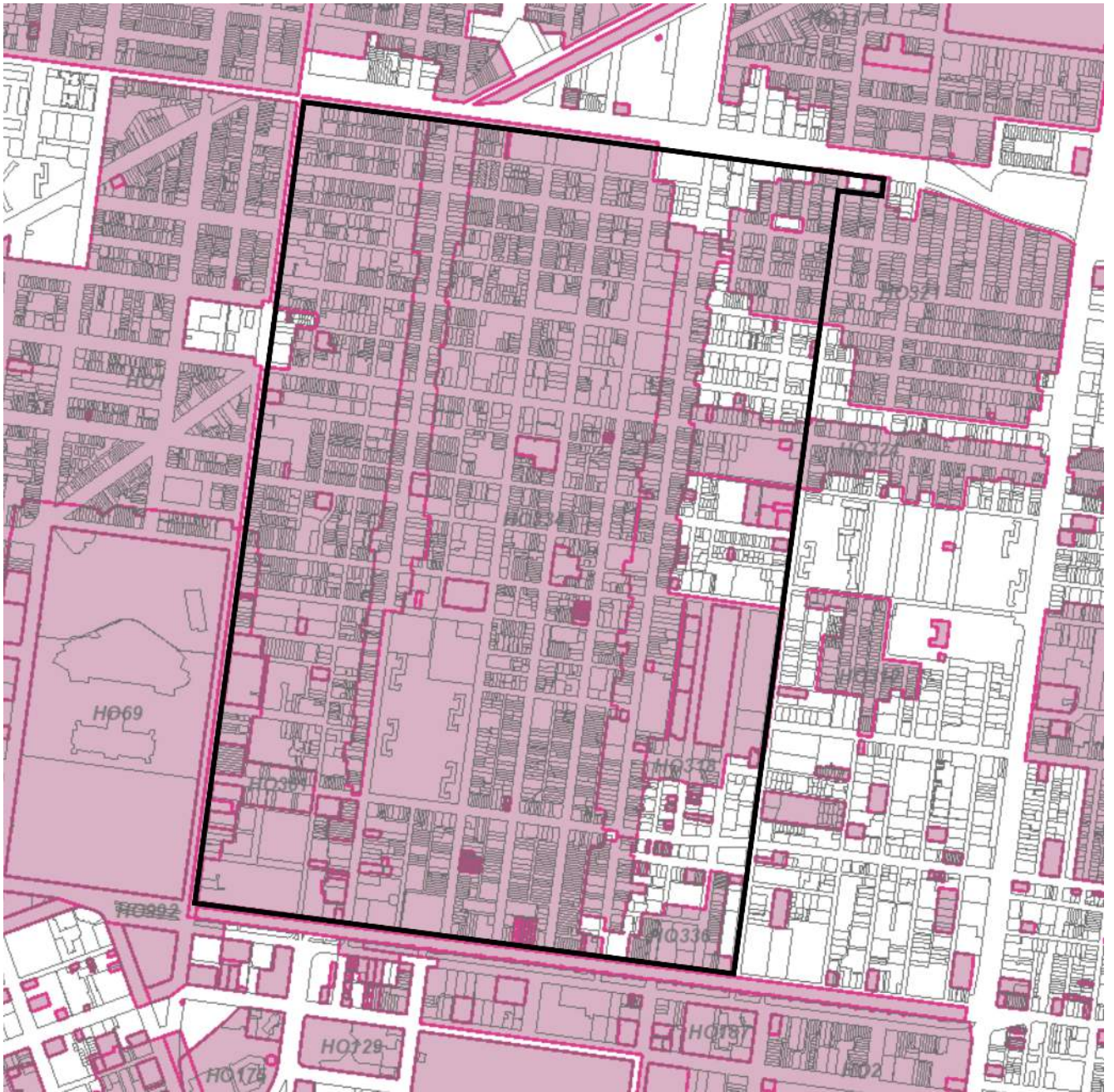
Figure 2. Precinct Map – Gertrude Street study area identified as area G (©Hansen, 6 June 2018)





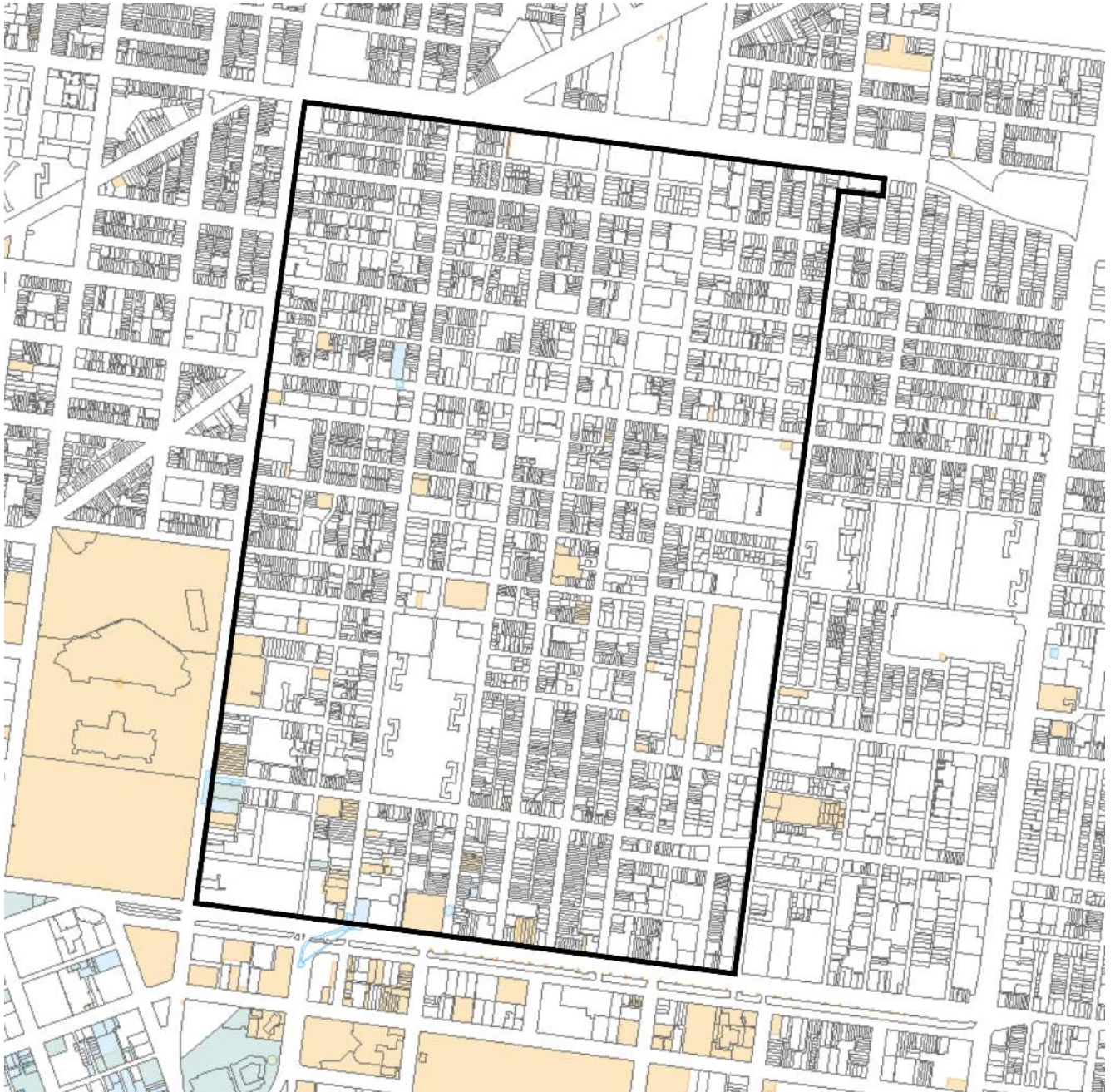
**Figure 3.** Zoning map – Brunswick and Smith Street study area outlined in black (VicPlan, accessed 29 August 2019)





**Figure 4.** Heritage Overlay map – Brunswick and Smith Street study area outlined in black (VicPlan, accessed 29 August 2019)





**Figure 5.** Victorian Heritage Register (VHR) places shaded in yellow, and Victorian Heritage Inventory (VHI) shaded in blue – study area outlined in black (VicPlan, accessed 29 August 2019)

## 1.2 Scope of the Heritage Analysis & Recommendations Report

GJM Heritage has been commissioned to provide a detailed analysis of the heritage considerations for the broader Brunswick and Smith Street study area and to detail recommendations for the future management of these areas in the context of potential new development.

The following precincts were considered in the *Brunswick and Smith Street Built Form Review: Heritage Analysis & Recommendations* (GJM Heritage, 25 November 2019):

- Brunswick Street Activity Centre Spine
- Town Hall Mixed Use Precinct
- Smith Street Activity Centre Spine
- Johnston Street Activity Centre Spine

- Fitzroy East Mixed Use Precinct.

The Collingwood Mixed Use Precinct was considered as part of a separate study: *Collingwood Mixed Use Pocket Heritage Analysis & Recommendations* (GJM Heritage, 6 June 2018). The Fitzroy West Mixed-Use Precinct and the Alexandra and Victoria Parade Boulevard Precincts are subject to further strategic heritage and planning studies.

This report specifically considers the Gertrude Street commercial spine and the MUZ area south of Gertrude Street between Young and Little Napier Streets.

The purpose of our advice is to ensure that any DDO controls arising from the Built Form Framework are properly informed by the heritage values of the precincts and individual buildings within the study area, in order to ensure appropriate weight is given to heritage when considering new development within the Gertrude Street area.

The analysis within this report builds on the *Brunswick and Smith Street Built Form Review: Heritage Analysis & Recommendations* and the *Brunswick and Smith Street Built Form Review: Heritage Assessments* reports prepared by GJM Heritage, and considers the parameters necessary to appropriately manage increased commercial and residential development within the context of Gertrude Street. Of particular relevance to this precinct is its role in protecting the key views to the Royal Exhibition Building (REB) and the setting of the Royal Exhibition Building and Carlton Garden World Heritage Site (REB & CG WHS).

### 1.3 Methodology

The key background documents on which the heritage analysis is based are:

- Yarra Planning Scheme Heritage Overlay Maps 5HO and 6HO
- Relevant Statements of Significance for heritage places and precincts within the study area and associated heritage studies
- World Heritage Environs Area Strategy Plan: Royal Exhibition Building & Carlton Gardens, Department of Planning and Community Development (as approved by the Minister for Planning, 21 October 2009)
- Incorporated Document 'City of Yarra Review of Heritage Overlay Areas 2007: Appendix 8 (revised May 2018) (Appendix 8).

The above documents have been reviewed in the context of the following clauses from the Yarra Planning Scheme and the relevant Planning Practice Notes (PPNs) published by the Department of Environment, Land, Water and Planning:

- The relevant provisions of the Yarra Planning Scheme, in particular:
  - Clause 15.03-1S 'Heritage conservation'
  - Clause 21.05-1 'Heritage'
  - Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay'
  - Clause 22.03 'Landmarks and Tall Structures'
  - Clause 22.10 'Built Form and Design Policy'
  - Clause 43.01 'Heritage Overlay'
  - Clause 43.01 'Schedule to the Heritage Overlay'
  - Clause 55.07 'Apartment Developments'
- PPN 1: *Applying the Heritage Overlay* (August 2018) (PPN1)
- PPN 59: *The role of mandatory provisions in the planning schemes* (June 2015) (PPN59)
- PPN 60: *Height and setback controls for activity centres* (September 2018) (PPN60).

We note that Council endorsed a draft Municipal Planning Strategy, local policies and supporting documents as a basis for Yarra Planning Scheme Amendment C269 on 26 November 2019 and resolved to seek authorisation from the Minister for Planning to prepare and exhibit Yarra Amendment C269. Of particular relevance to this report was the endorsement of proposed Clause 11.03-1L – Activity Centres and Clause 15.03-1L – Heritage.

The following Planning Panels Victoria (Panel) reports are relevant to the implementation of the Built Form

Framework as they consider the appropriateness of DDOs (containing both mandatory and discretionary provisions) within activity centres (or in the case of Melbourne Amendment C240, the Capital City Zone) that are also subject, in part, to the Heritage Overlay:

- Boroondara C108 'Neighbourhood Centres and Commercial Corridors' (26 February 2014)
- Banyule Planning Scheme Amendment C93 'Implementation of the Ivanhoe Structure Plan' (1 July 2014)
- Moreland Planning Scheme Amendment C134 'Brunswick Activity Centre' (15 May 2015)
- Melbourne Planning Scheme Amendment C240 'Bourke Hill' (4 May 2015)
- Bayside Planning Scheme Amendments C113, C114 and C115 'Mandatory provisions for the Sandringham Village, Bay Street and Church Street Activity Centres' (14 January 2015)
- Whitehorse Planning Scheme Amendment C175 'Box Hill Metropolitan Activity Centre' (6 October 2017).
- Stonnington Planning Scheme Amendment C223 'Glenferrie Road and High Street Activity Centre' (15 December 2017)
- Darebin Planning Scheme Amendment C161 'Fairfield Village' (3 December 2018)
- Yarra Planning Scheme Amendment C220 'Johnston Street Built Form Controls' (22 February 2019)
- Melbourne Planning Scheme Amendment C308 'Central Melbourne Urban Design' (16 May 2019)
- Melbourne Planning Scheme Amendment C258 'Heritage Policies Review' (21 May 2019)
- Yarra Planning Scheme Amendment C231 'Queens Parade Built Form Review' (31 October 2019).

Relevant Panel reports are discussed further in Section 3 of this report.

The following reports have also informed this study:

- *Brunswick Street and Smith Street Built Form Review: Gertrude Street Built Form Framework*, Hansen Partnership, November 2019 (post Council review).
- *Brunswick and Smith Street Built Form Review: Heritage Analysis & Recommendations*, GJM Heritage, 25 November 2019.
- *Brunswick and Smith Street Built Form Review: Heritage Assessments*, GJM Heritage, 25 November 2019 (Heritage Assessments Report).

We have approached the preparation of this heritage analysis as follows:

1. Completion of a desktop review of the above listed documents, including Panel Reports, heritage mapping and grading information, and the Statements of Significance for heritage precincts and individually significant buildings, including those places registered on the (VHR). The extent of the Heritage Overlays were cross-checked against Google Streetview. This preliminary review familiarised the project team with the heritage fabric of the study area prior to fieldwork being undertaken.
2. Completion of fieldwork by Jim Gard'ner and Ros Coleman. All buildings and structures within the study area were inspected from the public realm with particular attention paid to the presentation of heritage buildings to the street frontage. The rear and side interfaces to the neighbouring residential areas subject to the Heritage Overlay were also considered, where relevant. The purpose of the fieldwork was to:
  - Review the suitability of the extent of the existing Heritage Overlays and to identify if gaps existed.
  - Review the suitability of the existing Statements of Significance for heritage places and precincts against the extant heritage fabric and to identify where the statements required updating for the purposes of properly considering built form recommendations.
  - Review the extant heritage fabric against the heritage gradings contained within Appendix 8 and to identify any inconsistencies and inaccuracies.
  - Identify those continuous lengths of streetscapes that demonstrate a degree of consistency in terms of scale, setbacks, street wall height, architectural form and style, and construction period.
  - Review the heritage buildings and streetscapes within the study area to identify the architectural



and streetscape heritage features (e.g. parapets, roof forms, view lines, corner sites) that are relevant to a consideration of built form recommendations.

3. Participation in workshops with Council and Hansen Partnership. The workshops:
  - Identified the desired future character of the built form precinct against heritage analysis and state and local planning policy drivers.
  - Reviewed the key views of landmarks identified in Clause 22.03 – Landmarks and Tall Structures, in particular the drum, dome, lantern and flagpole of the REB.
  - Identified local landmarks within the streetscape or precinct.
  - Tested built form parameters for new development against the existing heritage fabric utilising oblique views from natural eye level (1.6m) on the public footpath, informed by modelling prepared by Hansen Partnership. Views were only considered from public streets; laneway and private realm views were not assessed.
4. Finalisation of heritage recommendations for new built form parameters having considered the above.

## 2. Analysis of the Planning Context

### 2.1 Activity Centre Planning and Heritage

The *Planning & Environment Act 1987* and the Victoria Planning Provisions (VPP) requires planning and responsible authorities to take a balanced approach to strategic and statutory planning functions that consider potentially competing objectives in an integrated manner to deliver a net community benefit for current and future generations.

The objectives of planning in Victoria as set out in Section 4(1) of the Planning and Environment Act are:

- *To provide for the fair, orderly, economic and sustainable use and development of land.*
- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *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.*
- *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.*
- *To facilitate development in accordance with the objectives set out in the points above.*
- *To facilitate the provision of affordable housing in Victoria.*
- *To balance the present and future interests of all Victorians.*

Clause 71.02-3 of the VPP addresses ‘integrated decision making’, and states:

*Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social wellbeing affected by land use and development.*

*Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

*Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.*

Activity Centres that are also subject to extensive Heritage Overlay controls such as Gertrude Street is an example of where the tension between competing planning objectives must be resolved in a balanced way. Gertrude Street has excellent public transport connections, vibrant retail, commercial and hospitality uses and within the broader study area a high demand for housing choice. Gertrude street is a highly consistent and intact commercial containing predominantly late nineteenth century heritage fabric that is highly valued by the local community. A balance between the demand for more intensive development with the protection of the heritage buildings and precincts is therefore required. To achieve this, it is considered necessary that any DDO – and the background work that underpins it – specifically includes heritage considerations which frames the design objectives.

Amendment C269 proposes to introduce Clause 11.03-1L to the Yarra Planning Scheme which provides local policy in relation to Major, Neighbourhood and Local Activity Centre. The object of this policy is to:

*To manage a sustainable network of activity centres that facilitate appropriate economic and housing growth and provide attractive places for social and community interaction.*

The Strategies applying to Yarra's Activity Centres that are relevant to heritage and this report include:

*Support high quality mid-rise buildings in major and neighbourhood activity centres as identified in the relevant Design and Development Overlay.*

*Support development that improves the built form character of activity centres, whilst conserving heritage buildings, streetscapes and views to identified landmarks.*

*Support development that transitions to and is sensitive to the interfaces with low-rise residential neighbourhoods.*

*Encourage the sensitive, adaptive re-use and restoration of heritage buildings in activity centres.*

Gertrude Street is identified as a Neighbourhood Activity Centre, objectives of which are to:

*Promote the retail role of the activity centre defined in the Major and Neighbourhood Activity Centres in Fitzroy Plan.*

*Manage licensed premises and interface and amenity impacts with adjacent residential areas.*

*Retain the low scale form and the fine grain pattern of the highly intact heritage streetscape and the heritage buildings in the activity centre.*

*Retain the visual prominence of the existing Victorian and Edwardian heritage streetscape, including local landmarks, and corner sites.*

*Protect views to the drum dome lantern and flagpole of the Royal Exhibition Building and Carlton Gardens.*

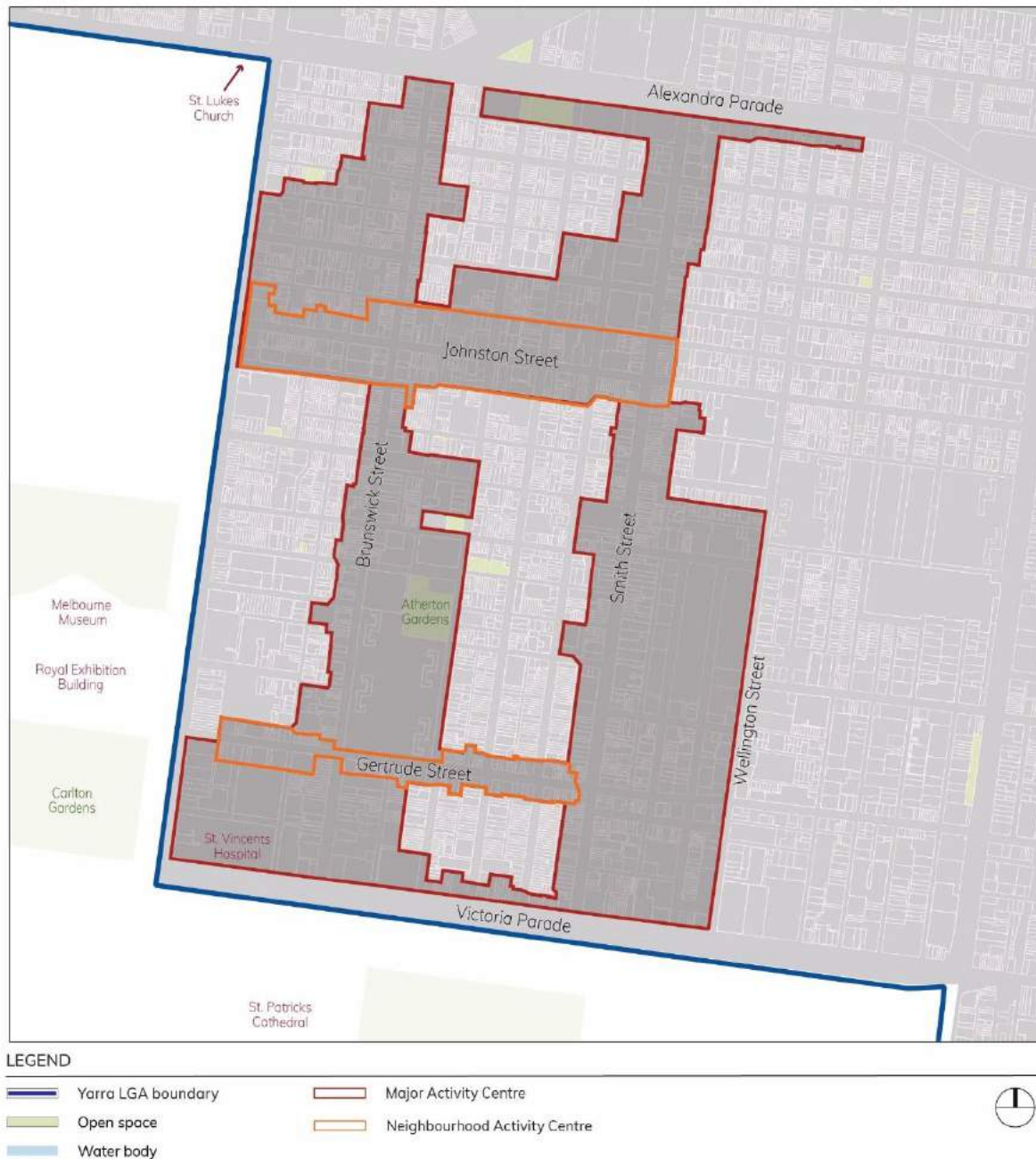


Figure 6. Major and Neighbourhood Activity Centres in Fitzroy (Council endorsed version of Clause 11.03-1L)

## 2.2 Yarra Planning Scheme – Heritage Provisions

Council has well-established heritage provisions within its planning scheme at Clauses 21.05-1 and 22.02, noting that it has recently endorsed a new local heritage policy at Clause 15.03-1L, which is proposed to be introduced through C269. Also of relevance to the protection of the heritage values of the study area is Clause 22.03, which includes policy to protect the visual prominence of landmarks visible from within the study area.

### 2.2.1 Heritage policy

The relevant objective within the current Clause 21.05-1 ‘Heritage’ of the Municipal Strategic Statement (MSS) is *Objective 14: To protect and enhance Yarra’s heritage places*. The relevant strategies to implement this objective are:

- *Strategy 14.1 - Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.*
- *Strategy 14.3 - Protect the heritage skyline of heritage precincts.*
- *Strategy 14.4 - Protect the subdivision pattern within heritage places.*
- *Strategy 14.6 - Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.*

Objective 14 and its associated strategies are considered to be generally compatible with appropriately sited and scaled higher density development on Gertrude Street. Strategy 14.3 to 'Protect the heritage skyline of heritage precincts' would not be achieved unless new upper level development was to be of such low scale that it was fully concealed when viewed from the opposite side of the street as defined by the sightline tests described in Figures 2 and 3 of Clause 22.02 (refer Appendix 1). Avoiding any new visible built form above the parapets of buildings within the Heritage Overlay - although achieving the 'best' heritage outcome - would not enable a level of development that may reasonably be expected to be achieved on this commercial high street nor meet other strategic directions of the Yarra Planning Scheme. A balance therefore needs to be struck between achieving the outcome sought by Strategy 14.3 and meeting the development objectives of the City of Yarra. An acceptable heritage outcome would be one where, although new built fabric is visible above the parapets, roofline or chimneys of these buildings, the development was of a scale, set back and massing such that it retains the primacy of the heritage streetscape, avoids visually dominating the existing buildings and protects the views to the drum and dome of the REB.

Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay' provides detailed guidance for development of places within the Heritage Overlay, including demolition. The relevant objectives of Clause 22.02 are:

- *To conserve Yarra's natural and cultural heritage.*
- *To conserve the historic fabric and maintain the integrity of places of cultural heritage significance.*
- *To retain significant view lines to, and vistas of, heritage places.*
- *To preserve the scale and pattern of streetscapes in heritage places.*
- *To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places.*
- *To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.*
- *To ensure that additions and new works to a heritage place respect the significance of the place.*
- *To encourage the retention of 'individually significant' and 'contributory' heritage places.*
- *To protect archaeological sites of cultural heritage significance.*

Again, these objectives do not preclude higher density development within the Gertrude Street precinct with the possible exception of '*To preserve the scale ... of streetscapes in heritage places*'.

The demolition policy provided at Clause 22.02-5.1 encourages the retention of 'individually significant' and 'contributory' buildings within a heritage precinct. Removal of part of a heritage place or contributory element is contemplated if (in general terms) it can be demonstrated that the removal of the part will not adversely affect the significance of the building, or – for a contributory building – the part is not visible from the street, abutting a park or public open space. It is noted, that while the intent of the policy within the proposed Clause 15.03-1L is largely consistent with that included within Clause 22.02 it does not differentiate between 'individually significant' and 'contributory' buildings in terms of the either the extent of acceptable demolition or the level of concealment sought behind the retained heritage form.

Given that the significance of most heritage places along Gertrude Street lies predominantly in their streetscape presentation, facade detailing and fine-grained pattern of subdivision, it is considered that a certain amount of rear demolition and redevelopment can be contemplated under the existing (or proposed) heritage policy.

Further, with the exception of those heritage places included on the VHR – and therefore regulated under the

*Heritage Act 2017* – internal controls do not apply to heritage places within the precinct.

The significance of the heritage precincts within the study area lies primarily in fabric visible from the public realm. Therefore, in most circumstances, the heritage controls within the Yarra Planning Scheme effectively limits the control of heritage fabric within the study area to that which is visible from the street, including primary building facades, rear laneway views (where they exist) and visible roof and chimney elements.

In relation to ‘New Development, Alterations and Additions’, Clause 22.02-5.7.1 currently sets out the following policy:

**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.*

*Minimise the visibility of new additions by:*

- *Locating ground level additions and any higher elements towards the rear of the site.*
- *Encouraging ground level additions to contributory buildings to be sited within the ‘envelope’ created by projected sight lines (see Figure 1).*
- *Encouraging upper level additions to heritage places to be sited within the ‘envelope’ created by projected sight lines (for Contributory buildings refer to Figure 2 and for Individually significant buildings refer to Figure 3).*
- *Encouraging additions to individually significant places to, as far as possible, be concealed by existing heritage fabric when viewed from the front street and to read as secondary elements when viewed from any other adjoining street.*

*Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies.*

The policy for full or partial concealment of rear additions to residential buildings as described in Figures 2 and 3 of the General Policy at Clause 22.02 is modified by the Specific Requirements at Clause 22.02-5.7.2 that applies to corner sites and sites with dual frontages, and industrial, commercial and retail heritage places:

**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.*

The specific provisions prevail over the general policy where there is a conflict or inconsistency. This establishes an expectation that new development behind industrial, commercial and retail buildings within the Heritage Overlay is not going to be fully or substantially concealed from public realm views. In addition, it should be noted that Gertrude Street, like the typical commercial high streets in the City of Yarra, is 20m wide (building line to building line) where the residential examples shown in Figures 2 and 3 of Clause 22.02-5.7.1 show a sightline test from across an approx. 10m wide residential street. The wider the street, the more visible a new rear development will be.

Although a greater level of concealment would generally provide a better heritage outcome, this specific sightline-based guidance in the heritage policy is designed to preserve and enhance the character and appearance of predominantly one and two-storey dwellings within more typical narrow residential streets and the policy does not require that this be applied to multi-storey development within a major Activity Centre. It is noted that the proposed Clause 15.03-1L does not include a sightline test and that the policy instead relies on retaining a two-room depth of the original or early fabric of the residential dwelling and requiring that additions be 'substantially concealed'.

Likewise, the policy at 22.02-5.7.1 to '*Discourage elements which ... are not contemporary with the era of the building such as ... reflective glass, glass balustrades and pedestrian entrance canopies*' may not achieve an appropriate urban design and architectural outcome in an area such as Gertrude Street. In such areas, a 'contrasting' or 'interpretative' design approach for new taller development above the heritage building is likely to be more recessive than a 'respectful' or 'historicist' one that would lead to the new additions inappropriately mimicking the historic form and potentially being more visually intrusive.

### **2.2.2 Landmarks and Tall Structures**

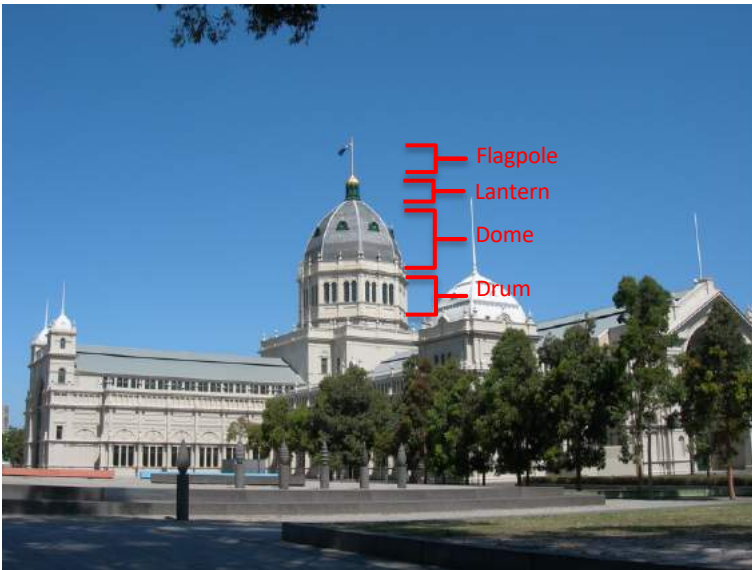
Clause 22.03 – 'Landmarks and Tall Structures' identifies a number of landmark buildings and advertising signs to which views should be protected and provides the following policies:

- *Maintain the prominence of Yarra's valued landmark signs.*
- *Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.*
- *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

Of particular relevance to Gertrude Street are the views of the drum, dome, lantern and flagpole of the REB, the design response for which is:

*Development should protect the views to the drum, dome, lantern and flagpole of the World Heritage Listed Royal Exhibition Building seen from the footpath on the south side of Gertrude Street and along Marion Lane, west of Fitzroy Street.*





**Figure 7.** Royal Exhibition Building showing elements of the drum and dome (adapted from VHD, SOHE 2008)

In addition to the views of the REB, Clause 22.03 also identifies “...the silhouette/profile of St Patrick’s Cathedral...” and “... the silhouette/profile of the church spire [St Lukes] on the corner of Watkins Street and St Georges Road, North Fitzroy...” amongst others. While the specified view points within Clause 22.03-4 for these two churches are not within the Gertrude Street precinct, views of these landmarks are afforded from Gertrude Street when crossing Brunswick Street. These two view sheds are discussed in more detail in the *Brunswick and Smith Street Built Form Review: Heritage Analysis & Recommendations* report.

### 2.2.3 World Heritage Environs Area Strategy Plan

The World Heritage Environs Areas (WHEA) Strategy Plan identifies the importance of the views of the REB from surrounding areas including Gertrude Street. It states:

*The visibility (views and vistas) of the Royal Exhibition Building is an important aspect of its prominence within the local context, and of its overall presentation. Views to the REB and dome in particular, highlight and draw attention to the building’s scale and presence. The scale, in turn, helps demonstrate the building’s original historical role in hosting major international exhibitions. Views out of the REB and Carlton Gardens site into the surrounding area (particularly to the east, north and west) also reinforce an understanding of the original nineteenth century context of the place, and contribute to an appreciation of the largely intact nineteenth century setting. (chapter 4.4, pp.14-15)*

The Strategy Plan identifies the important visual and presentational aspects, and landmark qualities, of the World Heritage Site including (as relevant to the Gertrude Street precinct):

- *The visual prominence of the REB, including the dramatic contrast in scale with much of the surrounding lower scale nineteenth century development.*
- *The visibility of the dome within the local context.*

The views to the World Heritage Site identified within the Strategy Plan are classed as ‘Direct’, ‘Proximate’, ‘Partial/restricted’ and ‘More distant’. Of these, the Gertrude Street precinct provides the following views:

*Proximate views/vistas to the REB dome from Gertrude Street and Marion Lane in Fitzroy ... running east ... of the REB (within WHEA)*

*Partial/restricted views (glimpses) of the building, dome, landscape, gardens and trees from points in south Fitzroy ... (within WHEA)*

*More distant views to the REB dome from the east along Gertrude ... (outside WHEA) (chapter 4.4.2, pp.15-16).*



**Figure 8.** Specific views to the drum and dome of the REB identified in the WHEA Strategy Plan (adapted from nearmap)

The following views to the REB from the Gertrude Street are illustrated in the Strategy Plan:



**Figure 9.** View to the dome from Gertrude Street, Fitzroy (east) [Figure 13 from the WHEA Strategy Plan]



**Figure 10.** View to the dome from Marion Lane, Fitzroy above the roof of Royal Terrace on Nicholson Street (east) [Figure 14 from the WHEA Strategy Plan]



**Figure 11.** Distant view to the dome from east along Gertrude Street (at junction with Napier Street) [Figure 20 from the WHEA Strategy Plan]

The WHEA Strategy Plan was implemented into the Yarra Planning Scheme as DDO8, which protects the views of the drum, dome, lantern and flagpole of the REB. DDO8 includes the following design objectives:

- *To protect the World Heritage values of the Royal Exhibition Building and Carlton Gardens.*
- *To reinforce the built form character of the area as being essentially of low-rise buildings.*
- *To protect views of the drum, dome, lantern and flagpole of the Royal Exhibition Building from the footpath on the south side of Gertrude Street and along Marion Lane, west of Fitzroy Street.*

#### **2.2.4 Schedule 8 to the Design and Development Overlay**

Schedule 8 to the Design and Development Overlay (DDO8) provides the following decision guideline which is relevant for development on the northern side of Gertrude Street:

*Before deciding on an application, the responsible authority must consider the impact on the view of the drum, dome, lantern and flagpole of the Royal Exhibition Building.*

We note that the WHEA Strategy Plan is currently under review by Heritage Victoria, through which the views and vistas analysis of the REB & CG WHS may be revisited. In advance of this work, our analysis has identified the key views of the drum, dome, lantern and flagpole of the REB within the Gertrude Street precinct as being those looking west from the south side of Gertrude Street (particularly from both sides of the intersections of Fitzroy Street [Figure 12] and Brunswick Street [Figure 13]) as well as along Marion Lane over the top of Royal Parade (particularly from the intersection with Fitzroy Street [Figure 14]).





**Figure 12.** View of the REB from the south side of Gertrude Street at intersection of Fitzroy Street (photo taken from the western side of the intersection)



**Figure 13.** View of the REB from the south side of Gertrude Street at intersection of Brunswick Street (photo taken from the eastern side of the intersection)



**Figure 14.** View of the REB from the intersection of Marion Lane and Fitzroy Street

To achieve the objective of Clause 22.03 and DDO8, we consider that it is appropriate to retain a clear sky silhouette of the whole of the drum, dome, lantern and flagpole of the REB and for this element to remain the most prominent visual element within the key views identified above.

Further discussion on local landmarks within the Gertrude Street commercial spine is discussed in Section 5.4 of this report.

### 2.2.5 Heritage Overlay

The head heritage provision of the VPP, Clause 43.01 'Heritage Overlay', has the following purposes:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *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.*

Clause 43.01-8 sets out 'Decision Guidelines' – in addition to those included in Clause 65 – that the Responsible Authority must consider before determining a permit application. These are:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Any applicable heritage design guideline specified in the schedule to this overlay*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*
- *Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.*

While some of these considerations are not obviously consistent with the addition of higher density development behind heritage buildings, the first purpose of 43.01 and the first decision guideline encompasses the whole Municipal Planning Strategy and the Planning Policy Framework (integrated decision-making). Therefore, a balance must be struck by the Responsible Authority between achieving the objectives of the Heritage Overlay and meeting the objectives of other parts of the VPPs including Activity Centre policy and commercial zoning. There is established precedent for new rear development to be accommodated behind heritage buildings in commercial precincts throughout inner Melbourne without substantially compromising the identified significant values of these heritage places.

### 3. Heritage in Design and Development Overlays – Panel Findings

Planning Panels Victoria has considered a number of Planning Scheme Amendments that are of particular relevance to this project: Banyule Amendment C93, Bayside Amendments C113, C114 and C115, Boroondara C108, Darebin Amendment C161, Moreland Amendment C134, Melbourne Amendments C240 and C258, Stonnington Amendment C223, Whitehorse Amendment C175 and Yarra Amendments C220 and C231.

These amendments considered the appropriateness of mandatory controls in the context of PPN59 and provide guidance on which circumstances they should be applied. In response to submissions, they also considered the issue of whether or not the DDO control should include objectives to protect heritage or whether this should be the sole domain of the Heritage Overlay provisions. In addition to these panel reports, Amendment C123 to the Banyule Planning Scheme, approved via ministerial intervention, provides further instruction as to the role of mandatory controls.

These reports provide useful guidance on the form and wording of DDO controls. In summary, Panel has concluded that:

- The Heritage Overlay identifies what is significant within an area.
- Heritage is an appropriate issue for DDOs to provide guidance on to inform future development.
- Mandatory controls should be used in exceptional circumstances and their application should be guided by PPN59 and PPN60.
- Formulae defining the proportion of new built form that can be viewed above the street wall is an appropriate mechanism for informing the design and massing of new built form.

The approach taken in the formulation of the built form controls to manage development affecting heritage places is to complement existing policy. Clause 22.02 - 'Development Guidelines for Sites Subject to the Heritage Overlay' and relevant parts of Clause 22.10 – 'Built Form and Design Policy' have been taken as the starting point for the development of these complementary controls and policy.

Where existing policy is considered to be satisfactory, no additional policy has been recommended. However, specific policy has been recommended where it is considered necessary to provide guidance to recognise the current role of these commercial strips and mixed use pockets and enable their future development while protecting their heritage values and streetscape character.

A discussion of the most relevant of the Panel reports is provided below, and at Section 3.10 the recommendations for each panel are summarised with comment on the implications of the outcome.

#### 3.1 Yarra Planning Scheme Amendment C231

GJM Heritage prepared the *Queens Parade Built Form Heritage Analysis and Recommendations* (11 December 2017) which informed Yarra Amendment C231. C231 sought to apply built form controls in the form of DDOs to Queens Parade, Fitzroy North and Clifton Hill and to amend Heritage Overlay controls that apply within the study area. Precinct 4 within DDO20 covers the commercial shopping strip that forms part of the Queens Parade Neighbourhood Activity Centre. While Queens Parade - as a 60m wide boulevard - is three times the width of Gertrude Street, their traditional high street built form is remarkably similar in terms scale, consistency of built form and architectural quality.

The Panel for Amendment C231 found that the strategic work undertaken in support of the amendment was strong and that it assisted in justifying the majority of the built form parameters recommended in the respective DDOs, particularly with respect to mandatory controls. At p29 of the Panel Report, the Panel notes that:

*Exceptional circumstances exist for the application of mandatory controls for development as the QPAC (Queens Parade Activity Centre) includes a number of significant and contributory heritage places and heritage fabric set within a consistent streetscape form.*

Panel recognised that the wider boulevard urban context would lead to a high visibility of upper level development which in turn warrants the application of height limits.

The Panel supported the mandatory upper level setback of 8m within the Council preferred DDO and the combination of mandatory and preferred height controls where this will provide certainty where distinctive heritage fabric warrants greater protection. It also recognised that an activity centre with diverse built form can have areas of little change where growth can be accommodated elsewhere.

### 3.2 Yarra Planning Scheme Amendment C220

Similar to Gertrude Street, Johnston Street in Collingwood and the western part of Abbotsford (west of the railway viaduct) is a highly intact, predominantly Victorian/early Edwardian-era streetscape covered by the Heritage Overlay. The streets have a similar mix of historic and current uses, a similarly high proportion of 'Contributory' and 'Individually Significant' buildings with a high level of integrity, and similar existing street wall heights (generally between 8m and 11m) as Gertrude Street. Like Gertrude Street, Johnston Street is designated as a Neighbourhood Activity Centre.

Amendment C220 seeks to introduce built form controls along Johnston Street in the form of DDO15. The Panel report recommended the inclusion of the following DDO objective which is also relevant to Gertrude Street:

*To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey (heritage scale) street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge...*

The Panel report provides commentary which is of relevance to a consideration of the proposed built form controls for Gertrude Street. In particular, the Panel stated:

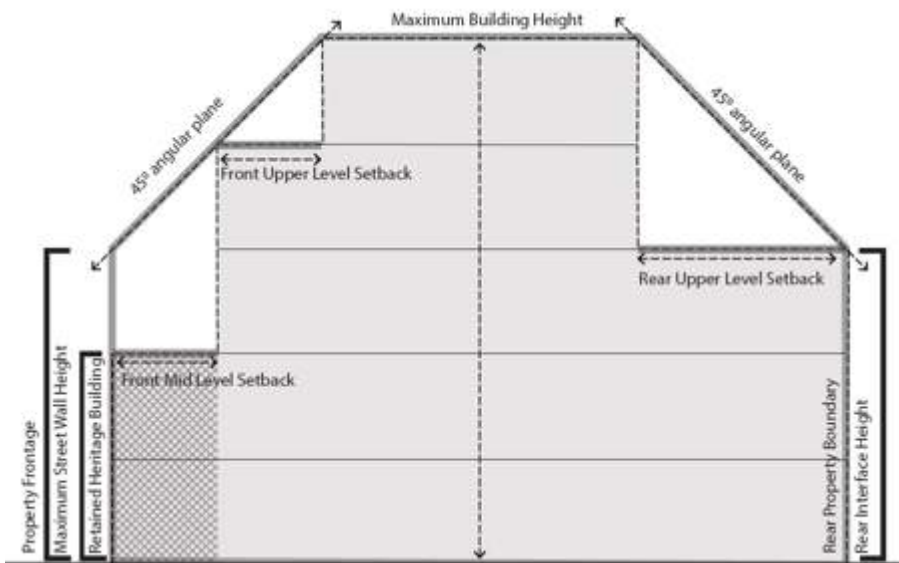
*In urban design terms, the 6 metre setback will retain the 'human scale' of Johnston Street, secure the distinction between the street wall and upper levels and will reduce the potential for overshadowing and adverse wind conditions.*

...

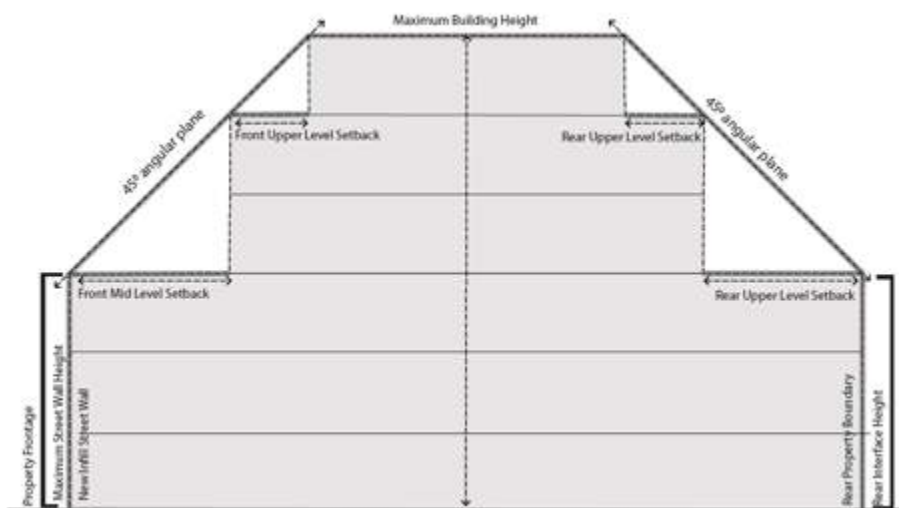
*The Panel does not agree that less significant sections [of Johnston Street] warrant a different treatment. Less significant areas equally deserve to exhibit the overall urban design outcome: a strong street wall with a distinct setback to the mid level form.*

To achieve these objectives Panel recommended that a building envelope requirement be established that, rather than being based on a sightline test from the opposite side of the street new, required new development to be within a 45° 'angular plane' drawn from the maximum street wall height. In combination with upper-level front setbacks and maximum building heights the angular plane creates a further upper-level setback consistent with the application of the policy objective at Clause 22.02-5.7.1 that each higher element to industrial, commercial and retail buildings should be set further back from the lower heritage built form.





**Figure 15.** Building envelope requirement – Heritage Building (Figure 1 in Yarra DDO15 (version for adoption dated 14 May 2019))



**Figure 16.** Building envelope requirement – Infill Building (Figure 2 in Yarra DDO15 (version for adoption dated 14 May 2019))

### 3.3 Melbourne Planning Scheme Amendment C258

Amendment C258 seeks, in part, to rationalise heritage gradings applied within the City of Melbourne from alphabetical and numerical gradings to ‘significant’, ‘contributory’ or not graded. In terms of ‘streetscape’ gradings, C258 seeks to transition from numerical gradings to ‘significant’ or ungraded,<sup>2</sup> however the Panel recommended abandoning the streetscape grading altogether as they considered that the concept of significant streetscapes had been overtaken by the concept of heritage precinct. Further, the Panel considered that these streetscapes could be referred to in the Statements of Significance or, if necessary, defined as their own precinct.

In terms of heritage place gradings within the *Heritage Places Inventory* Incorporated Document, C258 seeks to transition from alphabetical gradings to ‘significant’, ‘contributory’ and ungraded, however the Panel

<sup>2</sup> Significant streetscapes are collections of buildings outstanding either because they are a particularly well preserved group from a similar period or style, or because they are highly significant buildings in their own right.

recommended using an 'Individual' grading for places of site-specific significance and a 'contributory' grading for places that contribute to a heritage precinct.

The Panel went on to recommend that the distinction within the proposed heritage policy that sought different outcomes in terms of fabric retention or the concealment of new built form etc. for heritage places of different grades should be removed and a single set of heritage policies apply irrespective of building grading:

*The Panel has noted that some of the management policies at Clauses 22.04 and 22.05 distinguish between Significant and Contributory buildings. Also, as earlier commented the distinctions contribute to identifying Significant buildings as being more valuable and warranting stricter management policies. The management policies that differentiate between Significant and Contributory buildings, however, are few in number (approximately five) and the Panel considers that they can be reworded into a single management statement. (p.39)*

### 3.4 Moreland Planning Scheme Amendment C134

Sydney Road, Brunswick is a Major Activity Centre with highly intact, predominantly Victorian streetscapes covered by the Heritage Overlay. Sydney Road and Gertrude Street share common traits within their commercial cores including a tram route, a similar mix of historic and current uses, similar historic built form (predominantly two-storey Victorian-era or early twentieth-century commercial buildings), a high proportion of 'contributory' and 'individually significant' buildings with a high level of integrity, and similar existing street wall heights (generally between 8m and 11m).

The Statement of Significance for Moreland HO149 – Sydney Road Precinct<sup>3</sup> notes the precinct is of historical, architectural and social significance to the City of Moreland. It includes a number of close similarities with the cultural heritage significance of Gertrude Street as follows:

- Importance as a predominantly intact late 19th and early 20th century retail and commercial strip;
- Reflecting the considerable expansion and growth of the streets, and the suburbs as a whole, during the 19th century Boom period; and
- Largely intact upper floor facades of the shops.

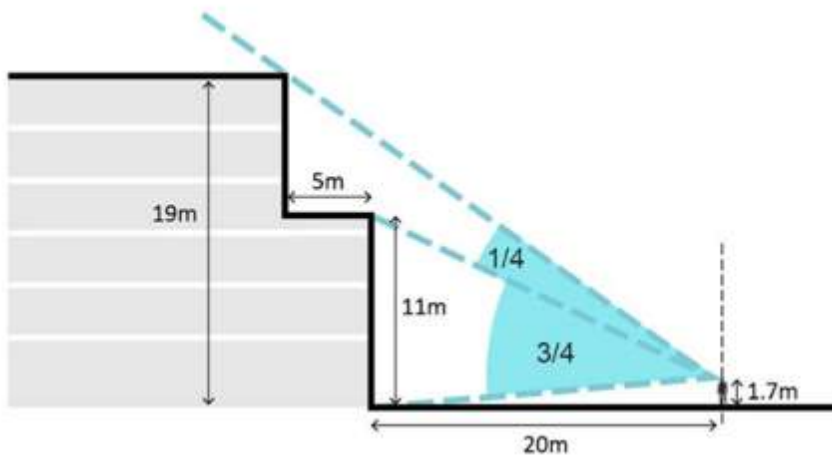
Gazetted on 11 August 2016, C134 introduced DDO18, DDO19 and DDO20. DDO18 set mandatory street wall heights on Sydney Road north of Brunswick Road of between 8m and 11m, which would be an appropriate precedent for the proposed controls Gertrude Street precinct given the similarities in their architectural form.

DDO18 provides a preferred minimum 5m setback for development above the street wall and to establish a preferred ratio of  $\frac{3}{4}$  :  $\frac{1}{4}$  street wall to new built form through the following design objective:

- *Be designed to ensure that it occupies no more than one quarter of the vertical angle defined by the whole building in the view from an eye-level of 1.7 metres on the opposite side of the street, as illustrated in Figure 1 below.*

---

<sup>3</sup> Retrieved from Victorian Heritage Database, 16 June 2017  
(<http://vhd.heritagecouncil.vic.gov.au/places/56076#sthash.7LcbbSIM.dpuf>)



**Figure 17.** Upper level setbacks along Sydney Road (Figure 1 in Moreland DDO18, retrieved 2 June 2017).

DDO18 also provides a useful model for dealing with upper level development where the existing heritage building has a street wall height of less than the 11m street wall height provided in that control:

- *Where an existing building with a street wall height of less than 11 metres is to be retained for heritage reasons new development may occupy more than one quarter of the vertical angle defined by the whole building outlined in Figure 1 above.*

### 3.5 Boroondara Planning Scheme Amendment C108

The Panel considering Amendment C108 discussed the use of mandatory street wall height, upper level setbacks and overall heights across 31 Neighbourhood Activity Centres and three commercial corridors (Camberwell Road/Burwood Road and Canterbury Road).

In its report dated 26 February 2014, the Panel noted its strong support for the protection of heritage assets in Boroondara and recommended reinstatement of policy in the exhibited Amendment that encouraged new development on or adjoining a heritage place to be moderated. In particular, the Panel recommended that policy guidance be included that:

*The combination of the height, setbacks and design treatment of new buildings should ensure a heritage place on or adjoining the site is not overwhelmed or dominated.*

The Panel also considered the use of mandatory height and setback controls, and recognised that the version of *Plan Melbourne* at that time foreshadowed stronger policy support for the use of mandatory provisions in neighbourhood centres (and residential areas) to increase planning certainty.

The Panel report recognised that mandatory provisions that prescribed standards without a capacity for departures have been supported in areas of consistently high heritage value with consistent character. While acknowledging the heritage values and ‘main street’ character of the Neighbourhood Activity Centres subject to C108, the Panel also recognised that new development will be visible behind the retained façades – particularly from oblique views – and that invisibility of upper level development is either unreasonable or not necessary to achieve the primacy of the street wall.

In conclusion, the Panel accepted some use of mandatory controls within Boroondara’s neighbourhood centres, but not in the commercial corridors:

*The Panel recognises that Plan Melbourne foreshadows stronger policy support for the use of mandatory provisions in neighbourhood centres (and residential areas) to increase certainty. The Panel considers the combination of the street wall and upper level setbacks is critical in neighbourhood centres to maintain the established main street character and in these situations mandatory controls can be justified. However, we consider development with elements that exceed the nominated height and/or*

*adopt alternative setbacks should not be precluded as they may produce better outcomes in some circumstances. The overall maximum height limits should therefore remain discretionary to allow for such circumstances.*

It was the Panel's conclusion that mandatory street wall heights which reflected the dominant character of the neighbourhood centres were acceptable (either 8m or 11m, depending on the context). It also found that if mandatory upper level setbacks were to be adopted, they should be sufficient to ensure that in most cases the upper storey will be clearly distinguishable from the street wall of the heritage building and be a recessive element in neighbourhood centre streetscapes. To achieve this, the Panel identified 5m as being an appropriate mandatory minimum setback for upper level development in the context of Boroondara's Neighbourhood Activity Centres.

### 3.6 Whitehorse Planning Scheme Amendment C175

Amendment C175 sought to implement the *Box Hill Metropolitan Activity Centre Built Form Guidelines* (Hansen Partnership, 2016) by rezoning land, introducing the Built Form Guidelines as a reference document and applying a new DDO Schedule to introduce built form controls. In its consideration of this amendment, the Panel Report dated 6 October 2017 stated:

*The Panel would have benefited from a more sophisticated analysis of the heritage precinct that utilised three-dimensional modelling, sight lines and view-sheds to help understand the rationale for the proposed heritage related controls. Without this basic information, it is difficult to determine whether the proposed controls are appropriate...*

and concluded that in the absence of this modelling:

- *The Built Form Responses regarding Heritage should not proceed in their current form.*

The absence of three-dimensional modelling, and sight line and view-shed analysis in relation to those areas of the Box Hill Activity Centre that are subject to the Heritage Overlay appears to have been critical in Panel recommending that the proposed built form controls not be applied to address heritage.

### 3.7 Stonnington Planning Scheme Amendment C223

The Glenferrie Road and High Street Major Activity Centre encompasses the two linear commercial strips of Glenferrie Road and High Street in Malvern as well as two peripheral areas. The Heritage Overlay, which covers all of Glenferrie Road and most of High Street, acknowledges the area for its '*metropolitan significance as one of the major strip shopping centres to have retained its role into the late twentieth century, and for the quality and integrity of its Victorian, Federation and Interwar building stock*'.<sup>4</sup> Amendment C223 sought to apply new built form provisions through the application of DDO19 to the entire Activity Centre, with precincts A and B covering the commercial and heritage precincts of Glenferrie Road and High Street respectively.

While the amendment proposed an 8-10m setback above the street wall for precincts A and B, the Panel found it to be effectively a concealment of upper level additions, supporting instead a 5m setback as adequate to respect heritage values without removing development capacity. This was derived from the precedent in the Boroondara Planning Scheme and was seen to equate to the first room in a Victorian-era building. The amendment was otherwise generally supported by the Panel as an appropriate balance between protecting heritage values and enabling growth. Discretionary preferred maximum building heights between 14.5 metres (4 storeys) and 21 metres (6 storeys) were supported through precincts A and B.

The Panel also reviewed the drafting of discretionary and mandatory provisions, addressing the appropriateness of the terms 'should' and 'must'. The Panel noted that confusion arose from the DDO parent clause, and until

---

<sup>4</sup> Retrieved from Victorian Heritage Database, 18 January 2018  
(<https://vhd.heritagecouncil.vic.gov.au/places/31530>)

such time as the clause is redrafted, the term 'must' is to be used for schedule requirements with the addition of further clarification if it can be varied with a permit.

### 3.8 Darebin Planning Scheme Amendment C161

Amendment C161 proposed to implement the 'Fairfield Village Heritage Assessment, 2017' (Heritage Intelligence) and 'Fairfield Village Built Form Guidelines 2017' (Hansen Partnership) through the application of Heritage Overlay (HO313) and DDO21 to the Fairfield Village Neighbourhood Centre. DDO21 created two sub precincts: Area 1 to be applied to the proposed HO313 precinct; with the remainder of the centre covered by Area 2.

The Panel Report provides some guidance on the drafting of development controls for Gertrude Street. The Panel found the application of the Heritage Overlay in conjunction with the DDO would enable the precinct 'to support a variety of housing typologies at increased densities' in a way that 'allows the heritage place to be identified and understood'. Further, the Panel supported the application of a mixture of mandatory and discretionary controls to Area 1 of the DDO in the form of:

- Mandatory maximum building heights at 14.5m and 17.5m (four and five storey), triggered by a lot width of 24m for five-storey.
- Mandatory maximum street wall height to be the greater of 8.5m or the adjacent street wall.
- Discretionary minimum front setbacks above the street wall at generally 4m, and 8m if constructing to a 5<sup>th</sup> level.
- The addition of a 3m side setback at the fifth-floor level – introduced as a discretionary provision to prevent the creation of a dominating wall of development along Station Street.

The Panel found that DDO21, as proposed, had several failings. In addition to drafting and content recommendations, the inclusion of a 'Valued Street Façade' provision was questioned. 'Valued Street Facades' were identified for their contribution to local character due to their form and/or detail across both Area 1 and 2. They were not identified as a feature of previous heritage studies and were not all of historic value. The Panel was not convinced 'that a DDO can be structured to require the retention or incorporation of a building', finding the Heritage Overlay to be the appropriate mechanism for such a provision. Due to their largely arbitrary identification and the lack of urban design advice justifying their inclusion, the Panel recommended that in addition to being removed from Area 2 and non-contributory buildings in Area 1, the be reviewed to be made workable or removed in its entirety.

### 3.9 Banyule Planning Scheme Amendment C123

The Ivanhoe Shopping Centre is part of the Ivanhoe Activity Centre and is a traditional linear strip of retail and commercial activity located along the historic thoroughfare of Upper Heidelberg Road, Ivanhoe. HO90 identifies the Ivanhoe Shopping Centre for its local historical and social significance in the form of one and two-storey shops predominantly from the 1915-1940 period.

Amendment C123 was approved by Ministerial intervention in September 2018 and applied to the Ivanhoe Activity Centre. Initially introduced as an interim control attached to the Activity Centres Pilot Program run by the Department of Environment, Land, Water and Planning, C123 did not progress through a Panel process. C123 amended DDO11 and applied mandatory height controls across the Ivanhoe Activity Centre. The application of mandatory heights was in response to the quantity and scale of development proposed within the area, particularly in relation to building heights in excess of the approved structure plan heights, and resulted in mandatory heights of generally 15m being applied to the HO90 area.

### 3.10 Table of Summarised Recommendations and Potential Implications for Gertrude Street

<b>Yarra Amendment C231</b>	
<b><i>Recommendation</i></b>	<b><i>Potential Implications</i></b>
Significant and contributory heritage places and heritage fabric set within a consistent streetscape form warrants mandatory controls	Gertrude Street displays similar levels of consistency in heritage streetscape to warrant mandatory controls
8m upper-level setbacks justified	An 8m mandatory setback can be justified for highly intact heritage streetscape such as found within Gertrude Street
Combination of preferred and mandatory heights appropriate to respond to a variety of built form conditions	The use of a balanced combination of preferred and mandatory heights is appropriate to respond to varied conditions
Limiting heights within heritage precincts while allowing housing capacity to be met elsewhere in the broader study area	The most highly intact areas warrant low heights to protect heritage streetscapes
<b>Yarra Amendment C220</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
A 6m upper level setback will retain the 'human scale' of Johnston Street, secure the distinction between the [heritage] street wall and upper levels	A minimum 6m mandatory upper level setback is appropriate
The less significant sections of Johnston Street do not warrant lesser built form controls	The same controls should be applied within the DDO irrespective of the significance of the streetscape quality
A preferred ratio of 2/3:1/3 street wall to new upper level built form should be replaced with a 45 degree angular plane	A 45 degree angular plane above a nominal 11m street wall height can inform the preferred mid-level built form rather than a ratio based sightline test
In combination with upper level front setbacks and maximum building heights, the angular plane creates a further upper-level setback from the mid-level setback	Upper level development should be set further back from the street wall consistent with the guidance at 22.02-5.7.2
<b>Melbourne Planning Scheme Amendment C258</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
Heritage policy should not seek different outcomes in terms of fabric retention or the concealment of new built form based on gradings	The same controls should be applied within the DDO irrespective of the grading of properties within a precinct
The streetscape grading system should be abandoned	Applying a streetscape grading is unnecessary for the justifying the use of mandatory controls

<b>Moreland Amendment C134</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
The application of mandatory street wall heights to Sydney Road is justified	Provides a justification for the application of mandatory street wall heights within the Study Area
Established a preferred ratio of ¾ : ¼ street wall to new upper level built form	The use of a sightline test to inform new upper level built form is appropriate
<b>Boroondara Amendment C108</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
The combination of the height, setbacks and design treatment of new buildings should ensure a heritage place on or adjoining the site is not overwhelmed or dominated	The DDO can included height, setback and design treatment controls to avoiding dominating heritage places
New development will be visible behind the retained façades – particularly from oblique views – and that invisibility of upper level development is either unreasonable or not necessary to achieve the primacy of the street wall	There is an expectation that the visibility of new upper level development (including from oblique views) will be acceptable and complete concealment is not necessary
Mandatory upper level setbacks to the commercial corridors are justified	Provides a justification for the application of mandatory upper level setbacks within the study area
<b>Whitehorse Amendment C175</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
In the absence of modelling, built form controls should not proceed	That three-dimensional modelling, sightlines and view shed analysis should inform built form controls
<b>Stonnington Amendment C223</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
A 5m upper level setback instead of the 8-10m setbacks proposed should effectively conceal upper level development	There is an expectation that the visibility of some new upper level built form will be acceptable and complete concealment is not necessary
Application of the words ‘should’ and ‘must’ within controls should be carefully considered	Use ‘should’ used for preferred controls and ‘must’ for mandatory controls
<b>Darebin Amendment C161</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
The application of mandatory building heights to Fairfield Village is justified	Provides a justification for the application of mandatory building heights within the study area
The application of mandatory street wall heights to Fairfield Village is justified	Provides a justification for the application of mandatory street wall heights within the study area
The use of ‘Valued Street Façade’ provision not supported	Confirms reliance on the Heritage Overlay to protect valued streetscapes



<b>Banyule Amendment C123</b>	
<b><i>Recommendation</i></b>	<b><i>Implications</i></b>
The application of mandatory building heights to the Ivanhoe Activity Centre is justified	Provides a justification for the application of mandatory building heights within the study area

## 4. Mandatory and Discretionary Height and Setback Controls

*Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes* (June 2015) (PPN59) notes that the VPPs are predominantly performance-based and that mandatory provisions are the exception. The PPN sets out a series of five criteria against which to test proposed mandatory provisions, being:

- Is the mandatory provision strategically supported?
- Is the mandatory provision appropriate to the majority of proposals?
- Does the mandatory provision provide for the preferred outcome?
- Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?
- Will the mandatory provision reduce administrative costs?

*Planning Practice Note 60: Height and Setback Controls for Activity Centres* (PPN60) provides specific guidance on the use of mandatory height and setback controls in activity centres. In September 2018, the Department of Environment, Land, Water and Planning published an updated version of PPN60 following the completion of the pilot project *Better Height Controls in Activity Centres*<sup>5</sup>. Of relevance to this matter, PPN60 now provides an additional justification for the use of mandatory controls based on ‘comprehensive strategic work’, and reads:

*Mandatory height or setback controls should only be applied where:*

- *exceptional circumstances exist; or*
- *council has undertaken comprehensive strategic work and is able to demonstrate that mandatory controls are appropriate in the context, and*
- *they are absolutely necessary to achieve the preferred built form outcomes and it can be demonstrated that exceeding these development parameters would result in unacceptable built form outcomes.*

In relation to ‘exceptional circumstances’, PPN60 states:

*Exceptional circumstances may be identified for individual locations or specific and confined precincts, and might include:*

- *significant heritage places where other controls are demonstrated to be inadequate to protect unique heritage values.*
- *sites of recognised State significance where building heights can be shown to add to the significance of the place, for example views to the Shrine of Remembrance...*

The amended version of PPN60 reflects a broader shift over time within the application of the VPPs in favour of the use of mandatory controls.

The purpose of the Built Form Framework and this report is to provide a comprehensive strategic basis for height and setback controls within the study area. The inclusion of individual heritage places and precincts in the Heritage Overlay demonstrates the significance of the unique heritage values of the study area.

PPN60 identifies the following criteria for ‘exceptional circumstances’ that “...may be identified for individual locations or specific and confined precincts”. These include (as relevant):

- *significant heritage places where other controls are demonstrated to be inadequate to protect unique heritage values*
- *sites of recognised State significance where building heights can be shown to add to the significance of the place, for example views to the Shrine of Remembrance...*

To pursue mandatory controls, PPN60 also states:

*Where exceptional circumstances are identified, mandatory height and setback controls should*

<sup>5</sup> Refer to the Panel Report to Yarra C220 chapter 1.2 for further discussion on the pilot project and the amendment to PPN60.

*only be applied where they are absolutely necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis. Where mandatory controls are proposed, it will need to be demonstrated that discretionary controls could result in an unacceptable built form outcome.*

The Panels that considered Boroondara C108, Darebin C161, Moreland C134 and Yarra C220 & C231 provide further guidance on the application of mandatory height, street wall height and upper level setback controls along Brunswick and Smith Streets.

These Panels concluded that for Heritage Overlays within activity centres:

- Mandatory controls were appropriate for street wall heights along Sydney Road, in 31 neighbourhood centres in Boroondara, Area 1 of the Fairfield Village Neighbourhood Centre and in parts of Johnston Street and Queens Parade
- Mandatory upper level setbacks were appropriate in many of Boroondara's neighbourhood centres and in parts of Johnston Street and Queens Parade
- Mandatory heights were appropriate for Area 1 of the Fairfield Village Neighbourhood Centre and in Queens Parade
- Mandatory setbacks were appropriate for Johnston Street with a mixture of preferred and mandatory height limited combined with a 45 degree angular plane test.

It is our view that Queens Parade – Precinct 4 in particular shares similarities with Gertrude Street in terms of heritage fabric and streetscape characteristics.

## **Part II: Heritage Analysis**

## 5. The Gertrude Street Study Area

### 5.1 Study Area Boundary

As noted previously, this report focuses on the Gertrude Street commercial spine as defined in Figure 2.

Following is an analysis of the heritage components and qualities of the Gertrude Street area, including significant views and landmarks. An analysis of future built form character considerations has been provided along with recommended built form parameters to appropriately manage heritage values.

As detailed in the *Brunswick and Smith Street Built Form Review: Heritage Assessments* report (GJM Heritage, 25 November 2019) and Section X of this report, it is recommended that a new Gertrude Street, Fitzroy Heritage Precinct be created to appropriately recognise the specific history and architectural quality of this important streetscape.

### 5.2 Physical Description

The Gertrude Street commercial spine runs in an east-west direction between Royal Lane (east of Nicholson Street) to Smith Street. The corridor generally extends to the depth of one property to the north side of the street west of Brunswick Street, to the depth of one property on the south of the street between Brunswick and Napier Streets, and to the depth of one property on both sides of the street between Napier and Smith Streets. Gertrude Street is generally flat but falls to the east from Gore Street to Smith Street. It is crossed by a regular succession of north-south running streets, which is broken by the Atherton Gardens housing estate.

The study area excludes the Atherton Gardens housing estate and the properties to the south of Gertrude Street, west of Brunswick Street. The precinct extends south of Gertrude Street between Young and Little Napier Streets to include MUZ zoned land.

With the exception of the Atherton Gardens housing estate, Gertrude Street is commercial in character. The MUZ zoned land between Young and Little Napier Streets is residential in use and character, with a number of graded single-storey terraced houses and some later low-medium rise apartment development.

While only occupying both sides of the street between Napier and Smith Streets, Gertrude Street is one of the most intact commercial high streets within inner Melbourne. Its consistency of form and very high level of intactness compares with the commercial section of Queens Parade, Fitzroy North / Clifton Hill and the northern part of Brunswick Street between Leicester and Johnston Streets or the central section of Smith Street north and south of the Johnston Street intersection.

The wholesale demolition of the shop/residences that once lined the northern side of Gertrude Street to make way for the construction of the Atherton Gardens housing estate in the early 1970s had the most profound impact on the intactness of the street. Other late-twentieth century development was smaller scale (one or two storey) commercial infill that has not disrupted the visual cohesiveness of the precinct. The only substantial recent development is the five-storey mixed use development at no. 166 Gertrude Street, the principal elevation of which does not exceed the height of the tall three-storey Blakett's Building at nos. 158-164 on the opposite side of Little George Street.

### 5.3 Heritage Characteristics

Two-storey shop / residence buildings are common to the City of Yarra's historic high streets and make up the majority of the streetscape within the Gertrude Street commercial spine. These buildings share typical characteristics, which include:

- Attached terraced construction
- Masonry construction with less than 40% of the upper level street wall face comprised with openings such as windows and doors

- Painted render or face brick façades
- Parapeted front facades with solid parapets, open balustrades or more elaborate gables
- No setback from the street boundary
- Early or altered shop fronts taking up the majority of the ground floor often with recessed entries
- Splayed corners to return façades or end-of-terrace elevations to laneways and side streets
- Architectural features such as belvederes and towers at prominent corner site
- Verandahs or later canopies, particularly on the south side of the street
- Visible chimneys normally set back between 3m and 4m from the front of the building.

In addition to the above, Gertrude Street also includes a small number of isolated taller late nineteenth and early twentieth century buildings including the four-storey building at no. 108-110 (graded 'contributory', c.1880-90); and the three-storey buildings at nos. 158-164 (graded 'individually significant', 1888), 198-200 (graded 'contributory', c.1870-90) and 202-204 (graded 'individually significant', 1900-1915).

Mid-late twentieth century development is generally two-storey and contextual in scale, form and materiality, including nos. 1-9, 19-35, 54-60 and 142-144 Gertrude Street. The five-storey mixed use building constructed at 166 Gertrude Street in 2017 is the only substantial recent development within the study area.

The following examples show the typical building types found within the study area. It must be noted that buildings of a particular type will not necessarily demonstrate all the features identified below, and may include other features such as visible roofs and chimneys.



**Figure 18.** Two-storey shop/residence at 233-235 Gertrude Street showing the typical relationship between solid (walls) and void (windows) on the front façade. The first-floor windows make up less than 40% of the wall area (excluding the parapet, gable or balustrade) and the early shopfront glazing and entrance door occupies the majority of the ground floor façade.





**Figure 19.** Aerial photograph (153-167 Gertrude Street, nearmap, 31 August 2019) showing the typical location of chimneys at the centre of each of the front rooms on the party wall i.e. approx. 3m back from the front façade. The principal front part of the buildings range from 6m deep to in excess of 20m with typical depths being 10-15m deep.

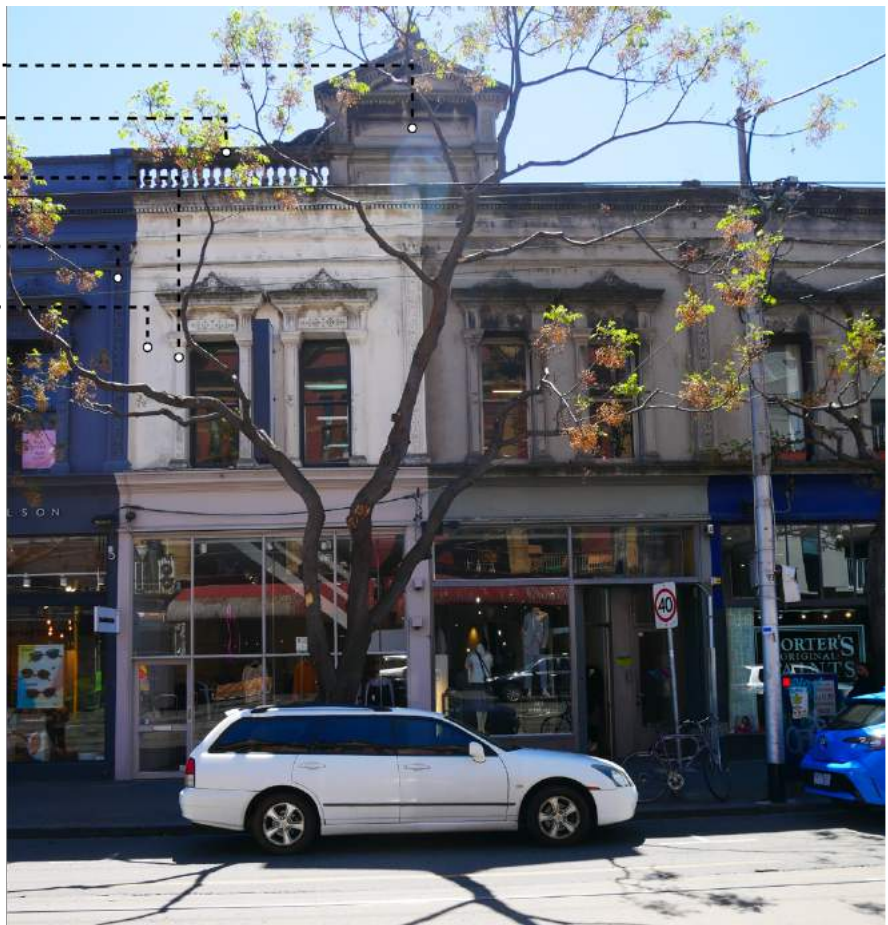


**Figure 20.** Two-storey corner shop/residence with return façade (northeast corner of the intersection of Gertrude and Fitzroy Streets).



**Figure 21.** Simple or modest shop / residence (Looking southeast to 132-134 Gertrude Street)

- DETAILED PEDIMENT ·····
- BALUSTRATE TO PARAPET ·····
- DETAIL TO WINDOWS ·····  
Windows occupying less than 40% of the wall area.
- DECORATIVE MOTIFS ·····
- MASONRY (BRICK OR RENDER) ·····  
UPPER WALLS  
With windows occupying less than 40% of the wall area.



**Figure 22.** Elaborately detailed shop residence (looking north to 163 Gertrude Street)



## 5.4 Local Landmarks

While municipal-wide landmarks within the City of Yarra are identified within Clause 22.03 'Landmarks and Tall Structures' of the Yarra Planning Scheme, the location, scale, function and architectural form and detail of some other buildings within the study area has resulted in these buildings acting as local landmarks. These buildings serve as markers, wayfinding aids or landmarks in the local streetscape context. There are no municipal-wide landmarks identified in Clause 22.03-4 within the Gertrude Street Precinct, however some of the most important views to the drum and dome of the REB identified within the WHEA Strategy Plan are provided from within the precinct, which is discussed at Section 2.2 above.

In identifying the following local landmarks, this report has also considered the 2017 Ethos Urban report entitled *Review & Development of the City of Yarra Landmarks Policy*.

In the context of Gertrude Street, the local landmarks act as wayfinding aids, signal public or semi-public buildings, articulate street corners and promote or advertise important local businesses.

These buildings include, but may not necessarily be limited to:

- Civic buildings including post offices
- Hotels
- Banks
- Important local commercial businesses
- Commercial buildings (often small scale) at an intersection that have been designed to specifically articulate the corner through the use of towers, belvederes or other elements.

The features that distinguish these buildings include:

- Public use (civic or post office)
- Semi-public use (hotels and banks)
- Major commercial enterprises requiring larger buildings or use the building to advertise their presence (department stores and commercial showrooms)
- Prominent corner locations
- More elaborate architectural detailing, particularly the use of Neo-classical, Mannerist or Baroque elements (columns and pilasters, aedicule, quoining, rusticated masonry etc.) and high-status materials including polychromatic brickwork and natural stone
- Elements that project above the parapet line particularly at street corners including pediments, towers, turrets, lanterns, belvederes or domes etc.

These buildings are generally identified within Appendix 8 as 'Individually Significant'.



**Figure 23.** The former Champion Hotel at 54 Brunswick Street (at the intersection with Gertrude Street) has elaborate Federation features and prominent corner belvedere (typical of the building's reputed architects, Sydney, Smith & Ogg)<sup>6</sup>.

Individually significant within HO334.



**Figure 24.** The Rob Roy Hotel at 51 Brunswick Street (at the intersection with Gertrude Street) is a long-standing hotel on a prominent corner.

Individually significant within HO331 (part) and HO334 (part).

(VHD, ©City of Yarra)

---

<sup>6</sup> *Fitzroy Urban Conservation Study Review*, prepared for the City of Fitzroy by Allom Lovell & Associates, dated November 1992. (Page 4.72)





**Figure 25.** Former ES&A Bank (now Charcoal Lane) at 136-138 Gertrude Street (at the intersection with Little Napier Street) is a freestanding former bank set back from the street.

Individually significant within HO334.



**Figure 26.** Blackett's Building at 158-164 Gertrude Street (at the intersection with Little George Street) is a freestanding tall, prominent and elaborately detailed three storey building with first floor loggia.

Individually significant within HO334.

## 6. Statutory Framework

### 6.1 Heritage Status

#### 6.1.1 Existing conditions

The majority of the Gertrude Street commercial spine is currently included within HO334 – South Fitzroy Precinct. West of Fitzroy Street, in the vicinity of the REB & CG WHS, Gertrude Street is subject to HO361 – World Heritage Environs Area Precinct. There is a single place (the shops at 181-183 Gertrude Street and 89 George Street) included on the VHR within the commercial section of Gertrude Street. The VHR-listed residential terraces (Royal Terrace, 50-68 Nicholson Street [VHR H0172]; Glass Terrace, 64-78 Gertrude Street [VHR H0446]; Terraces, 39-49 Brunswick Street [VHR H0470]) and the Former Cable Tram Engine House, 46-48 Nicholson Street (VHR H0584) address Gertrude Street but fall outside the study area.

The residential properties that are zoned MUZ south of Gertrude Street between Young and Little Napier Street are appropriately included within HO334.

In summary, the existing heritage status for the Gertrude Street study area is:

<b>Victorian Heritage Register</b>				
<i>VHR</i>	<i>Name</i>	<i>Address</i>	<i>Heritage Overlay</i>	<i>Date</i>
H0886	Shops	181-183 Gertrude Street and 89 George Street	HO160	1852-53
<b>Individual Heritage Overlays</b>				
<i>Heritage Overlay</i>	<i>Name</i>	<i>Address</i>	<i>Appendix 8 grading</i>	<i>Date</i>
<i>Nil</i>	-	-	-	-
<b>Precinct Heritage Overlays</b>				
<i>Heritage Overlay</i>	<i>Name</i>	<i>Address</i>	<i>Appendix 8 grading</i>	<i>Date</i>
HO311	Brunswick Street Precinct	various	various	various
HO334	South Fitzroy Precinct	various	various	various

The existing conditions are identified in Figures 27-29 (with the proposed Gertrude Street, Fitzroy heritage precinct identified, discussed further in Section 6.1.2).



**Figure 27.** Existing zoning map – proposed Gertrude Street Precinct outlined with red line (VicPlan, accessed 2 October 2019)



**Figure 28.** Existing Heritage Overlay map – proposed Gertrude Street Precinct outlined with red line (VicPlan, accessed 2 October 2019)



**Figure 29.** Existing VHR map – proposed Gertrude Street Precinct outlined with red line (VicPlan, accessed 2 October 2019)

### 6.1.2 Recommended changes

The Gertrude Street commercial spine is, with the exception of the pocket park at the southwest corner of the intersection of Gertrude and Smith Streets (246-248 Gertrude Street) is currently subject to either State or local-level heritage controls. Notwithstanding this, the Statement of Significance for HO334 – South Fitzroy Precinct, predominantly recognises residential heritage values (as well as some aspects of commercial and industrial buildings) and does not adequately describe the specific values of the Gertrude Street commercial area. Given the specific historic and architectural values of Gertrude Street, it is recommended that a new precinct be created that recognises the unique heritage character of this high street. This is consistent with the approach taken in a number of comparable linear high streets including: Bridge Road (HO310), Brunswick Street (HO311), Johnston Street (HO324 and HO505), Queens Parade (HO330), Smith Street (HO333) and Swan Street (HO335).

Although the land contains no heritage fabric, the inclusion of 246-248 Gertrude Street within the proposed Gertrude Street Precinct Heritage Overlay is recommended to ensure that any future development of this privately-owned site addresses the heritage provisions of the Yarra Planning Scheme.

The *Brunswick and Smith Street Built Form Review: Heritage Assessments* report provides a detailed assessment of the proposed Gertrude Street Precinct and proposes the following Statement of Significance:

#### *What is significant?*

Properties within the following areas contribute to the significance of the Gertrude Street Precinct:

- North side of Gertrude Street, Fitzroy from Fitzroy Street to Smith Street excluding Atherton Gardens
- South side of Gertrude Street, Fitzroy from Brunswick Street to Smith Street
- Brunswick Street
- Gore Street
- Little Napier Street
- Napier Street.

Elements that contribute to the significance of the precinct include (but are not limited to):

- The consistent Victorian commercial character of the precinct, which includes:
  - A consistent two-storey scale with some taller buildings
  - A variety of simple and highly decorative facade parapets, with pitched roofs behind
  - No front or side setbacks
  - Rendered or face red brick walls
  - Rendered window frames, sills and hoods to upper stories
  - Rendered ornament to upper stories
  - Brickwork with corbelled capping courses
  - Strong horizontal lines formed by parapets, cornices, string courses
  - Repetitive upper floor fenestration patterns
  - Less than 40% of the upper street façade comprises openings such as windows
  - Corrugated iron and slate roof cladding
  - Original post-supported street verandahs
  - Shop fronts with display windows, timber or tiled plinths, and entry recesses
  - Some red brick storage or stable buildings at the rear or side lane frontage
  - Corner buildings with secondary façades to side streets or lanes
  - Splayed corners to buildings at intersections.
- Examples of intact Edwardian buildings.
- Bluestone pitched road paving, crossings, stone kerbs and channels and asphalt paved footpaths.



Features that do not contribute to the significance of the precinct include more recent alterations and additions to buildings within the precinct, including highly altered shopfronts.

*How is it significant?*

The Gertrude Street Precinct is of local historical, architectural, aesthetic and social significance to the City of Yarra.

*Why is it significant?*

The Gertrude Street Precinct is an important and early local 'High Street' in the City of Yarra and has functioned continuously as one of Fitzroy's key commercial centres since the mid-nineteenth century. It retains a substantial collection of intact commercial buildings, predominantly from the Victorian period, including shops and associated residences, hotels and a former bank building. Together these buildings demonstrate the development of this High Street, particularly from the 1850s to c1900 when substantial growth in the street occurred, and are illustrative of the enduring role the street has played in the economic and social life of Fitzroy since the establishment of the suburb [Criterion A].

The highly intact streetscape of the Gertrude Street Precinct clearly demonstrates the principal characteristics of a Victorian High Street in the City of Yarra. Typical characteristics – including a predominantly two-storey Victorian street wall height, parapeted rendered or red brick facades, repetitive upper floor fenestration, and ground floor shopfronts – are displayed in the original forms, fabric and detailing of the majority of the buildings. The streetscape is particularly intact and consistent in architectural form and expression. [Criterion D].

The Gertrude Street Precinct contains a number of individually significant places which are well-considered and carefully detailed examples of commercial buildings. These include, among others, shops and residences at 153-159 and 184-186 Gertrude Street, the Builders Arms Hotel (211-217 Gertrude Street) and the Champion Hotel and associated shops and residences (50-54 Brunswick Street and 94-100 Gertrude Street). Variations in façade detailing throughout the precinct, including parapet ornamentation, balustrading and pediments, and applied decoration, make an aesthetic contribution to the overall character of the precinct [Criterion E].

The Gertrude Street Precinct is an important social and political hub in Melbourne for the Aboriginal community. A number of services were established in buildings in the precinct from the 1960s and it has long been an important meeting place for Aboriginal people [Criterion G].

A full copy of the proposed Heritage Citation is provided at Appendix A.

The Atherton Gardens housing estate occupies approximately 6.7 ha and is included within the extent of HO334 but does not contribute to the values of either the Brunswick Street or South Fitzroy Precincts, or the proposed Gertrude Street Precinct. The existing Statement of Significance for HO311 (Brunswick Street Precinct) reads:

*... the greatest loss in the street was the development of the Atherton Gardens Estate by Housing Commission of Victoria when shop rows and an early stone church, between King William and Gertrude Streets, were demolished. Four twenty-storey residential towers were built in their place in 1970-1972.*

Consistent with the *Brunswick and Smith Street Built Form Review: Heritage Analysis & Recommendations*, it is recommended that this land, bounded by Condell, Napier, Gertrude and Brunswick Streets, be removed from the Heritage Overlay.

## **6.2 Zoning**

### **6.2.1 Existing conditions**

The land along the Gertrude Street commercial spine is zoned C1Z, which is appropriate for the use and form of the buildings along Gertrude Street.



The area south of Gertrude Street between Young and Little Napier Streets is occupied by a number of heritage dwellings that remain in residential use that are zoned MUZ when their immediate neighbours are more appropriately zoned NRZ.

### 6.2.1 Recommended changes

It is recommended that the following heritage-graded residential properties at 44-72 Young Street and 39-41 Little Napier Street be rezoned from MUZ to NRZ to reflect their low-rise residential character and context. This would restrict development to that of adjoining NRZ land and ensure that residential requirements of the heritage provisions of the Yarra Planning Scheme would apply.

The three storey Australian Catholic University car park at 28-42 Young Street located at the southern end of the street should remain zoned MUZ.



**Figure 30.** Planning map showing properties (shaded in black) that are recommended for rezoning from MUZ to NRZ (VicPlan, accessed 2 October 2019)

## 7. Potential Future Character Considerations

Gertrude Street is a highly cohesive commercial high street which largely retains its late-nineteenth century character and consistent two-storey scale. Later development has been limited to small-scale infill and a single five-storey mixed use development. Almost all buildings have a parapeted form, many with elaborate facades and architectural detail, and some have visible chimneys and other roof features. The limited variation of street wall height along Gertrude Street and the consistent height of the parapets of heritage buildings within terraces of shop/residences requires the close matching of street wall height for new development.

In addition, Gertrude Street forms part of the low-scale Victorian context of the REB & CG and development at the western end of the street has the potential to adversely impact on the setting of the World Heritage Site. Gertrude Street also provides important views of the drum and dome of the REB as identified in the WHEA Strategy Plan. Of the views provided from the southern side of Gertrude Street between Fitzroy Street in the west to Napier Street in the east, we consider that the views from the intersection with Fitzroy Street and Brunswick Street are the most important. The former being the current eastern boundary of the WHEA and the latter being a major intersection and important pedestrian wayfinding location.



**Figure 31.** Aerial photographs showing the key viewpoints towards the drum and dome of the REB from the south side of the intersections of Gertrude Street with Fitzroy Street (1) and Brunswick Street (2) (nearmap, 31 Oct 2019)

The residential pocket south of Gertrude Street between Young and Little Napier Streets predominantly comprises modestly scaled, single and two storey Victorian-era houses with some later townhouse and low-rise apartment development, which will provide little opportunity for larger scale redevelopment.

### 7.1 Recommended Built Form Parameters

It is recommended that a DDO should apply to those parts of Gertrude Street that are subject to – or are proposed to be subject to – the Heritage Overlay to ensure that new built form is respectful of the heritage context.

A DDO control applied to properties within Gertrude Street should ensure new built form protects the visual prominence of the existing predominant two-storey character of the streetscape. In addition, given the World Heritage Listed status of the REB & CG, new development on the northern side of Gertrude Street must:

- not impede views to the drum and dome of the REB;
- retain a clear sky silhouette of the drum and dome; and

- ensure that the drum and dome remain the principal built form landmarks when viewed from the south side of Gertrude Street.

If rezoning of the residential properties south of Gertrude Street from MUZ to NRZ proceeds there will be no need for a DDO to apply in those locations.

Informed by the heritage analysis above and the 3D modelling prepared by Hansen Partnership and Council, it is recommended that a DDO should seek built form outcomes that:

- Retain the visual prominence of the local landmarks in the streetscape.
- Retain chimneys and roof forms visible from the public realm.
- Ensure that new development within the Heritage Overlay does not visually dominate the existing heritage fabric.
- Ensure that any upper-level or infill development is subservient to the heritage fabric and is visually recessive in mass, scale and materiality.
- Encourage the top-most level (or levels) of new development to be set further back from the principal heritage frontage (as encouraged at Clause 22.02-5.7.2) and treated as a penthouse or roof top element.
- Retain the visual prominence of the return façades of buildings that address both Gertrude Street and cross streets, particularly at the principal intersection with Brunswick Street by setting back new upper level built form from both street frontages.
- Establish a street wall height for infill development that reflects the established two (Victorian-era) storey scale of the precinct and discourages single-storey infill development.
- Ensure zero setback from the Gertrude Street boundary for infill and new development.
- Ensure that the heritage buildings remain prominent within the Gertrude Street streetscape and retain their three-dimensional form as viewed from the public realm to avoid 'facadism'. This will require new upper-level development to be set back a minimum of 8m from the street wall and for redevelopment to respect the existing inter-floor heights of the heritage fabric.
- Ensure that new development does not obscure views of the drum, dome and cupola of the REB from the intersection of Gertrude Street with Fitzroy and Brunswick Streets, and ensures a clear sky silhouette of these features is retained.
- Ensure that the drum, dome and cupola of the REB remains the principal built form when viewed from the south side of Gertrude Street.
- Ensure that new development does not obscure views of the tower and spire of St Patrick's Cathedral from the intersection of Gertrude and Brunswick Streets.
- Ensure that new development does not obscure views of the spire of St Luke's Church, North Fitzroy from the intersection of Gertrude and Brunswick Streets.

## 8. Built Form Testing

To assist in the translation of the 'Recommended Built Form Parameters' in Part II into specific guidance that could be translated into a DDO control, the heritage analysis was supplemented by cross-sections of potential development and 3D computer modelling prepared by Hansen and Council to test the appropriateness of particular built form outcomes that achieved the intent of the recommended built form parameters.

The following Built Form Recommendations have been determined based on comprehensive built form testing and 3D computer modelling of potential bulk and massing envelopes for the study area. It was established and operated as a 'working' massing model used to informally measure built form heights and setbacks to the properties along the length of Gertrude Street (within the study area) to serve as a useful general tool in comparative visual analysis. The MUZ zoned land south of Gertrude Street between Young and Little Napier Streets were not been modelled as this area has limited development opportunity.

The impacts of new built form were considered in views from the opposite side of the street at natural eye level (1.6m) on the public footpath. As well as 3D modelling, cross sections were prepared across a range of the site types within the study area with particular attention given to the heritage street wall or façade heights, lot depth and rear interface conditions (street, laneway, commercial, residential, mixed use etc.).

Extensive fieldwork was undertaken and site visits have been used to inform the recommendations. Views of heritage places were only considered from the public footpath as these locations offer the principal public realm experience. Laneway views, other than Marion Lane which is identified in the WHEA Strategy Plan as providing key views to the REB, and private realm views were not assessed.

## **Part III: Built Form Recommendations**



## 9. Built Form Recommendations

Any DDO applied to the study area should include provisions to complement, but not duplicate, the decision guidelines at Clause 43.01-8 (Heritage Overlay), State Planning Policy at Clause 15.03-1S and local policy within Clauses 22.02, 22.03 and 22.10 (or as translated into the post-VC148 Planning Policy Framework) of the Yarra Planning Scheme to inform new development.

Having regard to the heritage analysis, cross section diagrams and 3D modelling prepared by Hansen Partnership and Council, it is recommended that the following built form controls be applied to new development to ensure appropriate consideration is given to the established heritage values within the study area. The recommended maximum heights have been informed by existing built form and heritage street wall heights, lot sizes and depths, rear interface conditions and the view sheds to the drum and dome of the REB. The cross-section diagrams and 3D modelling helped assess whether or not upper-level development would 'be visually recessive and not dominate the heritage place' as sought at Clause 22.02-5.7.1 and proposed Clause 15.03-1L as endorsed by Council.

The recommended application of three and four storey height limits along Gertrude Street removes the need for a  $\frac{3}{4} : \frac{1}{4}$  ratio of street wall to new built form sightline (as per Moreland DDO18) or a '45° angular plane' test (as per Yarra DDO15) to protect the visual prominence of the street wall.

Buildings graded 'Individually Significant' and 'Contributory' are referred to as 'heritage buildings' within the table below and those graded 'Not-contributory' or that are vacant are considered 'infill sites'.

### 9.1 Recommended Controls

Built Form Element	Requirement	Rationale
New built form	New built form must: <ul style="list-style-type: none"> <li>not impede views to the drum and dome of the REB;</li> <li>retain a clear sky silhouette of the drum and dome; and</li> <li>ensure that the drum and dome remain the principal built form when viewed from the south side of Gertrude Street.</li> </ul>	The REB & CG is a World Heritage Site and the view shed to the drum and dome of the REB along Gertrude Street is identified within the WHEA Strategy Plan as a key view to be protected.
Maximum street wall height (infill development)	11m (mandatory)	To ensure the predominant two (Victorian-era) storey street wall height is maintained by avoiding infill above three storeys. Mandatory controls are necessary to protect the heritage character of the street as a whole.
Minimum street wall height (infill development)	8m (mandatory)	To ensure the predominant two (Victorian-era) storey street wall height is maintained by avoiding single storey infill. Mandatory controls are necessary to protect the heritage character of the street as a whole.

Street wall height (infill development)	Match the parapet height of the adjacent two storey heritage building (mandatory)	To ensure new built form responds to its immediate heritage context. A mandatory control is necessary given the highly consistent street wall heights within the study area.
Street wall setback (infill development)	Zero (mandatory)	To ensure new built form responds to the heritage context which has a consistent zero setback.
Minimum setbacks above street wall (Gertrude Street and Brunswick Street)	8m (mandatory)	An 8m setback above the street wall is the minimum necessary to ensure that the heritage buildings remain prominent within the streetscape and will retain their three-dimensional form as viewed from the public realm to avoid 'facadism'. An 8m setback will also be sufficient to ensure that majority of existing chimneys at the front of the buildings are retained. Mandatory controls are necessary to protect the heritage character of the street as a whole.
Minimum setbacks above street wall (side streets other than Gertrude and Brunswick Streets)	6m (preferred)	The built form of heritage buildings that address side streets varies. Some buildings have elaborate return facades while others are plainer end-of-terrace forms. A preferred control will enable a wide range of design responses which encourages new development to be set back on prominent corner buildings.
Maximum building height	3-4 storeys	Gertrude Street is a highly intact Neighbourhood Activity Centre that sits within a key view shed of the drum and dome of the REB. Its highly consistent and intact built form warrants limiting new built form so that it is substantially concealed. Whereas a three storey height limit is appropriate within the key view shed to the REB and on the majority of shallow lots within Gertrude Street, four storeys may be achieved on deeper lots and those associated with existing taller built form.

## 9.2 Additional Guidance

The proposed heritage policy at Clause 15.03-1L, as endorsed by Council, includes specific strategies to address new development and alterations to existing commercial heritage places. If these provisions are implemented, additional heritage design requirements are not likely to be needed within a DDO for the study area. However, if new development is to be informed by the existing heritage provisions at Clauses 15.03-1S, 21.05-1, 22.02 and 43.01 of the Yarra Planning Scheme, we recommend that the following heritage design requirements be applied as part of a DDO:

- New infill development within the heritage streetscape should:
  - Interpret the historic façade rhythm, including fenestration patterns and proportions, the relationship between solid and void, and the existing module of structural bays.
  - Be set back to retain the visual prominence of prominent corner buildings and local landmarks.
  - Be distinguishable from the original heritage fabric and adopt a high quality and respectful contextual design response.
  - Ensure façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of nineteenth and early twentieth century buildings.
  - Ensure fenestration patterns of new development generally reflects the vertical proportions of nineteenth and early twentieth century façades and avoids large expanses of glazing with a horizontal emphasis except to ground floor shopfronts.
  - Maintain the existing canopy/verandah height.
  - Avoid the use of unarticulated curtain glazing or highly reflective glass.
  - Avoid the replication of existing decorative features and architectural detail.
- The adaptation of existing heritage buildings should:
  - Discourage highly reflective glazing in historic openings.
  - Ensure the inter-floor height of the existing building is maintained and avoid new floor plates and walls cutting through historic openings.
  - Encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings.
- New upper level development behind existing heritage buildings should:
  - Retain the visual prominence of parapet and roof-top elements including parapets, balustrades, pediments, lanterns, towers, belvederes, urns and other architectural features.
  - Be set back to retain the visual prominence of prominent corner buildings and local landmarks.
  - Ensure that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places.
  - Retain the primacy of the three-dimensional form of the heritage building within the streetscape.
  - Incorporate materials and finishes that are recessive in texture and colour.
  - Generally utilise visually lightweight, but high quality, materials that create a juxtaposition with the heavier masonry of the heritage facades.
  - Incorporate simple architectural detailing so it does not detract from significant elements of the existing building or streetscape.
  - Provide a recessive backdrop to the heritage street wall and individual heritage buildings.
  - Avoid highly articulated facades with recessed and projecting elements.
  - Avoid highly contrasting or vibrant primary colours.
  - Avoid unarticulated façades that give a bulky appearance, especially from oblique views.
  - Be articulated to reflect the fine grained character of narrow sites.
  - Encourage that upper-level development behind rows of identical or similar shop/residences is consistent in form, massing and façade treatment as existing upper-level development (where this exists).

## **Appendix 1: Proposed Heritage Citation – Gertrude Street Precinct**

GJM Heritage, October 2019



## Heritage Citation

### GERTRUDE STREET PRECINCT

**Address:** 65-83, 153-179, 187-247 & 90-248 Gertrude Street, 50-54 Brunswick Street, 74-78 Gore Street, 44 Little Napier Street & 70-74 Napier Street, Fitzroy

**Prepared by:** GJM Heritage

**Date:** October 2019

<b>Place type:</b> Commercial precinct
<b>Integrity:</b> Very High
<b>Recommendation:</b> Include in the Heritage Overlay
<b>Extent of Overlay:</b> Refer to plan at Figure 19



**Figure 1.** South side of Gertrude Street, east of Brunswick Street (GJM Heritage, October 2019)





## Statement of Significance

### *What is significant?*

Properties within the following areas contribute to the significance of the Gertrude Street Precinct:

- North side of Gertrude Street, Fitzroy from Fitzroy Street to Smith Street excluding Atherton Gardens
- South side of Gertrude Street, Fitzroy from Brunswick Street to Smith Street
- Brunswick Street
- Gore Street
- Little Napier Street
- Napier Street.

Elements that contribute to the significance of the precinct include (but are not limited to):

- The consistent Victorian commercial character of the precinct, which includes:
  - A consistent two-storey scale with some taller buildings
  - A variety of simple and highly decorative facade parapets, with pitched roofs behind
  - No front or side setbacks
  - Rendered or face red brick walls
  - Rendered window frames, sills and hoods to upper stories
  - Rendered ornament to upper stories
  - Brickwork with corbelled capping courses
  - Strong horizontal lines formed by parapets, cornices, string courses
  - Repetitive upper floor fenestration patterns
  - Less than 40% of the upper street façade comprises openings such as windows
  - Corrugated iron and slate roof cladding
  - Original post-supported street verandahs
  - Shop fronts with display windows, timber or tiled plinths, and entry recesses
  - Some red brick storage or stable buildings at the rear or side lane frontage
  - Corner buildings with secondary façades to side streets or lanes
  - Splayed corners to buildings at intersections.
- Examples of intact Edwardian buildings.
- Bluestone pitched road paving, crossings, stone kerbs and channels and asphalt paved footpaths.

Features that do not contribute to the significance of the precinct include more recent alterations and additions to buildings within the precinct, including highly altered shopfronts.

### *How is it significant?*

The Gertrude Street Precinct is of local historical, architectural, aesthetic and social significance to the City of Yarra.

### *Why is it significant?*

The Gertrude Street Precinct is an important and early local 'High Street' in the City of Yarra and has functioned continuously as one of Fitzroy's key commercial centres since the mid-nineteenth century. It retains a substantial collection of intact commercial buildings, predominantly from the Victorian period, including shops and associated residences, hotels and a former bank building. Together these buildings demonstrate the development of this High Street, particularly from the 1850s to c1900 when substantial growth in the street occurred, and are illustrative of the enduring role the street has played in the economic and social life of Fitzroy since the establishment of the suburb [Criterion A].

The highly intact streetscape of the Gertrude Street Precinct clearly demonstrates the principal characteristics of a Victorian High Street in the City of Yarra. Typical characteristics – including a predominantly two-storey Victorian street wall height, parapeted rendered or red brick facades, repetitive

upper floor fenestration, and ground floor shopfronts – are displayed in the original forms, fabric and detailing of the majority of the buildings. The streetscape is particularly intact and consistent in architectural form and expression. [Criterion D].

The Gertrude Street Precinct contains a number of individually significant places which are well-considered and carefully detailed examples of commercial buildings. These include, among others, shops and residences at 153-159 and 184-186 Gertrude Street, the Builders Arms Hotel (211-217 Gertrude Street) and the Champion Hotel and associated shops and residences (50-54 Brunswick Street and 94-100 Gertrude Street). Variations in façade detailing throughout the precinct, including parapet ornamentation, balustrading and pediments, and applied decoration, make an aesthetic contribution to the overall character of the precinct [Criterion E].

The Gertrude Street Precinct is an important social and political hub in Melbourne for the Aboriginal community. A number of services were established in buildings in the precinct from the 1960s and it has long been an important meeting place for Aboriginal people [Criterion G].

### Historical Themes

This precinct is associated with the following themes as identified in the *City of Yarra Heritage Review Thematic History* (Lovell 1998):

2.0 The suburban extension of Melbourne

- 2.1 Settlement, land sales and subdivision
- 2.2 A street layout emerges

4.0 Developing local economies

- 4.4 Smaller retailers: Strip shopping

5.0 Local council and council services

- 5.5 Private and public transportation

7.0 Leisure and Entertainment in the Suburbs

- 7.1 Licensed Hotels and 'Sly Grog'.

### Precinct History

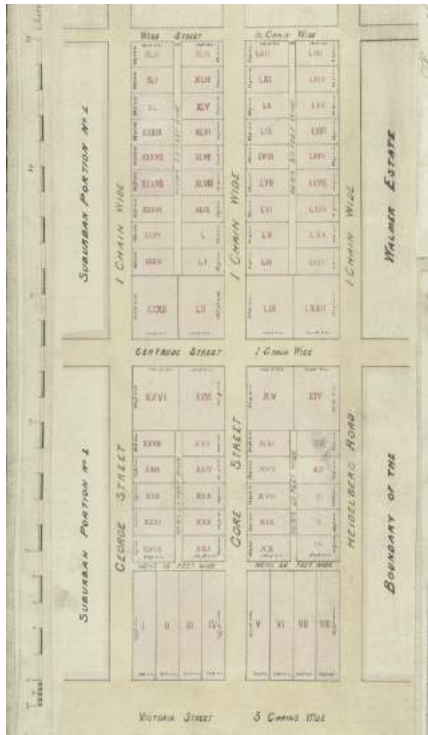
#### *Fitzroy established*

Prior to European settlement, the Wurundjeri-Willum people, a distinct language group of the Woiworrung tribe, occupied Fitzroy. Since European contact, many traditional owners of the land and descendants of the Woiworrung have returned to meet and settle in Fitzroy (Robertson et al, 2008:1).

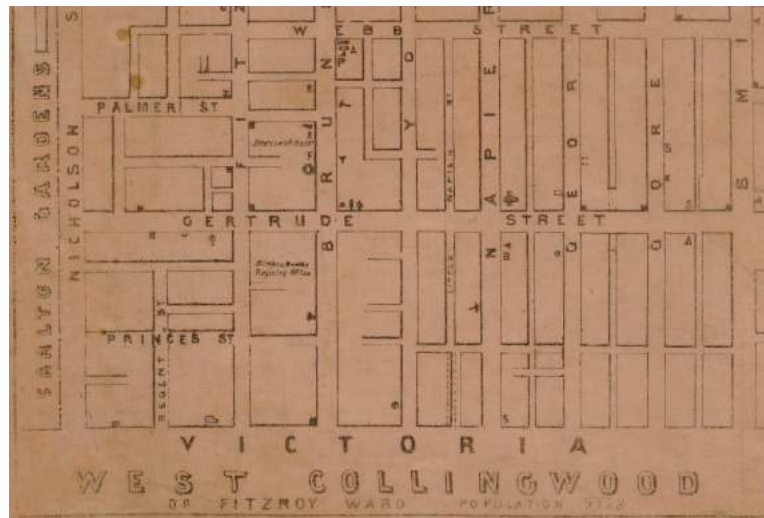
Two years after the European settlement of Melbourne in 1835, Crown land immediately to the north and east was subdivided into 88 portions by surveyor Robert Hoddle. These allotments were auctioned in Sydney in 1839 as part of the first land sales outside of the town reserve of Melbourne (Barrett 1971:14-15; Lewis, 2014:7). This land now forms the suburbs of Fitzroy, Collingwood, Richmond and Abbotsford. Crown portions 48 to 88 in the north were unofficially referred to as the 'district of Collingwood', and were administratively divided into two local government areas. The area west of Smith Street, now Fitzroy, was governed by the City of Melbourne until 1858 when the municipality of Fitzroy was established. Fitzroy was first called Newtown, then more commonly Collingwood West, and is attributed as being Melbourne's first suburb. The area east of Smith Street, now Collingwood and Abbotsford, was known as East Collingwood and did not form part of any local government until 1855, when the municipality of East Collingwood was formed (Barrett 1971:14-15).



The development of these localities was influenced by both the status of local governance within the two areas and the topography of the landscape. At the southern extent of what is now Fitzroy, near Victoria Parade, is Eastern Hill. To the east, the hill descends to a slope between Smith Street and Wellington Street (Collingwood Slope), followed by a flat plain that extends to the Yarra River (the Flat). These topographically distinct areas underwent substantially different urban development from 1850 (Barrett 1971:14-15).



**Figure 2.** The c1850 subdivision plan of Crown Portion 51 which extended Gertrude Street to Smith Street (SLV, no image no.)



**Figure 3.** Proeschel's c1855 map of 'West Collingwood' (current Fitzroy) showing key buildings along Gertrude Street. The map is annotated, 'showing the western part (or Fitzroy ward) as it will be in a very short time according to the Collingwood improvements act'.

### Nineteenth century

The first stage of non-Government development in what is now Fitzroy began in 1839, when pastoralist Benjamin Baxter and then Captain Brunswick Smyth subdivided Portion 49, creating the first sections of Gertrude and Brunswick streets, the intersection upon which Newtown (or New Town) established. Gertrude Street was extended by neighbouring property owners to Nicholson Street in the late 1840s and to Smith Street in 1850, by which date Brunswick Street had extended to Reilly Street (now Alexandra Parade) (Barrett, 1971:17-19; Robertson et al, 2008:2). Brunswick and Gertrude streets were the most important non-Government streets in Fitzroy, mainly due to the fact that their original alignments were continued for a considerable distance by a number of adjacent landowners. This contrasted strongly with the ad hoc pattern of subdivision and street layout which developed in other allotments in Fitzroy (Lovell 1998:14).

The city's wealthy were the first to populate Newtown on Eastern Hill from the early 1840s, with villas constructed along Gertrude Street from 1850. From its first stages of development Gertrude Street was considered a 'noble street', occupied by colonial aristocrats (Robertson et al, 2008:3-4; Lewis 1989:12). During the years of gold immigration in the early 1850s, development increased dramatically in Fitzroy and (East) Collingwood. Contemporary newspapers reported that new residents included gentleman and working men, with tensions developing between the two groups. The working class predominantly resided on the Collingwood Slope to the east, while the gentleman occupied Eastern Hill, where the land was high and dry and the main streets of Gertrude and Brunswick streets were maintained by Melbourne City Council (Barrett 1971:20-21). Fitzroy was the fastest growing ward in Melbourne following the discovery of gold, and it was

during this period that Gertrude Street firmly established itself as a commercial centre – one of the first outside of Melbourne’s city centre (Robertson et al, 2008:4). Trevena's shops at 181-183 Gertrude Street (VHR H866) are illustrative of 1850s development.

The 1849 *Melbourne Building Act* further shaped development on Gertrude Street. Under the provisions of the Act, which enforced fireproof construction, dwellings and commercial premises constructed in Fitzroy from the 1850s were typically exposed or cement rendered bluestone or brick buildings (Barrett 1971:20-21; Lovell 1998:16).

The occupations of Fitzroy residents reflected the social class of the area. Census records from the 1850s indicate that male residents were predominantly government clerks, lawyers, clergymen, physicians, surgeons, dentists, merchants and gentleman (Barrett 1917:31). Serving these residents were the high street businesses. In the 1860s, Gertrude Street, like Brunswick Street, was occupied by a wide range of small businesses, most of which served local needs. The 1860 Sands & McDougall Directory illustrates that Gertrude Street was a developed commercial strip occupied by hotels, dealers, drapers, grocers, fruiteries, bakers, butchers, tailors, dressmakers, upholsterers, bootmakers, watchmakers and booksellers amongst other services, with a cluster of residences west of Brunswick Street. Fourteen hotels were built on Gertrude Street from the 1850s to 1870s (Robertson et al, 2008:10); nine of which remain in 2019.

Reflecting a prospering trade and a growing community, the 1860s to 1880s saw the redevelopment of properties with less-substantial structures, the renovation of existing buildings, completion of terraces and rows, and the in-fill of the remaining land in Fitzroy (Lewis, 2014:26; Lovell 1998:51). Along Gertrude Street, buildings of brick or stone were constructed or renovated, forming predominantly single or two-storey (some taller) buildings, the latter with a shop to the ground floor and residence above. The 1880 Sands & McDougall Directory lists a variety of shops and services consistent with the 1860s occupancies, but in greater number. A majority of the buildings in Gertrude Street reflect this Victorian period of development, illustrating the pre-eminence of the commercial strip in the late nineteenth century (Lovell, 1998:51; Robertson et al, 2008:12). Prominent late-Victorian development included Blackett's shop and residence row at 158-164 Gertrude Street (1888).



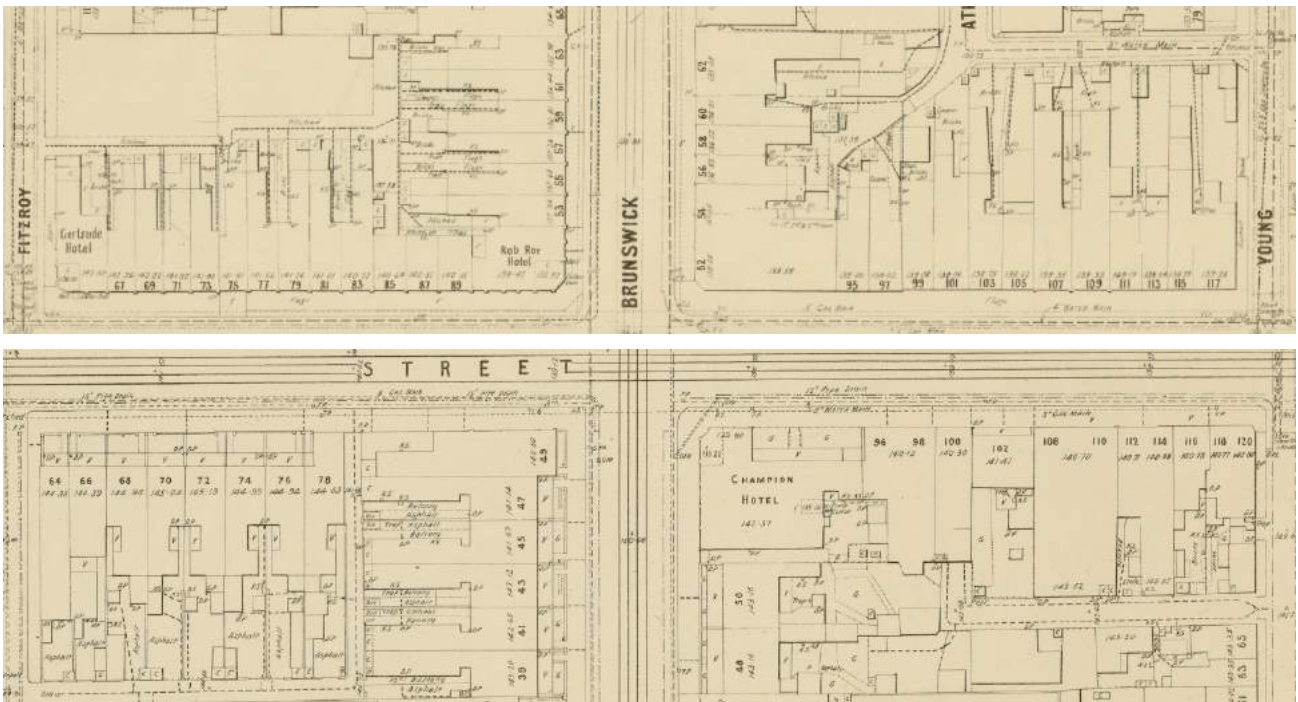
**Figure 4.** Looking west down Gertrude Street (from Young Street) towards the Royal Exhibition Buildings, c1890. The buildings on the right were later demolished to make way for the Atherton Gardens development (SLV, Image No. a13938).

Many Fitzroy residents vehemently opposed the establishment of a horse-drawn cable car route through Fitzroy in the 1860s – an opposition that was continued into the 1880s against cable trams, to no avail. The Gertrude Street cable tram route was established in 1886, and the cable tram engine house built on the corner of Gertrude and Nicholson streets in 1886-87 (VHR H584; west of precinct) (Lovell 1998:64). This new form of transport boosted trade on Gertrude Street but also reduced the number of owner-occupiers in the area, with many seeking a suburban lifestyle that was now accessible with public transport (Lewis, 2014:26).

The prosperous 1880s came to an end with the 1890s depression, which caused construction in Fitzroy, and Melbourne more broadly, to virtually cease. In Gertrude Street, premises became vacant and property prices plummeted, transitioning Fitzroy into a working-class suburb. Along Gertrude Street, many of the grand

houses were turned into boarding houses as demand for housing increased, the unemployed took shelter, and criminals and illegal activities moved in. Gertrude Street became synonymous with trouble, while Brunswick Street became the principal commercial street (Robertson et al, 2008:15-16).

The 1898-99 series of Melbourne and Metropolitan Board of Works (MMBW) Detail Plans illustrate the dense commercial and residential occupation of Gertrude Street at the time. The 1900 Sands & McDougall Directory lists the street's numerous hotels and boardinghouses, and fewer commercial enterprises specialising in more luxury items. However, the practical businesses were sustained – bootmakers, bakers, grocers, butchers, furniture dealers and makers, laundries and bicycle makers.



**Figure 5.** The dense development at the intersection of Gertrude and Brunswick streets in 1898-99 (MMBW DP 1205 & 1206, 1898 & 1899).

### *Twentieth century*

The economic fortunes of Victoria recovered after the turn of the century, and while there was a period of optimism at the beginning of the century accompanied by some new development, Gertrude Street would not regain its aristocratic status of the 1800s. Fitzroy had become a less desirable place to live and the low number of owner-occupiers decreased further as more owners moved out of the working-class suburb, leasing their buildings to tenants. Gertrude Street continued its commercial activities, serving locals and visitors, but was now overshadowed by trade on Smith and Brunswick streets (Robertson et al, 2008:21). Key Edwardian development within the strip at this time included the Champion Hotel at 50-54 Brunswick Street and its associated shops at 94-100 Gertrude Street (1911).





**Figure 6.** Looking east down Gertrude Street in 1905, at the intersection with Brunswick Street (right is Glass Terrace) (COYL Id. FL294).



**Figure 7.** Looking west down Gertrude Street in 1905. On the left is the three-storey buildings at 158-164 Gertrude Street (COYL Id. FL666).



**Figure 8.** Photo of Gertrude Street dating to 1905 (COYL, Id. FL667).



**Figure 9.** Illustration from the 1905 Collingwood and Fitzroy illustrated Directory and Handbook, of the multi-storied Chas. Johnston & Co., Furniture Manufacturers building at 184-186 Gertrude Street. The top two floors were destroyed by fire in 1963 (COYL, Id. FL670).

Following World War I, there was an increased demand for housing for returned servicemen, people moving towards the city for improved job prospects, an increasing number of immigrants, and return of Aboriginal people to the area. With this influx, Fitzroy became a poorer population and – due to its proximity to Melbourne – continued to attract the unemployed and homeless. Along Gertrude Street some buildings were condemned. Criminal activities thrived; the infamous Melbourne criminal Squizzy Taylor is often mentioned in association with the Renown Hotel (former Leviathan) at 146-148 Gertrude Street. By the end of the 1920s Fitzroy was regarded as one of Melbourne's worst slums, with a very high level of unemployment. In an attempt to remedy the situation, the government reduced the number of hotels permitted to operate to seven premises by 1930 (Robertson et al, 2008:23).

Some businesses took advantage of the low property values and vacancies. It was in the 1920s and '30s that Gertrude Street became known for its furniture stores between Napier and Gore streets (Robertson et al, 2008:24). Commercial occupants along the remainder of Gertrude Street in 1930 comprised a range of businesses serving the local community, such as grocers, Chinese laundries, dressmakers, dry cleaners, a plumber, chemist, hardware shop, butchers, clothing dealers, secondhand dealers, pawnbrokers, hairdressers and dressmakers.

During the Depression of the 1930s some Gertrude Street businesses survived while others succumbed to financial hardship. The illegal activities and criminal aspect of the street continued. However, 'against this backdrop of despair and misery developed the fabric of camaraderie, trust and support that characterised Fitzroy' during this period. A pharmacist on Gertrude Street in the 1930s, Duncan Reilly, stated that 'though poor and depressed, there was still a richness of life in Fitzroy' (Robertson et al, 2008:24).

The community of Gertrude Street struggled into the 1940s. During World War II, Gertrude Street experienced further overcrowding and poverty and the terraces that lined the street also housed American servicemen. Buildings fell into disrepair and the rate books recorded an increasing number of condemned buildings (Robertson et al, 2008:25, 31). By the early 1940s the Sands & McDougall Directories listed a lower number of businesses operating, and a higher proportion of residents. European names began to appear as occupants of Gertrude Street, and cafes and social clubs emerged, opened by new immigrants (Robertson et al, 2008:25, 31).



**Figure 10.** The poor condition of some shops in Gertrude Street in 1948 (COYL, Id. FL411).

### *Post-War*

Homelessness, overcrowding of houses and criminality continued into the 1950's, 60's and 70's. Gertrude Street was considered a 'red light' district with gambling at the back of cafes (Rittman & Wilson 2017:41). However, change was starting.

Following World War II, Gertrude Street experienced a wave of post-war immigration. New immigrants, particularly from Mediterranean countries, moved into the vacant buildings and established green grocers, fruit shops, fish and chip shops, cafes and clubs, bringing a new community and vibrancy to the street. By 1972, 12 clubs and coffee lounges had been opened in Gertrude Street by Greek, Macedonian, Turkish, Albanian and Yugoslav community members (Robertson et al, 2008:26). Despite this reinvigoration, Gertrude Street in the 1950s no longer compared to the commercial scale of Brunswick and Smith streets, with its drastically reduced number of businesses (Harding 2008:295).

During the post-war period, an increasing number of Aboriginal people returned from rural locations to their friends and family around Gertrude Street, in part due to the closure of reserves and missions which were subdivided by the government to make way for soldier settlements. Fitzroy, and Gertrude Street in particular, became the social and political hub for the Aboriginal community in Melbourne (Robertson et al, 2008:25, 39). From the 1960's onwards, a number of services for this community were set up on Gertrude Street, focusing on health, legal and housing assistance. The Aboriginal Community Health Centre was located on the corner of Charcoal Lane at 136 Gertrude Street from 1979 (previously at no. 229 from 1973). The Koori Club, a social club, opened in 1969 (no. 41), Fitzroy Stars Aboriginal Community Youth Club Gymnasium in 1977 (no. 184-186) and the Koori Information Centre in 1982 (no. 120). Hotels often became meeting places. The Builders Arms Hotel (no. 211; built c1850-1970) was known as the 'Black Pub of Melbourne' where people knew they would meet friends from Country, and would mix with the old locals and post-war immigrants. In the 1960s and '70s the Builders Arms was the base for Australia's black power movement, led by Bruce McGuinness (Robertson et al, 2008:31-33, 43; Fitzroy Aboriginal Heritage Walking Trail).



**Figure 11.** Land Rights demonstrators march down Gertrude Street in 1973. Pictured are Monica Hoffman, Sue Chilly, Bruce McGuinness and Hillary Saunders (Alick Jackamos Collection, via the Fitzroy Aboriginal Heritage Walking Trail).

Parts of the Gertrude Street streetscape saw drastic changes in the 1960s as a result of ‘slum clearance’, particularly on the north side of the street. Investigations into sub-standard housing in Fitzroy had commenced in the late 19<sup>th</sup> century, managed by local councils who would condemn and demolish unsanitary buildings and makeshift housing. Concern and investigations into slum housing continued to increase into the 1930s, when the Housing Commission and Slum Abolition Board were formed in the late 1930s. The Commission turned its focus to Fitzroy, Collingwood and Richmond by the 1950s with its ‘slum clearance’, or ‘housing reclamation’, to make way for high-density housing and new developments. In the 1960s and ‘70s the state government concentrated on the clearance of slums that had developed since the Depression of the 1890s. In the late 1960s, the entire block of over 60 shops and 120 houses between Gertrude, Brunswick and Napier streets was demolished by the Housing Commission, and replaced with the high-rise development of Atherton Gardens. These high-rise apartments housed locals in need, the Aboriginal community and later waves of immigrants, including those from Africa in the 1980s (Barrett 1971:166; Robertson et al, 2008:33). Atherton Gardens became a popular meeting place for the Aboriginal community, where families would reunite and stories were passed down.

In 1969, the Fitzroy Residents Association formed in response to the slum clearances and the state government’s proposed large-scale demolition in Fitzroy and Fitzroy North. The Association was successful in saving much of Fitzroy’s historic building stock. In the late 1970s, the City of Fitzroy recognised the cultural significance of the area and was the first municipality to complete building conservation studies in 1978 and 1979. In the 1980s, Council and local residents’ groups banded together to prevent further high-rise projects by the Housing Commission, and to thwart St Vincent’s Hospital from demolishing a row of houses on Gertrude Street for expansion of the complex (Kiss, 2014:53).



**Figure 12.** Looking east down Gertrude Street, c1969. Right is the Macedonian Social Club at 218 Gertrude Street, now Rose Chong’s costume shop (SLV Image H2010.105/160e).



**Figure 13.** Houses in poor condition on Gertrude Street, 1983 (COYL, Id. FL180).



Some larger-scale developments occurred in the late-twentieth century, replacing strips of earlier buildings, particularly west of Brunswick Street. In 1980, costume maker Rose Chong (220 Gertrude Street), recalled that at that date Gertrude Street had many boarded-up shopfronts among the social clubs and European cafes. She recalls that the 'scary' atmosphere of the street still lingered into the early 1990s, however, by the end of the 1990s the street was changing again. The Builders Arms changed ownership and attracted a more cosmopolitan crowd, other businesses arrived, the European social clubs relocated and the street transformed as the area gentrified (Robertson et al, 2008:35).

#### *Twenty-first century*

Gertrude Street today is known Australia-wide as an important meeting place for Aboriginal people and remains the location of a number of services to assist the community (Robertson et al, 2008:1). Atherton Gardens and areas near the corner of Gertrude and Gore streets are recognised as areas of Aboriginal Cultural Heritage Sensitivity.

In terms of European settlement, Fitzroy was the first Melbourne suburb and remains the most complete repository of buildings fabric of the 1850s and '60s (Lewis, 2014:6). The local community have long safeguarded the area's heritage buildings. Some recent development has occurred, including a large-scale apartment building adjacent to George Street.

In 2019, Gertrude Street – with its dominant Victorian-era building stock – continues to serve the local community and is an independent food, fashion and gallery destination with a strong Traders Association. The street again houses owner-occupiers and is known as an 'exciting and dynamic place to be with a diversity of people and businesses' (Robertson et al, 2008:35-7).



**Figure 14.** Gertrude Street Projection Festival lights up the historic commercial strip (Fitzroyalty, 2010).

#### **Physical Description**

The Gertrude Street Precinct is a linear commercial precinct in Fitzroy which comprises Gertrude Street from Smith Street to Brunswick Street and further west to Fitzroy Street on the north side. Abutting the western end of the precinct, on the north side of Gertrude Street, is the World Heritage Environs Area Precinct (HO361). The large section on the north side of Gertrude Street from Brunswick Street to Napier Street, known as Atherton Gardens and occupied by high-rise social housing, is excluded from the precinct.

The main development period of the Gertrude Street Precinct is from the 1850s to the 1890s and the streetscape dates largely from this period. It is a commercial precinct with a dominant streetscape of attached two-storey Victorian shops and residences, with no setback from the street boundary. The facades of these buildings are predominantly cement rendered and parapeted with repetitive rows of upper level fenestration. They vary in both scale and detailing - generally facades from the earlier Victorian period of the 1850s-70s are smaller in scale with little applied decoration, and those from the High Victorian period of the 1880s and 1890s are of greater height with more elaborate detailing. This is evident throughout the precinct including Early Victorian examples (nos. 153-159) and High Victorian examples (nos. 161-167; 184-186; and Blackett's Shop and Residence at nos. 158-164 - an elaborate three-storey red brick row).

Other commercial buildings contribute to the Victorian character of the precinct, including the Former ES&A Bank (nos. 136-138) and corner hotels such as the Builders Arms Hotel (nos. 211-217), the former United Service Club (no. 122) and the former Leviathan Hotel (nos. 146-148).

A small group of Edwardian buildings from the early twentieth century also make a contribution to the precinct. These present as red brick (some overpainted) facades with cement render detailing. The most elaborate, and intact, building from this period is the Champion Hotel at the south-east corner of Brunswick Street and the associated shops and residences to the east in Gertrude Street (nos. 94-100).

The original form and detailing of a small number of shopfronts remains evident in the precinct with display windows, tiled plinths and entry recesses retained.



**Figure 15.** South side of Gertrude Street – east end (GJM Heritage, October 2019)



**Figure 16.** South side of Gertrude Street – eastern end (GJM Heritage, October 2019)



**Figure 17.** North side of Gertrude Street – east of Napier Street (GJM Heritage, October 2019)



**Figure 18.** North side of Gertrude Street – west end (GJM Heritage, October 2019)

### Integrity

The Gertrude Street Precinct retains a very high degree of integrity to the Victorian and Edwardian period in fabric, form and detail. While some alterations have been made to these buildings, particularly at street level, this does not diminish the ability to understand and appreciate the place as a fine example of a Victorian and Edwardian commercial precinct.

### Comparative Analysis

A number of precincts are included in the Heritage Overlay of the City of Yarra as highly intact commercial 'High Streets' which date from the Victorian and Edwardian periods. These include:

- Brunswick Street Precinct, Fitzroy (HO311)



- Smith Street Precinct, Fitzroy/Collingwood (HO333)
- Queens Parade Precinct, North Fitzroy/Clifton Hill (HO330)
- Swan Street Precinct, Richmond (HO335)
- Bridge Road Precinct, Richmond (HO310).

These precincts have been included in the Heritage Overlay as important turn of the century 'High Streets' in the City of Yarra. They have operated as key commercial centres in the municipality since the mid-nineteenth century and retain substantial numbers of intact commercial buildings to enable the clear demonstration of the principal characteristics of a Victorian and Edwardian 'High Street'.

As an important and early 'High Street' in Fitzroy, the Gertrude Street Precinct exhibits similar characteristics to these identified High Street precincts. Operating as a commercial centre from the mid-nineteenth century, the precinct retains substantial numbers of buildings, primarily from the Victorian period, to clearly demonstrate the principal characteristics of a major nineteenth century 'High Street'.

### **Assessment Against Criteria**

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

**Criterion A:** *Importance to the course or pattern of our cultural or natural history (historical significance).*

The Gertrude Street Precinct is an important and early 'High Street' in the City of Yarra and has functioned continuously as one of Fitzroy's key commercial centres since the mid-nineteenth century. It retains a substantial collection of highly intact commercial buildings, predominantly from the Victorian period, including shops and associated residences, hotels and a former bank building. Together these buildings demonstrate the development of this 'High Street', particularly from the 1850s to c1900 when substantial growth in the street occurred, and are illustrative of the enduring role the street has played in the economic and social life of Fitzroy since the establishment of the suburb.

**Criterion D:** *Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).*

The highly intact streetscape of the Gertrude Street Precinct clearly demonstrates the principal characteristics of a Victorian 'High Street' in the City of Yarra. Typical characteristics – including a predominantly two-storey Victorian street wall height, parapeted rendered or red brick facades, repetitive upper floor fenestration, and ground floor shopfronts – are displayed in the original forms, fabric and detailing of the majority of the buildings. The streetscape is particularly intact and consistent in architectural form and expression.

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

The Gertrude Street Precinct contains a number of individually significant places which are well-considered and carefully detailed examples of commercial buildings. These include, among others, shops and residences at 153-159 and 184-186 Gertrude Street, the Builders Arms Hotel (211-117 Gertrude Street) and the Champion Hotel and associated shops and residences (50-54 Brunswick Street and 94-100 Gertrude Street). Variations in façade detailing throughout the precinct, including parapet ornamentation, balustrading and pediments, and applied decoration, make an aesthetic contribution to the overall character of the precinct.

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

The Gertrude Street Precinct is an important social and political hub in Melbourne for the Aboriginal community. A number of services were established in buildings in the precinct from the 1960s and it has since become a long and enduring meeting place for Aboriginal people.



## Grading and Recommendations

It is recommended that the place be included in the Heritage Overlay of the Yarra Planning Scheme as a heritage precinct.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Yarra Planning Scheme:

<b>External Paint Controls?</b>	No
<b>Internal Alteration Controls?</b>	No
<b>Tree Controls?</b>	No
<b>Outbuildings or Fences not exempt under Clause 43.01-3?</b>	No
<b>Prohibited Uses Permitted?</b>	No
<b>Incorporated Plan?</b>	Yes - Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014
<b>Aboriginal Heritage Place?</b>	No

## Recommended Schedule of Properties and Gradings

<b>Place address</b>	<b>Grading</b>	
65	Gertrude Street, Fitzroy	Contributory
67	Gertrude Street, Fitzroy	Contributory
69	Gertrude Street, Fitzroy	Contributory
71	Gertrude Street, Fitzroy	Contributory
73	Gertrude Street, Fitzroy	Contributory
75	Gertrude Street, Fitzroy	Contributory
77	Gertrude Street, Fitzroy	Contributory
79	Gertrude Street, Fitzroy	Contributory
81	Gertrude Street, Fitzroy	Contributory
83	Gertrude Street, Fitzroy	Contributory
153	Gertrude Street, Fitzroy	Individually Significant
155	Gertrude Street, Fitzroy	Individually Significant
157	Gertrude Street, Fitzroy	Individually Significant
159	Gertrude Street, Fitzroy	Individually Significant
161	Gertrude Street, Fitzroy	Contributory
163	Gertrude Street, Fitzroy	Contributory
165	Gertrude Street, Fitzroy	Contributory
167	Gertrude Street, Fitzroy	Contributory
169-171	Gertrude Street, Fitzroy	Contributory
173-175	Gertrude Street, Fitzroy	Contributory
177	Gertrude Street, Fitzroy	Contributory
179	Gertrude Street, Fitzroy	Contributory
187	Gertrude Street, Fitzroy	Not contributory
189	Gertrude Street, Fitzroy	Contributory
191	Gertrude Street, Fitzroy	Contributory
193	Gertrude Street, Fitzroy	Contributory
195	Gertrude Street, Fitzroy	Contributory
197	Gertrude Street, Fitzroy	Contributory
199	Gertrude Street, Fitzroy	Contributory
201	Gertrude Street, Fitzroy	Contributory

203-205	Gertrude Street, Fitzroy	Not contributory
207-209	Gertrude Street, Fitzroy	Contributory
211	Gertrude Street, Fitzroy	Individually Significant
219-227	Gertrude Street, Fitzroy	Not contributory
229	Gertrude Street, Fitzroy	Contributory
231	Gertrude Street, Fitzroy	Contributory
233	Gertrude Street, Fitzroy	Contributory
235	Gertrude Street, Fitzroy	Contributory
237	Gertrude Street, Fitzroy	Contributory
243-245	Gertrude Street, Fitzroy	Contributory
247	Gertrude Street, Fitzroy	Contributory
-	Gertrude Street, Fitzroy	
90-92	Gertrude Street, Fitzroy	Individually Significant
94	Gertrude Street, Fitzroy	Individually Significant
96	Gertrude Street, Fitzroy	Individually Significant
98	Gertrude Street, Fitzroy	Individually Significant
100	Gertrude Street, Fitzroy	Individually Significant
102-104	Gertrude Street, Fitzroy	Contributory
108-110	Gertrude Street, Fitzroy	Contributory
112-114	Gertrude Street, Fitzroy	Contributory
116	Gertrude Street, Fitzroy	Contributory
118	Gertrude Street, Fitzroy	Contributory
120	Gertrude Street, Fitzroy	Contributory
122	Gertrude Street, Fitzroy	Contributory
122A	Gertrude Street, Fitzroy	Contributory
124	Gertrude Street, Fitzroy	Contributory
126	Gertrude Street, Fitzroy	Contributory
128	Gertrude Street, Fitzroy	Not contributory
130	Gertrude Street, Fitzroy	Contributory
132-134	Gertrude Street, Fitzroy	Contributory
136	Gertrude Street, Fitzroy	Individually Significant
142-144	Gertrude Street, Fitzroy	Not contributory
148	Gertrude Street, Fitzroy	Contributory
150-156	Gertrude Street, Fitzroy	Contributory
158	Gertrude Street, Fitzroy	Individually Significant
160-162	Gertrude Street, Fitzroy	Individually Significant
164	Gertrude Street, Fitzroy	Individually Significant
166	Gertrude Street, Fitzroy	Not contributory
184-186	Gertrude Street, Fitzroy	Individually Significant
188-196	Gertrude Street, Fitzroy	Contributory
198-200	Gertrude Street, Fitzroy	Contributory
202	Gertrude Street, Fitzroy	Individually Significant
204	Gertrude Street, Fitzroy	Contributory
206-208	Gertrude Street, Fitzroy	Contributory
210-214	Gertrude Street, Fitzroy	Contributory
218-220	Gertrude Street, Fitzroy	Contributory
222-224	Gertrude Street, Fitzroy	Contributory
226	Gertrude Street, Fitzroy	Contributory
228	Gertrude Street, Fitzroy	Not contributory
230-232	Gertrude Street, Fitzroy	Not contributory
234-238	Gertrude Street, Fitzroy	Not contributory
240	Gertrude Street, Fitzroy	Contributory
242	Gertrude Street, Fitzroy	Contributory
244	Gertrude Street, Fitzroy	Contributory



50-54	Brunswick Street, Fitzroy	Individually Significant
74-78	Gore Street, Fitzroy	Not contributory
44	Little Napier Street, Fitzroy	Not contributory
70-74	Napier Street, Fitzroy	Contributory

### Extent of the recommended Heritage Overlay Precinct

Properties include: 65-83, 153-179, 187-247 & 90-248 Gertrude Street, 50-54 Brunswick Street, 74-78 Gore Street, 44 Little Napier Street & 70-74 Napier Street, Fitzroy. As indicated by the red polygon on the map below.



**Figure 19.** Recommended Heritage Overlay precinct boundary in red. Pink indicates existing Heritage Overlays. North to top (Basemap source: VicPlan).

### Identified by:

GJM Heritage (October 2019), *Brunswick Street and Smith Street Built Form Review*

### References:

Allom Lovell & Associates (1998), *A City of Yarra Heritage Review, Thematic History*.

Barrett, Bernard (1971), *The Inner Suburbs, The evolution of an industrial area*, Carlton [Vic.].

City of Yarra Library (COYL), Identification numbers as cited above.

Fitzroy Aboriginal Heritage Walking Trail, accessed via

<<http://aboriginalhistoryofyarra.com.au/FitzroyAboriginalHeritageWalkingTrail.pdf>>, 1 December 2017.

Fitzroyalty, 'at the Gertrude St projection festival', <<https://fitzroyalty.net/2010/07/12/at-the-gertrude-st-projection-festival/>>, accessed 4 December 2017.

Harding, Eleanor, 'Aboriginal Fitzroy' in Fitzroy History Society & Cutten History Committee (2014, 1<sup>st</sup> edition 1989), *Fitzroy : Melbourne's first suburb*, South Yarra [Vic.].

Kiss, Rosemary, 'The Business of Politics' in Fitzroy History Society & Cutten History Committee (2014, 1<sup>st</sup> edition 1989), *Fitzroy : Melbourne's first suburb*, South Yarra [Vic.].

Lewis, Miles, 'The First Suburb' in Fitzroy History Society & Cutten History Committee (2014, 1<sup>st</sup> edition 1989), *Fitzroy : Melbourne's first suburb*, South Yarra [Vic.].

Melbourne and Metropolitan Board of Works (MMBW) Detail Plans, as cited.



Proeschel, F., c1855, 'Map of Collingwood : showing the western part (or Fitzroy ward) as it will be in a very short time according to the Collingwood improvements act [map].

Rittman, Anne & Maz Wilson (2017), *Brunswick Street, Art & Revolution*, Melbourne.

Robertson, Jill, Luke Commadeur & Fitzroy History Society (2008), *Gertrude Street Fitzroy*, Fitzroy [Vic.], via Fitzroy History Society, <<https://fitzroyhistorysociety.org.au/wp-content/uploads/Gertrude-Street-Booklet.pdf>>, accessed August 2019.

Sands & McDougall Directories.

Sowerwine, Charles, 'Public Transport and the Fitzroy Identity' in Fitzroy History Society & Cutten History Committee (2014, 1<sup>st</sup> edition 1989), *Fitzroy : Melbourne's first suburb*, South Yarra [Vic.].

State Library of Victoria (SLV), images as cited.