

17 August 2018

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Re: Planning Permit Application Number 348/2018 – 1 Victoria Avenue, Albert Park

Dear Ms Johnson,

The National Trust of Australia (Victoria) objects to the above permit application, which includes complete demolition of the existing building and construction of a contemporary four-storey (plus basement level) mixed use building.

The National Trust of Australia (Victoria) is state's largest community-based heritage advocacy organisation actively working towards conserving and protecting our heritage for future generations to enjoy, representing 28,000 members across Victoria. The National Trust's vision is that "our diverse heritage is protected and respected, contributing to strong, vibrant and prosperous communities", and our mission to "inspire the community to appreciate, conserve and celebrate its diverse natural, cultural, social and Indigenous heritage".

The subject site is included within the Bridport Street/Victoria Avenue Commercial Precinct, identified as HO443 in the Schedule to the Heritage Overlay of the Port Phillip Planning Scheme. The subject site is identified as a significant place in the City of Port Phillip Heritage Policy Map, and is subject to external paint controls.

We submit that the proposal to demolish 1 Victoria Avenue Albert Park is contrary to the provisions as set out in the Port Phillip Heritage Policy 22.04, specifically the following policy objectives (22.04-3):

- *To encourage the conservation of all significant and contributory heritage places in the Heritage Overlay.*
- *To discourage the demolition of significant and contributory heritage places in the Heritage Overlay.*

When a permit is required for demolition of a significant or contributory building, as set out under 22.04-4 *Demolition*, it is policy to:

- *Refuse the demolition of a significant building unless and only to the extent that:*
 - o *the building is structurally unsound;*

- *the replacement building and/or works displays design excellence which clearly and positively supports the ongoing heritage significance of the area*

The complete demolition of an individually significant place in an identified precinct is rare and should only be permitted if it can be clearly demonstrated that there is no alternative course of action. We submit that the supporting documentation provided with the permit application does not demonstrate that demolition is unavoidable.

In particular, the Assessment of Heritage Impacts views demolition as a *fait accompli* and fails to assess the impacts of the proposal on either the building or the wider precinct. We note that the Structural Report prepared by David Farrer, while outlining the specific structural issues currently affecting the building, does not undertake any form of cultural heritage assessment of the impact of full demolition.

Accepted best practice for the preparation of Heritage Impact Statements can be found in Heritage Victoria's "Guidelines for Preparing Heritage Impact Statements"¹ and requires the consideration of the following:

- *What physical and/or visual impacts will result from the proposed works? i.e. what will be the affect on the cultural heritage significance of the place*
- *If there are detrimental impacts on the cultural heritage significance of the place or object, provide reasons why the proposal should be permitted*
- *If there are detrimental impacts on the cultural heritage significance of the place or object, detail alternative proposals that were considered and reasons why these were dismissed*
- *What measures are being proposed to avoid, limit or manage the detrimental impacts?*

While these guidelines have been prepared to inform applications under the *Heritage Act 2017*, we would expect the same principles to be observed in the preparation of an impact statement for any recognised heritage place, including those protected under the *Planning and Environment Act*. As it stands, the current proposal would clearly have a deleterious impact on the heritage place, and a significant negative impact on the surrounding precinct, yet these impacts have not been assessed, nor have steps to mitigate these impacts been considered.

Further, the Structural Report does not rule out, or even contemplate, the reconstruction of the building according to *Burra Charter* principles, or its incorporation in any new development. We would expect that for a place identified as being significant within a heritage precinct, that all possible options for restoration or reconstruction should be explored and documented in any application for a development on the site. The application provides no evidence that options for the retention of the building have been meaningfully investigated, or that restoration and reconstruction are not viable options.

We would expect that where full demolition is contemplated on the basis of advice provided in a structural report, that this advice would be subject to peer review. In making a determination on this application, we therefore urge Council to engage a consultant to provide an

¹ https://www.heritage.vic.gov.au/__data/assets/pdf_file/0026/87920/DOC-17-691686-Heritage_Impact_Statement.doc-revised2.pdf

independent assessment of the structural integrity of the building, and options for remediation or reconstruction.

The National Trust also strongly objects to the assessment provided by Bryce Raworth that the proposed replacement building displays design excellence which “clearly and positively supports the ongoing heritage significance of the area.” We note the Statement of Significance for the Bridport Street/Victoria Avenue Commercial Precinct, as included in the Port Phillip Heritage Review (2018), which states that

the built fabric is largely characterised by rows of double-storey Victorian residential shops, a smaller number of single- storey Victorian shops, terraced dwellings, and Edwardian and inter-war shops

We submit that the proposed development does not respond to these identified values, and does not respect the scale and character of the surrounding precinct.

In conclusion, we do not believe the current application demonstrates that the demolition of the existing building at 1 Victoria Avenue cannot be avoided, and respectfully submit that the permit application should be refused on these grounds. We further submit that the proposed replacement building is not an appropriate response to the heritage precinct. Thank you for the opportunity to comment on this application. For any enquiries regarding this submission, please don't hesitate to contact me on 9656 9802 or at felicity.watson@nattrust.com.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'F. Watson', with a long horizontal flourish extending to the right.

Felicity Watson
Advocacy Manager