

# National Trust Submissions

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| <b>Subject</b>   | <b>1 Victoria Avenue, Albert Park, VCAT Reference No. P2046/2018</b>           |
| <b>Submitter</b> | <b>Felicity Watson on behalf of the National Trust of Australia (Victoria)</b> |
| <b>Date</b>      | <b>20 March 2019</b>   |

## INTRODUCTION

1. 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 over 16,000 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 is to inspire the community to appreciate, conserve and celebrate its diverse natural, cultural, social and Indigenous heritage. The proposed demolition of the existing building at 1 Victoria Street, Albert Park, is contrary to the vision and mission of the National Trust of Australia (Victoria).
2. The National Trust of Australia (Victoria) objects to City of Port Phillip permit application 348/2018, which includes complete demolition of the existing building and construction of a contemporary four-storey (plus basement level) mixed use building.
3. 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.
4. The subject site is captured in the Statement of Significance for the precinct included in the Port Phillip Heritage Review (2018), which references inter-war shops, and specifically those added to the front of existing Victorian houses, demonstrating "the precinct's ongoing commercial development well into the twentieth century".

## RESPONSE TO PROPOSED DEMOLITION

5. 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.*

6. 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:*

- *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*

7. 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, and the Applicant's expert evidence, does not demonstrate that demolition is unavoidable, or that the remediation of the building is unreasonable.
8. We strongly disagree with Mr Raworth's assertion at paragraph 36 of his Statement of Evidence, that "while the demolition of this building will result in a loss, it will not be a loss that is comparable to that of a more highly graded 'significant' building such as an A, B or C graded building."
9. We agree with Mr Lovell's opinion at paragraph 59 of his Statement of Evidence, that the impact of the building's demolition would not be tempered by its relative significance. Furthermore, no such distinction is made in the planning scheme under 22.04-4.
10. We also submit that in weighing the net community benefit of the proposal, the Tribunal should have regard to the large number of objections to the permit application—509 in total—and the emphasis in these objections on the heritage impacts relating to both the demolition of the building and the impact of the proposed replacement building on the heritage precinct.

## RESPONSE TO PROPOSED REPLACEMENT BUILDING

11. 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”, as required by clause 22.04-4 of the planning scheme. 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*

12. We submit that the proposed development does not respond to the identified character of the precinct. This is clearly evident in the photo montages prepared by FKD Studio on behalf of the Applicant, which show a strong departure from the established character of the area, particularly in terms of height. The presentation of the glazing proposed on the ground floor is also inconsistent with the established character of the surrounding streetscapes which are more fine-grained and characterised by activated shop fronts.
13. We do not believe these impacts can be mitigated through permit conditions, or Mr Raworth’s suggested changes to the balcony treatment outlined at paragraph 49 of his Statement of Evidence, and modelled by FKD.

## CONCLUSION

14. In conclusion, we do not believe the Applicant has demonstrated that the demolition of the existing building at 1 Victoria Avenue cannot be avoided, and respectfully submit that the decision of the Responsible Authority should be affirmed. We further submit that the proposed replacement building is not an appropriate response to the identified values of the heritage precinct, and is contrary to relevant provisions in the Port Phillip planning scheme.