

Quality Assurance Register

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8691	A	Lodgement issue	2 May 2024	PL

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Cover image: Proposed development at 28 Clarendon Street, from within Clarendon Street

Source: Snøhetta , Design Response Report April 2024

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- ATTACHMENT B** Design Response Report and views, April 2024, Snøhetta
- ATTACHMENT C** History and Description, Lovell Chen
- ATTACHMENT D** Pile Cap Exposures Report, Golder
- ATTACHMENT E** Ethos Urban, Tea House Redevelopment Proposal, Amended Economic Report, 7 February 2022

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1.0 INTRODUCTION

This Heritage Impact Statement (HIS) has been prepared for Clarendon Tea House Pty Ltd to accompany a permit application (P39527) to Heritage Victoria for works to the Robur Tea Building, 28 Clarendon Street, Southbank (the Tea House) and redevelopment of the surrounding land (Figure 1). The site is included in the Victorian Heritage Register as H0526.



Figure 1 Location plan with the subject site indicated
Source: <https://www.street-directory.com.au/>

The redevelopment proposal for the subject property involves the adaptive reuse of the Tea House as part of a broader development of the registered site. The proposal includes part demolition and adaptation of the building for retail/food & beverage and office uses, with the construction of two connected structures to the north and south. The proposed structures will be separated from, but partly linked to the Tea House and will accommodate a mix of uses comprising retail/hospitality and hotel. Roof top terraces are proposed on five of the seven new building forms. Also proposed as part of the development of the site is a basement surrounding the Tea House (service areas to the south and car stacker to the north).

The Tea House was purchased by Monno (formerly Costa Fox) for Clarendon Tea House Pty Ltd in 2020 from R & J International (Aust) Pty Ltd. In 2022 an application was made to Heritage Victoria for redevelopment of the site for commercial and hotel use. That application was refused by the Executive Director of Heritage Victoria on 30 May 2023. The application was appealed and that appeal application has been withdrawn.

As addressed in this HIS, the design approach is one which acknowledges the significance of the site and seeks to reinforce that significance and to secure the sustainability of the place in the long term. In informing the development of the proposal, consultation has occurred with Heritage Victoria by way of pre-application discussions. The outcome of this consultation is further discussed at section 5.2 of this statement.

As relevant to planning considerations the 2022 development proposal was submitted to the City of Melbourne for planning approval and a permit (TP-2021-345) was issued on 22 August 2022.

1.1 This application

This application is made under Division 2, Permit Applications, of the Heritage Act 2017.

As relevant to the proposal, considerations that **must** be addressed by the Executive Director in determining a permit under Division 2, Section 101(2) include:

- a) the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object;
- b) the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object, or cause undue financial hardship to the owner in relation to that place or object.

.....

- f) Any matter relating to the protection and conservation of the registered place or registered object that the Executive Director considers relevant.

Additionally, considerations that **may** be addressed by the Executive Director in determining a permit under Division 2, Section 101(3) include:

- (a) the extent to which the application, if approved, would affect the cultural heritage significance of any adjacent or neighbouring property that is—
 - (i) included in the Heritage Register; or
 - (ii) subject to a heritage requirement or control in the relevant planning scheme; or
- (b) any other relevant matter.

1.1.1 *Relevant Guiding Principles*

In addressing the acceptability of any changes to a place included in the Victorian Heritage Register (VHR) *Guiding principles for changes to proposed places in the Victorian Heritage Register (September 2021)* has been prepared by Heritage Victoria under s 19 (1)(f) of the Heritage Act 2017. The guiding principles in the document are as follows:

- Principle 1. Understand why the place is significant
- Principle 2. Changes to a place should be sympathetic to its significance
- Principle 3. Protecting significant settings and views
- Principle 4. Provide for upkeep

1.1.2 *Guidelines for preparing HIS*

Heritage Victoria has also published *Heritage Victoria Guidelines for preparing heritage impact statements (June 2021)* under s 19 (1)(f) of the Heritage Act 2017. This document provides guidance on

matters that need to be addressed during the preparation of a Heritage Impact Statement. Reference has been made to guidelines in the preparation of this HIS.

1.2 Documentation

1.2.1 Documentation submitted for approval

The documentation addressed in this HIS and submitted for approval comprises the following:

- Snøhetta, Heritage Permit Application Drawings, 12 April 2024, revision 030
- Lovell Chen, Conservation Works Drawings, Revision P4, 1 May 2024
- Robert Bird Group, Heritage Building Structural Works for Tea House, 26 May 2022

1.2.2 Documentation supporting the application

Supporting documentation:

- Snøhetta, Design Response Report, April 2024
- Summary history and description, Lovell Chen, May 2022
- Investigations, Upgrade Work and Dispensations, PLP Building Surveyors & Consultants Pty Ltd
- 28 Clarendon Street, Southbank – Pile Cap Exposures, Report reprepared by Golder, 22 December 2020
- Ethos Urban, Tea House Redevelopment Proposal, Amended Economic Report, 7 February 2022

It is noted that some descriptive and analytical content of this HIS and the supporting documentation is, where appropriate and relevant, the same as that used in the 2022 permit application submission documents.

1.3 Heritage listings and classifications

1.3.1 Heritage Act 2017

The Tea House is included in the Victorian Heritage Register (VHR) maintained by the Heritage Council of Victoria and is designated place number H0526 (Figure 2). The property is of scientific (technical), architectural and historical significance to the State of Victoria.

The VHR Statement of Significance for the place is as follows:

What is significant?

The Robur Tea Building is named after one of its better known occupants, but it was in fact built between 1887 and 1888 as a warehouse for Fergus and Mitchell, manufacturing stationers. The architect was Nahum Barnet, the engineer John Grainger and the builder James Moore. The building is constructed of load-bearing red brick and provides six above ground floors which are separated by cream brick courses. The largely unadorned walls are amply supplied with windows. The timber floors are supported by cast iron columns and steel beams. The building is a simple box shape with ornamentation confined to a rendered central entrance surround on the east facade which is reflected by an arched balcony the height of the top two floors.

How is it significant?

The Robur Tea Building is of scientific (technical), architectural and historical significance to the State of Victoria.

Why is it significant?

The Robur Tea Building is of scientific (technical) significance because of several innovative techniques employed in its construction. The most notable feature of the building is the solution to the problem of foundations. The building was erected on a swampy site and initial advice to the owners was that a building of the size proposed was not feasible. The engineer John Grainger was engaged and he devised a system of 450 ironbark piles and concrete rafts to support the six storey structure. It was a remarkable solution and no directly comparable buildings exist because such difficult foundations were not tackled again until after WWI. Another innovation was the use of steel beams supporting the floors, one of the earliest uses of such technology in Victoria. These innovations are a tribute to John Grainger, architect and engineer, who, in partnership with several reputed architects, contributed to such noted structures as Princes Bridge, the swing bridge over the La Trobe River at Sale, the administration block of the Melbourne Town Hall, Elizabeth House and Collins House and the conversion of Cliveden Mansions, East Melbourne.

The Robur Tea Building is of architectural significance as one of the finest and most prominent examples of a 19th century warehouse in Melbourne. It was for many years one of the tallest buildings outside the CBD, its height and freestanding character making it a South Melbourne landmark even today. The functional requirements of a warehouse are clearly evident in its simple box-like shape, but a certain amount of pride is expressed in the restrained decoration of the eastern facade.

The Robur Tea Building is of architectural significance as a noted work of Nahum Barnet. Barnet was a most prominent architect in the four decades that saw Melbourne emerge from the 1890s depression and flourish during the Edwardian period. Certain architectural details indicate that this building was seminal in Barnet's development as an architect. In particular the central arched motif links the six storeys of the facade, a detail that became a major element in his central city buildings. Buildings such as the Auditorium Building, Paton Building and the Davison Building at the corner of Collins Street and Elizabeth Street are typical of his city buildings. Barnet's practice was extensive, however, and included such buildings as the Villa Chandos in East Melbourne, the Florida Mansions in St Kilda and the Toorak Road Synagogue.

The Robur Tea Building is of historical significance as a reminder of the character and location of 19th century commerce in Melbourne. The Tea building is one of the few remaining traces of the industrial and warehousing establishments that until the 1970s and 1980s dominated the south bank of the Yarra, in an area where swampy land made substantial building difficult and residential development unattractive. These older uses have now been 'swamped' in their turn by leisure and luxury apartment developments. While the building has been known for some time as the Tea House, it is worth remembering that it was originally constructed as a stationer's warehouse and factory, and is now one of the few remaining factory buildings in the centre of the city. Its later use as a tea warehouse also serves as a reminder that this part of the river bank was once a thriving wharf area, before

bigger ships and changed cargo handling methods led to the construction of larger capacity port facilities further towards the mouth of the Yarra.¹

There is no permit policy for the Tea House building. The permit exemption in place for the building relates to internal partitioning as follows:

The introduction of or alteration to office partitioning provided that such works are not attached to any original fabric, except where the attachment occurs through structurally sound mortar joints.²

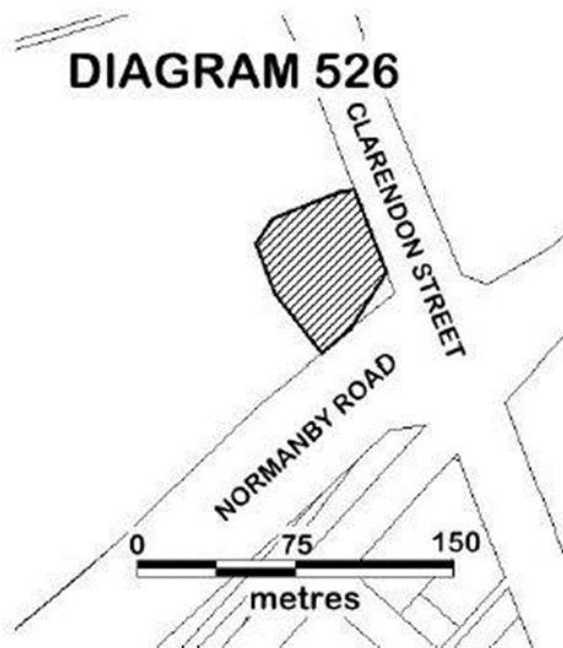


Figure 2 Diagram of extent of registration H0526
Source: Victorian Heritage Database

Amendment to VHR extent of registration

The registration of the Tea House building was originally gazetted in 1982 in the Historic Buildings Register and no land was included as part of the registration. Under s.49(1)(d) of the Heritage Act 2017 the Heritage Council may include additional land to registered places. Accordingly, in 2017/2018 the VHR registration was amended to include the surrounding land.

Victorian Heritage Inventory

The property is not included on the Victorian Heritage Inventory.

1.4 Conservation Management Plan

¹ Victorian Heritage Database, Robur Tea Building, accessed 24 August 2022, available at: <https://vhd.heritagecouncil.vic.gov.au/places/1037>.

² Victorian Heritage Database, Robur Tea Building, accessed 24 August 2022, available at: <https://vhd.heritagecouncil.vic.gov.au/places/1037>.

No conservation management plan has been prepared for the place.

2.0 SUMMARY HISTORY AND DESCRIPTION

A brief history and description of the building and site is attached at Attachment C and summarised below.

2.1 History

The Robur Tea Building was constructed in 1887-88 as a warehouse and factory for printers and manufacturing stationers Fergusson & Mitchell (Figure 3). Variouslly described as a 'printing warehouse' or a factory the building replaced Fergusson & Mitchell's Collins Street west premises.³ Towards its completion an article in the Record noted that, 'Its height and the large number of windows make it one of the most noticeable buildings in the district'⁴.



Figure 3 1890 image of the building at 28 Clarendon Street

Source: Susan Priestley, *South Melbourne A History*, reproduced by City of Port Phillip, p112

The factory was designed by architect Nahum Barnet and the contractor for the building was James Moore.⁵ The swampy condition of the site resulting in engineer John Grainger devising an innovative

³ *Record*, 12 March 1887, p.12

⁴ *Record*, 11 August 1888, p.2.

⁵ *Architects' Index*, University of Melbourne, cited in *South Melbourne Urban Conservation Study*, Vol. 2, 1987.

solution of a system of 450 timber piles and concrete rafts to support the six storey building.⁶ In the 1890s Fergusson, a land speculator became insolvent and Fergusson & Mitchell ceased business. After a brief occupancy by S A Palmer, agent for Webber's Vitadatio, in 1906 the building was occupied by merchants and shipping agents James Service & Co who dealt predominantly with grocery imports from India and the Far East, specialising in Robur tea. By 1945, several low-level buildings associated had been constructed to the north and south of the building. The Robur Tea Co. Ltd occupied the Tea House until at least the mid-1970s.⁷ The low-scale buildings to the north and south of the Tea House were demolished by the mid-1980s, at which time significant refurbishments were also being undertaken to the building. In 1984 the brick service core comprising a lift, stair and services was constructed on the south-east elevation of the Tea House. By the late 1990s the site had been acquired by the Victorian Government; who sold the site to R & J International (Aust) Pty Ltd in 2009; in 2020 the site was purchased by Costa Fox Developments Pty Ltd.

Description

The subject site occupies the corner of Clarendon Street and Normanby Road, Southbank (Figure 4). The six-storey Robur Tea Building is red brick with cream string courses designating the various levels. The principal (east) elevation addresses Clarendon Street and includes the original central entrance to the building with render surround and arched balconied ornamentation which extends to two storeys above. The ground floor windows flanking the entrance are arched, with moulded architraves. The roof is concealed behind a pedimented rendered parapet which bears the inscription '1888' (Figure 5). The sixth floor includes a mezzanine level which sits above the main roof line and reportedly originally contained the gantry crane. Alterations to the east elevation include replacement of the original entry door; modifications to the original recessed arched entry on the north side of the east elevation to form a window, with the steps removed and sill installed; removal of the apex to the parapet; and removal of the orbs to the parapet and balcony surround.

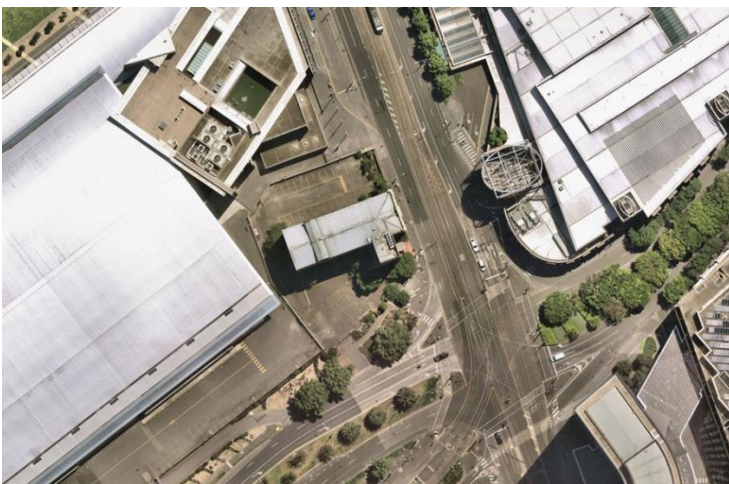


Figure 4 Aerial image of the Robur Tea Building
Source: Nearmap 8 November 2020

⁶ South Melbourne Urban Conservation Study, Vol. 2, 1987

⁷ Sands & McDougall Directories, 1974.



Figure 5 Principal (east) elevation of the Robur Tea Building to Clarendon Street

The north and south elevations have uniform fenestration, generally pairs of sash windows, ten bays in length. The windows diminish in height to the upper two levels. The exceptions are the corner bays at the front of the building where there is a single window. Above level 3 on the side (north and south) elevations is a horizontal band with 'THE TEA HOUSE' signage installed (Figure 6 and Figure 7). This signage is not original, but reflects the original/early signage on the building (refer Figure 8).

The red brick lift core which was added to the south-east elevation of the Tea House in 1984 provides two passenger lifts and an escape stair as well as a new pedestrian entrance to the building from Clarendon Street. The lift core is solid to the south and west sides, with pairs of window openings bricked up on the south side. Windows to the east side are narrow rectangular single-pane windows with multi-pane windows adjoining the Tea House.

The rear (west) elevation of the building is comprised of three bays of paired windows, matching the north and south elevations (Figure 9).

Vehicular access into the site is via Normanby Road (the former access from Clarendon Street has been removed). The car park is at-grade and surrounds the north, west and south sides of the building (Figure 10)

Internally, 18 plaster encased cast iron columns are evenly spaced along the length of the building. To the south-east are toilets and kitchen facilities backing onto the lift core at each floor level. To the west is a non-original fire stair. Non-original office fitouts are located on some floors. Modern suspended ceilings have been variously installed to the lower levels, although timber boarded ceilings with timber

rafters remain evident to the upper level (Figure 10). The timber floors are supported on steel beams and are generally carpeted throughout.

Within the lift core, the formerly exterior brick walls have been sandblasted and remain unadorned. Access from the lift core to each office floor level is via a pair of existing windows in the main building which have been modified to create a pair of doors (Figure 11).

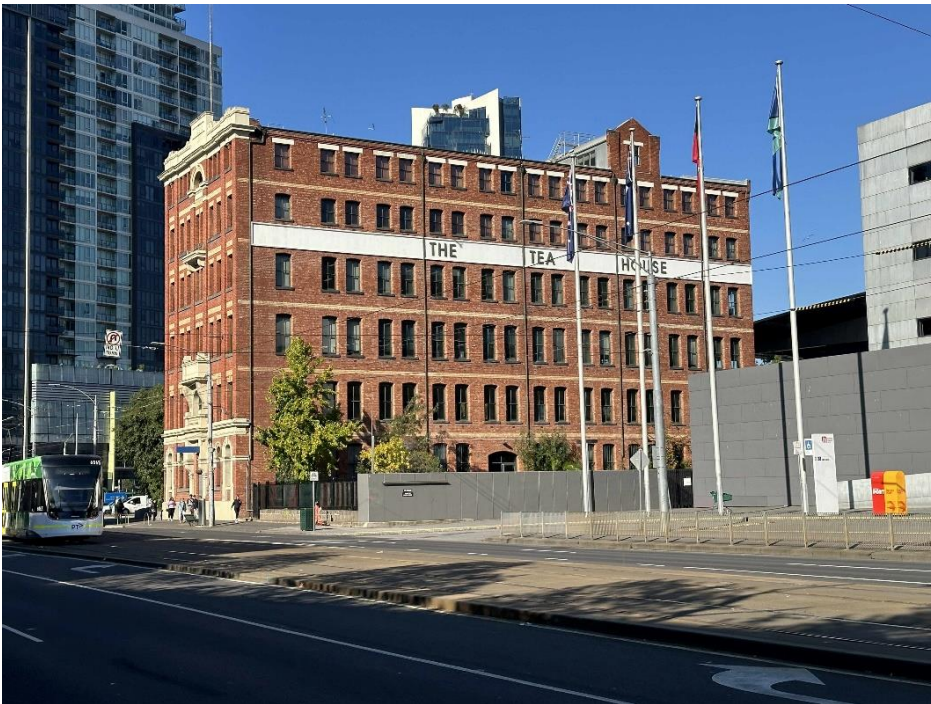


Figure 6 North elevation of the Robur Tea Building



Figure 7 South-east elevation of the Robur Tea Building



Figure 8 View of Tea House beyond the Spencer Street Bridge, 1930
Source: W D Chapman, H2001.308/3081, State Library of Victoria



Figure 9 South and west elevations of the Robur Tea Building

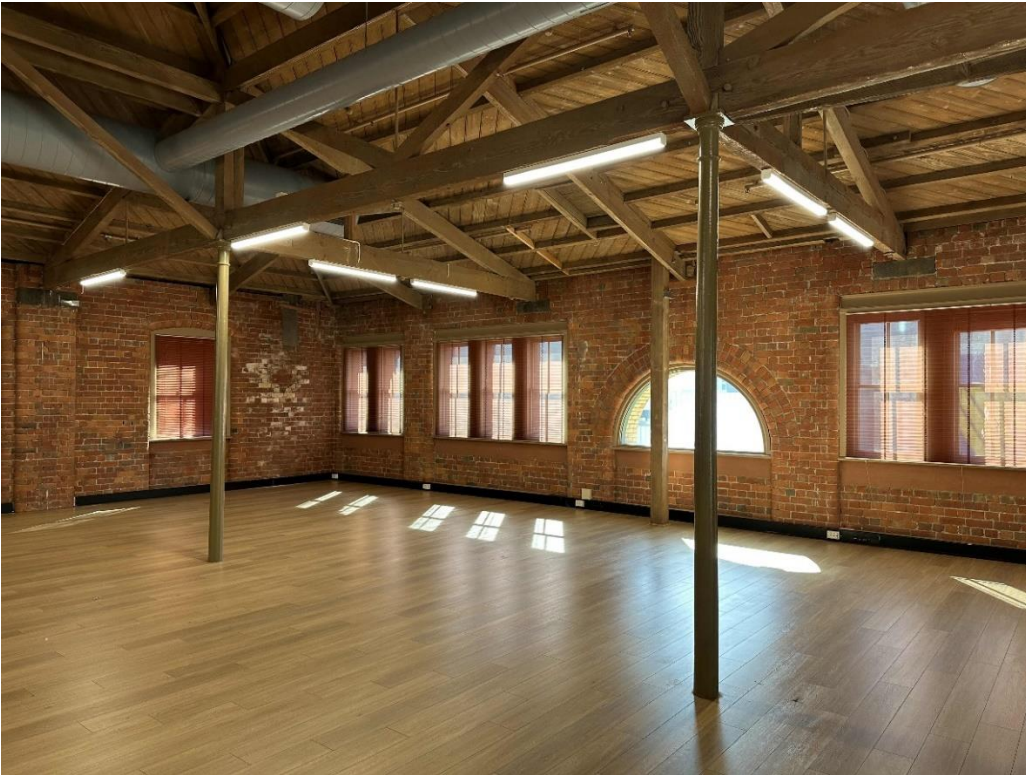


Figure 10 Original timber-lined ceilings and timber rafters at level five

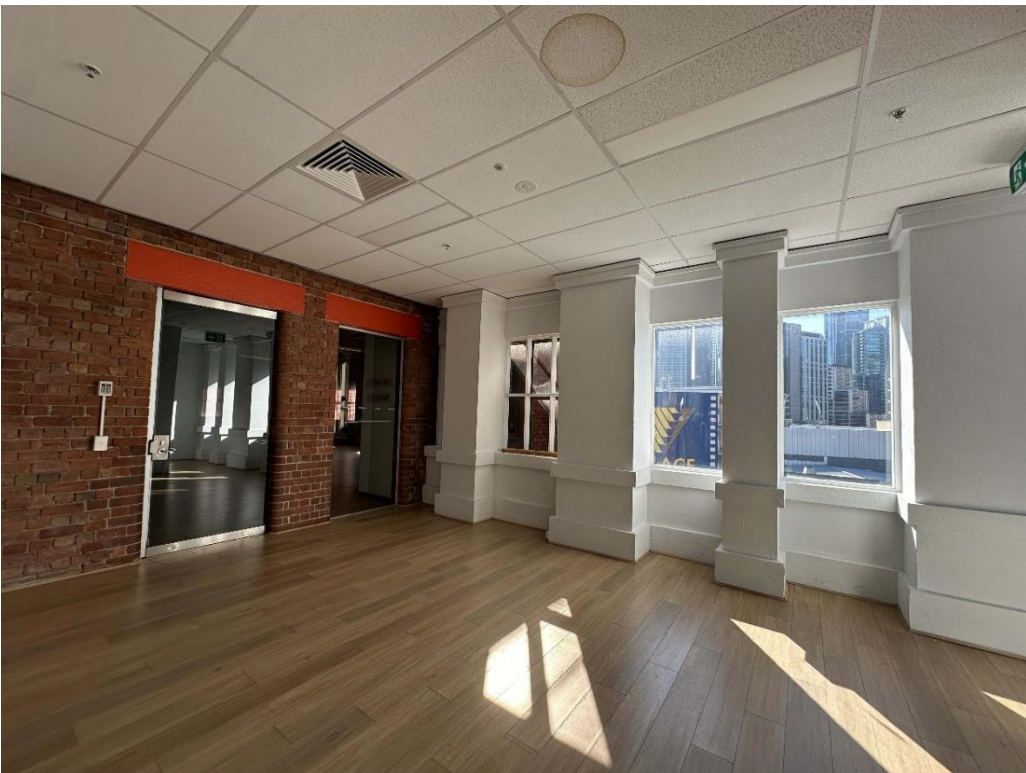


Figure 11 Modified windows in the south elevation of the Tea House to provide access into the building from the lift core

3.0 SITE CONTEXT AND SETTING

The property is located within a commercial streetscape, south of the Yarra River (Figure 12). It is situated between the expansive Melbourne Convention and Exhibition Centre (MCEC) to the west and north-west, and the Crown Casino complex to the east (on the opposite side of Clarendon Street). These complexes, part surrounding and opposite the subject property, are generally mid-rise. High-rise tower developments, including the Crown Metropol tower are located to the south and south-east of the property on the south side of Normanby Road. To the north of the site is the Yarra River; Batman Park is located on the north bank of the river, with public open space along the south bank of the river west of Clarendon Street and a narrow promenade aligning with the Crown Casino complex east of Clarendon Street. Normanby Road to the south of the site has a large traffic median planted with trees. The streetscapes on the opposite side of the road, further south along Clarendon Street and west along Normanby Road are mixed-use, comprising multi-level residential and serviced apartment buildings with lower-scale commercial buildings.

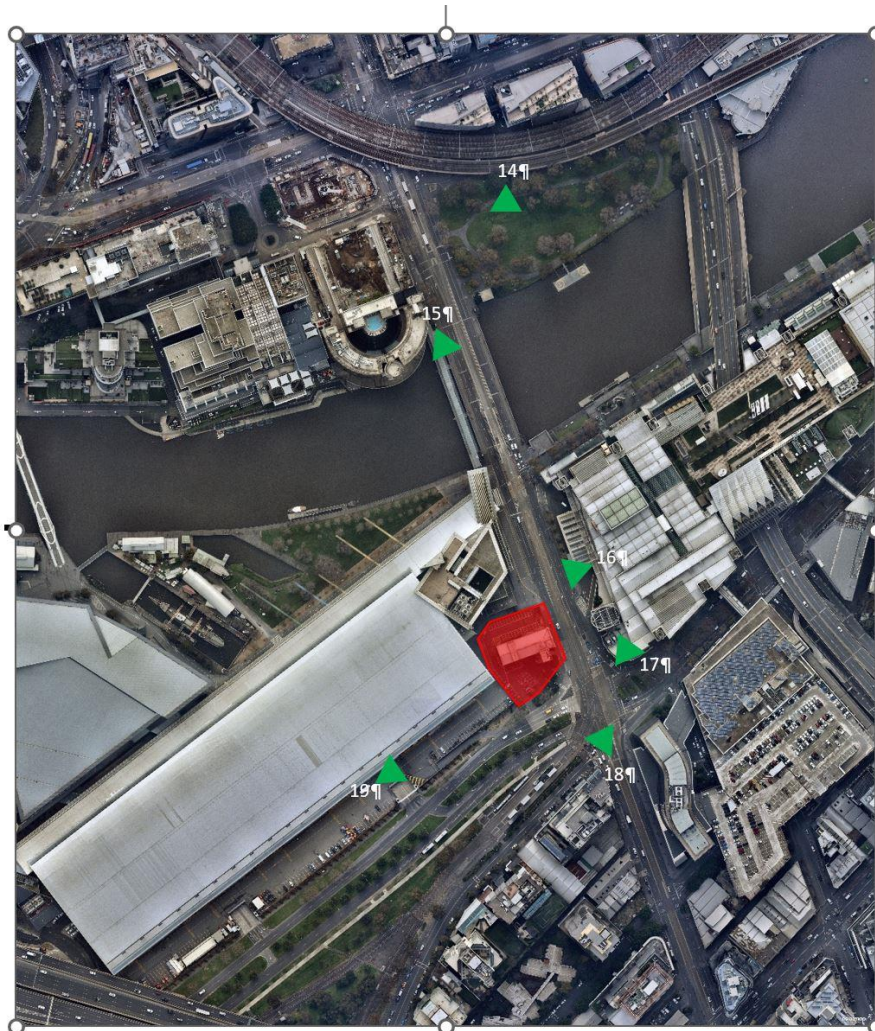


Figure 12 Part aerial of Southbank in vicinity of Robur Tea Building (indicated in red); location of views shown
Source: Nearmap October 2021

Within the surrounding streetscapes the north, east and south elevations of the Robur Tea Building are generally fully exposed, however, there is only a partial view of the west façade.

From the north, on the opposite side of the Yarra River, the north elevation is fully or partially visible depending upon the viewing point (Figure 13). The view remains predominately the same when approaching the site from the north along the east side of Clarendon Street (over the bridge), with additional areas of the lower east façade coming into view as the viewer moves closer to the site. When approaching from the west side of the bridge only a small portion of the north façade is visible (around four bays) as seen in Figure 14.

The east elevation is prominent within the streetscape from Clarendon Street within the vicinity of the site as seen in Figure 6, Figure 7 and Figure 15.

When approaching from the south (along the west side of the street), the first bay and 1980's lift core are the only visible parts of the building until the viewer gets within close proximity to the site (north of Haig Street). As the viewer moves closer to the intersection with Normanby Road, additional bays of the south façade become viable (Figure 17). Once the viewer gets to the intersection of Normanby Road, the entire length of the south façade is visible. It is noted that generally, there is greater visibility of the south façade when walking on the footpath on the east side of the street.

There is a partial view of the west and south elevations when approaching the building from the west on the north side of Normanby Road as seen in Figure 18. There is reduced visibility of the building from the south side of Normanby Road due to the trees located in the traffic median.



Figure 13 View of subject site as seen from Batman Park on the north bank of Yarra River, subject site indicated

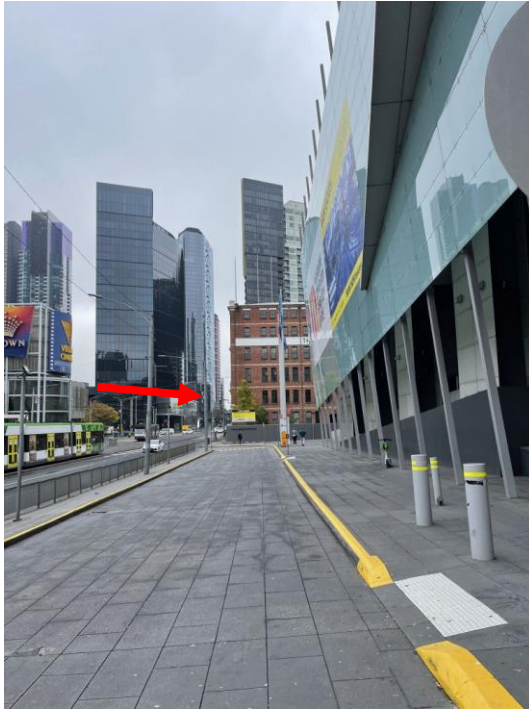


Figure 14 View from west side of Clarendon Street bridge over the Yarra River, Exhibition centre to right of image, subject site indicated



Figure 15 East elevation of building



Figure 16 View from the south side of the intersection of Normanby and Clarendon streets



Figure 17 Building seen from the west side of Clarendon Street, south of Normanby Road



Figure 18 View east along north footpath of Normanby Road, MCEC to left of image

4.0 PROPOSED WORKS

4.1 Overview of proposed works

The redevelopment proposal for the subject property involves the adaptive reuse of the Robur Tea Building as part of a broader development of the registered site. The proposal includes part demolition and adaptation of the Tea House for retail and office uses, with the construction of seven interconnected building forms of varying heights to the north, south and west boundaries of the site. The new development will be separate from but partly linked to the Tea House and will be mixed-use, comprising retail/hospitality and hotel. Also proposed as part of the development of the site is a basement surrounding the Robur Tea Building with service areas to the south and car stacker to the north.

For the purposes of describing the development it is divided in three components: the Tea House, the north building and the south building. The elements of the new development are numbered 1 to 7 (Figure 19).

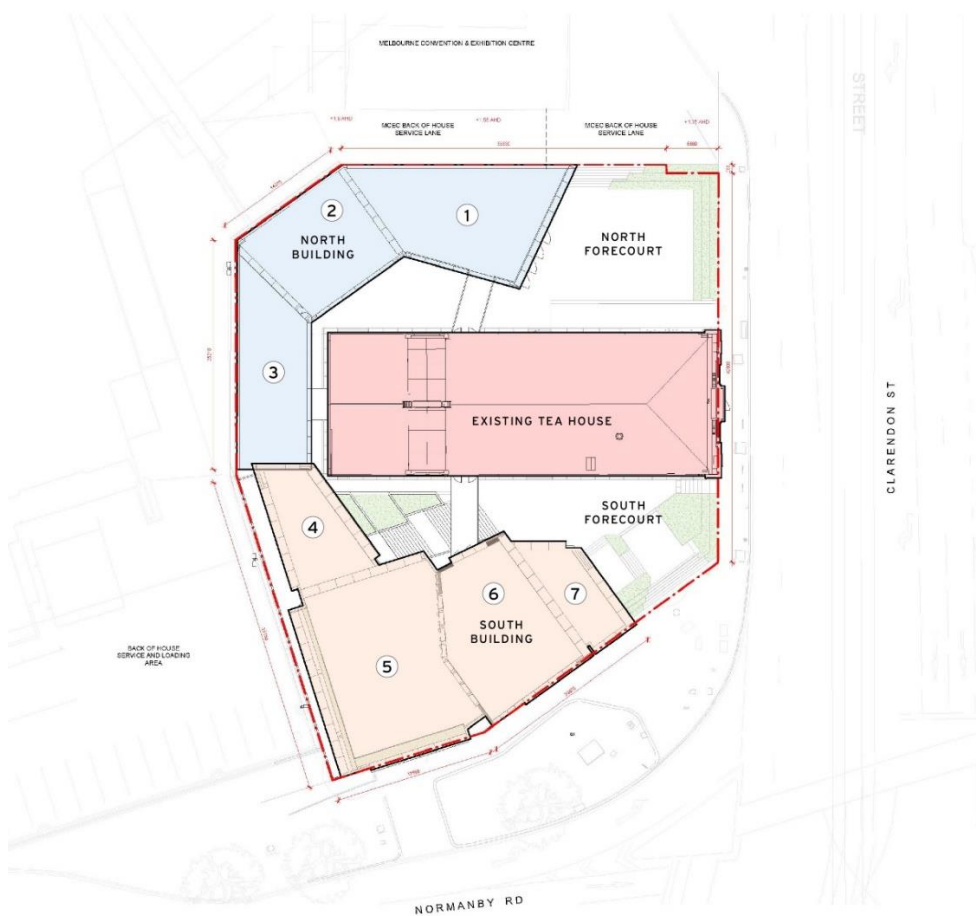


Figure 19 Site development plan

4.1.1 Demolition

Externally, the proposed demolition involves the complete removal of the 1980s lift core, including the stairs and pedestrian entrance from Clarendon Street, as well as the full extent of the existing car park paving and landscaping/trees within the subject property. It is also proposed to remove some of the existing windows and fabric below the sill to facilitate new door openings. The demolition comprises the following interventions.

External works

To the north elevation it is proposed to remove the modern doors to the centre and west side of the building at ground floor level, remove the modern external timber stairs as well as two windows (including the brick façade below) to the west side of level three to create two new openings/access points.

To the east elevation, the works include the removal of the non-original entry door as well as the infill brickwork and window to the north side of the elevation, and to reinstate the original door opening. It is also proposed to remove the modern stair and planters on the south side of the façade which currently provide access to the 1980s lift core.

To the south elevation, it is proposed to remove the timber door and adjacent window as well as brick façade below the window at level one / ground floor (opposite existing central entrance on north elevation) to create a passage through the Tea House. The works include the removal of the 1980s lift, stair and services addition as well as the removal of the non-original door to the south-west entrance. It is also proposed to remove two windows and brick façade below to create two new openings at level three creating a connection to the new development.

To the west, it is proposed to create a connection to the new development at every level of the Tea House. To achieve this, brickwork will be removed at the centre of level one / ground floor, while on the upper levels (levels two to six) two windows and the brickwork under the sill are to be removed.

At the roof level it is proposed to remove (and replace) all corrugated roof sheeting, capping and flashing. All modern attachments are also proposed to be removed. The corrugated sheets to walls of the mezzanine / gantry level above the main roof line are to be removed (and replaced).

Internal works

Internally it is proposed to remove the non-original stairs at the rear of the building, the 1980s facilities (connected to the lift and service core) and remaining non-original office fitout to all levels. Voids will be created in the existing floor levels on the south side of the building to enable the installation of new lifts and a fire stair. The lift over-run will be accommodated beneath the cross gable gantry roof.

4.1.2 Repair/reconstruction works to the Robur Tea Building

As part of the proposal, the brick elevations to the Tea House generally will be retained as existing, with the exception of sections removed to create access to the new development as outlined in the demolition works and the reconstruction of the sections where the 1980s and other later works are removed. The proposed works to the registered building are described below.

External works

To the north façade it is proposed to dismantle and rebuild the brick reveals around the new openings at ground floor and fourth level. Additionally, a suite of conservation works is proposed to the façade, this includes removal of redundant services, repointing of brickwork and repair of moulded render cornice

(pinned, prepared and repainted). It is also proposed to replace all existing downpipes with new galvanised steel (prepared and painted). All metal work being retained is to be prepared and painted.

In addition to the general conservation works detailed above, works to the east elevation include remedy cracks in brickwork; new render parging over existing key bricks; reconstruction of the original central entry and door from Clarendon Street; reconstruction of the original door and stepped entry on the north side of the elevation; reconstruction of the apex to the pediment to the original detail; repair of waterproofing to level three balconette; build-up new render to slate soffit to match existing; re-instatement of the original black tuckpointing; repair/replace missing cast iron railing to level five balconette; pinning of existing cornice and lettering to parapet and reconstruction of the orbs to the parapet and balcony surround to the original detail.

Following the demolition of the lift core on the south side the three pairs of windows at ground floor level and two pairs of windows at levels two to six are to be reconstructed to match the existing detail. Where the windows have been altered to allow for new openings at ground floor and fourth level, the brick reveals are to be dismantled and rebuilt. Further works to the south elevation include reconstruction of rendered signage and moulded cornice to match existing details; reconstruction of moulded cornice on return from east façade; pinning of full extent of moulded render cornice to sign panel, prepare and repaint; repointing to brickwork joints and replacement of all existing downpipes with new in galvanised steel (prepare and paint).

To the west façade it is proposed to dismantle and rebuild brick the reveals as part of installation of new openings at ground floor to the sixth level. All brickwork is to be repointed and the vents at the top of the gable are to be prepared and re-painted.

To the roof it is proposed to install new corrugate roof sheeting, capping and flashing. It is also proposed to install new corrugated sheets to walls of mezzanine/gantry level above the main roof line.

Internal works

Internally, it is proposed to install a new lift and fire stair on the south wall of the Robur Tea Building. The ground floor of the building will be refurbished for use as for retail/food & beverage with offices on the levels above. Facilities (including plant rooms) will be located in the new development accessed via the proposed openings on the west façade.

With the exception of the new lift and fire stair, no fitout works are proposed as part of this application. Once leased, the retail/office fitout for each level will be developed by the individual tenants and submitted to Heritage Victoria for approval.

4.1.3 Building Regulations and Compliance

In the development of the 2022 proposal PLP Building Surveyors and Consultants prepared a building regulation compliance report. The report remains relevant to this proposal and has been used to guide the works and in particular to inform the nature of compliance works likely to be required on the Tea House itself. PLP has not been appointed as the Relevant Building Surveyor (RBS) for the purposes of obtaining a building permit.

As noted in the Executive Summary of the report the main issues arising are as set out below with the key issues impacting on heritage considerations underlined.

- 1.0 For the purposes of the Building Regulations, both the teahouse and the new office/hotel will be considered a single building. As such the resultant volume will represent more than 50% of

the volume of the teahouse. As a result, the mandatory upgrade trigger of Regulation 233 has been reached.

Therefore, assessment and upgrade of the existing building will be required. The extent of upgrade works is noted in this report and the schedule of upgrades and dispensations. Key items that will require attention include:

- 1.1 Access for people with disabilities to and within the building including the provision of accessible and ambulant toilet facilities.
- 1.2 Structural upgrades (primary structure and key services) to improve performance during an earthquake.
- 1.3 Upgrade/introduction of mechanical smoke hazard management systems such as stair and zone (floor by floor) pressurisation.
- 1.4 Structural/fire engineer review of the likely fire rating performance of the existing structural elements (extent of upgrades to be determined)
- 1.5 Existing occupant warning system (AS1670.1) to be upgraded to be a sound system and intercom system for emergency purposes (AS1670.4)
- 1.6 Lifts to be emergency lifts and sufficiently sized to accommodate a stretcher.
- 2.0 Council & Melbourne Water flood consent will be required due to the site being designated as flood prone.
- 3.0 Construction over the authority easement/stormwater pipe will require consent from the authorities with an interest in the easement.
- 4.0 A modification from the Building Appeals Board will be required to permit reduced setbacks from the boundary abutting the exhibition centre (light and fire).
- 5.0 Fire brigade consent will be required to permit variations affecting hydrants, equipment locations etc. It is recommended that the fire services engineer seek formal FRV advice on the proposed Regulation 129 consent items.
- 6.0 For the hotel parts of the building, accessible hotel rooms are to be provided as the prescribed ratios.
- 7.0 A façade engineer will need to be engaged to prepare a performance solution relating to weatherproofing of the external walls (FP1.4)
- 8.0 The architect is to prepare test fitouts for the teahouse office level to enable fire engineering to be finalised.
- 9.0 The following design departures will need to be addressed via fire engineering assessment:
 - 9.1 Rationalised fire ratings from 4 hours (required due to car stackers or storage use) and 3 hours (due to retail/restaurant use).
 - 9.2 Reduced fire ratings at slab set downs in wet areas
 - 9.3 Use of combustible construction (such as insulation, timber noggins, green wall) as part of external walls proposed.

- 9.4 Use of combustible products (such as insulation, timber noggins, cables and UPVC pipes etc) within wall and other assemblies required to be wholly constructed of non-combustible materials if proposed.
- 9.5 Review of existing tea house construction (concrete/masonry) to be deemed to achieve the prescribed fire rating levels.
- 9.6 Review of existing non fire rated (timber) floors within the tea house building.
- 9.7 Use of combustible external signage.
- 9.8 Permit unprotected openings within 3m of side and rear boundaries.
- 9.9 Fire hydrant test drains located within fire stairs.
- 9.10 To permit the following extended travel distances to an exit and point of choice between exits (refer body of report for details).
- 9.11 Internal discharge fire isolated stairs.
- 9.12 Omission of the separation of rising and descending flights.
- 9.13 To permit variation of fire stair re-entry requirements for exit stairs over 25m (to be confirmed by design team).
- 9.14 Fire hose reel shortfalls
- 9.15 Deletion of sprinklers from above the swimming pool, external undercroft areas, top of lift shafts, shower recesses, server rooms.
- 9.16 Fire engineer to review smoke hazard management provisions within the teahouse given the building is over 25m in effective height.
- 9.17 In conjunction with mechanical engineer) to review stair pressurisation relief strategy on upper levels where there is only a single sole occupancy unit. Also impact of the lobby in front of the fire isolated stairs (presumably PWD refuge).
- 9.18 Fire engineer to identify any additional construction requirements (having regard to FRV guideline) applicable to the basement where car stacking is proposed.⁸

As impacting on the Tea House the most impactful works triggered by Regulation 233 are those related to earthquake performance. The other works are in large part works of a less invasive nature and in many respects would be addressed regardless of the regulatory trigger.

4.1.4 *Structural works*

The structural works required to the Tea House are addressed in a report prepared by the Robert Bird Group, dated 26 May 2022.⁹ The report was prepared for the 2022 development proposal and remains relevant to this proposal. The report addresses seismic upgrades, floor framing, and modifications and additions (refer Appendix C). As noted in the Executive Summary, the report provides preliminary

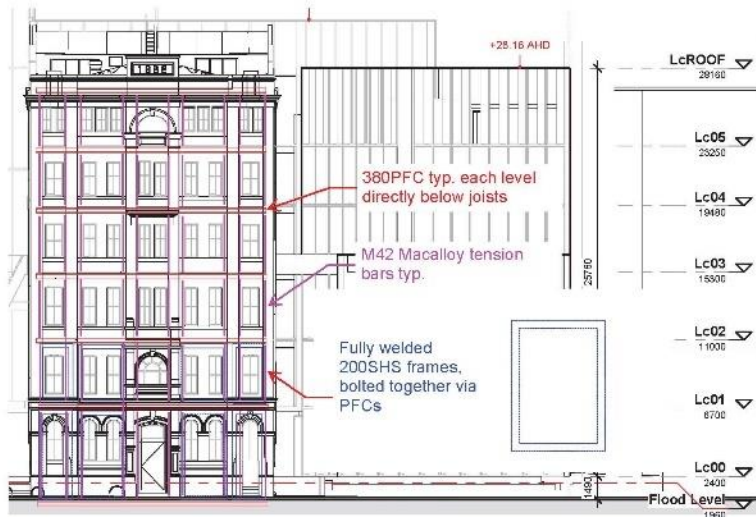
⁸ PLP Building Surveyors and Consultants, 28 Clarendon Street, Southbank Mixed Use development, Building Regulation Compliance Report, 1 July 2022, pp.3-4.

⁹ Robert Bird Group, Heritage Building Structural Works for Tea House, 26 May 2022

design propositions rather than final solutions. Such solutions would be developed in the detailed documentation to be submitted for endorsement.

Seismic upgrade

The seismic upgrades provide a high-level response to floor and roof framing connections to walls and load management in masonry external walls and foundations. The concept design for floor to wall and roof to wall connections is consistent with relevant Australian Standard AS3826 requirements and of a conventional nature involving positive attachment of timber framing to the masonry walls. In the case of load management in the masonry walls the concept design proposes the stiffening and strengthening of the east and west end walls by way of the insertion of tension rods and SHS/PFC frames. These are to be installed internally and anchored to the masonry (Figure 20Error! Reference source not found.). It is noted that final strengthening arrangement, member sizes, plate sizes, bolt centres and transition details at steps in the masonry are subject to further detailed design to be resolved at a later stage.



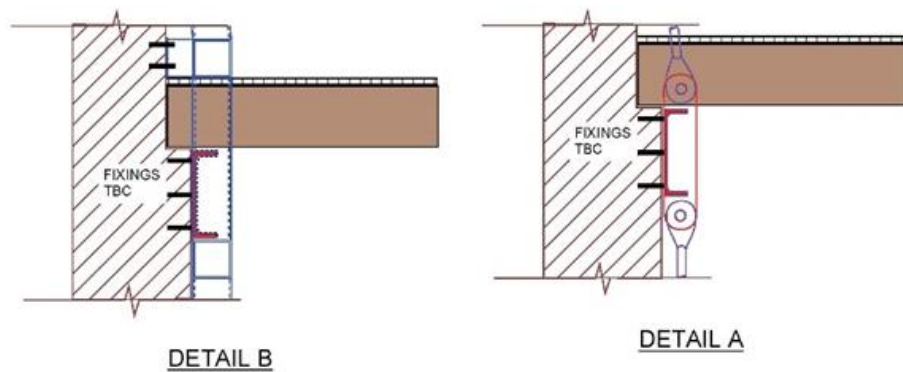


Figure 20 Heritage façade strengthening elevations
Source: Robert Bird Group,

Floor framing

The existing floor and roof structures were not inspected due to limitations on access. Detailed survey, investigation and testing to determine the timber framing sizes, spans, gradings and damage to these elements will occur in the detailed design stage of the project. Following this structural strengthening and repair works to the floors and roof will be determined.

Modifications and additions

Modifications to the Tea House include the construction of the new stair and lift core and bridge link connections.

The structure of the new lift and stair core has been designed to minimise impact on the existing floor and roof members and will be self-supported, utilising the footings of the existing structure. It will comprise steel columns and beams, with a lightweight steel stair. Detailing of the interventions and new works will occur in the detailed design stage of the project.

As indicated, it is also proposed to link the new development to level three of the Tea House. On the north side a bridge element will provide access to the roof terrace of the lowest northern building. On the south a similar bridge from the podium level will connect to the Tea House at level three.

4.1.5 New development

The new development is proposed to the north, south and west sides of the Tea House. The new development generally increases in height as it moves round the Tea House Building from north to south.

To the north a two-level basement/car stacker is proposed, offset 3.36m from the Robur Tea Building; to the south a one-level basement for service facilities is proposed 1.5m from the Robur Tea Building.

From north to south the height of the interconnected building forms as defined by number of storeys and AHDs are as follows:

North building

Block 1 3 storeys (ground and 2 levels) AHD 16.4

Block 2 6 storeys (ground and 5 levels) AHD 26.16

Block 3 7storeys (ground and 6 levels) AHD 31.16

South building

Block 4 17 storeys (ground, podiums, mezzanine and 19 levels) AHD 76.46

Block 5 28 storeys (ground, podium, mezzanine, and 25 levels) AHD 98.71

Block 6 30 storeys (ground, podium, mezzanine 27 levels plus plant level) AHD 109.26 (excl. cooling towers)

Block 7 17 storeys (ground, podium, mezzanine and 14 levels) AHD 62.06

The buildings on the north and south side of the site are set back from the existing building at angles to allow oblique views into the site and of the Tea House. The setbacks vary due to the angled design of the building forms, with the closest setback at 7.95 metres for the eastern half of the site. This diminishes to 6.72 midway along the south façade of the Tea House and then expands out as the tower façade is angled away from the building.

On the north side a forecourt is proposed within the setback on the eastern half of the site. The forecourt is to be raised to the level of the Tea House to allow DDA access into the buildings. To the rear a second smaller semi enclosed courtyard area is proposed between the north building and the Tea House.

On the south side two interconnected courtyard spaces are proposed leading to a grand stair providing access to the south building. The south courtyards lead to a 'laneway' at ground level which extends along the rear part of the south façade and the entire width of the west façade. The courtyards, grand stair and laneway areas are proposed to be landscaped.

As described in the Design Report, the design of the new development draws on and interprets the Tea House building in its colour materiality, massing and vertical articulation. The facades of the seven individual building forms which comprise the development have all been articulated slightly differently to break down the visual mass.

To the north, the new built form rises to three levels as presenting to the east and is scaled in a manner which is intended to allow the northern elevation of the Tea House to remain strongly present in the approach views from the City. The development has been set back from Clarendon Street and angled inwards to increase the exposure of this facade. The facades of the new development are framed with closely spaced blade-like columns with deeply recessed glazing. Floor levels are typically expressed at every second level. The façade arrangement provides passive shading to the internal spaces, as well as forms a pattern that inverts solid and open areas providing a lighter, contemporary interpretation of the Tea House façade. The building to the rear continues this treatment other than on the west boundary façade where solid panelling is used.

Similar to the development on the north, the new built form located on the southern side of the site is also setback from Clarendon Street and angled towards the centre of the site. The overall form has been designed with a two-level podium (ground and level one). The upper levels are articulated in the same manner as the built form on the northern part of the site with strongly expressed vertically orientated framing and deeply recessed glazing. To the south-east corner of the site the corner form adopts a tightly spaced arrangement of blade columns responding more directly to the finer grain of the Tea House façade.

The new buildings are to be constructed on piles with basement areas on either side of the Robur Tea Building. The facades are to be constructed from reconstituted terracotta or precast concrete with stone aggregate to the podium levels and coloured metal cladding with a textured finish to the upper levels. Solid and perforated metal panels in various colours are to be used in highlight elements to the podium and a combination of clear and obscured glass.

Services vehicles and private cars are proposed to enter the site from the south, off Normanby Road, utilising the existing crossover. A porte-cochere is proposed just off the entrance; this facilitates the loading bays on the south side and the private vehicle driveway which extends past the west façade of the Tea House to an automated carpark lift and the basement on the north side.

4.1.6 *Landscaping*

As indicated on the architectural plans, courtyard spaces are proposed on both the north and south sides of the Robur Tea Building, these are to be raised from the street level to accommodate DDA access across the site and to respond to flood level issues. A gap is proposed between the new landscaping and the Robur Tea House to ensure physical separation and to maintain airflow. This will be capped with a metal grate or glazed panel.

The courtyard to the north will be accessed via a ramp off Clarendon Street and steps from the MCEC. The stairs are to double as an informal seating area. Bike racks are proposed at the top of the ramp. A grassed area is proposed to be raised off Clarendon Street, utilising part of the existing bluestone boundary wall and garden beds. The majority of the area is proposed to be paved with bluestone and brick pavers. While yet to be designed and sited, planters with canopy trees are to be set against the angled façade of the new building, while retaining views to the Robur Tea Building from the Clarendon Street and from Batman Park on the north side of the Yarra River. An outdoor seating area is proposed under the trees. Retail and carpark facilities in the new building open out onto these outdoor areas.

As proposed for the north courtyard, the south side lobby and entry courts, and the laneway are proposed to be paved with brick and bluestone. The area is to be accessed off stairs from Clarendon Street and Normanby Road. A grassed area is proposed on the corner with trees setback against the new building, allowing oblique views of the south façade of the Tea House. Similar to the northern courtyard space, seating areas, bike parking, planted areas also form part of the proposed works. Retail and access points into the residential component in the new building open out onto these external spaces.

Terraces are also proposed on top of the new development. The terraces to the south will have a public function, while those to the north will be for private use.

It is noted that the MCEC hydrant boosters are currently located against the north-east corner of the site, outside of the VHR extent of registration. To facilitate the new landscaping and access into the site the hydrant boosters are to be relocate further north within the MCEC site.

5.0 ASSESSMENT OF IMPACTS ON THE CULTURAL HERITAGE SIGNIFICANCE OF THE PLACE [S 101(2)]

As noted in the introduction to this assessment the primary consideration in determining the acceptability of the proposal under the provisions of the Heritage Act is the extent to which the proposed works would affect the cultural heritage significance of the registered place. In addressing this issue, matters raised in the recently published guidelines for preparing heritage impact statements and guiding principles for changes to proposed places have been addressed where relevant.¹⁰

5.1 Cultural heritage values

The key values which contribute to the significance of the Robur Tea Building, as identified in the VHR citation can be summarised as follows:

Scientific (technical)

- Due to several innovative techniques employed in its construction, most notably the foundations (system of 450 ironbark piles and concrete rafts) and the use of steel beams to support the floors.

Architectural

- As a fine and prominent example of a 19th century warehouse in Melbourne, with the functional requirements evident in its shape.
- As a consequence of its height and freestanding character a landmark in South Melbourne.
- For the restrained decoration of its eastern facade.
- As a noted work of Nahum Barnet which in its detailing indicates that the building was seminal in his development as an architect, including the central arched motif which links the six storeys of the façade.

Historical

- As one of the few remaining factory/warehouse buildings in the city/South Melbourne and significant as a reminder of the character and location of 19th century commerce.
- For its use as a tea warehouse and as a reminder that this part of the river was once a wharf area before the construction of larger port facilities.

5.2 Pre-application meetings and correspondence

A pre-application meeting regarding the proposed redevelopment was held with Heritage Victoria on 9 April 2024. As a consequence of that meeting Heritage Victoria noted the changes to the scheme as compared to the 2022 proposal and concluded the new proposal would result in the landmark/freestanding status of the building being retained. The pre-application advice additionally advised on the nature of documentation required to be submitted with the application.

¹⁰ Heritage Victoria, Guidelines for preparing heritage impact statements, June 2021, available at: <https://www.heritage.vic.gov.au/permits-and-approvals/resources-for-permit-applicants>

5.3 Constraints and opportunities

As identified in the 2022 application the site is subject to a number of heritage and non-heritage constraints and opportunities. These have been considered in the formulation of the design response.

5.3.1 Constraints

Key constraints arising on the site include:

- the need to maintain views and vistas of the Robur Tea Building
- the ability to observe the Robur Tea Building ‘in the round’ as well as its ‘landmark’ character
- the highly constrained access into and out of the site
- the placement of the Tea House towards the centre of the site, impacting the location of new development
- the nature of Coode Island silt and impacts on the ability to excavate around the Tea House building
- the ability to manage structural interventions to avoid impacts on the technical significance of the place, including the foundations and steel beam supports in the floors
- the need to maintain an ability to understand the original use (industrial/warehouse) of the building

5.3.2 Opportunities

Key opportunities identified include:

- the potential for community rediscovery of the Robur Tea Building as an accessible and approachable place
- the active conservation of the fabric, including reinstatement and reconstruction of original detailing to the façades
- the provision of a long term viable use and occupancy of the building
- support for sustainable funding for the ongoing maintenance
- improvement to the urban environment, including enhanced landscape setting
- connecting the site to the surrounding streets
- active interpretation of the place

5.4 Assessment of Heritage Impacts

This assessment of impacts is structured around the proposed works on the site as grouped into key activities. Not all works or interventions are individually examined but rather those works or interventions where the introduction of new structures is proposed and/or the removal or alteration of existing fabric which does, or has the potential to impact on cultural heritage significance.

To further order the assessment, the two core works’ activities are considered; those works associated with the construction of the proposed surrounding development and those works associated with the conservation and reuse of the Tea House Building.

5.4.1 *The new works*

Approach to the design

As described, the proposed new works comprise a cluster of linked building forms which partially surround the Tea House building. The genesis of the built form is described in the Design Response Report prepared by project architects Snøhetta, which accompanies the application. As has been the approach in past proposals the site response is one which seeks to reinstate and reinforce the prominence of the site with the Tea House at its centre.

In the view analysis contained within the Design Response Report, the architects reflect on the loss of prominence arising as a consequence of the much changed context of the building as related to both transformation of the street network and the scale of new development which sits as a backdrop in a number of views. In further developing the design response the architects recognise that the building for much of its life was flanked by lower scale development to the north and south and further, that it was a building which architecturally had and has a hierarchy of ornament in its presentation. The more ornamented eastern presentation façade to Clarendon Street contrasts with the more simply decorated long side façades and the unadorned rear façade.

Under design principles, the Design Report comments that:

The historic building now stands as a neglected artefact from the city's past, but one that currently lacks any presence or integration into the city.¹¹

Further it is noted that:

The development of the site represents the reassertion of the precinct's forgotten history and the reinstated presence of this landmark site. An outward growth of the Tea House's narrative and spirit, rather than the further encroachment of the city.¹²

The report goes on to establish the design rationale for the siting, shaping and forming of the development including the establishment of heights and setbacks. In the process alternative massing models are addressed and the preferred hierarchical massing described. The detail of the facades and material selection is described as drawing directly on the Tea House façade composition and continuing the narrative in the contemporary forms. The concept is one which reflects the idea of the new works as growing out of the existing place and in the process reinforcing its presence.

Associated with, and critical to the design response is the proposed treatment of the public realm and the transformation of the site from one which has virtually no public activation or attraction, to one which is connected and activated. The design combines open public space with more compressed laneway environments which are reflective of the original site planning. On both sides of the Tea House full public access and engagement will be possible with new openings into the building providing managed permeability.

Both the architectural and urban design responses have been developed around the concept of growth and renewal of the Tea House site, an objective which presents as wholly positive for a site which remains isolated and challenged in engaging with its surrounds.

¹¹ Snøhetta, Tea House Melbourne, Design Report, April 2024, p.31.

¹² Snøhetta, Tea House Melbourne, Design Report, April 2024, p.31.

The heritage impact of the proposed new works

Addressing the impact of the new works the *Heritage Act* requires consideration of ‘the extent to which the cultural heritage significance of the place or object is affected by the proposal [s 101(2)(a)]’. Recognising the consideration is ‘the extent of any impact’, whether implicit or stated the focus as addressed in the *Heritage Victoria Guiding principles for changes proposed to places on the Victorian Heritage Register* and the *Guidelines for preparing heritage impact statements*, is on ensuring that works have no or minimal adverse impact on the assessed significance of the place.

In establishing the context for decision making, the guiding principles document advocates a cautious approach: *do as much as is necessary to care for the place to make it useable, but otherwise change as little as possible so that its significance is retained*. As also relevant to this specific proposal, *Principle 3* of the guidelines goes to the protection of significant settings and views, and the importance of the connection of the place to its setting.

Recognising the sensitivity of these issues, as reflected in concerns raised by Heritage Victoria in consideration of past development proposals, the primary issue to be addressed in establishing the extent to which the cultural heritage significance of the Tea House is affected remains that of the *landmark value or quality* of the building. As identified in the statement of significance, the Tea House is a South Melbourne landmark, and those features identified as contributing to this landmark status are its distinguished architecture, its height and its freestanding character.

In assessing the impact of the proposal the following discussion seeks to further analyse this issue, having regard for the building’s historical and current presentation.

The historical presentation

As evident in historic images the building originally presented as a tall edifice rising out of the low-rise development on the banks of the Yarra. The architecture was of its time with a modestly ornamented front with a functional box form behind. As depicted in contemporary views, its visual prominence and landmark character were most readily observed from the city side of the Yarra (Figure 21), albeit that its general prominence was noted by the press of the day. Other views from the surrounding industrial area on the south side of the Yarra were more limited, particularly given the expanse of the railway infrastructure to the west and south (Figure 21 to Figure 25).

While there is no evidence of an express design intent related to the isolated context and exposure it is evident in the early images that various owners took advantage of the building’s prominence and the long sides were adorned with banner advertising initially for Fergusson & Mitchell and later for Robur Tea. The signs, as located on the north and south sides were placed above the third floor windows. They were attached to the building and extended over the cream brick banding at this level. The north side sign appears to have been maintained for a longer period than that south side sign which by the 1960s had visibly degraded (Figure 24).



Figure 21 View looking south to the Tea House across the newly constructed Spencer Street bridge, c. 1929
Source: State Library of Victoria

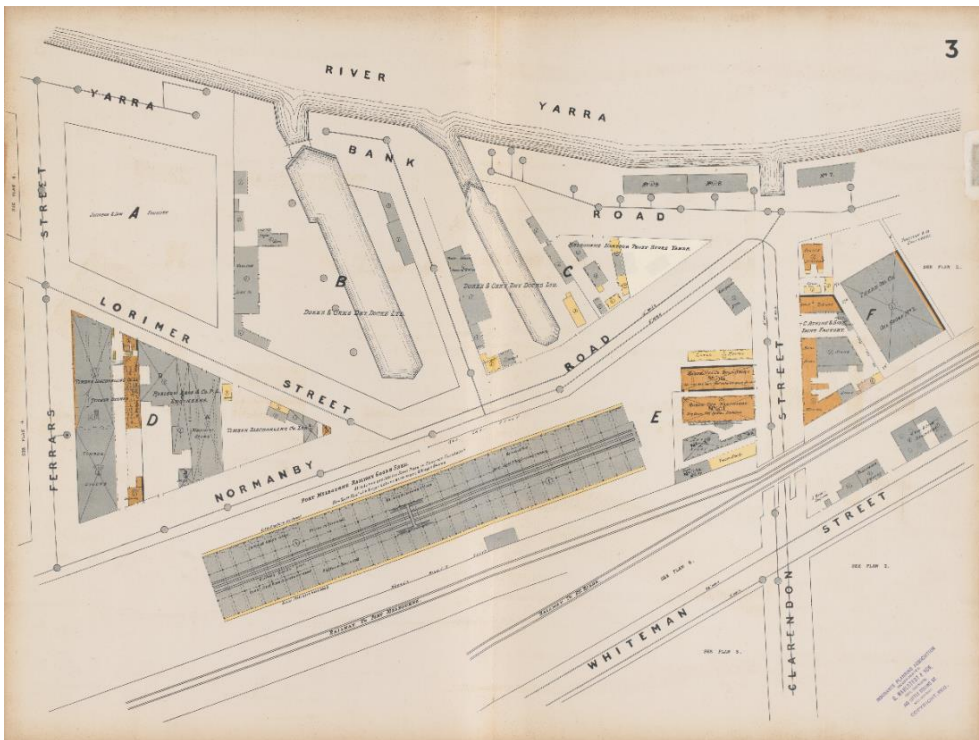


Figure 22 1920s Mahlstedt plan showing the immediate context, note the massive railway goods shed immediately to the west
Source: State Library of Victoria



Figure 25 View east along the original Normanby Road alignment with the railway goods shed (Montague Shipping Shed) in the foreground, and the Tea House in the distance
Source: City of Melbourne Libraries, photographer Graeme Butler, 1982 (Butler17262)

The current presentation

The current presentation of the Tea House is one in which the 'landmark' qualities of the place are derived from the visual contrast with its surrounds. The building is now located in a transformed context of modern development, including high-rise apartments and the expansive convention centre and sprawling casino complex. It is a building which, like many other historic buildings within a modern city context, contrasts for reasons of its design, appearance and materiality rather than necessarily as related to scale.

Relevant to the sense of contrast is the issue of how the building is observed and the manner in which the exposure and visibility has altered as development has occurred within the surrounding area. While few if any historic views have been lost, a number of views have changed as buildings and structures have been removed and or replaced. The removal of the viaduct and rail yards to the south has increased the visibility of the lower levels as seen from Clarendon Street, while the construction of the MCEC has partially blocked views from the north. In the process, the building additionally has become stranded, without a heritage context or sympathetic urban environment.

In considering the impact of the contextual change on the landmark value it is evident that this value essentially derives from the freestanding form, the red brick facades and the architecture; the relative importance of these attributes, however, has changed as the setting has changed. As depicted in early images, as a tall building in a low-scale context, the building presented as prominent, standing out in the surrounding urban landscape. It still does today, but both the context and nature of its 'landmark' presentation have evolved. The structure now presents as a physically diminutive in the context of the southern backdrop of tall towers, while the architecture and materials are now of elevated importance in setting the building apart.

In the contemplation of development of the land surrounding the Tea House in past proposals for the site there has necessarily been a focus on the issue of the landmark value and presence of the building and the manner in which this can be maintained. In this proposal the approach is one which seeks to deliver a sustainable development on a smaller footprint to ensure that in the key views to the Tea House, the landmark presence remains. This is achieved by maximising the exposure of the building as viewed from the north (the city views) and achieving sufficient depth of exposure in views from the south to ensure that the three dimensional form remains prominent.

Analysis of views

The impact of a lesser or greater level of development is one which is informed by views to the site and the relative importance given to these views. While a building which currently can be viewed within a 270° arc, there are views of greater importance, both historically and currently.

Views of greatest importance are those from the north which reveal the building as dramatically rising up from the otherwise flat banks of the Yarra. Both historically and currently in these views the landmark character is derived from the placement hard on the main street frontage, the long expanse of the north side wall, the red bricks, the form and the height. The modern views contrast with those of the nineteenth century views in including a high-rise backdrop of apartment buildings and the foreground presence of the Convention Centre. In these views the building is now read within a developed urban landscape of contemporary high-rise buildings (Figure 26). In this context, the landmark qualities are still evident but are now derived in large part from the contrasting materiality and design rather than from the isolated object dominating its surrounds.

As depicted in Figure 27 the insertion of tall new forms behind the Tea House in these views will greatly enhance the visual recognition of the site and in this manner emphasise the Tea House building within a new landmark place. The loss will be that of the historical landmark qualities as associated with the isolated form. The action will alter the ability to understand the historic setting, but as noted that setting is an already greatly altered one and the character of the Tea House as rising above its lower level surrounds much changed.

In supporting the visual primacy of the Tea House building the articulation and material colour palette of the new works consciously seeks to emphasise the Tea House within the expanded built form. It intentionally seeks to embrace the building while also allowing the distinctive nineteenth century composition to remain visually dominant. Consistent with this approach the northern envelope of the new works is of a lower height and deeper setback, responding to the importance of the east and north façades in the northern views.



Figure 26 View of the Tea House from opposite the convention centre, note the contrast in materials and design



Figure 27 View of the Tea House from the north depicting the proposed development
Source: Snøhetta

Moving to the other presentations, the views from the south and even more so from the west, are views which also have been transformed in more recent times with the removal of the rail viaduct and the re-routing of Normanby Road (Figure 28 & Figure 29). These are not traditional or historical views and are considered to be of a lesser order of importance. Additionally, the views from the south are dominated by the lift core addition which breaks the long southern façade and is the focus of the visual presentation.

As depicted in Figure 29, in the view from the south the proposed works will reveal the eastern end of the south façade as a consequence of the removal of the external core and enhance the visual presentation of the Tea House in the Clarendon Street context. The exposure in this proposal, as compared to the 2022 application, has been significantly opened out revealing more of the façade. The new structure will limit the ability to understand the full depth of the Tea House structure when approached from the south, but not remove an ability to observe the historic form or to appreciate the architecture. As related to the local landmark character of the building, the full exposure of this façade is a contemporary circumstance and one which is less critical in considering the landmark value as related to an historical context.

Considering the views to the Tea House from the west, these are views in which the building will be fully concealed. Appreciation of the building in these views is a fortuitous outcome of changes to the surrounding context and setting of the place. They are not views which were observed historically, unlike views along Clarendon Street or from the city and their relevance in consideration of the local landmark status of the building in the historical context is more limited. They are additionally views which could be lost by way of redevelopment on the adjacent MCEC site. As such the loss of visibility of the west and south façade in these views will diminish the contemporary ability to observe the building but not alter the local landmark status of the place in an historical context.



Figure 28 View from the south-east, with the services core prominent



Figure 29 View of the Tea House from the south



Figure 30 View from the present-day Normanby Road to the south-west

5.4.2 *The Tea House works*

As described the works to the Tea House comprise repair, restoration and reconstruction (conservation works) of original fabric, and adaptation.

The conservation works include repair and maintenance works as expected for a building of this age and construction and a small portion of works which are a matter of choice, including reconstruction of missing external ornament. These works are identified and documented to a schematic design stage in the submitted documentation, recognising that the scope and detail would be further developed in the project delivery stage. The works support the long term conservation of the place and there are no adverse or negative impacts.

The proposed adaptation works include the removal of the south side service core and the in-boarding of vertical circulation, the removal of modern amenities areas, the removal of false ceiling and column cladding and the creation of new external openings. They also include the introduction of seismic strengthening on the east and west walls and to floor and roof structure. The design and scoping of these works is at a schematic design stage sufficient to understand their impact.

Albeit that the replacement of the external south side core with internal lifts and stairs will involve some further loss of original fabric in floors, balanced against this loss is the gain of the original external presentation of the east end of the south façade, where altered and removed fabric is reconstructed. Recognising that the original building contained both internal stairs and one or more lifts the action is one which is considered to be positive in addressing an unsightly accretion to the building. Beyond the fabric impact considerations it is positive to an even greater degree in revealing the original south side façade presentation.

Across the other adaptation works the removal of falsework and later amenities areas will better reveal the original internal spaces and fabric and will be positive in their impact.

As related to the loss of original fabric the primary impact externally is that which arises in relation to modification of openings both at ground level and where bridge connections/access stairs are proposed to the upper levels. The physical connection of the Tea House to the proposed surrounding development is a key component of the design response, particularly as related to the west end connection to the proposed new lower scale office component of the development. The works, as in other locations, involves the removal of non-original windows and the lowering of window sills to create door openings. At ground level two new openings are also proposed in the west wall.

The impact of these new works as related to ‘harm’ and the assessed significance of the place is that it is low. The modification of a small number of openings in the more expansive facades (south and north) is not an outcome which will compromise the reading of these walls. In the case of the west façade where more openings are modified in a narrower wall the impact is greater, but this is a façade which is of lesser prominence. In all cases the connections relate to the activation of and engagement with the Tea House building. The negative impact is localised loss of fabric, while the positive impact is the broadening of the opportunities to sustain the use of the Tea House in the long term.

Considered in a broader context, the linking of industrial/commercial buildings within a single complex has precedent in both the nineteenth and twentieth centuries and the proposed works are consistent with this tradition.

Regarding the proposed seismic strengthening this is triggered under Building Regulation 233 and the linking of the new structure to the existing Tea House building. The design is one which includes the addition of steel framing on the internal face of the east and west walls. The works responsibly and

necessarily address BCA requirements and will assist in the protection of life and potentially limit damage to fabric in the event of an earthquake. Recognising that any new construction on the site of any scale will be required to similarly comply with BCA seismic requirements the implementation of seismic strengthening of the Tea House is an appropriate course of action, the design of which has been carefully developed to minimise impacts on original fabric.

Considered together the conservation and adaptation works proposed as part of this development are substantially positive in supporting the long term future use of the place. As tabulated below, where fabric is to be removed or modified the interventions are not ones which result in change which will diminish or alter the values identified in the statement of significance (Table 1 **Error! Reference source not found.**).

Table 1 Summary of impacts of proposed Tea House works on heritage values

Heritage value ¹³	Action/intervention	Comment
The Robur Tea Building is of scientific (technical) significance because of several innovative techniques employed in its construction. The most notable feature of the building is the solution to the problem of foundations.	The proposed works include limited insertion of new structure beneath the ground floor to construct the new internal stair and lift core. The works retain the original piled footings and associated structural framing intact.	The works will have no adverse impact on the footing/framing structures and the scientific (technical) significance will remain unchanged.
The Robur Tea Building is of architectural significance as one of the finest and most prominent examples of a 19th century warehouse in Melbourne. It was for many years one of the tallest buildings outside the CBD, its height and freestanding character making it a South Melbourne landmark even today. The functional requirements of a warehouse are clearly evident in its simple box-like shape, but a certain amount of pride is expressed in the restrained decoration of the eastern facade.	Externally the proposed works include removal of the south side lift core addition and the introduction of new openings. They include comprehensive conservation of original fabric and reconstruction of missing and altered detailing. Internally the works include the construction of new cores for vertical circulation and removal of later amenities areas and fire rating.	On completion of the works the building will remain 'one of the finest and most prominent examples of a 19th century warehouse in Melbourne.' While the works involve some loss of original fabric in the creation of new openings these are modest in extent. The retrieval of the expanse of the original south elevation as a result of the demolition of the external lift core is a major enhancement of the place. As such the works retain and conserve the fabric which contributes to the architectural significance of the place.

¹³ Statements extracted from the Victorian Heritage Database Report, Robur Tea Building, <https://vhd.heritagecouncil.vic.gov.au/places/1037/>, accessed 10/08/22

Heritage value ¹³	Action/intervention	Comment
The Robur Tea Building is of architectural significance as a noted work of Nahum Barnet. Barnet was a most prominent architect in the four decades that saw Melbourne emerge from the 1890s depression and flourish during the Edwardian period.	No relevant actions or interventions.	No impacts arise as a consequence of the proposed works.
The Robur Tea Building is of historical significance as a reminder of the character and location of 19th century commerce in Melbourne.	No relevant actions or interventions.	The proposed works to the Tea House will have no adverse impact on the historical significance of the place. The external conservation works in particular will reinforce the ability to recognise the building as a place of historical significance.

5.4.3 Conclusion

As with many such heritage building projects this proposal seeks to physically upgrade the Tea House such that it can meet reasonable expectations for office accommodation in the short to medium term and to in the process complete required conservation works. The works combine essential works as related to restoration and reconstruction of the original fabric and adaptive reuse works as related to compliance works and the provision of competitive accommodation. The latter works include required upgrade works as related to services (heating, cooling and ventilation) as well as compliant access and adequate kitchen/amenities areas. Included in these works is the removal of the south side addition which is generally considered to be an undesirable addition.

On the land surrounding the Tea House building it is proposed to construct a substantial new building. The new structure has been formed and designed in a manner which responds to the significance of the place physically engaging with the Tea House building in a careful and managed manner. The new construction is of a substantial scale and will greatly alter the visual presence of the site in the immediately surrounding area.

The works to the Tea House building are in large part works which are required or to be expected on such a heritage place and will have substantially positive impacts in conserving the place. Albeit including some level of intervention in which original fabric is altered, such interventions are minor and consistent with works which have been approved on many such places included on the Victorian Heritage Register. In this regard their impact on the cultural heritage significance of the registered place presents as appropriate for a building of this age and condition and not adverse.

The associated development of the land on which the Tea House sits, as with past proposals, contemplates new built form which expands upon the identified landmark character of the existing building. That character, as described in the assessment of significance resides in the architecture, the

height and the freestanding form. The design response is one which reflects on the fact that the setting and context of the site is now greatly changed and pursues an outcome which seeks to reinforce the landmark qualities.

The impact of the new work on the cultural heritage significance of the place as currently described will be adverse in diminishing or removing a singular characteristic/value of the place, that of the isolated architectural object able to be observed in the round. Conversely the works do not alter or diminish the other values which support the significance of the place nor do they involve significant intervention into the Tea House fabric. The outcome is one in which the local landmark quality of the Tea House as related to its current singular presentation will be lost and re-presented in as part of the new form, which as combined with the Tea House will be a landmark place. Within this landmark place the Tea House will remain as the centre of the site and the values which support its cultural heritage significance will be maintained.

6.0 ECONOMIC AND REASONABLE USE CONSIDERATIONS [S101(2)(B)]

6.1 Reasonable use

As described the Tea House was constructed as a combined printer's warehouse and factory. This use ceased in the late 1890s and the building was briefly occupied as a warehouse for a seller of herbal remedies and curative medicines. In 1906 the building again changed occupancies and was taken over by a merchant and shipping agent, James Service. The building continued to be used as a grocery warehouse until the 1970s.

In the 1980s the building was adapted for office use at which time the external lift and stair core was added and in the 1990s it was acquired by the state government, to be incorporated into the proposed new museum on the site of the MCEC. It was sold in 2009 to R & J International and most recently, in 2020 to Costa Fox.

As designed the building was of a functional nature and physically responded to warehousing activities with minimal lifting and stair access. A boiler/engine house appears to have been located immediately to the south of the warehouse, as evidenced by a substantial chimney seen in early images. The building presents as having remained in its original form essentially until the change of use in the 1980s. The change of use works, which included the construction of the vertical circulation core and the replacement of all timber windows suggests that its condition at the time was poor.

The change of use works in the 1980s also involved significant internal modification with requirements to fire rate the iron columns, to provide toilets and amenities on all floors, to provide an enclosed rear fire stair and to introduce heating and cooling and in the process to lower ceilings. The works present as consistent with the approach to adaptive reuse of such buildings pursued at the time.

6.1.1 Past uses

The original use of the Tea House is one which ceased some 50 years ago and it not one which would ever be likely to be revived. The building and site is extremely constrained regarding access and the ability to accommodate vehicle movements that might be associated with modern warehousing would be very limited. Additionally, it would potentially require significant upgrade to vertical lifting and potentially floor strengthening.

6.1.2 *Current and future use*

Since the 1980s the upper floors of the Tea House have functioned as offices with at times, personal services uses on the ground floor. In recent years, when in the ownership of R & J International and more recently, it has been partially vacant. The more recent vacancies have occurred over the Covid years and as a consequence of the poor quality of the accommodation on offer and the aged services/infrastructure.

The current use for offices combined with retail activities at ground level has been assessed to be a viable use for the building subject to upgrading the building such that it is attractive to tenants. As described, required works comprise works to conserve and maintain the fabric combined with works directed at upgrading the place to a level sufficient to compete with like spaces on offer in the city.

From a heritage perspective the current use presents as a compatible use as compared to alternative uses such as residential or hotel which require the permanent subdivision of spaces within the building. Such an outcome occurred at Jones Bond Store (VHR H0828) located to the east of the Tea House, at 1 Riverside Quay, Southbank. This five-level bond store of similar brick construction and also dating from the late 1880s, was subdivided into residential apartments in the early 1990s. While a more open plan layout was retained on the ground level, the upper floors were all subdivided into units. As a result the understanding of the open plan warehouse largely has been lost (Figure 31 & Figure 32) as has evidence of the original iron and timber framed internal structure.



Figure 31 Former Jones Bond Store, 1 Riverside Quay, 1993
Source: Lovell Chen archive



Figure 32 View looking to Jones Bond Store, 2019
Source: Google Streetview

6.1.3 Works to accommodate the proposed use

The proposed works to the Tea House include conservation and refurbishment works. The scope of the conservation works responds to the condition of the historic fabric and the refurbishment works to meet contemporary occupancy needs and expectations, and regulatory compliance .

The proposed works are required for the Tea House if it is to be provided with a long term sustainable use. No change of use is proposed in this case but maintenance of an existing use. As relevant to maintaining this use the principal physical changes associated with that use relate to providing vertical access and delivery of building services. The in-boarding of vertical services is a choice, but one which on balance brings with it a positive impact in removing an attached structure which significantly compromises the appearance of the building. The fabric losses arising from the insertion of an internal lift core and stairs is contained and maintains the open floor plates. The related removal of internal toilets and amenity blocks on each floor additionally retrieves built out space. These works are all required to provide a building which will be attractive to users, whether as tenants or owners, and to ensure that the building can compete with like places which the market place has on offer.

Regarding the proposed conservation works, these are works which are required to address the proper care and maintenance of the building and additionally, involve reconstruction of altered external fabric where interventions or losses have occurred. The works could be completed regardless of use, albeit that their scope is dependent upon the economic viability of the project as a whole.

The project as a whole delivers both a reasonable use of the building and in many respects a preferred adaptive reuse which retains the open plan format of the structure. They also include significant work to redress past unsympathetic adaptation.

Regarding the reasonable use of the land around the Tea House the proposal involves construction over land which has in recent decades been used for car parking. Prior to this the land was largely built over by low level structures associated with power generation and warehousing. Construction of new structures on part or all of this land is consistent with the historic occupancy of the land by built form and an action which will deliver a long term sustainable use of the place as a whole. The action is one which is not dissimilar to the near-by Jones Bond Store works in the 1990s. In that case however the site retained an early single storey warehouse buildings which were demolished and replaced with apartment housing to both sides of the main store (Figure 32 to Figure 34).



Figure 33 '11' Store, Maffra Street, now Southbank Boulevard
 Source: Lovell Chen archive



Figure 34 Southbank Boulevard looking towards Jones Bond Store with the site of Building ‘11’ arrowed
Source: Google Streetview, June 2019

6.1.4 The impact of permit refusal on reasonable use

This proposal seeks to conserve and refurbish the existing building to sustain its existing use. The impact of refusal of a permit to undertake these works would potentially result in a lesser scope or no works being proposed, other than as required for essential maintenance and to meet obligations under the Heritage Act, 2017. The anticipated implications in relation to the occupancy of the building would be that it would remain and increasingly become less attractive to occupants thereby limiting the ability to fund any upgrade, conservation or refurbishment works. As is currently the case, the cost of completing these works would remain unsustainable as related to the potential financial returns.

Regarding the development of the land, a refusal to permit new built form would limit the potential use of the site to at-grade car parking or open space or both. Such an outcome would impact on the commercial return on the property and as with a refusal of a permit to undertake the works to the Tea House would prospectively result in the property’s progressive decline.

In responding to the question, would a refusal prevent the registered place being reasonably used, it is evident that the place could continue to be used for its current purpose. The disbenefit of such an outcome would be that the current or a future owner would have no incentive to pursue a whole of site outcome which would both actively conserve the building or encourage the activation of the site such that it is attractive both to users/occupants and the wider community.

6.2 Economic use

The economic context of the proposed development of this site were set out in detail in the *Tea House Redevelopment Proposal Economic Report* prepared by Ethos Urban and submitted with the 2022 permit application.¹⁴ While the format of the development has changed, as related to the reshaping of the south building, the content of that report remains broadly relevant as related to the essential analysis of costs, rates of return and sensitivity analysis.

At a high level the Heritage Victoria response to this report in assessing the 2022 application concluded that it was focussed on the question of economic development rather than economic use.

Addressing this issue as relevant to the current proposal, the reshaping of the south building and modification of bridge links has substantially addressed the physical impacts of the proposal which were regarded as adverse in the previous scheme. The outcome remains, however, as not one which is directed at delivering the minimum development necessary to sustain the economic use/functioning of the registered place, but rather one which seeks to develop the place in a manner which will sustain it wholistically in the long term. In this regard, reasonable use and economic use are inextricably linked in that delivery of what is a reasonable use for the place necessarily involves investment in a substantial development outcome directed at conserving the building and transforming the surrounds, such that both combine to render this place as relevant and sustainable in the modern city context.

As the Tea House currently stands it is place which has degraded over time both as related to the condition of the fabric and more particularly as related to services and infrastructure. The place is not under major threat as a result of neglect but the current circumstances are such that to attract any sustainable occupancy significant expenditure is required. The expenditure relates to works to conserve fabric by way of restorative and reconstruction works, as well as extensive capital works to replace the ground floor lobby and arrival experience, common lobbies on each floor, wet areas on each floor, plant, equipment and infrastructure associated with services. Additionally, works are required to meet necessary building code compliance requirements which include seismic strengthening. The estimated cost of these works as documented in the 2022 permit application was \$17.9m.

Within the scope of works which were costed, the major items of 'discretion' included the in-boarding of the external lift core and the relocation of the amenities and toilet areas to the new development at the rear, both of which are considered to be a significant heritage deliverable from the project. While development could occur without these actions, the outcome from both a heritage and amenity perspective would be greatly diminished. Other works identified in the conservation works package are works which go to the long term conservation of the place and while generally not able to be classed as urgent, are required in the near to mid-term. Items of choice include reconstruction of missing ornament and detail to the Clarendon Street façade, which while modest in detail are works which will improve the presentation of the building and appropriately are included as contributing to the heritage benefits arising from the project as a whole.

As determined in the analysis contained in the 2022 Urban Ethos report a basic refurbishment and sale proposition, which takes into account land and refurbishment costs and associated outgoings, as compared to income from sale of the completed project, produced a negative return of some \$2.8m. Such a project outcome presents as commercially unviable. This result was compared to the proposed development outcome which resulted in a positive net income of \$42.2m. The report went on to

¹⁴ Ethos Urban, Tea House Redevelopment Proposal, Economic Report, 26 December 2022, updated 7 February 2023.

further address sensitivity testing as related to variability in construction costs and sale prices, highlighting amongst other matters the issue of project risk. Further it addressed the projected returns as relevant to the ability to establish a viable sinking fund to sustain the Tea House building in the long term and to ensure that such a development had the ability to ensure that both cyclical costs and capex costs associated with periodic wholesale upgrades could be funded.

Recognising that the figured provided in 2022 could be adjusted to current values, the conclusion remains that to sustain the level of investment required in the Tea House to address immediate refurbishment needs and projected long term maintenance and capital expenditure needs, a significant level of development is required. While the 2022 report did not address a minimal outcome requirement for the economic use/functioning of the place, it does provide an analysis of a viable development scenario which amongst other matters responds to the expectations of the land owner in taking on the risks involved in such a project.

While there may be a lesser development outcome which can sustain a minimal economic use of this heritage place, the fact that it has remained in a state of stasis for 15 years suggests that it is unlikely that any landowner would pursue such an outcome. In this context the impact of a refusal of this permit application on the economic use of the place will likely result in no activation of the site by way of development and minimal investment as related to essential conservation works.

7.0 DISCRETIONARY CONSIDERATIONS

7.1 IMPACT ON ADJACENT HERITAGE PLACES [S101(3)(A)(I), (II),and B]

Under Section 101 (3) of the Heritage Act 2017 the Executive Director may consider the extent to which the works may affect adjacent or neighbouring property included on the Victorian Heritage Register or subject to a heritage requirement or control in the relevant planning scheme. The setting of the place can also be considered as another relevant matter. It is noted that the Burra Charter provides the following definition for setting:

the immediate and extended environment of a place that is part of or contributes to its cultural significance and distinctive character.¹⁵

7.2 Other heritage listed properties

As indicated in section **Error! Reference source not found.**, to the north-west of the Robur Tea Building are Duke & Orr's Dry Dock, 1-27 South Wharf Promenade, South Wharf included as H1096 in the VHR and Cargo Sheds, 4,5,6,7,8,9, 4-9 South Wharf Road, South Wharf included as H0891 in the VHR (Figure 35). There are other buildings included on the Heritage Overlay slightly further afield (Figure 3).

¹⁵ The Burra Charter 2013, Article 1.12, p. 3, available at <https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>, accessed on 5 December 2021.

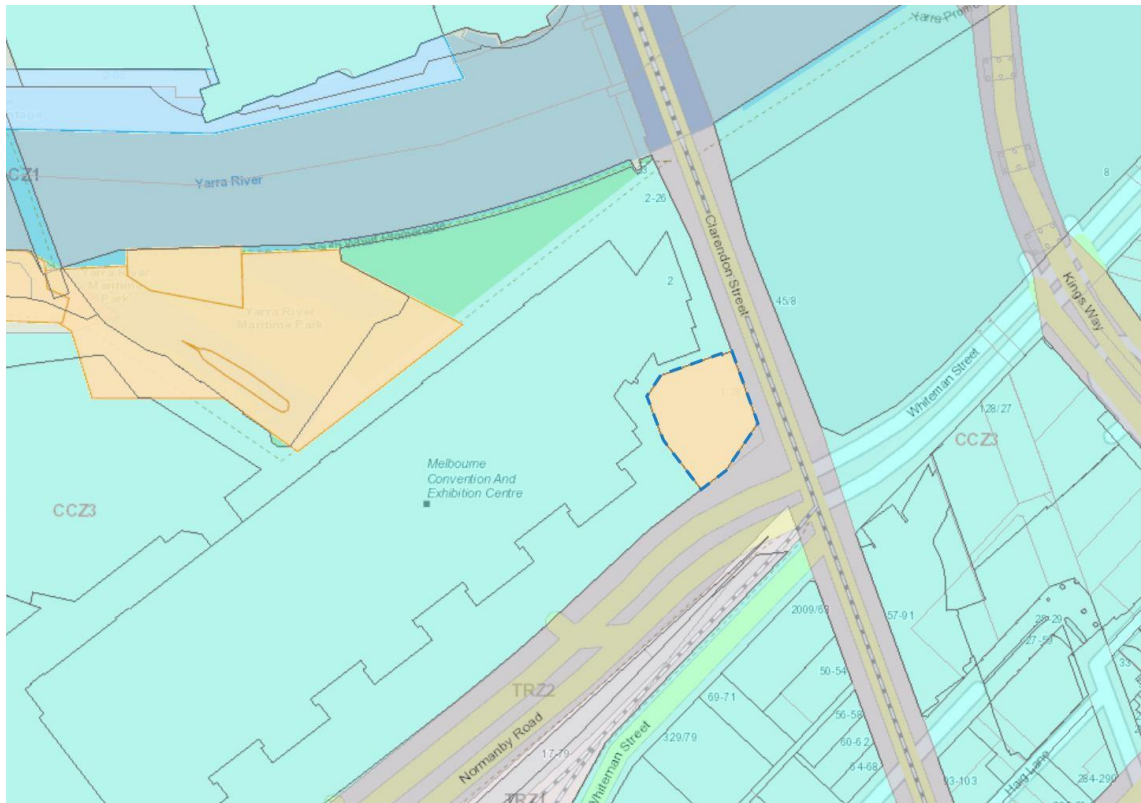


Figure 35 Plan indicating near-by non-indigenous heritage places (in orange)
Source: VicPlan

Comment

Addressing the impact of the proposal on these heritage places it is evident that in the central city area developments of this and greater scale are an accepted reality. Melbourne is a city in which tall structures have been developed not only adjacent to sensitive heritage sites, but in a number of cases, on these sites. The immediate setting of this proposal does not give rise to any particular heritage sensitivities which differ from the norm nor will the proposal have an adverse impact on the assessed significance of the adjacent and near-by heritage places.

7.3 OTHER RELEVANT MATTERS [S101(3)(B)]

Under the provisions of the Heritage Act the Executive Director may consider any other matters of relevance to the making of a decision.

7.4 Past permit application

In the past decade two applications have been lodged for redevelopment of the subject site.

7.4.1 The 2017 proposal

In 2017 the then owner, R & J International (Aust) Pty Ltd proposed redevelopment of the site. The proposed development included:

- 312 hotel rooms on levels 1 to 23 of the new tower and within the Tea House,
- 38 residential apartments on levels 24 to 39 of the new tower,

- a 'pocket park' at the south of the site, addressing the corner of Normanby Road and Clarendon Street,
- a 'plaza', including parking, located on the existing at-grade car park on the north side of the Tea House.
- two-way vehicular access is integrated into the plaza / carpark to the north of the site, with a crossover from Clarendon Street, which provides access to car parking from basement to level 5 via the rear of the new building.

In March 2017 the Office of the Victorian Government Design Review Panel (OVGA) reviewed the proposed development. In summary the OVGA acknowledged that the site was suitable for intensive development but noted that this needed to be both respectful of the site's heritage as well as improve the public interface.

The design was subsequently amended and a permit application (P27432) was lodged with Heritage Victoria in late 2017 for the redevelopment of the site, including the partial demolition of the Robur Tea Building and seismic compliance upgrades, as well as the construction of a 24 storey tower to the south of the retained Robur Tea Building. The tower was proposed to be partly linked to the Tea House at podium level, and comprised commercial and hotel use with an enclosed rooftop terrace above. Also proposed as part of the development of the site was basement level car parking surrounding the Robur Tea Building.

Permit application P27432 was refused in December 2018 by the Executive Director, Heritage Victoria. The reasons for refusal were as follows:

- It has been determined that the construction of a 24 storey tower on the Robur Tea Building site would have a substantial detrimental impact on the cultural heritage significance of the place and on the setting and views of the Robur Tea Building.
- It has been determined that refusal would not prevent the reasonable and economic use of the registered place; also, that the viable economic use of the Robur Tea Building does not require the level of change proposed.¹⁶

The owners at that time determined not to appeal the decision.

7.4.2 *The 2022 Proposal*

In 2022 a proposed redevelopment of the site was lodged by the owners Costa Fox (now Monno). The proposal involved works which are similar to those contained in this application and comprised:

- part demolition and adaptation of the Tea House for retail/food & beverage and commercial/workspace use
- construction of seven interconnected building forms of varying heights to the north, south and west boundaries of the site
- landscaped forecourts to the north and south sides of the Tea House

The proposal was the subject of pre-application meetings and advice from Heritage Victoria and the Office of the Victorian Government Architect (OVGA).

In the last advice received from Heritage Victoria the following comments were provided:

¹⁶ Robur Tea Building, Notice of Refusal to Grant a Permit, Permit Application No. P27432, 21 December 2018

- Significant views of the site are those from 'the south/south-west (from Normanby Road), diagonally opposite from the north/north-east of the site (on Clarendon Street) and from the north side of the Yarra'.
- Obscuring views of the south and west facades and the roof line is not consistent with maintaining an understanding the three dimensional nature and values of the place.
- On the south side be at 'no height greater than the Robur Tea Building (approximately 6 stories)'.
- Retain permeability such that views of the west and south facades and the silhouette of the roof line are retained.
- In the views from the north and east retain visibility of the facades, much as for the south and west (it was noted that the design under review 'to some extent' achieved this outcome).

Permit application P33108 was refused by the Executive Director of Heritage Victoria on 30 May 2023. The reasons for the refusal were as follows:

- The construction of seven interconnected towers and buildings ranging in height from 27 to 3 levels would have significant visual impacts on the place. The combined height, number and density of the tower components and their proximity to the Robur Tea Building would cause substantial harm to the cultural heritage significance of the place. The Robur Tea Building would be consumed by the proposed development and the ability to understand and appreciate the place as a freestanding landmark building would be lost.
- The proposed demolition works to the north, south and west elevations to allow for access between the Robur Tea Building and the proposed development would have adverse physical impacts on the cultural heritage significance of the place.
- The proposal is based on highest and best use of the place and not the cultural heritage significance of the place. It is considered to be an overdevelopment of the heritage place.
- It has not been demonstrated that economic sustainability via a smaller development with less impact on the cultural heritage significance of the place is not achievable or that refusal would affect the reasonable and economic use of the registered place as commercial office space or any other reasonable use.
- The negative impacts of the proposal outweigh the benefits. The benefits could be achieved with a less intensive level of development.

7.5 Cultural Heritage Management Plan

A Cultural heritage Management Plan (CHMP) was prepared for the site in 2021 and was approved by the Director Heritage Services Aboriginal Victoria, on 17 April 2021.¹⁷

7.6 Planning Permit

As relevant to the previous proposal for this site a planning permit application (TP-2021-345) was considered by the City of Melbourne Future Melbourne Committee at a meeting held on 16 August 2022 and the officer recommendation that a permit, with conditions, be granted was approved.

¹⁷ Andrew Long & Associates, Robur Tea House Mixed-use Development, 28-34 Clarendon Steet, Southbank, Cultural Heritage Management Plan, CHMP 17545, 13 April 2021.

Under 'Purpose and Background' the officer report noted, amongst other matters, that a separate permit would be required from Heritage Victoria. The report addressed the relevant non-heritage provisions of the planning scheme and additionally the response of the OGVA to an earlier proposal and the revisions made to the scheme as a result of the specific concerns which were raised.

The following is the conclusion of the Town Planning Report prepared in response to the 2022 proposal:

In summary, the proposal to redevelop the Robur Tea House site itself is of an international standard, and it represents an exemplar town planning outcome for the following reasons:

- The proposal is strategically supported by the Planning Policy Framework, providing a high quality mixed use development on the site.
- The proposal satisfies the applicable land use policies set out in the Melbourne Planning Scheme including the provision of a mix of commercial and residential land uses that complement the capital city function of the Southbank locality, consistent with the purpose Schedule 3 to the Capital City Zone.
- The design represents a collaboration between Snøhetta, Lovell Chen, Aspect and Contour Consultants and the result is a well resolved and high quality outcome in terms of built form and landscape public realm.
- The extent of demolition proposed together with the new works has been carefully considered and designed in consultation with Lovell Chen to ensure the design is respectful of the heritage characteristics of the subject site and its surrounds.
- The public realm outcome is significant and can be the catalyst for the ongoing repair of this Southbank precinct.
- The proposal provides an acceptable level of internal amenity for future residents and visitors.
- The traffic, access, parking and servicing arrangements are appropriately managed and well resolved.
- A range of ESD initiatives have been included as part of the development.
- The wind implications of the proposal have been considered and found to be acceptable.
- The proposal employs a range of acoustic measures and design techniques to appropriately manage surrounding noise sources.

Overall, the proposal is well-resolved, high quality development outcome that is appropriate in its context and will make a positive contribution to the broader public realm.¹⁸

As relevant to urban design considerations the report included comments from the Urban Design Team which noted amongst other matters that:

- We fundamentally support this development which shows potential for achieving a high level of architectural quality.

¹⁸ Town Planning and Urban Context Report, 28 Clarendon Street, Southbank (The Robur Tea House Site) May 2021, Contour* Town Planners, p.48.

- Upon review of the matte and textured ‘terracotta look’ aluminium sample viewed at Snøhetta site offices we are happy to support the use of this material to the Tea House Tower facades.¹⁹

In commenting on the design detail of the proposal the report noted:

The design and placement of new buildings on the Site has been arranged with the Tea House at the forefront to allow that building to still be viewed in its 3-dimensional form while redeveloping the Site for more meaningful purpose and public benefit.

The development will be visually interesting when viewed from key vantage points and tactile materials at the lower levels will provide visual interest and an engaging pedestrian experience when viewed closer.

All sides of the site will be visible from the public realm at certain vantage points (albeit with certain interventions into the retained Tea House building) and the development as a whole has been designed with this in mind.

Publicly accessible pedestrian entry points, building entries and the extensive use of glazing at the ground floor will ensure a visual connection between the public realm and interior spaces.²⁰

While recognising that the matters under consideration before Council excluded heritage, the scheme was assessed to be one which responded appropriately to the site and was of high quality.

8.0 MANAGEMENT MEASURES

In managing project delivery it is anticipated that permit conditions would include the following matters:

Engagement of consultants	Relevant consultants required to deliver the works to be approved by the Executive Director.
Pre-start conditions	These conditions would address project staging, protection works, approval of documentation including conservation works, development of an interpretation strategy.
Archival recording	Prior to the commencement of works a full archival photographic record of the site to be prepared. This would include recording of the subfloor area where the pile cap structure is visible.
Heritage Infrastructure Management Plan (HIMP)	A HIMP would be prepared on conclusion of the works to address cyclical maintenance requirements.

¹⁹ Report to the Future Melbourne Committee, Planning Application:TP-2021-345, 28 Clarendon Street, Southbank, 16 August 2022, p.65.

²⁰ Report to the Future Melbourne Committee, Planning Application:TP-2021-345, 28 Clarendon Street, Southbank, 16 August 2022, pp.72-73.

Construction Management Plan (CMP)

A CMP would be prepared as a pre-start condition to address protection, in-ground and structural works associated with the Tea House building.

Bank Guarantee

Financial security to be out in place against delivery of the conservation works and interpretation.

9.0 CONCLUSION

In preparing this heritage impact statement (HIS) the key consideration has been the degree to which the design revisions address the issues raised by Heritage Victoria in relation to the 2022 development proposal and the subsequent refusal of that permit application. As addressed in the HIS, this new application has undergone significant modification as related to the siting of the south building and the modification of bridge links between the existing and new structures. Additionally, the proposed internal works to the Tea House have been refined. As described, the actions have improved the development outcome as related to the visibility and visual prominence of the Tea House as observed in views from the south and have opened up the space round the building to address any perceived crowding of the structure. In making these design changes a number of the presentation concerns arising from the 2022 proposal have been addressed. In particular:

- The proposed development respects views of the architectural detail of the various elevations of the Robur Tea House building, including those from the south. The development will maintain the ability to observe the front and side views of the building as relevant to the approach from the north, east and south.
- With the additional setting back of the south building from the east and increased separation from the Tea House the full extent of the façade can be observed and the values maintained.
- The proposal will retain some views of the silhouette of the roofline, particularly of the gantry house.
- The proposal will retain partial and some complete views of the 'Tea House' banding on both of the long elevations.
- While rising to a greater height than the south façade of the Tea House the south building is set back from Clarendon Street such that a substantial section of the south façade is exposed without any built form placed beside it.
- The development will ensure that the three-dimensional nature of the Robur Tea Building is maintained and expressed.
- The project is one in which there is an interface between reasonable and economic use and the scope of the development is one which is required to deliver the significant heritage and wider urban and community benefits which will result.

As concluded in the 2022 proposal the project outcome reflects the desire to develop the site in a manner which respects and supports the heritage values while also seeking to sustain the viability of the place in the long term. In addressing the key considerations under Section 101 of the *Heritage Act*, the proposal is one in which the extent of the impact on the cultural heritage significance of the Tea House is considered to be acceptable, and a refusal would affect the reasonable and economic use of the place to an extent that is unacceptable.