

5 Ordinary Business

5.1 T210053 PA - Demolition of Existing Fire Damaged Heritage Building at 19-21 Woods Street, Beaconsfield

Responsible GM: Peter Benazic
Author: Evangeline McGauley-Kennedy

Recommendation(s)

That Council issue a Notice of Decision to Grant Planning Permit T210053 for the demolition of the heritage building at 19-21 Woods Street, Beaconsfield VIC 3807, subject to the following conditions:

1. Prior to a demolition permit being issued under Section 29A of the Building Regulations, the following must be provided to the satisfaction of the Responsible Authority:
 - a. An itemised list of the materials that are to be salvaged must be provided and approved to the satisfaction of the Responsible Authority, including:
 - i. The front window as pictured in Figure 15 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
 - ii. The front door and all lead lighting as pictured in Figure 16 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
 - iii. The original block weatherboards from the façade as pictured in Figure 15 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
 - iv. All timber fretwork as identified in the Heritage Assessment prepared by The Anthemion Group Pty Ltd; and
 - v. Any undamaged original floorboards, architraves and fireplace bricks within the building.
 - b. Details of a commemorative plaque illustrating the former Post Office building, in context with the adjacent Woods Street Commercial and Civic Precinct. The historic marker must include:
 - i. An image or photograph of the original Post Office building;
 - ii. Construction date;
 - iii. Statement of significance;
 - iv. Reason for demolition; and
 - v. Any other relevant information.

2. Prior to a demolition permit being issued under Section 29A of the Building Regulations, the owner must enter into an agreement with the Responsible Authority and made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following obligations:
 - a. Require the reinstatement/incorporation of the original façade using as many of the original salvaged materials as possible in accordance with Condition 1(a) of Planning Permit T210053 as part of any future development subject to relevant building standards and to the satisfaction of the Responsible Authority via a Planning Permit application.
 - b. Include a list of the materials required to be salvaged and re-used where possible in any future development subject to planning approval.
 - c. Require that the salvaged materials be kept in a safe, secure and weatherproof location on the subject site or an alternative location to the satisfaction to the Responsible Authority.

The application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.

Actions required:

3. During demolition the items listed in Condition 1(a) must be salvaged, with photographic evidence to be provided to the satisfaction of the Responsible Authority.
4. The historic marker/ commemorative plaque required by Condition 1(b) must be erected in a prominent position to the site frontage and within the title boundary of 19-21 Woods Street, Beaconsfield within 6 months of demolition, to the satisfaction of the Responsible Authority.

General:

5. The demolition as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
6. Once the demolition has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry:

7. The permit for the demolition expires if—
 - a. the demolition does not start within two (2) years after the issue of the permit; or
 - b. the demolition is not completed within four (4) years after the issue of the permit;

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

- i. Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the demolition complies with the Building Act and Building Regulations.

Attachments

1. Demolition Plans [5.1.1 - 3 pages]
2. Heritage Assessment and Photos [5.1.2 - 32 pages]
3. CONFIDENTIAL - Objections - Circulated to Councillors only [5.1.3 - 18 pages]

Executive Summary

APPLICATION NO.:	T210053
APPLICANT:	Julia Lawson
LAND:	L1 TP839044, 19-21 Woods Street, Beaconsfield VIC 3807
PROPOSAL:	Demolition of existing fire damaged heritage building
PLANNING CONTROLS:	Zone: - Commercial 1 Zone Overlays: - Heritage Overlay - Schedule 133 - Flood Overlay (Partially to rear) - Public Acquisition Overlay – Schedule 5 (Partially to rear)
NOTIFICATION & OBJECTIONS:	Pursuant to Section 55 of the <i>Planning and Environment Act 1987</i>, the application was advertised by the placing of a sign on site and notices in the mail to adjoining property owners. Seven (7) objections have been received to date and one (1) submission stating that it disagreed with the Heritage Assessment.
KEY PLANNING CONSIDERATIONS:	Heritage significance Impact of demolition on heritage streetscape Intactness of the heritage place
RECOMMENDATION:	That a Notice of Decision to Grant a permit be issued subject to conditions.

Background

The subject site is located on the western side of Woods Street, Beaconsfield, within Beaconsfield's Town Centre and nearby the intersection with Woods Street and Old Princes Highway.

The site is located in an area of Woods Street characterised with a mix of businesses including cafes, restaurants, mechanical workshops, offices and other mixed-use type developments.

The site is a slightly irregular rectangular shape with a frontage to Woods street of 24.59 metres in width and 83.39 metres in depth. It is approximately 2075.49sqm in size and currently contains two (2) buildings and scattered vegetation. The building to the front of the site is subject to this application.

The front building is cited in the Cardinia Shire (North) Heritage Study as the Beaconsfield Post Office and Residence, constructed circa 1910, which is made up of a verandahed, weatherboard building with an attached verandahed residence.

The building is covered by the Heritage Overlay (Schedule 133) which includes a number of other buildings (located at numbers 19-21, 23-25, 24-26 and 37) and Elm trees (located at number 11-17) on Woods Street, as well as the War Memorial (located on Old Princes Hwy). These buildings, trees and war memorial make up the 'Woods Street Commercial and Civic Precinct'.

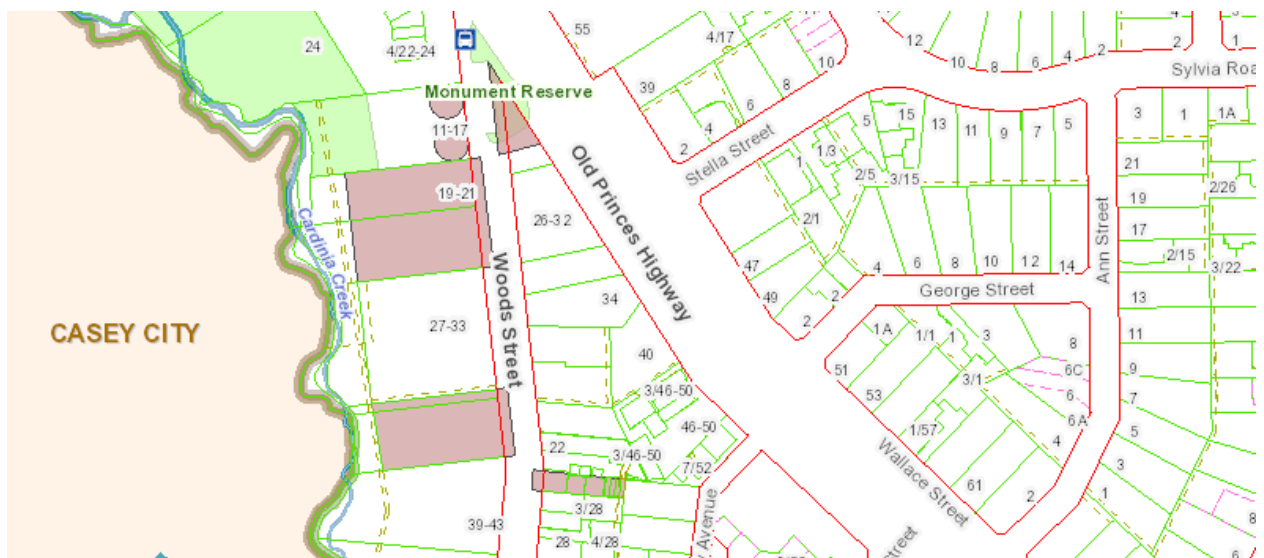


Figure 1: Heritage Overlay 133 – Properties making up the 'Woods Street Commercial and Civic Precinct'

According to records the Beaconsfield Post Office and Residence was originally constructed in a typical Edwardian style, with a steeply-sloped, hipped roof and a prominent, front-facing gable end. The original front-facing, gabled end of the façade appears to have been the entrance to the former post office, as it contained the post boxes as demonstrated in the photograph below.



Figure 2: Former Beaconsfield Post Office taken from Beaconsfield Progress Association website (circa 1988)

Throughout the years the original building has been renovated and added onto and was used for the post office up until 2004. Most recently it was the site of a restaurant.

The original building has been significantly altered throughout this time, with the most significant changes being the removal of the original front-facing gabled part of the façade to make way for the existing front wing which was constructed following the issue of permit P.10758 (issued around April 1992) as seen in the pictures below.



Figure 3: Additions to the front façade as seen today (Photo dated post April 1992)



Figure 4: Original building (outlined blue) and façade (outlined green) and later additions (outlined red)

In early November 2020 the building was subject to a fire in which according to Council's building file the roof frame of the mid-section of the building (original section of the building), which included the kitchen and dine-in area was completely burnt and remaining members for trusses were completely charred. It was also noted that a section of the ceiling was completely collapsed and parts of the roof sheeting had also been removed by firefighters to help control the fire.

Advice from Council's Deputy Municipal Building Surveyor is that the centre part of the building was severely damaged by fire, and while the structure is still standing, the framing members have been reduced in size by the fire, so are not as structurally strong as they should be. Water damage was also caused from firefighting throughout the entire building, causing further damage to the framing members (i.e. mould and rot).

Photographs taken shortly after the fire identify extensive damage to the interior of the building as a result of the fire and its firefighting efforts (water damage).

The façade and the front wing (later addition) appear to remain generally intact, apart from some damage to the northern side of the original rear part of the building near the fireplace and chimney.



Figure 5: Extent of fire damage to buildings (NearMap image dated 25 Nov 2020)

Subject Site

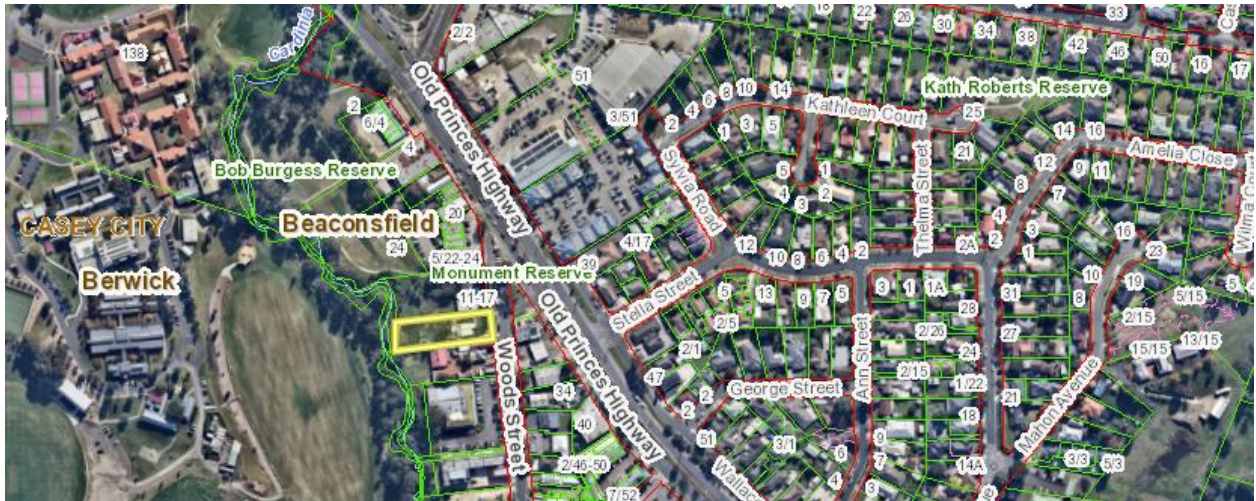


Figure 6: Subject site and surrounds

The subject site is located on the western side of Woods Street, near the intersection with Woods Street and Old Princes Highway.

The subject site is developed with two (2) buildings, one (1) being the fire damaged heritage building subject to this application which was used as a restaurant and bar immediately prior to the fire, along with a caretakers dwelling located to the rear.

It is noted that this caretakers dwelling was not impacted by the fire.

The site is located in a commercial pocket of Beaconsfield providing for services such as offices, a kindergarten, mechanical repairs workshops, veterinary and medical practices, salons, restaurants and cafes.

There are no restrictions or agreements registered on title.

The site is subject to Aboriginal Cultural Sensitivity, however the application is not considered a High Impact Activity under the Aboriginal Heritage Regulations 2018.



Figure 7: Subject site (latest NearMap imagery)

Permit/Site History

The history of the subject property includes:

- Plans for the front wing extension to the post office were found on Council's file under Permit P.10758 and advice was given that a planning permit was not required for these works on 13 April 1992.
 - The front additions appear to have been completed shortly thereafter.
- Planning permit T040522 was issued 23 August 2004 for an on-premises Liquor Licence generally in accordance with the approved plan.
 - Amended Planning Permit T040522-1 was issued 5 October 2004 that amended condition 3 for an alteration to seating numbers.
 - Amended Planning Permit T040522-2 was issued 26 June 2019 to amend the operating hours and delete condition 4 which related to redundant expiry requirements.
 - Amended Planning Permit T040522-3 was issued 24 June 2020 to amend the operating hours, remove reference to retail premises and amend the red line plan.
 - Amended Planning Permit T040522-4 was sort in late 2020 for amendments to the existing liquor license to include on and off premises consumption of liquor, however this application did not proceed due to the fire.
- Planning Permit T050218 was issued for the use and development of the land for the purpose of constructing a care taker's residence on 10 August 2005.
- Planning Permit T120126 was refused for the development of the land for an office and a shop and associated car parking on 6 October 2014.
- Planning permit T160852 was issued for the development of the land for retail and offices, associated vegetation removal, partial demolition of an existing building and associated reduction in on-site car parking (1 space) on 22 March 2018.
- The property was subject to a fire on 13 November 2020.

Relevance to Council Plan

Nil.

Proposal

Approval is sought for the demolition and removal of the entire front building citing the damage caused by the fire, and the subsequent water damage caused by fighting the fire.



Figure 8: Proposed extent of demolition

The building to be removed is located to the front of the subject site and is known in the heritage citation for H0133 as the 'Beaconsfield Post Office'.

The building is setback between 8.2 metres and 15.8 metres from the eastern title boundary (Woods Street), between 3.4 metres and 9.5 metres from the northern title boundary and 2.4 metres from the rear (western) title boundary.

Areas damaged by the fire include:

- Entire original middle section of the building and roof; and
- Parts of the later additions (to the front and rear of building).

Planning Scheme Provisions

Zone

The land is subject to the following zones:

- Commercial 1 Zone

Overlays

The land is subject to the following overlays:

- Heritage Overlay - Schedule 133

- Flood Overlay (Partially to rear)
- Public Acquisition Overlay – Schedule 5 (Partially to rear)

Planning Policy Framework (PPF)

The relevant clauses of the PPF are:

- Clause 15.03 – Heritage
 - Clause 15.03-1S – Heritage conservation

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision
- Clause 21.02-6 – Post contact heritage

Relevant Particular/General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 65 – Decision guidelines
- Clause 66 – Referral and notice provisions
- Cardinia Shire (North) Heritage Study (1996) - Woods Street Commercial and Civic Precinct
- Beaconsfield Structure Plan (December 2013 – expires 31 December 2021)
- Urban Design Guidelines – Woods Street (North) Beaconsfield (May 2013)

Planning Permit Triggers

The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 43.01-1 (HO) a planning permit is required to demolish or remove a building.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site

The notification has been carried out correctly, and the statutory declaration has been submitted to Council on 11 May 2021.

Council has received seven (7) objections to date, and one (1) submission disagreeing with the heritage assessment.

The main concerns raised by the objections are:

- Lack of perceived objectivity and evidence in the Heritage Assessment.
- The demolition would result in the loss of an important historic building to the Beaconsfield community.
- Community wants to see the building repaired rather than demolished.
- Personal and emotional attachment to the building and its connection to Beaconsfield's history.

Referrals

External Referrals/Notices:

Referrals/ Notice	Referral Authority	Brief summary of response
Section 55 Referrals	N/A	
Section 52 Notices	N/A	

Internal Referrals:

Internal Council Referral	Advice/ Response/ Conditions
Heritage	Supports the demolition of the building, subject to conditions outlined in the discussion.
Building	Provided advice on the scope of the fire/ water damage and viability of repairing the building.

Discussion

A heritage assessment was submitted with the application prepared by The Anthemion Group (dated 31 March 2021) which identified that throughout the years, the original building has been subject to numerous alterations and additions, most of which occurred during the latter part of the 20th Century (c. 1970's-90's). The report identified that what heritage fabric was left of the building, was the section of the building destroyed by the fire and fire-fighting measures. Council's Heritage Officer agreed with these findings based on their own knowledge and inspection of the building.

Because of the irreversible damage that has occurred to what was left of the original section of the building, combined with the limited heritage intactness of the building prior to the fire, the

proposal for demolition and removal of the building is considered appropriate given the extreme circumstances.

Planning Policy

Policies such as Clause 15.03-1S (Heritage conservation) and Clause 21.02-6 (Post-contact heritage) are in place to protect and conserve places of historic significance to the state, as well as the Shire.

Clause 15.03-1s (Heritage conservation) seeks to ensure the conservation of places of heritage significance. Similarly, Clause 21.02-6 (Post-contact heritage) seeks to provide for the protection and appropriate management of sites of heritage significance.

Whilst it is recognised that the subject building at 19-21 Woods Street contributes to the Woods Street Commercial and Civic Heritage Precinct, it is not individually significant (under the provisions of the planning scheme). As the unfortunate and unforeseen circumstances of the building fire have caused severe damage to the original section of the building, which would otherwise continue to be conserved and protected, the viability to retain or repair the building must be contemplated.

Due to these circumstances, sometimes there is no ability to meet the objectives of the policy through repairing and retaining the building due to the impracticality of doing so.

In these instances, although the physical building would be lost, a proportionate response to ensure that the demolition is consistent with the objectives of the above policies can be requiring that any approval to demolish the building includes conditions that certain parts of the building to be salvaged and re-used in future development (where practical), as well as ensuring that future development is designed to be sympathetic to the heritage of the place, to ensure that the heritage is not completely lost.

Additionally, as the Heritage Overlay will still apply to the land if the building is removed, Council can encourage the architecture of the original building to be interpreted in any building that is constructed on the land in the future, and also through the installation of historical markers or signage so that the community can remember and learn about the original building.

Furthermore, as the Heritage Overlay relates to a 'precinct', the loss of one (1) building, although unfortunate, is unlikely to disrupt the intention of the overlay to protect a 'pocket' of historical architecture and local significance.

Based on the above, it is considered that even if the building is lost, it would not be completely detrimental to the 'precinct' as a whole.

Heritage Overlay – Schedule 133

The Heritage Overlay aims to conserve and enhance heritage places of natural or cultural significance and elements that contribute to the significance of heritage places. It also seeks to ensure that development does not adversely affect the significance of heritage places.

Pursuant to Clause 43.01-1, a permit is required under this overlay to demolish or remove a building. The relevant decision guidelines of this overlay include:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place;
- Any applicable statement of significance, heritage study and any applicable conservation policy;

- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place; and
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

The Cardinia Shire (North) Heritage Study (1996) refers to the subject site as the 'Beaconsfield Post Office and Residence', which forms part of the 'Woods Street Commercial and Civic Precinct'. The precinct is made up of seven (7) nearby sites located along Woods Street and Old Princes Highway.

The study states that this precinct includes the post office and residence, the shops or stores further south on Wood Street, the war memorial and planting outside the health centre, all of which can still be recognised as an early commercial and civic centre in a town overtaken by more recent development.

The heritage significance of the place is more closely aligned with the social values of the precinct (as a whole), rather than a specific building or place for its architectural style. The Study identifies that the mainly Edwardian-era Wood Street Commercial and Civic Precinct as significant to the Cardinia Shire because it:

Provides evidence of the variety of buildings (shops, post office) and landscaping (elms) which made up the fabric of the Shire's early service centres, in this case Beaconsfield.

The precinct is early, judged among other similar precincts within the Shire, and the comparative completeness of the group allows scope to interpret the place historically, as part of the day to day lives of local people over a long period.

In terms of the subject site, the Study provides limited description of the Beaconsfield Post Office and Residence apart from stating that it is a verandahed, weatherboard building with an attached verandahed residence constructed circa 1910.

Contrary to this assessment, the Beaconsfield Progress Association's website suggests that the original building was constructed in 1889 and became the Beaconsfield Post Office in 1916, which was in operation at the site until 2004.

Whatever the case, what is not mentioned are the numerous alterations and additions the Post Office building and residence has undergone in the decades since its construction, most detrimentally of which is the construction of the 'mock-heritage' style 'front wing' which, as seen from photographic records of the site (see Figure 2, 3 & 4) was constructed around 1992 and is not the original façade.

Further changes include the replacement of most of the original elements, including windows, weatherboards, verandahs, decking and fretwork with modern materials. All these changes are considered by Council's Heritage Officer to significantly degrade the overall intactness of the heritage place. Combining this with the building fire that destroyed and compromised the entire original middle section of the building, it is deemed that there is now little heritage fabric that can realistically be preserved.

However, despite the fire damage and the intactness of the building, it is still valued due to the social significance to the Shire as well as the local community and therefore, the following decision guidelines of the Heritage Overlay and the implications demolition may have on the heritage precinct as a whole must be considered.

The significance of the heritage place (including any applicable statement of significance, heritage study and any applicable conservation policy) and whether the proposal will adversely affect the natural or cultural significance of the place

The Cardinia Shire (North) Heritage Study, 1996, identifies that the significance of the heritage place is linked to the precinct as a whole, not the specific building at 19-21 Woods Street. Based on the findings of the study the building contributes to the streetscape of the precinct, and to the communities understanding of the early civic and commercial history of the township during the Edwardian era, rather than being individually important.

As identified in the Heritage Assessment prepared with the application, it is suggested that the proposed demolition is unlikely to adversely affect the significance of the precinct or the building, given the little remaining heritage fabric in what could be salvaged from what has been damaged:

The fire has impacted on the roof of the residence and variously internally. However, the fundamental consideration is that only the façade of the residence is original and appears to date from c.1910 – everything else is later and from different eras. This appears to have been the case when the heritage citation was prepared, but in an assessment from the street, this may not have been apparent. The building had little intrinsic significance in its fabric before the fire but it is acknowledged that it is/was a historical marker in Beaconsfield. The only element which does have intrinsic significance in its fabric is the façade to the residence.

The Heritage Assessment submitted identifies that the only original elements of the building left are the timber block-fronted façade, window, eaves bracket and possibly the doorcase (the door and leadlight appears to be later or reproduction although this is not confirmed) located on the eastern elevation of the building. This assessment supports Council's Heritage Officers



findings.

Figure 9: What is left of the original façade (Note: weatherboards to the right are not original).

As discussed, the original front facing gable end façade (pictured in Figure 2) which at one stage contained the post boxes was removed to facilitate the construction of the 'mock-heritage' front wing which can be seen today. This appears to have been constructed in or around mid-1992 under permit P.10758.

The Assessment identifies that the verandah and faux stone flooring is not original. It also details that the cladding along the northern, southern and western elevations is also not original as they are not timber, but rather compressed fibre weatherboards. The original windows have also been replaced at some point along this elevation as they would have been vertically oriented, timber-framed double-hung sash windows with moulded architraves, whereas the existing window is a horizontally-oriented rectangular window with a central cross glazing bar.

Further, the entire front wing, as discussed previously is not original and likely constructed sometime in 1992 based on photographic records and Council's historic planning and building files, therefore it has no heritage value. Additionally, there have been a number of additions to the side and rear including a garage and rear verandah.

As a result of the fire, the entire middle section of the roof and framing have been destroyed and removed to deal with the fire as well as make the building safe, along with severe internal damage to other various elements of the original building.

Council's Heritage Officer's agrees with the Assessment provided based on their knowledge and inspection of the building that there is little remaining heritage fabric to the building. Therefore, the significance is to the character of the precinct rather than the individual site or building.

Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place

As discussed, based on the Heritage Assessment submitted, as well as site inspections conducted following the fire by Council's Heritage Officer and Deputy Municipal Building Surveyor, it is clear that what parts of the building that are left (relatively) intact are of no heritage value. The original fabric of the building (middle section) bore the majority of the fire and water damage, with the entire roof being lost and substantial damage being done to the internal structure of the building as a result of the heat of the fire, as well as physical fire and water damage.

As discussed above, Council's Deputy Municipal Building Surveyor identified that:

- The centre part of the building was severely damaged by fire, and while the structure is still standing, the framing members have been reduced in size by the fire, so are not as strong as they should be.
- The fire travelled throughout the ceiling space, so all the roof framing members have been damaged by fire.
- There is also water damage from the firefighters throughout the entire building, so the framing members would likely have mould and rot in them.

Based on the information submitted and Council's own inspection of the building following the fire, it is not confident that repairing the existing building and its structure is viable given the

damage that has been done. The extensive works that would be required would essentially see the building demolished and rebuilt in order to facilitate repairing it.

The structural work required to rebuild a site effected by fire damage has previously been considered by the Tribunal in considering demolition of heritage buildings. One of the main tests discussed by the Tribunal in *The Roman Catholic Trusts Corporation for the Diocese of Melbourne v Yarra CC* [2012] VCAT 1379 (4 September 2012) is:

Whether rectification works would require substantial reconstruction replacing visible fabric.

As advised by Council's Deputy Municipal Building Surveyor, due to the timber construction of the building, along with its age and the extensive damage, the rectification works required to repair the fire damaged sections of the building to today's standards would certainly require substantial reconstruction which would result in the replacement of visible fabric.

Based on this alone, demolition could be supported, however it is further justified by the lack of original fabric remaining of the building which the Overlay seeks to protect.

Following from this test, the question is also raised of whether it is fair to refuse an application to demolish a building, which prior to an event (such as a building fire), already had little intact heritage elements.

The Tribunal in *The Roman Catholic Trusts Corporation for the Diocese of Melbourne v Yarra CC* held that before granting permission for demolition of a significant building it is not necessary to show that a building is dangerous, ruinous or liable to collapse, but also that costs associated with the reconstruction of a heritage building can be a relevant factor (in certain cases) when contemplating whether a heritage building should be demolished, following an event, such as fire which was beyond the owners control.

The fact that the owners have advised that even though they were insured, the costs of repairing the building, compared to the insurance payout make repairing the building prohibitive for them, should also be considered. They have advised that hardship of losing the building (which they also once lived in and conducted their family business from) and not having the funds to repair it, has also been devastating to them.

The Roman Catholic Trusts Corporation for the Diocese of Melbourne v Yarra CC discusses:

The cost of repair or renovation, and whether a building is uneconomic to repair, are relevant, particularly given section 4(a) of the Planning and Environment Act 1987 which is 'to provide for the fair, orderly, economic and use, and development of land.'

The Tribunal has observed that section 4(a) has sometimes been taken to mean there is an unreasonable hardship on the current owner ('fair') and significance of the building does not warrant undue expenditure ('orderly, economic and sustainable'). However, it is not sufficient to demonstrate that there has been a loss of expectations or 'simply demonstrate a cost of repairs or maintenance.' Furthermore, the effect of demolition must be examined 'with regard to the overall planning impact and direct evidence regarding the heritage place.'

The Tribunal has held that 'It is not simply a matter of saying that as long as it is possible to carry out the required repairs and/or renovations that it is reasonable to require this to occur at any cost in dollars terms.'

The condition of the building is a relevant consideration in a demolition application. For instance, the Tribunal has held that it would be unfair to refuse to allow demolition and a replacement when, amongst other things, 'The cost of reinstating the building would appear to be inordinately high and/or reinstatement may well diminish the heritage values of the heritage place'.

Section 73(b) of the Heritage Act 1995 allows consideration of the extent to which refusal of an application 'would affect the reasonable or economic use of the registered place... or cause undue financial hardship to the owner.' Although there is no similar provision in the Planning and Environment Act 1987, or the Cardinia Planning Scheme, it would be anomalous if such considerations were not also relevant to buildings of local significance.

Effectively, both factors of fairness and the likelihood that repair works would further detrimentally impact the heritage place have been considered in this assessment. In considering this, Council finds that given the limited intactness of heritage fabric of the building prior to the fire, and the extensive works that would be required to repair the building would effectively all but diminish any remaining heritage value, the demolition can be supported.

Even disregarding the above, Council cannot require the repair or reconstruction of a building in private ownership via the planning process. Because of this, and as a permit is required for demolition (as well as any reconstruction works in general), the risk that the building will continue to fall further and further into disrepair if not demolished is a real possibility and must also be considered.

In considering all of the above, in order to determine the suitability for demolition in this scenario, the proposal has been referred to Council's Heritage Officer who advised that based on the information provided, their inspection of the site following the fire and given the unforeseeable circumstances in which the application is being submitted, that:

- The Heritage Assessment provided supports their assessment that there is little intactness of the original heritage fabric of the building;
- What little original building that remains (façade of the left rear wing pictured in Figure 9) has been the most damaged by the fire and water damage (both internally and externally); and
- The remaining alterations and additions to the building (garage, front wing, rear verandahs pictured in Figure 4) which are not as severely damaged by the fire and water damage have no heritage value.

Based on this, Council's Heritage Officer concluded that the demolition is not considered to adversely affect the significance of the heritage site (in isolation) as:

- The majority of the remaining fabric which was of heritage significance has been severely damaged by the fire and firefighting works and is structurally compromised;
- Works required to repair the building have the potential to further diminish the little heritage intactness of the building that remains;
- Due to the alterations and additions the building is of limited heritage significance in isolation, its significance derives from its contribution to the overall significance of a

heritage place; and

- The remaining lesser damaged sections of the building to be removed are not significant to the heritage building as they are later additions with no heritage values.

However, as this building contributes to a heritage precinct, whether the demolition will adversely affect the significance, character or appearance of the heritage precinct as a whole has also been considered.

Whether the proposed works will adversely affect the significance, character or appearance of the heritage place

Due to the changes that have occurred to the original building throughout the years, the Heritage assessment submitted contemplates that demolition of the building would not adversely affect the significance, character or appearance of the 'heritage place' (being the Woods Street Commercial and Civic Precinct) citing:

The visual presence of the residence and its role as a historical marker in the Wood Street Commercial & Civic Precinct will be lost. However, in the context of considerably less original fabric than perhaps assumed, added to which there is fire damage, mainly to the roof of the residence and the interior, this is acceptable in the circumstances and from a heritage perspective. The loss could be compensated by interpretation as suggested above.

As a consequence of the proposed demolition, an example of the variety of buildings in the Wood Street Commercial & Civic Precinct will be reduced by one i.e. a post office. The Precinct will still present as an Edwardian pocket of buildings as it does now and thus there will still be an ability to interpret the Precinct historically as a local shopping area servicing a rural community. The amount of change which would occur as a consequence of demolition will not be fatal to the heritage significance of the Precinct.

Although prior to the fire the intactness of the heritage building was already diminished, Council recognises that this building contributes to the heritage character of the precinct and the community's interpretation of the streetscape as a whole.

It is especially evident through the objections received to the application that this site contributes significantly to the local sense of place and history, and therefore is important to the community.

The main issues raised by objectors are:

- Lack of perceived objectivity and evidence in the Heritage Assessment.
- The demolition would result in the loss of an important historic building to the Beaconsfield community.
- Community wants to see the building repaired rather than demolished.
- Personal and emotional attachment to the building and its connection to Beaconsfield's history.

Council acknowledges these concerns, however, in balancing the advice of Council's Deputy Municipal Building Surveyor and Heritage Officer, the damage to the building and its relatively low-level of intactness prior to the fire, with the local significance of the building in the context

of the precinct, demolition of the building, subject to conditions is considered a proportionate response.

To ensure that the overall character and significance of the heritage precinct is maintained as much as possible, any approval granted to demolish the building will require the parts of the original front façade of the building to be salvaged and re-used in a future development on the site (where practical) and a commemorative plaque installed. These measures have been considered an appropriate response to the concerns of the objectors, in a case where requiring the existing building to be retained and repaired is not considered an option due to the damage, its poor condition and limited intactness.

Council's Heritage Officer advised that it is in the best interest of the heritage precinct that any demolition permit will have conditions to ensure that any future development will ensure the features front left wing of the façade is reinstated or incorporated into any future development.

Therefore, it is recommended that every effort is made to salvage the original elements of the front left rear wing including:

- The front window as pictured in Figure 15 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
- The front door and all lead lighting as pictured in Figure 16 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
- The original block weatherboards from the façade as pictured in Figure 15 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
- All timber fretwork as identified in the Heritage Assessment prepared by The Anthemion Group Pty Ltd; and
- Any undamaged original floorboards, architraves and fireplace bricks within the building.

These materials will be required to be kept in a secure safe location (preferably in the remaining buildings on the rear of the site) that is not exposed to weather for use in the reinstatement/incorporation of the original façade as part of any future development subject to relevant building standards and to the satisfaction of the Responsible Authority.

Given the unusual circumstances and state of the building, Council believe that by allowing the demolition of the existing structure to occur, whilst requiring that certain original features be salvaged for future use, a proportionate and fair balance can be achieved that will not cause a detrimental impact to the significance, appearance or character of the heritage precinct as a whole.

Whilst it is acknowledged that preservation is the preferred outcome when it comes to heritage buildings, it must be conceded that in some circumstances such as this one, it is not practical or justified given the state of the building as discussed.

Therefore, in terms of achieving the objectives of the planning controls and policies which seek to protect heritage, it is considered that this is the most sensible approach to ensure that some control over the outcome of the demolition and also to ensure that the future development pays respect to the origins of the site in its context within the heritage precinct.

The site will remain in the Heritage Overlay, and therefore any subsequent application to develop the site will be required to respond to the aims and objectives of the Overlay and provide a sympathetic building design that incorporates the salvaged materials.

In addition to this, and to ensure that the salvaged parts of the building are appropriately stored and incorporated in any future development, a Section 173 Agreement will be required.

A condition of the permit will also require that a historical marker be installed to identify the original heritage building.

As such, and given the circumstances and limited intactness of the building discussed the proposed demolition is not considered to be catastrophic to the interpretation of the heritage Wood Street Commercial & Civic Precinct as a whole. There will still be examples of other similar era Edwardian buildings in the precinct as it presents today, and future development will continue to be subject to the Heritage Overlay. Therefore, it is considered that on balance the removal of the post office building, although unfortunate, will not be detrimental to the precinct.

Conclusion

Based on the above it is recommended that a Notice of Decision to Grant a Permit be issued for the demolition of the post office building at 19-21 Woods Street, Beaconsfield subject to the following conditions.

Conditions

Prior to demolition:

1. Prior to a demolition permit being issued under Section 29A of the Building Regulations, the following must be provided to the satisfaction of the Responsible Authority:
 - a. An itemised list of the materials that are to be salvaged must be provided and approved to the satisfaction of the Responsible Authority, including:
 - i. The front window as pictured in Figure 15 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
 - ii. The front door and all lead lighting as pictured in Figure 16 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
 - iii. The original block weatherboards from the façade as pictured in Figure 15 of the Heritage Assessment prepared by The Anthemion Group Pty Ltd;
 - iv. All timber fretwork as identified in the Heritage Assessment prepared by The Anthemion Group Pty Ltd; and
 - v. Any undamaged original floorboards, architraves and fireplace bricks within the building.
 - b. Details of a commemorative plaque illustrating the former Post Office building, in context with the adjacent Woods Street Commercial and Civic Precinct. The historic marker must include:

- i. An image or photograph of the original Post Office building;
 - ii. Construction date;
 - iii. Statement of significance;
 - iv. Reason for demolition; and
 - v. Any other relevant information.
2. Prior to a demolition permit being issued under Section 29A of the Building Regulations, the owner must enter into an agreement with the Responsible Authority and made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following obligations:
 - a. Require the reinstatement/incorporation of the original façade using as many of the original salvaged materials as possible in accordance with Condition 1(a) of Planning Permit T210053 as part of any future development subject to relevant building standards and to the satisfaction of the Responsible Authority via a Planning Permit application.
 - b. Include a list of the materials required to be salvaged and re-used where possible in any future development subject to planning approval.
 - c. Require that the salvaged materials be kept in a safe, secure and weatherproof location on the subject site or an alternative location to the satisfaction to the Responsible Authority.

The application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.

Actions required:

3. During demolition the items listed in Condition 1(a) must be salvaged, with photographic evidence to be provided to the satisfaction of the Responsible Authority.
4. The historic marker/ commemorative plaque required by Condition 1(b) must be erected in a prominent position to the site frontage and within the title boundary of 19-21 Woods Street, Beaconsfield within 6 months of demolition, to the satisfaction of the Responsible Authority.

General:

5. The demolition as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
6. Once the demolition has started it must be continued and completed to the satisfaction of the Responsible Authority.

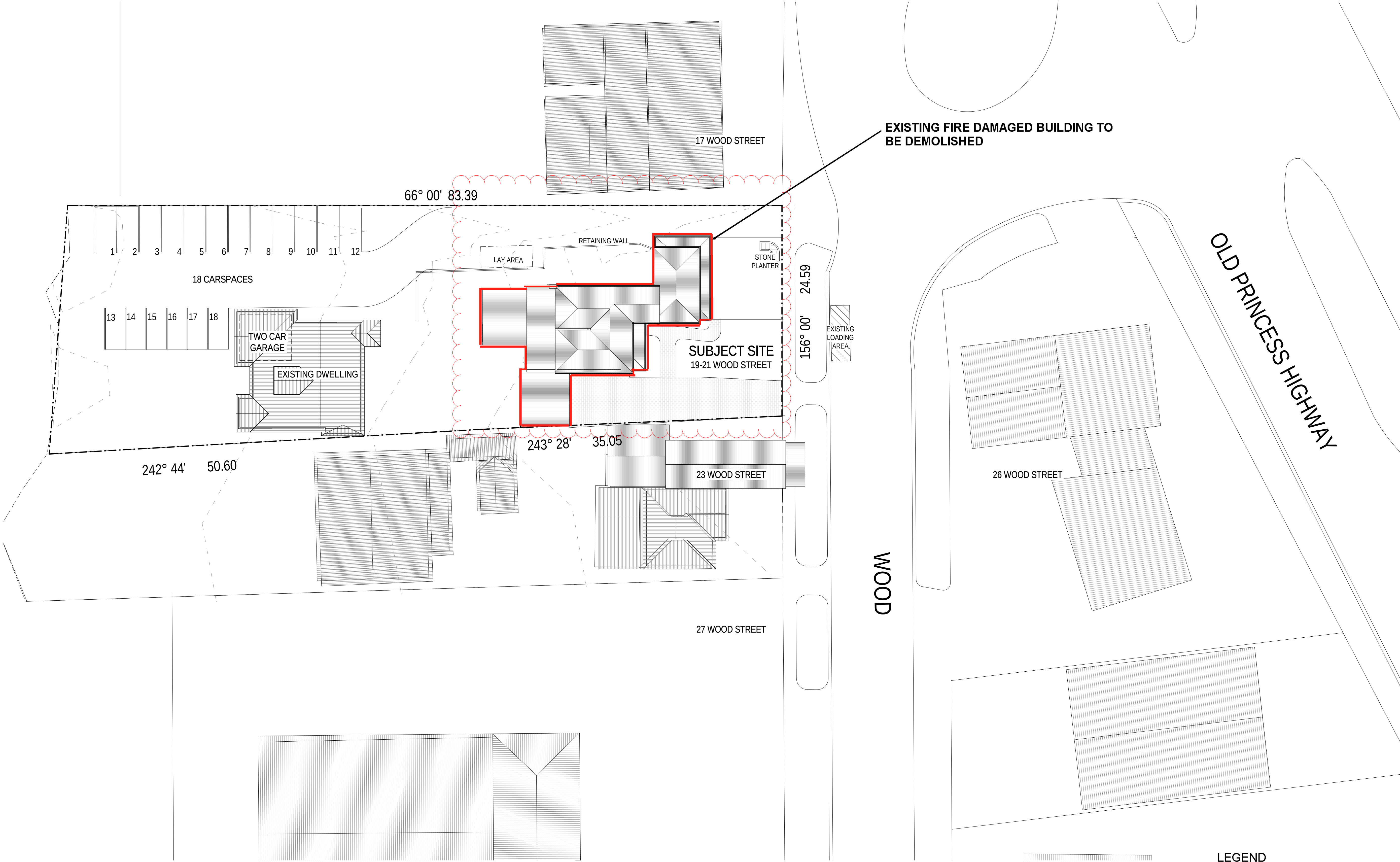
Expiry:

7. The permit for the demolition expires if—
 - a. the demolition does not start within two (2) years after the issue of the permit; or
 - b. the demolition is not completed within four (4) years after the issue of the permit;

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

- i. Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the demolition complies with the Building Act and Building Regulations.



1 Floor Plans
AX-200
Existing Location Plan
1:200 @ A1

ISSUED FOR
PLANNING PERMIT

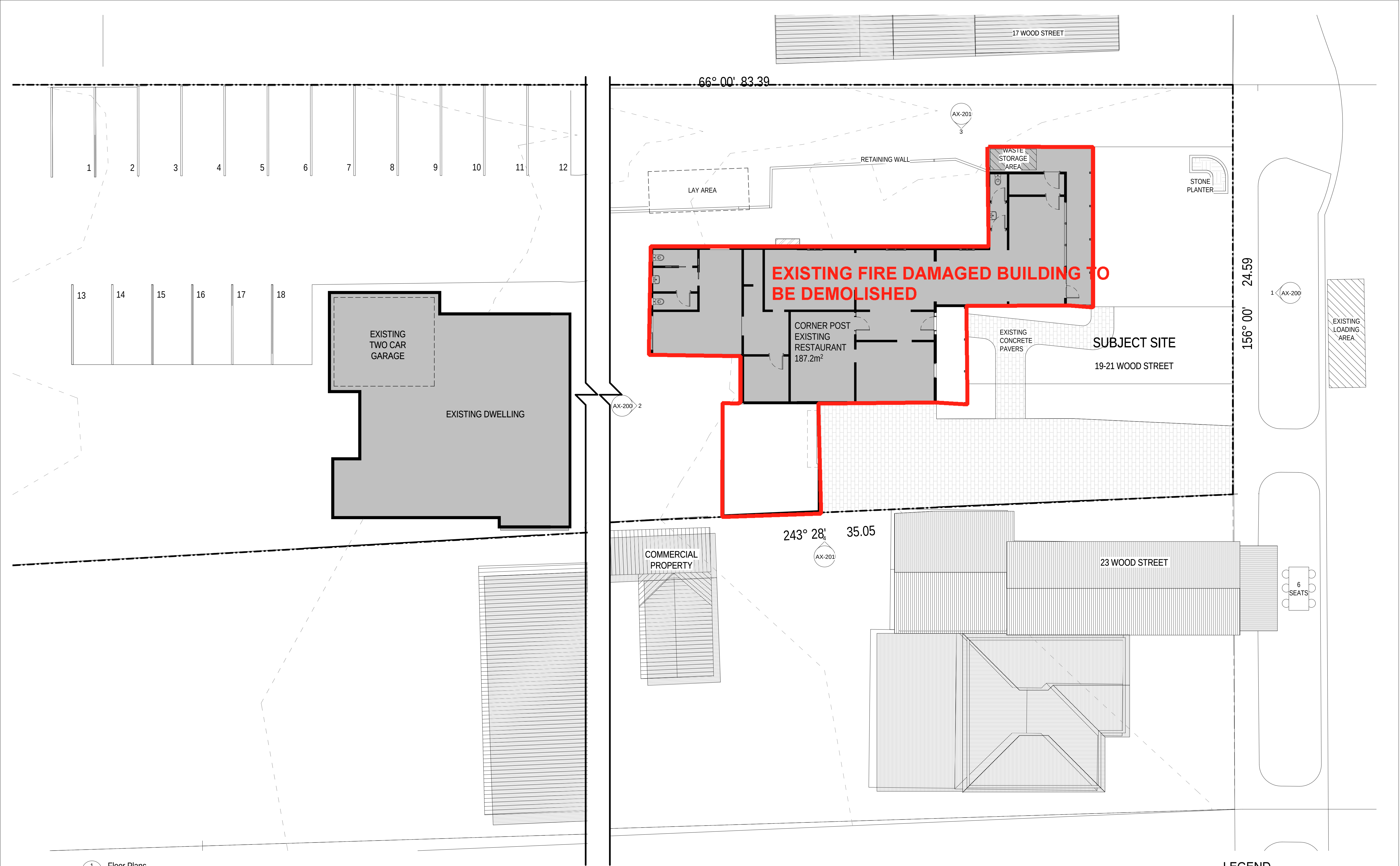
**DEMOLITION SITE & CONTEXT
PLAN**
19-21 Woods St, Beaconsfield

Drawing AX-000
Scale 1:200 @ A1
Revision TP02

LEGEND



TO BE
DEMOLISHED



1 Floor Plans
AX-200 Existing Site Plan
1:100 @ A1

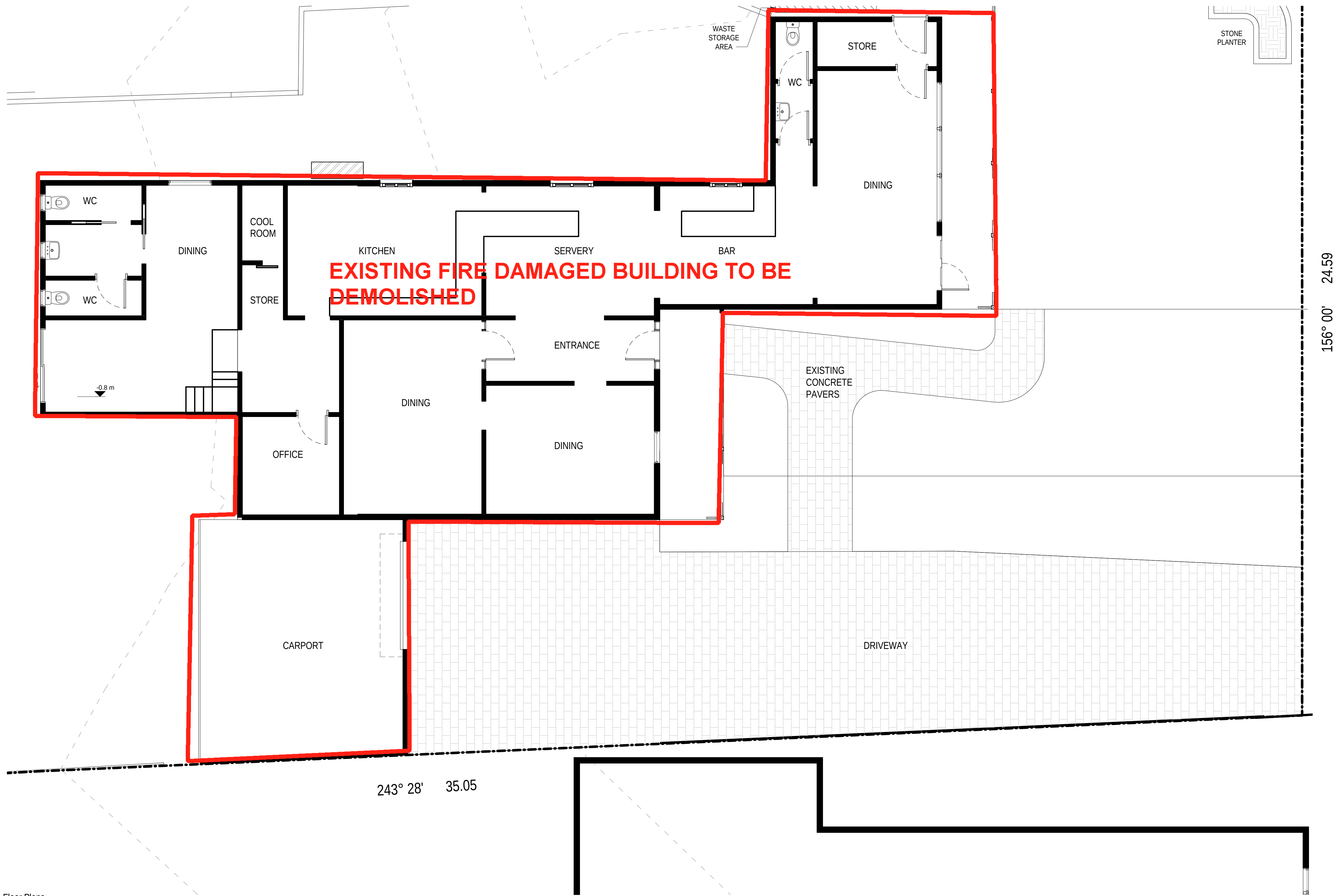
ISSUED FOR
PLANNING PERMIT

DEMOLITION FLOOR PLAN
19-21 Woods St, Beaconsfield

Drawing AX-001
Scale 1:100 @ A1
Revision TP03

LEGEND


TO BE
DEMOLISHED



1 Floor Plans
AX-200 Existing Ground Floor
1:50 @ A1

ISSUED FOR
PLANNING PERMIT

DEMOLITION FLOOR
PLAN ENLARGED
19-21 Woods St, Beaconsfield

Drawing AX-100
Scale 1:50 @ A1
Revision TP03

LEGEND



TO BE
DEMOLISHED

THE
ANTHEMION
GROUP
Including Anthemion Consultancies

Ms. Evangeline McGauley-Kennedy
Senior Statutory Planner
Cardinia Shire Council
PO Box 7
PAKENHAM, VIC. 3810

31 March, 2021

Dear Ms McGauley-Kennedy

Re: 19 – 21 Woods Street, Beaconsfield

In response to Council's Request for Further Information (RFI) in respect of the heritage values of the existing building on the above site in its post-fire condition, we respond as follows to the points set out in the RFI.

I visited the site some years ago when it was operating as a café. I observed that there was little original fabric. I also visited the site again on 4 March, 2021 and inspected the building in its current fire-damaged state.

Heritage Assessment

(a) A response to Council's Heritage Overlay 133;

The site is in the Woods Street Commercial & Civic Precinct in which external paint and tree controls apply.

The place citation for the *Cardinia Shire (North) Heritage Study* describes the existing building as viz.:

Beaconsfield Post Office & residence, Wood Street, c1910 (verandahed, weatherboard building with attached verandahed residence).

The existing building is recognisable as per the description above but there is no indication on the site that it was ever a post office, rather part of it appears more like a shop or general store which is of recent origins not c.1910. The façade of the residence is probably c.1910. This was the case when I inspected it several years ago.

(b) A statement of the heritage significance of the building;

The Statement of Significance for the Precinct states, viz.:

The mainly Edwardian-era Wood Street Commercial & Civic Precinct is significant to the Cardia Shire because it provides evidence of the variety of buildings (shops, post office) and landscaping (elms) which made up the fabric of the Shire's early service centres, in

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this case Beaconsfield. The precinct is early, judged among other similar precincts within the shire, and the comparative completeness of the group allows scope to interpret the place historically, as part of the day to day lives of local people over a long period.

The place is significant for historical reasons/opportunities rather than any architectural or aesthetic reasons.

As a consequence of the proposed demolition, an example of the variety of buildings in the Wood Street Commercial & Civic Precinct will be reduced by one i.e. a post office. The Precinct will still present as an Edwardian pocket of buildings as it does now and thus there will still be an ability to interpret the Precinct historically as a local shopping area servicing a rural community. The amount of change which would occur as a consequence of demolition will not be fatal to the heritage significance of the Precinct.

(c) Identification of the significant architectural elements of the damaged building;

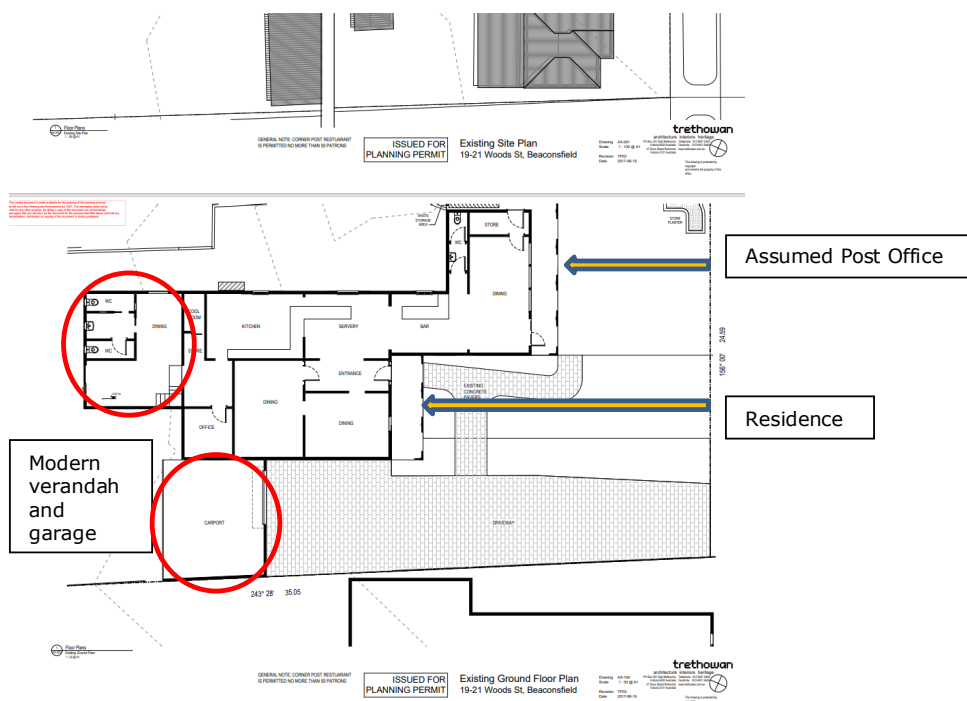


Figure 1 Plans prepared by Trethowan Architecture Interiors Heritage.

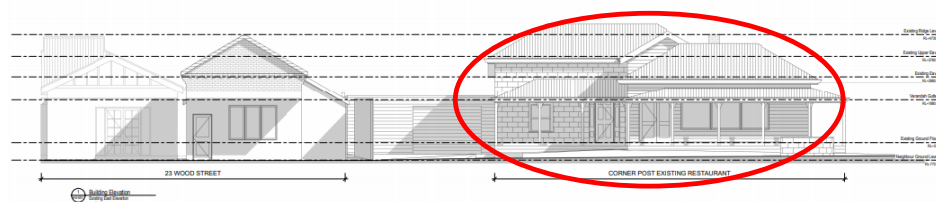


Figure 2 East elevation prepared by Trethowan Architecture Interiors Heritage. The residence is to the left and the Post Office to the right.

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On close inspection, the assumed Post Office component appears to be of recent origins, probably the latter half of the 20th century. The cladding, verandah and its detailing, are not original – the detailing is a generic reproduction and the cladding is a type of building board probably of compressed fibre – not timber weatherboards as would have been the case in a c.1910 building. The roof cladding has been replaced reasonably recently. These elements are relatively unscathed but have no intrinsic heritage value and on this basis could be demolished. On a replacement building it might be appropriate to include an interpretative sign which has an illustration of the old Post Office, and perhaps the existing Post Office for contrast.

As for the residence, only the timber block-fronted façade, window, eaves bracket detailing and possibly the doorcase are original although the door appears to have been salvaged from elsewhere as the door leaf has been cut down and the surrounding leadlight is not Edwardian, rather much more recent, and appears to be reproduction/decorator in origin. The verandah is not original and is a reconstruction in a generic style. The cladding and windows along the South elevation are a similar type of building board similar to the Post Office and not timber weatherboards. The wall framing is not visible. The window in this South elevation would have been a vertically-oriented, timber-framed double-hung sash window with moulded architraves whereas the existing window is a horizontally-oriented rectangular window with a central cross glazing bar.

The roof framing and cladding of the residence has been severely damaged.

Internally, and noting that there are no internal controls, there is nothing of any heritage origins other than for skirting in the two front rooms of the residence and then that is a standard size and profile. The Post Office, kitchen, store rooms etc. on the west side are utilitarian and not of any heritage significance and have evolved at different times as needs on the premises have changed. The chimney which is reportedly the seat of the fire is of minimal, if any, significance. This is the area of the most internal damage and least significance in terms of fabric.

The garage and rear verandah are not original and are rather rudimentary and appear to date c.1970-80s.

(d) Confirmation whether the fire has impacted the heritage significance of the building;

The fire has impacted on the roof of the residence and variously internally. However, the fundamental consideration is that only the façade of the residence is original and appears to date from c.1910 – everything else is later and from different eras. This appears to have been the case when the heritage citation was prepared, but in an assessment from the street, this may not have been apparent. The building had little intrinsic significance in its fabric before the fire but it is acknowledged that it is/was a historical marker in Beaconsfield. The only element which does have intrinsic significance in its fabric is the façade to the residence.

(e) The impact the buildings [sic.] demolition is likely to have

The visual presence of the residence and its role as a historical marker in the Wood Street Commercial & Civic Precinct will be lost. However, in the context of

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considerably less original fabric than perhaps assumed, added to which there is fire damage, mainly to the roof of the residence and the interior, this is acceptable in the circumstances and from a heritage perspective. The loss could be compensated by interpretation as suggested above.

(f) Recommendations for the potential to salvage any elements or parts of the building (if practical)

The façade to the residence and its components and possibly the eaves, certainly the eaves brackets, could be salvaged and re-used elsewhere. While the leadlight is not original, it could probably be salvaged for whatever purpose or otherwise discarded.

In summary, while there will be a loss to the Wood Street Commercial & Civic Precinct of a representative building, given the lack of original fabric and no evidence today of a Post Office, its loss would be acceptable. As suggested above, the place should be interpreted with an illustrated sign.

Photos

Coloured photos of the damages [sic.] including:

- (a) Any undamaged internal or external parts of the building;
- (b) All internal and external damages caused by the fire; and
- (c) Any specific areas or features of the building identified as having significant heritage values in the required Heritage Assessment.

These photos are attached.

We hope that this response to the RFI assists Council in coming to a decision about the heritage values of the existing building in its current and pre-fire state.

Yours sincerely
Anthemion Consultancies



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Director

cc. Ray Crozier
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Photographs

Figure 3 The Post Office from the street.



Figure 4 The Post Office façade and verandah. It is self-evident that none of this dates from c.1910 – more probably from the second half of the 20th century.

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Figure 5 The Post Office verandah. It is self-evident that none of this dates from c.1910 – more probably from the second half of the 20th century.



Figure 6 The back of the Post Office. The cladding is building sheet not weatherboard.

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Figure 7 The North side of the Post Office. The cladding is building sheet not weatherboard. The chimney is not particularly significant. (Ref. Fig. 9)



Figure 8 The North side of the Post Office. The cladding is compressed fibre building sheet not weatherboard.

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Figure 9 The back verandah and addition to the Post Office is of recent origins.



Figure 10 The back verandah to the Post Office is of recent origin and is utilitarian and rudimentary.

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Figure 11 The kitchen area in the Post Office is of recent origin and is utilitarian.



Figure 12 The kitchen area in the Post Office is of recent origin and is utilitarian.

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Figure 13 Assorted partitioning in the Post Office.



Figure 14 The South elevation of the Post Office and damaged roof. The gabled section may have been part of the residence.

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Figure 15 The timber block-fronted façade to the residence.



Figure 16 The doorcase to the residence.

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Figure 17 The fact that the door has been cut down lends support to the likelihood that the door is salvage from elsewhere installed as a replacement rather than original otherwise there is no obvious reason as to why it was cut down.

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Figure 18 The interior of the residence. These are the only spaces with any heritage fabric.



Figure 19 The temporary ceiling above the residence.

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Figure 20 It is self-evident that the detailing of the verandah to the residence is not original.



Figure 21 The verandah floor has been paved with faux stone. There may be timber boards beneath.

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Figure 22 The damaged roof of the residence on the South side.



Figure 23 The window to the residence on the South side.

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Figure 24 The cladding on the South side is similar to that on the North side of the Post Office and joints have been concealed or fixed with clips. It is not timber weatherboard.



Figure 25 The garage to the residence on the South side.

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Figure 26 Inside the utilitarian and rudimentary garage.

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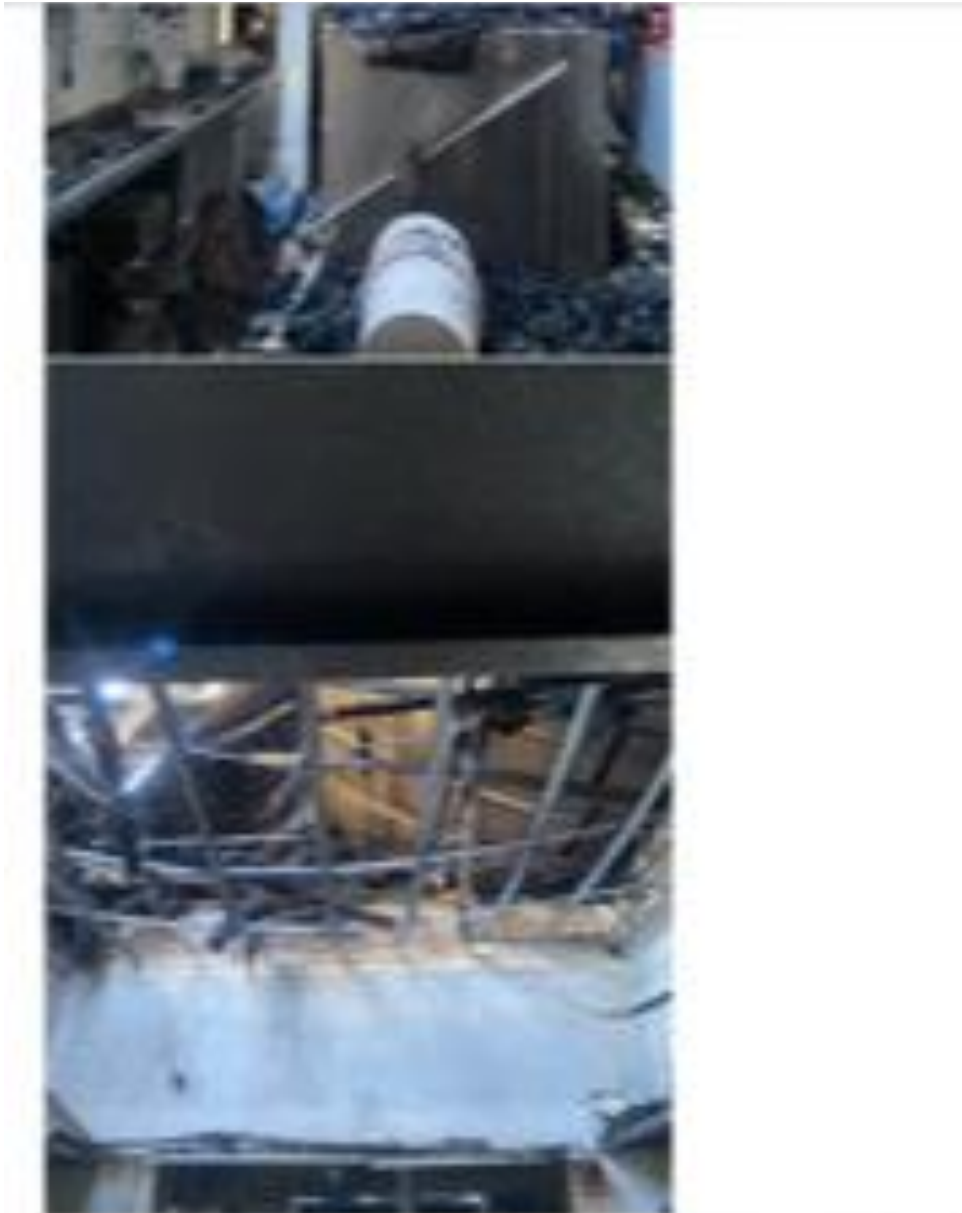
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T210053 – 19-21 Woods Street, Beaconsfield – Photos of fire damage





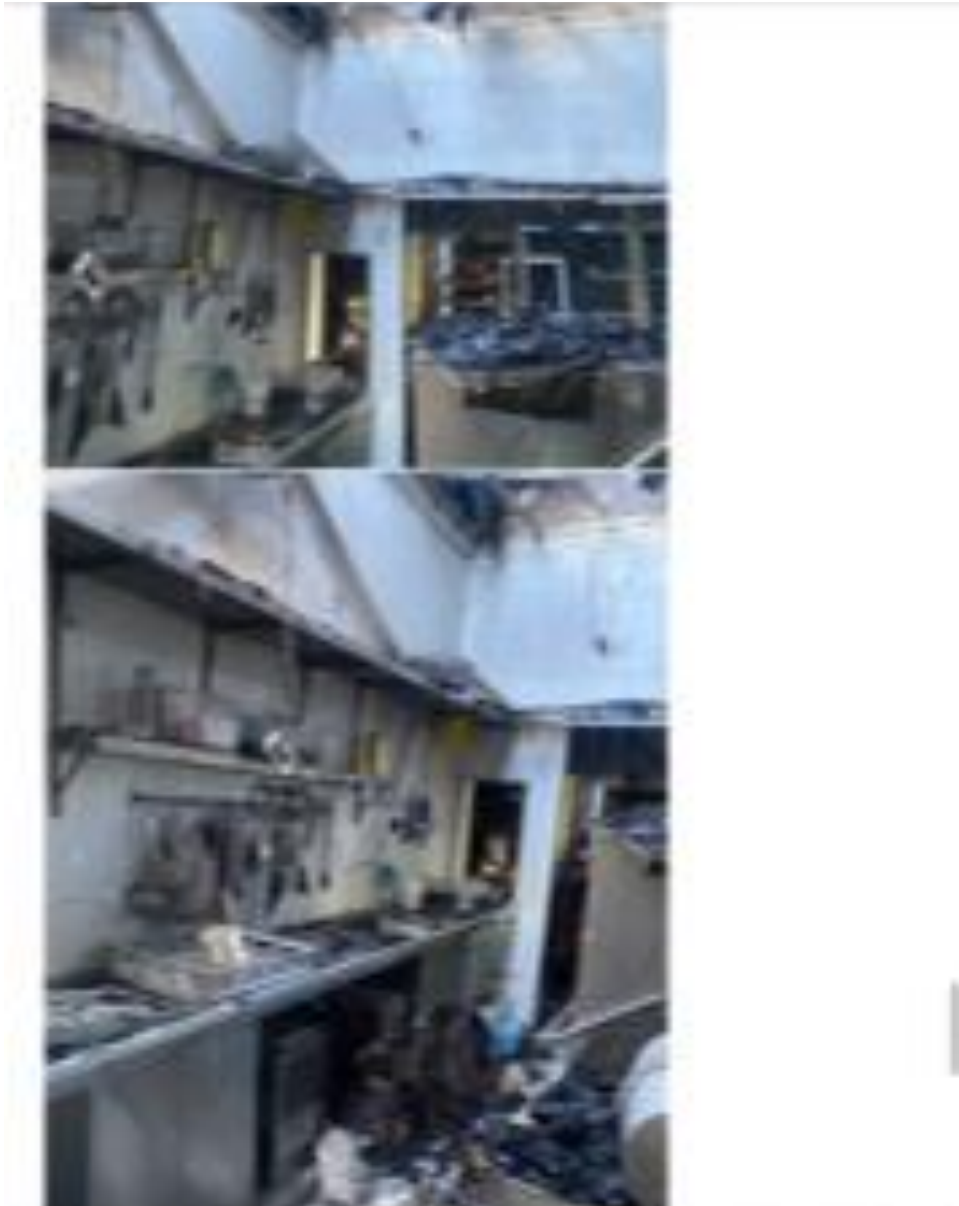
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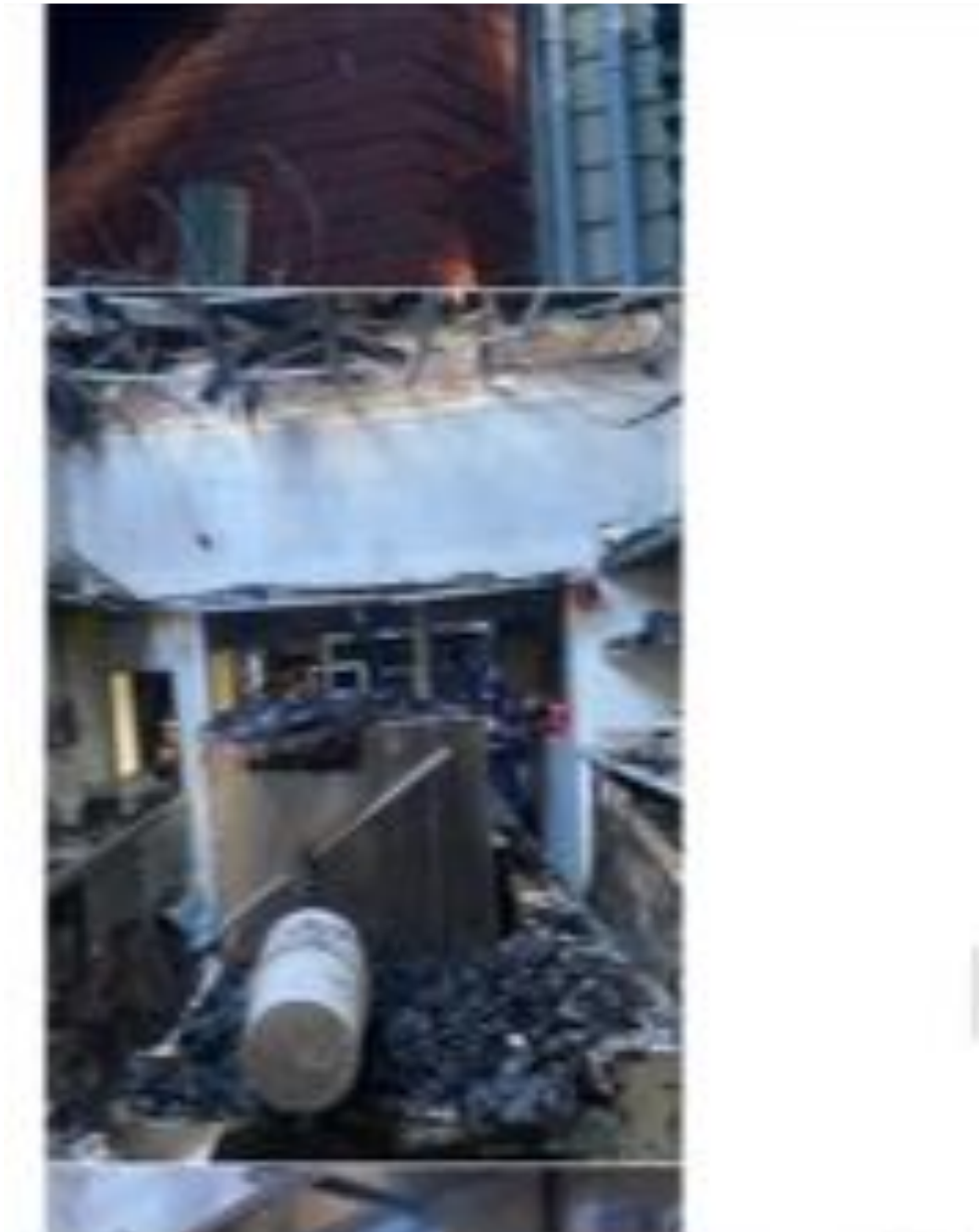
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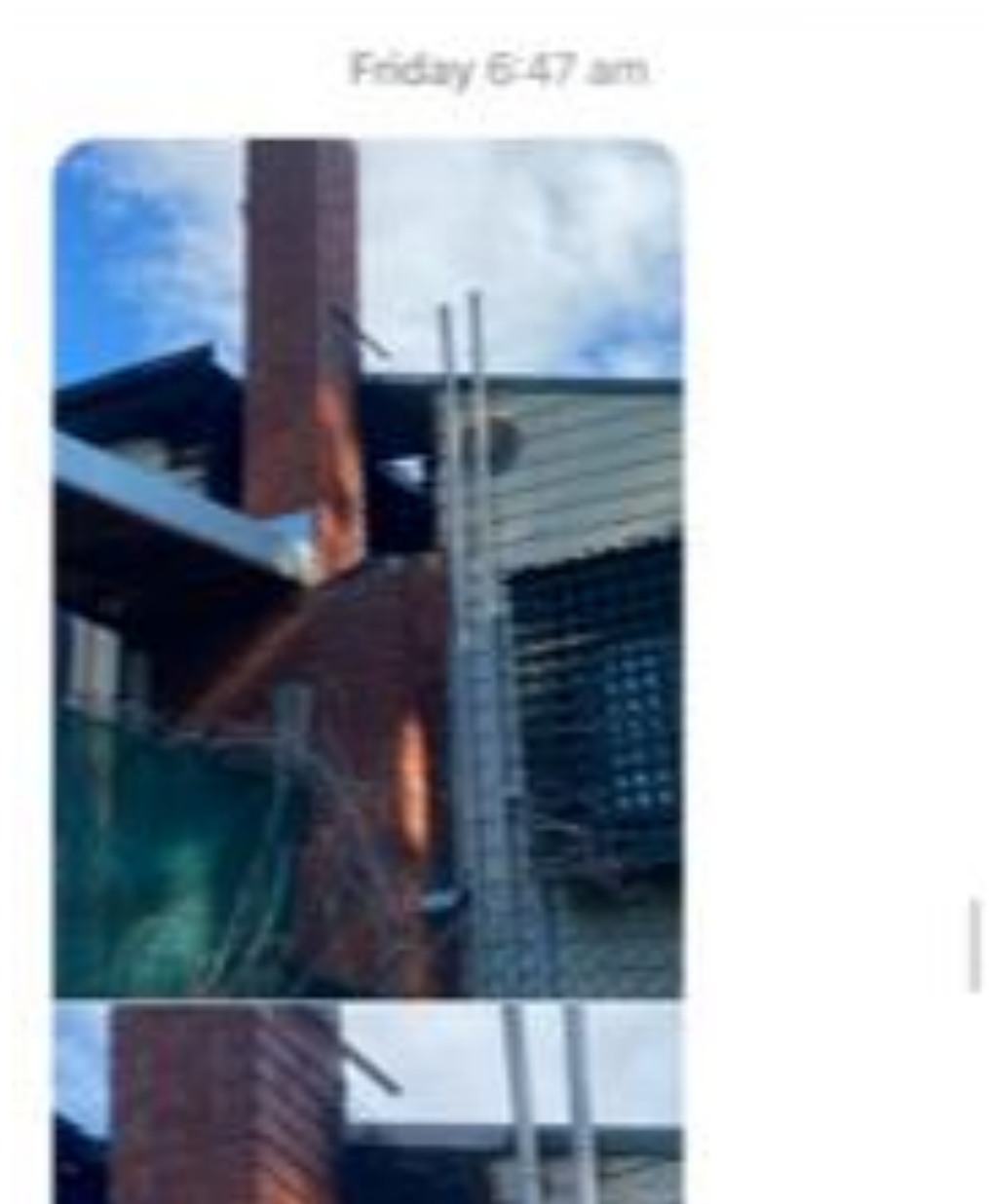
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T210053 – 19-21 Woods Street, Beaconsfield – Photos of fire damage



T210053 – 19-21 Woods Street, Beaconsfield – Photos of fire damage





Thought to be the original façade



Additions to façade circa 1988



Additions to façade circa 1988