# HERITAGE ASSESSMENT POLAIN'S SHOPS, OFFICES & DWELLING ROW, 4-10 BUCKLEY STREET & 215-217 NICHOLSON STREET, FOOTSCRAY

For the City of Maribyrnong



Figure 1 4-10 Buckley Street, 2010, from the east with the Belgravia Hotel in the background.





Figure 3 Nicholson Street elevation showing new opening where a shopfront once existed.



Figure 4 Planning scheme map extract showing HO106 and nearby heritage places (City of Maribyrnong Planning Scheme Maps Online)

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### **Background to this report**

This site is HO106 Shops and Residences 4-10 Buckley St, and 215-217 Nicholson St Footscray, individually significant within the City of Maribyrnong Planning Scheme.

City of Maribyrnong commissioned Graeme Butler & Associates to provide a Statement of Significance for the building in August 2010.

### History of the place

# Creation of the Polain's shops, offices & dwelling row

The history of this shop and residence row is closely associated with the Edwardian-era Mechanics Institute Building, further east along Nicholson Street (HO60).

The first Footscray Mechanics Institute and Free Library was commenced around 1856 by James Young in Pilgrim Street, reputedly on a very small scale. After a grant from Footscray Council in 1861, the Mechanics Institute moved to Austin Street and from there to Nicholson Street, opposite this site. A later more permanent site was on railway land, at the end of Napier Street (later post office site), near what was then the Footscray Railway Station (since relocated)<sup>1</sup>. A School of Design (under secretary R. Bennett) functioned there, along with leased overflow accommodation for the Hyde Street State School. The usual balls, testimonials, concerts and lectures were held at this site, making it the social centre of Footscray<sup>2</sup>.

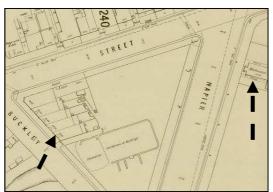


Figure 5 MMBW DP229 & 237 of 1895 showing the triangular reserve with Polain's shops on the west and the former Mechanics Institute, then in Napier St

The triangular block of land bounded by Napier, Nicholson and Buckley Streets (3 roods, 30 perches) was the institute's next acquisition, being permanently reserved for their use in 1886<sup>3</sup>. The trustees were Frederick Humphrey; James Young, printer; James Kelly, inspector; Richardson Bennet, engineer; Frederick Sims, timber merchant; Luke Greenwood, mason; John Deakin, builder; David Mitchell, baker; and William M Clark, journalist<sup>4</sup>. However the 1890s financial recession prevented construction of a new building for the institute until 1913. The old timber Mechanics Institute was transplanted from Napier Street to this site in the interim, allowing construction of the Footscray post office.

### Who were the trustees who commissioned this building?

David Mitchell's bread and biscuit bakery was at the corner of Napier and Moreland Streets: he termed it the `original eight hour factory' and the oldest in Footscray. The eight hour claim resonates with Footscray's claim as a `workers paradise' but Mitchell did not represent other bakers in Footscray and remained one of only 13 in the colony to adopt the 8 hour principle by 1888<sup>5</sup>.

William Clark arrived in Melbourne at an early age; mining, farming and squatting in Goulburn Valley and Alexandra districts. He moved to Williamstown in 1875 and sought government employment at the Railways and Customs Departments. By c1877 he had acquired an interest in the Williamstown Advertiser, founded by his relative, A. T. Clark, and was publisher for Clark & Company; He managed the Footscray branch and with J. M. Barr founded the Footscray Independent in 1883; He was secretary of the Footscray Liberal and Protection League and Legislative assembly member for Footscray July 1879 to September 1894. Like the building's designer, Polain and many other Victorians, Clark went to Western Australia in 1895 (gold rush) where he had government employment and worked on newspapers. He returned to Victoria in 1899 and died at Footscray in 1900<sup>6</sup>.

Luke Greenwood was locally active in lodge and sporting life as well as the Greenwood family steam stone cutting and quarrying company.

The Sims family ran the largest timber yard and joinery works in Footscray in 1888, employing some 80 men after its founding by

Graeme Butler & Associates, 2010: 4

<sup>&</sup>lt;sup>3</sup> VGG 24/9/1886

<sup>4</sup> VTO V1908 F881425

<sup>&</sup>lt;sup>5</sup> See John Lack, 1991. A history of Footscray: 124

<sup>&</sup>lt;sup>6</sup> Parliament of Victoria website: former members Clark, William McGregor

<sup>&</sup>lt;sup>1</sup> Map 1877

<sup>&</sup>lt;sup>2</sup> FFOY: 73

Henry Sims in 1858<sup>7</sup>. The other trustees were in the main long-term Footscray residents and active in community affairs<sup>8</sup>.

### Commissioning the building

As a form of income for the Mechanics Institute trust, prominent local architect and Footscray councillor Charles James Polain and builder James Rawsthorn leased (from December 1890- 1912) the corner of Nicholson and Buckley streets for a commercial development (this site). Polain had previously designed major additions to the Williamstown institute buildings as a `LECTURE ROOM, Lavatories, and other Additions...'. (1888-1889)

Despite the apparent clash with the reserve's prescribed purpose (`...land and buildings...at all times ...used and maintained as and for a Mechanics Institute'), this commercial row of offices, shops and dwellings became the institute's property at the end of the lease and the improvements were used to finance the new Mechanics Institute building, aided by the efforts and donations of Dr. C.L. McCarthy, and James Cuming, among others.

Among the tenants in the building were initially (Buckley Street), Polain and Arthur Bull, auctioneer, followed by

- Luke & Thomas Greenwood, tobacconist (assumed to be principally Thomas)
- Julius Arnold, Bootmaker
- Charles Rawlnsley, fruiter
- William James Shallcress
- Albert Lawlor, Land Agent
- Frank Pearson Stationer, later bookseller.

The first lessees in Nicholson Street were Polain, then Alfred T.Burn cabinet maker, Otto Muicken, upholsterer, Isabella Alexander later Beatrice Johnston (38 Nicholson Street), costumier, James Stone (36-34), Umbrella maker. Later in the 1890s Buckley Street tenants included David Barnet, and auctioneer; James Bullock, hairdresser. After the First War there were Agnes Low, newsagent (12 Buckley St); Ben White hairdresser (10); Charles Davis, pawnbroker (8) William P Barker, railways (6); and Absalom Bowden, carpenter (4).

By the end of the war, the Technical College (later Footscray Institute of Technology) also used part of the Nicholson Street building. The school had commenced across Buckley Street in 1916 and also served as an

influenza hospital in 1919, with various buildings being leased or utilised to accommodate all of the students. This may explain the use of the balance of the mechanics institute reserve for education purposes in the 1920s.

Many trustees followed for the Footscray Mechanics Institute Trust with, as recently as 1982, gazetted trustees including: Daryl Whinney, Frederick Wilkinson, Ken Walmsley, Joseph Whinney and Joseph Clarke (latter two noted as diseased)<sup>9</sup>.



Figure 6 Footscray Mechanics institute north façade (State Library of Victoria)

Part of the reserve triangle was transferred to the `Minister of the Crown administering the Education Acts' in 1927 (now a landscaped roundabout) and part used for a road in 1928. The remaining 2317m2 held the Mechanics Institute, Polain's buildings and other structures. This land and the buildings have been leased to Shenly Pty Ltd, Bernly Pty Ltd, Monetary Finances Pty Ltd, and the Hanover Trust Pty Ltd for 40 years from 1971 (to 2011)<sup>10</sup>.

### Polain and the Great Depression

Polain did not do as well from the Footscray mechanics institute deal and was declared bankrupt in 1892<sup>11</sup> and his real estate auctioned for his creditors, including this site.

Land, being part of Crown Allotment 1, Section 9a, at Footscray, situated at corner of Nicholson and Buckley streets, held under lease from 5tn December, 1890, for 21 years, at a ground rental of £56 1s per annum, payable quarterly, on which are erected SIX .MAGNIFICENT BRICK SHOPS and DWELLINGS, let at good rentals to steady tenants

This property is within a stone's throw of both Footscray stations.

The auctioneers call special attention to the importance of this sale, and as it Is a sale under positive instructions from the trustees, in the assigned estate of C. J.

Graeme Butler & Associates, 2010: 5

<sup>&</sup>lt;sup>7</sup> Lack: 141

<sup>8</sup> See Lack: 82, etc.

<sup>9</sup> VGG cited 23/3/1982

<sup>&</sup>lt;sup>10</sup> VTO V1908 F381425

<sup>&</sup>lt;sup>11</sup> The Argus 27/6/1892

Polaine (sic), a rare opportunity is offered of securing some good investments at a low figure <sup>12</sup>.

His assignees were James Rawsthorn, builder of Essendon and Walter Gadd of Melbourne. This did not stop him from nominating for Footscray council in April 1893<sup>13</sup>. He had also invented a starting gate for the Victorian racing Club ten of which were used in the Autumn Racing Season.

> `POLAIN and Co 's STARTING GATE Can be manipulated by a lad and let go by a jockey on horse back..'

### Polain in Western Australia

Polain left for Western Australia soon after in 1895. Paddy Hannan had discovered gold at Mt Charlotte in 1893 and started the biggest gold rush in Western Australia's history. Polain, along with other Melbourne architects, flocked to the west to start afresh. Polain took with him his patented inventions as well as good racing club connections. He called tenders for the new Administrative Building at the Perth Racecourse for the W.A. Turf Club Committee, soon to be followed by other works at the course. He described himself as Engineer, Architect, and Certificated Patent Agent.

His arrival in Perth society inspired this brief description (30 September 1895):

Attention is directed to the professional advertisement of Mr Polain in another - column. Mr. Polain, who came from Victoria, drew the plans of many of the principal structures in that colony, and gained no fewer than 13 prizes in competitions. He is now organising several works of some importance here ....

In 1899 the following announcement signalled the end of his career.

DEATH OF MR. **POLAIN.** PERTH, October 29. Mr. **Polain,** the well known inventor of the starting machine used by the V.R.C. and other racing clubs, died at Fremantle to-day. He had only been ill for a couple of .weeks...<sup>15</sup>

# Description of Polain's shops, offices & dwelling row

Unusually sited to front two angled streets, this two-storey red brick and stucco shop and dwelling row originally had five tenancies facing Buckley Street and two or sometimes three facing Nicholson Street. The architectural style follows an English Queen Anne approach to classicism with the use of red brick, rather than the stucco typically used on Victorian-era commercial facades, relieved by cement detailing.

The two main parapeted elevations are divided by cemented (upper level ) and shaped (ground level) brick pilasters to suggest trabeated facades, each facade bay having a double-hung sash window or window pair centred on the upper level. The Nicholson Street elevation has seven facade bays, Buckley Street has five.

Polain's distinctive use of composition and detail includes the well-judged symmetry of the main Buckley Street elevation as compared to the asymmetry of the Nicholson Street elevation; parapet piers centred on window pediments, bifurcated parapet pediments with segmentally arched raised entablatures; irregular placement of upper level entablature pediments over some windows and not others; use of stylised keystones over the balance of the upper level windows. Many of the parapet balls remain and most buildings in the row have a chimney.



Figure 7 Some of the distinctive Polain detailing used: parapet piers rising from the apices of window pediments

The corner of Nicholson and Buckley Streets is splayed with a blind upper level window and ground level doorway flanked by timber-framed shopfronts in Buckley and Nicholson Streets. The crowning corner parapet pediment has a cartouche within the pediment, flanked by sunflowers.

Graeme Butler & Associates, 2010: 6

<sup>12</sup> The Argus 30 July 1892

<sup>&</sup>lt;sup>13</sup> The Argus 13 April 1893

<sup>14</sup> The West Australian (Perth, WA: 1879-1954), Monday 30 September 1895,

<sup>&</sup>lt;sup>15</sup> The Argus.. 2 November 1899



Figure 8 Parapet pediment raised over the corner of the building, with sunflowers and blind window

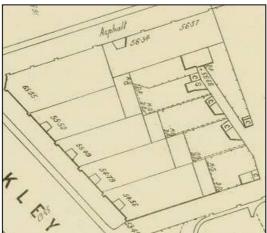


Figure 9 MMBW plan detail 1895 shows four shopfront recesses in Buckley St and one in Nicholson Street.

The MMBW plan of 1895 shows four shopfront entry recesses, presumably with associated timber-framed shopfronts. All of these original shopfronts along Buckley Street have been replaced or removed with the two shopfronts remaining near the corner being symbolic of what would have been timber-framed joinery set over a masonry plinth.

In Nicholson Street there appears to be little change with a commercial or office character evoked by double-hung sash windows with moulded cement architraves and doors at ground level rather than shopfronts. A large new opening with a roller shutter, allowing entry to the courtyard formed from former shop back yards, signals a former shopfront at this point which corresponds with the

MMBW 1895 plan. A door has been added at the west end of the elevation.

The shopfront replacements in Buckley Street (with typically red brick walls and plain cement banding) are however visually related to the rest of the building, specifically the Nicholson Street elevation, and do not present the usual clash of aesthetic seen in the nearby aluminium shopfronts with associated signage applied to Victorian-era shops. Some of the original brickwork has been painted.

The south end elevation has a scalloped return parapet and over-painted red brickwork. A large sign has been added. The communal courtyard formed by amalgamation of former fenced rear yards has changes to openings but a painted Phillips light globe promotion sign on the rear of the east end of the Nicholson Street façade states `...Meagher 15 Buckley Street..'.

Significant or contributory elements at the place include:

- Parapeted and trabeated form based on classical sources in the English Queen Anne revival manner;
- Red brick walls, corbel-top chimneys and cement mouldings;
- Double-hung sash windows timberframed windows;
- Cement mouldings and detailing and their distinctive application;
- The angled plan form aligning with the street configuration;
- Professional office character of the Nicholson Street façade, with limited shopfront application;
- The former retail character of Buckley St with original shopfront divisions still visible.

### Context

The surrounding buildings include:

- The Footscray Institute of Technology, 1- Buckley Street (HO33);
- The former Belgravia Hotel at 238 Nicholson Street (graded D in Footscray conservation study);
- The Footscray Advertiser office site at 236 Nicholson Street (altered);
- JH Hooper's clothing factory, former, 232 Nicholson Street (HO61);
- 1923 Shop row 226-230 (graded D in Footscray conservation study);
- Edwardian-era shop and dwelling pair at 222-224 Nicholson Street (graded D in Footscray conservation study); and

 Footscray Mechanics Institute, 209 Nicholson Street (HO60).

These buildings, in conjunction with the nearby municipal offices, former police station and court house provide a civic centre associated with the old Footscray town survey to the east. Polain's buildings although commercial by intent also served in this civic role when used for the school and provided office accommodation that was more suited to this type of area than shops.



Figure 10 Context for Polain's buildings, including the former Hooper building.

### Comparative analysis

(Refer to City of Williamstown Conservation Study 1986 Graeme Butler with Kinhill-Stearns and Graeme Butler Architect City of Footscray Urban Conservation Study 1989 for Polain examples)

Charles Polain was the foremost local architect in the western suburbs during the Victorian-era, with significant commercial designs surviving in the former cities of Footscray and Williamstown. His designs focused on a mannerist application of the Italian Renaissance revival style to commercial buildings in the district.

Polain designed many key buildings in Melbourne's western region. These included many commercial premises, sporting clubrooms, and grand houses for the region's elite.

### Polain's designs

(Derived from Miles Lewis Australian Architectural Index)

Polain designed the following buildings among others:

- the new sea baths at Williamstown;
- Royal Park Coffee Palace, Brunswick;
- Williamstown Coffee Palace c1888;
- weatherboard church for Church of England committee Kororoit Creek;
- weatherboard Church of England lecture hall Newport 1891;

- large two storey brick laundry to be erected at Williamstown for Mrs R. Black. c1887;
- Wesleyan Manse, Footscray. Two storey brick. C1887;
- 2 storey brick Presbyterian manse, Williamstown c1887-8;
- auction room, Footscray G. Matthews c1888;
- two storey residence in Mt Alexander Rd, Essendon (VIC) for G. James Esq c1889;
- 4 two storey brick shops and dwellings, Williamstown c1888;
- 4 brick shops, &c Nelson Place, Williamstown for Hon. W.J. Roberts and J. Morgan c1888;
- two and three storey shops in Hopkins St. Footscray (VIC). c1889;
- two 3 storey shops in Hopkins Street, Footscray c1889;
- two 2 storey brick shops in Nicholson St., Footscray for J.W. Smith
- 3 single storey brick shops in Nicholson St. for Yewer Bros c1889;
- Competition winner for design of Lilydale Shire Hall, c1889 (carried out by another);
- Prize winning design for Grand Stand for Williamstown Racing Club c1889 also administrative buildings;
- brick villa in Albert St., Footscray (VIC) for J. Arnot.c1889;
- 2 storey shop at Newport for E. Jacks, Esq;
- two 2 storey brick shops and residences in (82-84 Ferguson St) Williamstown for Robert Punshon. 1889-90 (also built by James Rawsthorn);
- Cricket Pavilion, Williamstown c1890;
- 2 storey brick shop and residence at Newport (VIC) for E. Jacobs Esq c1890:
- brick St John's Anglican Church in Paisley St., Footscray 1891;
- Blyth's Drapery hall Footscray c1891;
- 2 brick shops & dwellings in Anderson St. Yarraville for J.W. Smith Esq. c1891;
- 3 shops and dwellings in Nicholson St, Footscray c1891;
- the five storey brick and wood glue factory at Tannery Footscray for Michaelis Hallenstein & Co. in 1891, additions 1893;
- a church at Braybrook in 1894;
- Masonic Hall for the Excelsior Lodge of Industry at Williamstown 1890 (competition winning design);
- large two storey hall and residence at Barkly St. Footscray for J.H. Hooper & Co. c1887.



Figure 11 Polain design in Ferguson St, Williamstown

The National Trust of Australia (Vic) has classified his commercial building in Ferguson Street with the following Statement of Significance:

A two-storied pair of shops and dwelling of 1890 designed by C J Polain in a High Victorian eclectic mode with an ionic pilastrated and banded piano nobile containing an extraordinary prismatic central oriel deriving ultimately from an English design by Sir Charles Barry, together with flanking oriel bows and with an elaboration of pedimental motifs at cornice and parapet level. The painting of the brickwork detracts from the overall effect.

The Victorian Heritage Database has the following entries for Polain designs that have been listed in heritage overlays:

- Excelsior Lodge of Industry Masonic Temple 21-25 Electra Street WILLIAMSTOWN, (Hobsons Bay HO96);
- House at 2 Ferguson Street 2
   Ferguson Street
   WILLIAMSTOWN, (Hobsons Bay HO119)
- Punshon's Federal Stores (Former) 82-84 Ferguson Street WILLIAMSTOWN, (Hobsons Bay HO123)
- House at 15-17 Mason Street 15-17 Mason Street NEWPORT, (Hobsons Bay HO179)
- 'Salisbury Buildings' 195-203 Nelson Place WILLIAMSTOWN, (Hobsons Bay Ho223)
- St Andrew's Presbyterian Church Complex (part) 85-89 Cecil Street WILLIAMSTOWN, (Hobsons Bay HO58)
- Williamstown Mechanics' Institute Complex (part) 9-17 Electra Street WILLIAMSTOWN, Hobsons Bay
- Hooper's Store 463-475 Sydney Road, Brunswick, (Moreland HO161)

### Conclusion

Polain was the paramount designer of commercial and residential projects in the western region of Melbourne: the shops and dwellings at Buckley Street are intermediate among his commercial works, not possessing the idiosyncratic use of detail seen in his, for example, Ferguson Street and Nelson Place, Williamstown shop rows. However they are distinctive among his works because of the special nature of the commission and the client plus the resulting unusual configuration and extent of the row.

### Heritage assessment

### Criteria and thresholds

(See Appendix 2: Report assessment criteria)

This place has been assessed using the National Estate Register criteria (NER) under the broad categories of aesthetic, historic, social and scientific significance, using a comparative geographic base of the Footscray locality (all or part of the City of Maribyrnong) and the State of Victoria. A place must be at least of local significance to be included in the planning scheme heritage overlay.

#### Conclusion

The shop, office and dwelling row is locally significant as a good example of Polain's work as shaped by unusual client requirements and use combination.

# Assessment of cultural significance

The following is an assessment against relevant criteria from the Australian Heritage Commission's Register of the National Estate criteria, as cited in the *Applying the Heritage Overlay* Victorian Planning Provisions practice note (1999) as relevant for heritage assessment in Victoria (see Appendix 2: Report assessment criteria).

A.4 Importance for association with event, developments or cultural phases which have had a significant role in the human occupation and evolution of the nation, State, or community.

The shop, office and dwelling row evokes an unusual development scheme where a Crown Reserve was used to create an income stream for the Footscray Mechanics Institute trustees that allowed the erection of the significant Mechanics Institute building to the east.

The trustees who commissioned this development were among some of the more

prominent artisans or working men in the Footscray community that had aided in the development of services (including the mechanics institute) within this largely working class community at a local and government level.

Part of the building was also used for the Footscray Institute of Technology during its infancy and was sited within Footscray's civic centre of the Victorian and Edwardian-eras.

B.2 Importance in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised, in danger of being lost, or of exceptional interest.

The development is an unusual one in terms of its location and commissioning, as well as the uncommon mix of uses reflected still in the building, that of professional offices, upstairs dwellings and retail shops where nearby shops and dwellings over were the rule in the Victorian-era.

# E.1 Importance for a community for aesthetic characteristics held in high esteem or otherwise valued by the community.

As an uncommon form of Charles Polain's commercial work, the row has his trademark distinctive cement detailing and follows the rising Queen Anne revival manner seen in landmark residential examples such as Queen Bess Row in East Melbourne.

H.1 Importance for close associations with individuals whose activities have been significant within the history of the nation, State or region (or locality).

The development is closely associated with locally important men in the Western Region such as Clark, Sims, and Mitchell, as well as its designer Charles Polain who achieved fame nationally as the inventor of a patented starting gate, first used at Flemington racecourse, as well as for his design skill within the region.

# Recommended Statement of Significance

### **Statement of Significance format**

Heritage Victoria's Statement of Significance format is used for the following Statement of Significance, in the form:

- What is significant?
- How is it significant?
- Why is it significant?

### What is significant?

The two storey row of brick and stucco offices, shops and dwellings was erected in 1890 on part of a triangular Crown reserve bounded by Napier, Nicholson and Buckley Streets set aside for the Footscray Mechanics Institute in 1886.

As a form of income for the Mechanics Institute trust, prominent local architect and Footscray councillor Charles James Polain and builder James Rawsthorn leased the corner of Nicholson and Buckley streets for a commercial development (from December 1890- 1912): they designed and built the row of shops, offices and dwellings. Polain was the principal resident architect within the Western region of Melbourne, being responsible for a number of distinctive and significant designs. Polain was also nationally known for his starting gate invention used in horse racing. This building was his office for a time.

The Footscray Mechanics Institute Trust continued to own and lease the building after the initial Polain lease, housing some locally notable tenants as well as the Footscray Institute of Technology.

### Contributory elements

The contributory elements within the heritage place include (but not exclusively):

- Parapeted and trabeated form based on classical sources in the English Queen Anne revival manner;
- Red brick walls, corbel-top chimneys and cement mouldings;
- Double-hung sash windows timberframed windows;
- Cement mouldings and detailing and their distinctive application;
- The angled plan form aligning with the street configuration;
- Professional office character of the Nicholson Street façade, with limited shopfront application; and
- The former retail character of Buckley St with original shopfront divisions still visible.

### How is it significant

Polain's shops, offices & dwelling row is historically, architecturally and aesthetically significant to the City of Maribyrnong and locality of Footscray.

### Why is it significant

Polain's shops, offices & dwelling row is significant to the City of Maribyrnong and locality of Footscray because:

### Historically

The shop, office and dwelling row evokes an unusual development scheme where a Crown Reserve was used to create an income stream for the Footscray Mechanics Institute trustees that allowed the erection of the significant Mechanics Institute building to the east.

The trustees who commissioned this development were among some of the more prominent artisans or working men in the Footscray community who had aided in the development of services (including the mechanics institute) within this largely working class community at a local and government level.

As well as the close association with locally important men in the Western Region such as Clark, Sims, and Mitchell, the building's designer Charles Polain achieved fame nationally as the inventor of a patented starting gate, first used at Flemington racecourse, as well as for his design skill within the region.

Part of the building was also used for the Footscray Institute of Technology during its infancy and was sited within Footscray's civic centre of the Victorian and Edwardian-eras.

### Architecturally and Aesthetically:

As an uncommon form of Charles Polain's commercial work, the row has his trademark distinctive cement detailing and follows the rising British Queen Anne revival manner previously seen in landmark residential examples such as Queen Bess Row in East Melbourne.

# Provisional revised heritage overlay schedule entry clause 43.01

The following is suggested as a potential revised schedule listing under section 43 of the City of Maribyrnong Planning Scheme.

### **Heritage Place**

Polain's shops, offices & dwelling row at 4-10 Buckley Street & 215-217 Nicholson Street, Footscray, with emphasis on fabric from the 1890s and later fabric that is visually related to it.

### **External Paint Controls Apply?**

Yes

All other columns are 'No'.

## **Appendix 1 Rate details**

# Buckley Street 4-10 Footscray VPRO: VPRS 5462/P/0 - city of Footscray – Middle Ward

Rate year	Rate	Occupier	Owner	Description	NAV
1919/20	5354	Low Agnes Victoria Newsagent	Trustees Mechanics Institute	12 Buckley St. shop 6 rms. B pop 3	50
	5355	White Ben, Hairdresser	Trustees Mechanics Institute	10 Buckley St. shop 6 rms. B pop 3	40
	5356	Davis Charles, Pawnbroker	Trustees Mechanics Institute	8 Buckley St. shop 5 rms. B pop 4	40
	5357	Barker William P, Rail employee	Trustees Mechanics Institute	6 Buckley St. shop 5 rms. B pop 5	34
	5358	Bowden Absdom ?, Carpenter	Trustees Mechanics Institute	4 Buckley St. shop rms. B pop 5	34
1909/10	4155	Low Agnes Victoria	Modern Per. Building Society	12 Buckley St. house	40
	4156	Newsagent White Ben, Hairdresser	Modern Per. Building Society	10 Buckley St. house	30
	4157	Davis Charles, Pawnbroker	Modern Per. Building Society	8 Buckley St. house	30
	4158	Nuttall Jane	Modern Per. Building Society	6 Buckley St. house	26
	4159	Medcraft Beatrice H. Confectioner	Modern Per. Building Society	4 Buckley St. house	30
1904/05	3696	McGowan Oswald, Newsagent	Modern Per. Building Society	12 Buckley St. house	40
	3697	White Benjamin	Modern Per. Building Society	10 Buckley St. house	30
	3698	Nitter Arnold, Pawnbroker	Modern Per. Building Society	8 Buckley St. house	24
	3699	Franbach Conrad, Agent	Modern Per. Building Society	6 Buckley St. house	30
	3700	Arnold John Thos, Neilson John F.	Modern Per. Building Society	4 Buckley St. house	24

1898/99	3641	Barnet Peter, Bookseller	Modern Per. Building Society	Shop	35
	3642	Barns Richard changed to White Ben, Hairdresser	Modern Per. Building Society	Shop	24
	3643	Bunn Alfred S., joiner	Modern Per. Building Society	Shop	24
	3644	Franbach Conrad, Agent	Modern Per. Building Society	Shop	24
	3645	BLANK	Modern Per. Building Society	Shop	24
1897/98	3655	Barnet David, Auctioneer	Modern Per. Building Society	Shop	30
	3656	Barns Richard, Hairdresser	Modern Per. Building Society	Shop	22
	3657	Bunn Alfred, joiner	Modern Per. Building Society	Shop	22
	3658	Franbach Conrad, Agent	Modern Per. Building Society	House	22
	3659	Barnet Peter, Stationer	Modern Per. Building Society	House	24
1896/97	3760	Barnet David T., Auctioneer	Modern Per. Building Society	House	30
	3761	Bullock James, Hairdresser	Modern Per. Building Society	House	24
	3762	BLANK	Modern Per. Building Society	House	24
	3763	Franbach Conrad, Agent	Modern Per. Building Society	House	24
	3764	Pearson Frank, Stationer	Modern Per. Building Society	House	24
1895/96	3758	Barnet David T., Auctioneer	Modern Per. Building Society	House	27 (reduced 24)
	3759	Bullock James, Hairdresser	Modern Per. Building Society	House	22 (reduced 20)
	3760	Bullock crossed out	Modern Per. Building Society	House	22 (reduced 20)
	3761	Franbach Conrad, Agent	Modern Per. Building Society	House	22 (reduced 20)
	3762	Pearson Frank, Stationer	Modern Per. Building Society	House	22 (reduced 20)
1894/95	3758	Barnet David T., Auctioneer	Modern Per. Building Society	House	30 (reduced 27)
	3759	Bullock James,	Modern Per.	House	24

		Hairdresser	Building Society		(reduced
		Tialiulessei	Building Society		22)
	3760	Tchild? W. Ellis, Agent	Modern Per. Building Society	House	24 (reduced 22)
	3761	Franbach Conrad, Agent	Modern Per. Building Society	House	24 (reduced 22)
	3762	Pearson Frank, Stationer	Modern Per. Building Society	House	24 (reduced 22)
1893/94	3728	Barnet David T., Auctioneer	Modern Per. Building Society	House	36
	3729	Leyland George, Produce Merchant	Modern Per. Building Society		30
	3730	BLANK	Modern Per. Building Society	House	30
	3731	BLANK	Modern Per. Building Society	House	30
	3732	Franbach Conrad, Agent	Modern Per. Building Society	House	15
	3733	Pearson Frank, Stationer	Modern Per. Building Society	House	30
1892/93	3703	Greenwood Luke & Thomas, Tobacconist	Rossthorne	Shop	80
	3704	Leyland George, Produce Merchant	Rossthorne	Shop	44
	3705	BLANK	Rossthorne	Shop	44
	3706	BLANK	Rossthorne	Shop	44
	3707	Bracker George Henry	Rossthorne	Shop	20
	3708	Pearson Frank, Bookseller	Rossthorne	Shop	30
1891/92	3673	Greenwood Luke & Thomas, Tobacconist	Polain & Rossthorne	House & shop	100
	3674	Arnold Julius, Bootmaker	Polain & Rossthorne	House & shop	64
	3675	Rawlnsley Charles, fruiter	Polain & Rossthorne	House & shop	64
	3676	Shallcress William James	Polain & Rossthorne	House & shop	64
	3677	Lawlor Albert, Land Agent	Polain & Rossthorne	House & shop	24
	3678	Pearson Frank, Stationer	Polain & Rossthorne	House & shop	40

1890/91	3560	BLANK	Polain C.J	House	48
	3561	Lawlor Albert & Corley Patrick, Land Agents	Trustees Mechanics Institute	House	30
	3562	Polain Charles J. Architect	Trustees Mechanics Institute	House	40
	3563	Blank	Polain C.L.	Blank	-
1889/90	3480	Bull Arthur, Auctioneer	Trustees Mechanics Institute	B. Shop	20
	3481	Polain Charles J. Architect	Trustees Mechanics Institute	B. Shop	28
1888/89	3423	Blank	Polain C.J.	Blank	48
1887/88		No listing			
1886/87		No listing			
1884/85		No listing			
1883/84		No listing			

# Nicholson Street 34-38 Footscray, VPRS 5462/P/0 - city of Footscray – Middle Ward

Rate year	Rate no.	Occupier	Owner	Description	NAV
1919/20	5123		Mechanics Institute	8 rms. B	-
	5124	Johnston Beatrice, Costumier	Trustees of Mechanics Institute	(38) 213 Nicolson St 1 rm. W	40
	5125	Stone James, Umbrella maker		(36/34) 215-217 Nicolson St. 7 rms. W pop 2	40
	5126	Technical College	Education Dept		-
1909/10	3962		Mechanics Institute	40 Nicolson St.	
	3963	Alexander Isabella, Dressmaker	Modern Per. Building Society	36/34 Nicolson St. Shop	24
	3964	BLANK	Harvey H.F.L	VL	2
1904/05	3603		Mechanics Institute	Shop	-
	3604	Alexander Isabella, Costumier (in pencil)	Modern Per. Building Society	36 Nicolson St. House	12

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	3605	Blank	Modern Per. Building Society	34 Nicolson St. House	12
	3606	Blank	Harvey Mary Exc. of	V. Land	2
1898/99	3473		Mechanics Institute	Hall	-
	3474	Muicken Otto, upholsterer	Modern Per. Building Society	34 Nicolson St. Shop	16
1897/98	3487		Mechanics Institute	Hall	-
	3488	Muicken Otto, upholsterer	Modern Per. Building Society	34 Nicolson St. Shop	16
1896/97	3592	Burn Alfred T. Cabinet Maker	Modern Per. Building Society	House	16
1895/96	3586	Burn Alfred T. Cabinet Maker	Modern Per. Building Society	House	18 (reduced 16)
1894/95	3586	Burn Alfred T. Cabinet Maker	Modern Per. Building Society	House	20 (reduced 18)
1893/94	3556	Greenwood	Modern Per. Building Society	House	24
1892/93	3528	Polain Charles James, Architect	Fraser	House	16
1891/92	3500	Polain Charles James, Architect	Polain & Rossthorne	House	64
1890/91		No Listing			
1988/89		No Listing			
1887/88		No Listing			

### **Appendix 2: Report assessment criteria**

### Planning and Environment Act - heritage values and thresholds

Section 4(1) (d) of the *Planning and Environment Act 1987* lists the following heritage values for use in heritage assessment within the City Planning Scheme:

- scientific,
- aesthetic,
- architectural or
- historical interest or
- other special value (includes social or spiritual interest.)

The thresholds applied in any assessment of significance are:

- State Significance and
- Local Significance.

Local Significance includes those places that are important to a particular community or locality.

### Assessment criteria used in this report

This Report uses the above heritage values, as assessed under the National Estate Register criteria, and as guided by the *Application Guidelines* 1990 (Australian Heritage Commission).

The National Estate Register criteria consist of eight criteria that cover social, aesthetic, scientific, and historic values for future generations as well as for the present community.

The criteria for addition to the National Estate Register (NER), as evolved by the Australian Heritage Commission, have been used nationally in heritage assessment over a long period and have become the de-facto standard in Heritage Victoria study briefs (see also *Applying the Heritage Overlay VPP Practice Note*).

Inclusion of places in the National Estate Register (NER) is based on meeting at least one of the criteria. Places are assessed within the context formed by comparison, under the criteria headings, with other similar places in a defined, typically geographic area.

### **National Estate Register**

The National Estate Register is a Commonwealth statutory list of natural, indigenous and historic heritage places throughout Australia. Following amendments to the *Australian Heritage Council Act 2003*, additions or changes *to* the National Estate Register (NER) ceased 19 February 2007

The National Estate Register will have a statutory role until February 2012, guiding the Minister for the Environment, Heritage and the Arts (the Minister) when making some decisions under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This transition period also allows states, territories, local and the Australian Government to complete the task of transferring places to appropriate

heritage registers where necessary and to amend any legislation that refers to the National Estate Register. The NER will be maintained after this time on a non-statutory basis as a publicly available archive<sup>16</sup>.

### **Burra Charter**

In addition to the National Estate Register criteria, the ICOMOS *Burra Charter* sets out broad heritage assessment considerations. The *Burra Charter* 1999 (1.2) defines *Cultural significance* as aesthetic, historic, scientific, social or spiritual value for *past*, present or future generations, adding an extra cultural group (or groups) to qualify the significance of the place when compared with the NER criteria's present or future generations. Cultural significance is defined as embodied in the place itself, its *fabric, setting, use, associations, meanings, records, related places* and *related objects*.

The Local Government Heritage Guidelines 1991 added Architectural Value to the above values, under the Aesthetic Value heading.

### National Estate Register criteria summary

The National Estate Register sub-criteria used are identified by their alpha-numeric code and briefly described broadly as follows:

- A.3 richness and diversity of cultural features
- A.4 demonstrates well the course and pattern of history, important historic events
- B.2 rarity
- C.2 research potential, usually because of high integrity or good documentation of the place
- D.2 good example of a recognised type
- E.1 aesthetic importance to the community or cultural group, typically judged as representing an architectural style
- F.1 design or technological achievement, typically with emphasis on some technical or design achievement as apart from aesthetic compliance as E1
- G.1 social importance to the community, as demonstrated by documentation or sustained community expression of value for the place
- H.1 association with important person or group, where the place reflects in some way the significance of the person or group.

### **Application of the National Estate Register criteria**

The table below sets out the relevant National Estate Register (NER) criteria and the relevant Application Guideline in column 1. In the second column is the interpretation used in this report of how that National Estate Register criterion is relevant in the context of the assessment at the local level.

National Estate Register criteria Application Guideline 1990 extract	Use of NER criteria in this report
HISTORIC VALUE	The contribution a place might make to the public

<sup>&</sup>lt;sup>16</sup> See http://www.environment.gov.au/heritage/places/rne/index.html

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National Estate Register criteria Application Guideline 1990 extract	Use of NER criteria in this report
A.4 Importance for association with event, developments or cultural phases which have had a significant role in the human occupation and evolution of the nation, State, or community	understanding of the historical development of the localities and the City.
Explanatory notes	
This criterion applies where the contribution of an event, development or phase to the broad patterns of Australian history or prehistory can be clearly demonstrated, or where the place epitomises elements of those patterns.	The property must reflect closely the period in which it was created and the associated phase of historical
Inclusion guidelines	development in the
Places associated with events or developments which contributed to or reflect long-term changes in prehistory or history.	City.
Places representing 'landmark' cultural phases in the evolving pattern of prehistory and history.	
A place eligible for its association with a significant scientific theory must have a clear and important relationship to the development of that theory or its early application in Australia.	
A place eligible for its history of science associations must have a strong connection with the work of a historically significant scientific figure or with a historically significant scientific exploration/ undertaking, or methodological development.	
Exclusion guidelines	
Places which do not demonstrate a particular contribution to, or allow an understanding of, the broad evolutionary patterns of Australia's natural history, prehistory or history.	
Places where claimed associations with events, development or phases cannot be verified.	
Places are not eligible if they have been altered so that the aspects of the environment important to the association have been seriously degraded.	
B.2 Importance in demonstrating a distinctive way of life, custom, process, land use, function or design no longer practised, in danger of being lost, or of exceptional interest.	Rarity within an established cultural phase;

### National Estate Register criteria Application Guideline 1990 extract

### Use of NER criteria in this report

### Explanatory notes

This criterion applies particularly to places which characterise past human activities which are rare, endangered or uncommon by virtue of their being:

- few in number originally;
- few in number due to subsequent destruction;
- susceptible to rapid depletion due to changed practices or other threats; or
- outstanding example of uncommon human activity.

### Inclusion guidelines

Scarcity may be the result of historical process (i.e. few of such places were ever made) or of subsequent destruction or decay. However, rarity must be demonstrated to be more than simply absence of survey information.

Rarity in some cases may apply to the survival of the combination of characteristics and the place as a whole may lack integrity.

Rarity at a regional or State level must be assessed in the context of its distribution and abundance in other regions or States. Rarity in one location when compared with abundance in another may or may not give the place national estate significance, depending on the cultural context.

### **Exclusion guidelines**

Rarity at local, regional or State level does not necessarily confer national estate value, unless such rarity has particular cultural significance.

Places deemed to be uncommon due to lack of research/survey may subsequently be found not to be eligible under this criterion. Evidence of rarity will normally be required.

# D.2 Importance in demonstrating the principal characteristics of the range of human activities in the Australian environment (including way of life, custom, process, land-use, design or technique).

### Explanatory notes

A place must clearly represent the period, method of construction, techniques, way of life, etc of its Type... as determined by comparison of the place to its Type

- Rarity because of great age and the small number of surviving places representing an early phase for the region or locality;
- Rarity because of the use of uncommon building materials, such as carved and dressed stone, which represent a now rare skill of execution within a recognised vernacular or style for the region or locality;
- Rarity as an unusual combination of linked types (say garden and house design) within an established style or vernacular (i.e. Arts and Crafts design).

The use in this report has been aimed at:

- a Type of building design, or
- Type of building use, as qualified by the style name and the use definition (medium sized

#### National Estate Register criteria Application Guideline Use of NER criteria in this 1990 extract report as a whole, analysing such factors as: 19th century suburban villa, • Condition and integrity, including consideration of minimum tennis club area for long term viability; pavilion, stylistic representative). Abundance and distribution of the Type; • Degree of homogeneity or variability of the Type over its range. The place had to clearly represent the • The presence of unusual factors (which may be assessable period, method of against other criteria) may be relevant in determining construction. significance under this criterion. techniques, way of life, etc involved Scope with the defined **Historic** Type... as determined by Places representative of the diversity of historic places, both by comparison of the Type and by region. place to other examples of its Inclusion Type in terms of A place may be entered in the register for its representative condition and most value if one or more of the following apply: importantly, integrity. • It can be regarded as a particularly good example of its Type, or a significant variant of the Type equally well; • It is one of a number of similar places which are all good Relative high integrity examples of the Type, but has a higher national estate within a recognised value by virtue of its integrity, condition, association Type was a prerequisite for with other significant places or setting; significance under • It is part of a group of places which collectively include a this criterion, the range of variation within the Type; high integrity (compared to • It represents the seminal or optimal development of the others of the Type) Type. yielding the most visual information **Exclusion** about the physical A place may not be eligible under this criterion if it is not appearance of the representative of the characteristics which make up the type and hence its established Type understanding within the overall scope of cultural Types That the Type should be recognised culturally is the main factor, the significance of the Type itself under other criterion (such as A4) being a consideration. E.1 Importance for a community for aesthetic Used to denote a characteristics held in high esteem or otherwise successful design valued by the community. within a recognized

National Estate Register criteria Application Guideline 1990 extract	Use of NER criteria in this report
Explanatory notes  The aesthetic values of the place must be able to be assessed with sufficient rigor to allow the basis for registration to be stated clearly.	style, within the accepted community stylistic framework. Recognition in established
Inclusion guidelines  A place is eligible if it articulates so fully a particular concept of design that it expresses an aesthetic ideal (e.g. a place which epitomises the design principles of an architectural style, landscape ideal, etc.) or if the place, because of its aesthetic characteristics, is held in high esteem by the community.	architectural magazines or by professional criticism adds another facet to the significance, that of recognition by a community group.
To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic qualities for which it is nominated.  The values of landscapes, townscapes and streetscapes must be demonstrated using accepted standards of assessment in those fields. Places which contribute to such values in a wider area might also be eligible.	The place expresses a particular concept of design, epitomizing the design principles of an architectural style, landscape ideal, or
Exclusion guidelines  A place is not eligible if the design concepts or aesthetic ideals are not expressed in a way that is better than that of other places within its Type, i.e. if it is not outstanding.  A place is not eligible simply because it is the work of a highly regarded architect, artist or engineer. It must be outstanding for aesthetic reasons.	because of its aesthetic characteristics, is held in high esteem by the community (as demonstrated by inclusion in a national architecturally based periodical, recognition by the National Trust of Australia (Vic) or within a professional assessment).
	To be eligible, the place must have a high degree of integrity to a major or key design phase.
F.1 Importance for its technical, native, design or artistic excellence innovation or achievement	Used to denote a design that is considered
Explanatory notes	now to be an early or successful or
Creative or technical achievement can mean artistic excellence or technical excellence, innovation or achievement in	innovatory creation, potentially

National Estate Register criteria Application Guideline 1990 extract	Use of NER criteria in this report
many fields. Such achievements can only be judged by comparison with contemporary and subsequent developments in the same fields. Some creative or technical achievement may be apparent in virtually any type of humanly created or influenced place or structure.	within the framework of a recognized style: this does not include popular recognition at the time of creation as
Inclusion guidelines  A place is eligible if it demonstrates clearly a particularly appropriate solution to a technical problem using or expanding upon established technology, or developing new technology, that solution being outstanding due to its conceptual strength. This might occur, for example, in the fields of engineering, architecture, industrial design, landscape design, etc.	in Criterion E as a good example of a style.  Technical significance can be expressed by similar innovatory achievement outside aesthetic achievement.
A place may be considered to be outstandingly creative if it results from the innovative departure from established norms in some field of design or the arts.	
To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic or technical qualities for which it is nominated	
Exclusion guidelines	
A place is not eligible simply because it is work of a highly regarded architect, or engineer. It must be outstanding for creative or technical reasons.	
H.1 Importance for close associations with individuals whose activities have been significant within the history of the nation, State or region (or locality <sup>17</sup> ).	The importance or prominence of the associated person
Explanatory notes	must extend within
The individuals might be important in the arts, sciences, politics, public life and many other areas of the life of the nation and its history.	a defined locality such as Footscray or across more than one locality (City or as defined)
The association should be with the person's productive life only, unless there are few other places available which illustrate the person's contribution, or unless their formative or declining years are of particular importance to their contribution. This applies to	to extend to a defined `region' or group of localities.
birthplaces and graves as well.  The length of association of person and place is usually	Association with the noted designer has been on the basis of it being a key

<sup>&</sup>lt;sup>17</sup> my inclusion

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### National Estate Register criteria Application Guideline 1990 extract

# Use of NER criteria in this report

**important**<sup>18</sup>, especially if the association has been transitory or incidental, or if other places exist with longer and more meaningful associations. The association of the place with a particularly important and short-term event affecting the person may be one of the exceptions to this condition.

example of his/her work, not an incidental or minor commission.

The extent to which the association affected the fabric of the place, and the extent to which the place affected the person or events associated with the person, can be important.

The historical association with residents or owners (including designers if they have this status) is taken on the basis of:

This criterion also applies to places which have been used by historically important scientists. The scientists may be important for their continuing standing in their disciplines or for their importance in Australian scientific history generally. For example, a number of pioneering Australian scientists were better known as explorers, e.g. Leichhardt, Cunningham. In view of this perception, places identified with such historic figures will usually be significant against Criterion A4.

 their commissioning of the design, this being a key indication of the person's tastes and public status, or

### Inclusion guidelines

a long term
 occupation (not an
 incidental or
 fortuitous
 association) in a
 period when they
 were active in their
 prescribed field.

The person's contribution must be established sufficiently by historical documentation or other firm evidence, and the association of person with place established clearly in a similar way.

What the fabric may tell you of the person may be simply that the house fits your preconceptions of the person but, even if this is so, it is still vital evidence of the lifestyle of the person, whether predictable or not.

- A building designed by a prominent architect may be eligible under this criterion if it expresses a particular phase of the individual's career or exhibits aspects reflecting a particular idea or theme of her/his craft. It is possible that several places may represent different aspects of the productive life of an important person. Similarly, several examples of a person's work may be registered because a different combination of criteria are satisfied, e.g. Criteria A4, B.2, D.2, E, F.
- In general, the association between person and place needs to be of long duration, or needs to be particularly significant in the person's productive life.

Places which contain fabric that is a direct result of the person's activity or activities, or where the place car: be demonstrated to have influenced the person's life or works, are eligible, and such places are more eligible than places which lack such direct and personal associations.

<sup>18</sup> my bold

National Estate Register criteria <i>Application Guideline</i> 1990 extract	Use of NER criteria in this report
For a place to be eligible for its association with a prominent scientist:	
the importance of the scientist must be established, scientifically or historically;	
the place must have a clear, direct and important link to the work of that scientist; it cannot be simply a campsite or collecting locality.	
The scientist may be an amateur naturalist, providing that person does have a confirmed historical standing.	
Exclusion guidelines	
A place is not eligible if it associated with relatively undistinguished persons within a given theme, or a person whose importance did not extend beyond the local context.	
A place is not eligible if the association with the prominent person is tenuous or unsubstantiated.	
A building is not eligible simply because it was designed by a prominent architect.	
A place is not eligible simply because a prominent scientist worked there.	
In general, brief, transitory or incidental association of person and place, for which there is little surviving direct evidence, would not make a place eligible for the Register.	