

Recommendation of the Executive Director and assessment of cultural heritage significance under Part 3 of the *Heritage Act 2017*



Name	Osborne House
Location	454-458 Victoria Street, North Melbourne, Melbourne City
Date Registered	9 October 1974
VHR Number	VHR H0101
VHR Category	Registered Place
Hermes Number	890



Osborne House

EXECUTIVE DIRECTOR RECOMMENDATION TO THE HERITAGE COUNCIL:

That the Heritage Council amends the existing registration of VHR H0101 in accordance with s.62 of the *Heritage Act 2017* by:

1. Including additional land under s.49(1)(d)(i) and (ii).
2. Determining categories of works or activities which may be carried out in relation to Osborne House for which a permit is not required (permit exemptions), under s.49(3).

A handwritten signature in black ink, appearing to read "Steven Avery".

STEVEN AVERY
Executive Director

Recommendation Date: 16 March 2020

Advertising Period: 20 March – 18 May 2020

This recommendation report has been issued by the Executive Director, Heritage Victoria under s.37 of the *Heritage Act 2017*.

REASONS FOR REGISTRATION IN 1974

The State level historic and architectural significance of Osborne House was recognised in 1974 by its inclusion in the Register of Historic Buildings (VHR H0101). It is recognised as one of the few surviving buildings in Melbourne constructed of pre-cut imported timber of American origin. Osborne House is also of historical significance as one of the earliest houses built in North Melbourne and for its association with its first owner, the prominent merchant and politician George Ward Cole.

AMENDMENT APPLICATION MADE ON 3 FEBRUARY 2020

On 3 February 2020 the Executive Director made and accepted an application to amend the registration of Osborne House (VHR H0101) by including additional land and adding permit exemptions. The Executive Director, Heritage Victoria, is systematically reviewing early registrations and amending as required to ensure they are consistent with current practices under the *Heritage Act 2017*.

AMENDMENT RECOMMENDATION REASONS

The Executive Director recommends that the Heritage Council amend this registration in accordance with s.62 of the *Heritage Act 2017* because under s.32(1) of the Act he considers that—

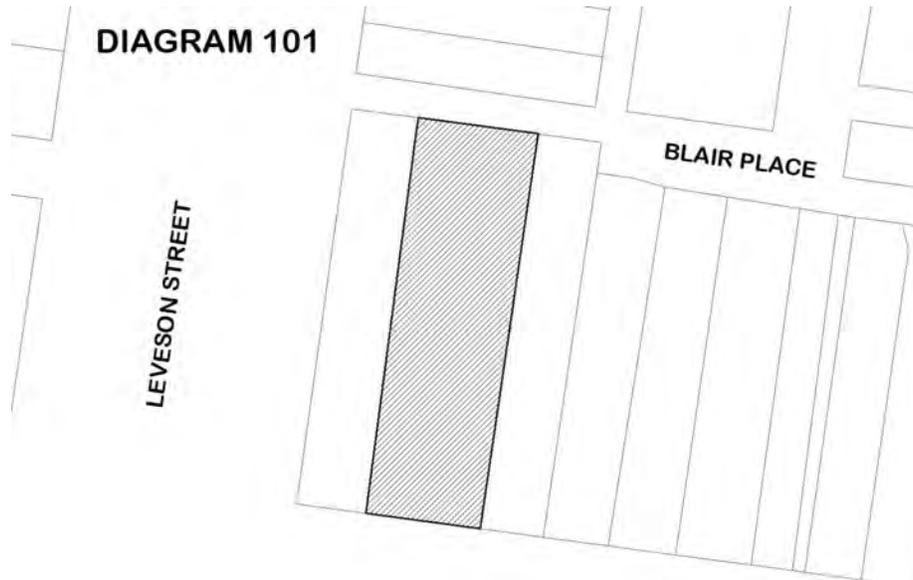
- a) the State-level cultural heritage significance of the place would be substantially less if the land or any part of the proposed land for inclusion in the Register was developed;
- b) the proposed land for inclusion in the Register is important to the protection or conservation of the place or contributes to the understanding of the place.

WHO ARE THE TRADITIONAL OWNERS/REGISTERED ABORIGINAL PARTY FOR THIS PLACE?

This site is part of the traditional land of the Kulin Nation. Traditional owners have not been formally recognised for this area. A Registered Aboriginal Party under the *Aboriginal Heritage Act 2006* has not been appointed.

RECOMMENDED EXTENT OF REGISTRATION

All of the place shown hatched on Diagram 101 encompassing all of Lot 1 on Title Plan 100605U.



The extent of registration of Osborne House in the Victorian Heritage Register affects the whole place shown on Diagram 101 including the land, the residence Osborne House (including the exteriors and interiors), all fixtures attached to the residence at the time of registration, trees, landscape elements and other features.

AERIAL PHOTO SHOWING RECOMMENDED EXTENT



Current Name: Osborne House
VHR number: VHR H0101
Hermes number: 890

RATIONALE FOR EXTENT

The recommended extent of registration is sufficient for protecting the cultural heritage significance of the place. It includes the residence Osborne House (interior and exterior) and the land comprising the cadastral block.

CHANGE OF HERITAGE CATEGORY

No change of category.

CHANGE OF NAME

No change of name.

BACKGROUND

WHAT IS AT THE PLACE?

Osborne House is located at 454-458 Victoria Street, North Melbourne. It comprises a two-storey house with an attic, constructed of cut timber shiplap boards. A triple arched porch punctuates the main entrance. Shaped timber architraves surround the upper windows, each with six-paned sashes, whilst the lower windows are set in bays with tile-clad hipped roofs.

WHAT IS THE HISTORY OF THE PLACE?

Osborne House was constructed in 1854 for George Ward Cole, a prosperous ship owner and merchant. The house originally consisted of five rooms and an attic, but was extended to a fourteen-room house, including four attic rooms, by 1865. In 1871 Cole sold the property to Miss S. Hales, who ran a ladies' college, called Osborne House, until at least 1895. Osborne House was previously on a larger allotment which extended to Leveson Street and included a service wing and outbuildings (now demolished).

INTRODUCTION TO PERMIT EXEMPTIONS

Preamble

The purpose of this information is to assist owners and other interested parties when considering or making decisions regarding works to a registered place. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing proposed works will assist in answering questions the owner may have and aid any decisions regarding works to the place.

The extent of registration of Osborne House in the Victorian Heritage Register affects the whole place shown on Diagram 101 including the land, building (exteriors and interiors), trees, landscape elements and other features. Under the *Heritage Act 2017* a person must not remove or demolish, damage or despoil, develop or alter or excavate, relocate or disturb the position of any part of a registered place or object without approval. It is acknowledged, however, that alterations and other works may be required to keep places and objects in good repair and adapt them for use into the future.

If a person wishes to undertake works or activities in relation to a registered place or registered object, they must apply to the Executive Director, Heritage Victoria for a permit. The purpose of a permit is to enable appropriate change to a place and to effectively manage adverse impacts on the cultural heritage significance of a place as a consequence of change. If an owner is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.

Permits are required for anything which alters the place or object, unless a **permit exemption** is granted. Permit exemptions usually cover routine maintenance and upkeep issues faced by owners as well as minor works or works to the elements of the place or object that are not significant. They may include appropriate works that are specified in a conservation management plan. Permit exemptions can be granted at the time of registration (under s.38 of the *Heritage Act*) or after registration (under s.92 of the *Heritage Act*). It should be noted that the addition of new buildings to the registered place, as well as alterations to the interior and exterior of existing buildings requires a permit, unless a specific permit exemption is granted.

Disrepair of registered place or registered object

Under s.152 of the Act, the owner of a registered place or registered object must not allow that place or object to fall into disrepair.

Failure to maintain registered place or registered object

Under s.153 of the Act, the owner of a registered place or registered object must not fail to maintain that place or object to the extent that its conservation is threatened.

Conservation management plans

It is recommended that a Conservation Management Plan is developed to manage the place in a manner which respects its cultural heritage significance.

Aboriginal cultural heritage

If works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact Aboriginal Victoria to ascertain any requirements under the *Aboriginal Heritage Act 2006*. If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact Aboriginal Victoria to ascertain requirements under the *Aboriginal Heritage Act 2006*.

Other approvals

Please be aware that approval from other authorities (such as local government) may be required to undertake works.

Archaeology

There may be potential for archaeological evidence of the former service wing and outbuildings.

Cultural heritage significance***Overview of significance***

The cultural heritage significance of Osborne House lies in the residence (interior and exterior). The gates and structure to the north-east of the residence were constructed at a later date and are not significant.

CATEGORIES OF WORKS OR ACTIVITIES (PERMIT EXEMPTIONS) RECOMMENDED UNDER S.38

The following permit exemptions are not considered to cause harm to the cultural heritage significance of Osborne House.

General Conditions

- All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of Osborne House.
- Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of Osborne House are revealed which relate to the significance of Osborne House, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.
- All works should ideally be informed by a Conservation Management Plan prepared for the place. The Executive Director is not bound by any Conservation Management Plan, and permits still must be obtained for works suggested in any Conservation Management Plan.
- Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.
- Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the relevant responsible authority, where applicable.

Specific Permit Exemptions**General**

- Minor repairs and maintenance which replaces like with like. Repairs and maintenance must maximise protection and retention of fabric and include the conservation of existing details or elements. Any repairs and maintenance must not exacerbate the decay of fabric due to chemical incompatibility of new materials, obscure fabric or limit access to such fabric for future maintenance.
- Repair to or removal of items such as air conditioners, pipe work, ducting, wiring, antennae and aerials.
- Works or activities, including emergency stabilisation, necessary to secure safety in an emergency where a structure or part of a structure has been irreparably damaged or destabilised and poses a safety risk to its users or the public. Note: The Executive Director, Heritage Victoria, must be notified within seven days of the commencement of these works or activities.
- Painting of previously painted external and internal surfaces in the same colour, finish and product type provided that preparation or painting does not remove all evidence of earlier paint finishes or schemes. Note: This exemption does not apply to areas where there are specialist paint techniques such as graining, marbling, stencilling or hand-painting, or to unpainted, oiled or varnished surfaces.
- Cleaning including the removal of surface deposits, organic growths or graffiti by the use of low pressure water (less than 100 psi at the surface being cleaned) and neutral detergents and mild brushing and scrubbing.

Landscape/ outdoor areas

- The processes of gardening including mowing, pruning, mulching, bedding displays, removal of dead shrubs, planting and replanting of garden beds, disease and weed control and maintenance to care for existing plants.
- Subsurface works involving the installation, removal or replacement of existing watering and drainage systems or other services provided there are no visible above ground elements. Existing lawns, gardens and hard landscaping, including paving, are to be returned to the original configuration on the completion of works.
- Maintenance and care of trees and removal or pruning of dead or dangerous trees to maintain safety.
- Maintenance and repair of existing paving and other hard landscaping elements, like for like.
- Maintenance, repair and replacement of existing services such as plumbing, electrical cabling, surveillance systems, pipes or fire services which does not involve changes in location or scale.
- Works within the envelope of the shed to the north-east of the residence, which do not alter the external fabric of the place.

Interiors

- Installation, removal or replacement of existing electrical wiring. If wiring is currently exposed, it should remain exposed. If it is fully concealed it should remain fully concealed.
- Removal or replacement of devices for the hanging of wall mounted artworks in existing locations.
- Removal or replacement of smoke and fire detectors, alarms and the like, of the same size and in existing locations.
- Repair, removal or replacement of existing ducted, hydronic or concealed radiant type heating provided that the central plant is concealed, and that the work is done in a manner which does not alter building fabric.
- Installation of plant within the roof space, providing that it does not impact on the external appearance of the building or involve structural changes.
- Installation, removal or replacement of bulk insulation in the roof space.

ATTACHMENT 1

EXISTING REGISTRATION DETAILS

EXISTING CATEGORY OF REGISTRATION

Heritage place

EXISTING EXTENT OF REGISTRATION

No. 101. Building, 456 Victoria Street, North Melbourne. [*Victoria Government Gazette* No. 100, Wednesday, October 9 1974, p. 3647]

No extent diagram accompanies this registration.

Existing Statement of Significance

What is significant?

Osborne House, at 456 Victoria Street, North Melbourne, was erected in 1854 for George Ward Cole. In 1871 he sold the property to Miss S. Hales, who with her sister ran a ladies' college from the premises, called Osborne House, until at least 1895, when it appears to have reverted back to residential use. The two storey house with attic was constructed of cut timber shiplap boards and lined with 200mm boards. These materials were probably imported. A triple arched porch punctuates the main entrance. Shaped timber architraves surround the upper windows, each with six-pane sashes, whilst the lower windows are set in bays with tile-clad hipped roofs. The house originally consisted of five rooms and an attic, but was extended to a fourteen room house, including four attic rooms, by 1865.

How is it significant?

Osborne House is of architectural and historical significance to the State of Victoria.

Why is it significant?

Osborne House is of architectural significance as one of the few surviving examples in Melbourne of pre-cut imported timber construction. The importation of portable houses to Australia reflected the shortage of materials and workers in gold rush Victoria. The fact that the timbers appear to be of American origin provides evidence of the extent to which the Australian colonies were very early on linked to world-wide trade: other pre-fabricated houses in Melbourne are of British and Southeast Asian origin. While a large number of pre-fabricated dwellings were imported to Victoria during the gold rushes to cope with Melbourne's rapidly growing population, very few now remain here, or, indeed, in the world.

Osborne House is of historical significance as one of the oldest houses in North Melbourne, its simple style and composition reflecting the austerity of Melbourne's early years, and for its associations with George Ward Cole. Cole (1793-1879) was a prosperous ship owner and merchant who arrived in Melbourne in 1840. In the new colony he set up as a merchant and established Coles Wharf in 1842. His main residence was St Ninians in Brighton where he entertained Melbourne society. He was elected to the Legislative Council as the member for Gippsland in 1853, resigning in 1855 to return to England. Upon his return to Melbourne in 1857 he was elected MLC for Central Province, being re-elected in 1860 and 1870. Cole was active in a number of important debates at the time, including ones over unemployment, defence, flooding of the Yarra, the development of the Harbour Trust, the Railways and the Constitution. As both Coles Wharf and St Ninians have been demolished, Osborne House is perhaps the only extant building associated with Cole.

Existing Permit Exemptions

No existing permit exemptions or permit policy.