



Heritage Council Registrations and Reviews Committee

Former Dairyman's Residence

107 Coppin Street, Richmond, Yarra City Council

DETERMINATION OF THE HERITAGE COUNCIL

After considering a request to review the Executive Director's decision to refuse to accept a nomination to include the Former Dairyman's Residence at 107 Coppin Street, Richmond in the Victorian Heritage Register, pursuant to Section 30(5)(a) of the *Heritage Act 2017*, the Heritage Council has determined to affirm the decision under review and refuse to accept the nomination.

Andrew May (Chair)
Louise Honman
Maggi Solly

Decision Date – 23 May 2019

INTERESTED PARTIES

EXECUTIVE DIRECTOR, HERITAGE VICTORIA

Further information was received from the Executive Director, Heritage Victoria ('the Executive Director') in relation to the refusal of the nomination.

NOMINATOR

The Nominator is 'Save the Dairyman's Residence' Action Group represented by Dr Johannes Misselhorn. The Nominator provided additional information in relation to the nomination for the Place.

YARRA CITY COUNCIL

Information was received from Yarra City Council ('Yarra') in relation to the Place.

INTRODUCTION/BACKGROUND

THE PLACE

01. The 'Former Dairyman's Residence', located at 107 Coppin Street, Richmond ('the Place') consists of a circa 1915 single-storey Edwardian-style villa, two single-storey red brick outbuildings and associated landscaping. The Place was historically used as a residence and commercial dairy throughout the 19th and early 20th centuries.

NOMINATION

02. On 14 January 2019, an application to nominate the Place for inclusion in the Victorian Heritage Register ('the Register') was lodged with the Executive Director, pursuant to s. 27 of the *Heritage Act 2017* ('the Act'). The Place was identified in the nomination as meeting Criteria A, B, C, D, E, F, and H of the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance* (as adopted by the Heritage Council on 7 August 2008) [see **Attachment 1**].

DECISION OF THE EXECUTIVE DIRECTOR

03. Pursuant to s. 29 of the Act, the Executive Director may refuse to accept a nomination if the Executive Director considers that the nominated place or object has no reasonable prospect of inclusion in the Register. On 26 March 2019, the Executive Director notified the Nominator of his refusal to accept the nomination on the grounds that the Place does not meet any of the Heritage Council's criteria for inclusion in the Register as a place of State-level cultural heritage significance.

REQUEST FOR REVIEW

04. On 16 April 2019, the Heritage Council received a request for a review of the Executive Director's refusal to accept the nomination for the Place, pursuant to s. 30 of the Act. The Heritage Council Registrations and Reviews Committee ('the Committee') was constituted to consider the request for review, information received in response to it, and to make a determination, as delegated by the Heritage Council under ss. 13 and 15 of the Act.

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

CONFLICTS OF INTEREST

05. The Chair invited Committee members to make declarations in relation to any matters that may potentially give rise to an actual or apprehended conflict of interests. The Committee members were satisfied that there were no relevant conflicts of interests and made no such declarations.

REQUEST FOR INFORMATION

06. On 18 April 2019, the Committee requested additional information from interested parties to assist in determining the matter. Parties were also afforded the opportunity to respond to additional material provided to the Committee. Responses were received from the Executive Director and the Nominator.

ISSUES

- 07.** The following section is not intended to be a complete record of information provided to the Committee. It is a summary of what the Committee considers to be the key issues, followed by an explanation of the position the Committee takes on each key issue.

SUMMARY OF ISSUES

- 08.** Interested parties provided the Committee with a range of additional material in relations to whether or not the Place has a reasonable prospect of inclusion in the Victorian Heritage Register pursuant to s. 29(1) of the Act.

NO REASONABLE PROSPECT

Information received

- 09.** The Executive Director provided the Committee with the original nomination documentation received for the Place and confirmed, in response to the information provided by the Nominator and Yarra, his position that the Place has no reasonable prospect of inclusion in the Register.
- 010.** The Nominator provided the Committee with a range of additional material in support of the inclusion of the Place under Criteria A, B, C, D, E, F and H. Specifically, the Nominator provided substantial evidence for the association of the Place with the previous land owners of the site (Criterion H).
- 011.** Yarra confirmed that while the Place was identified as individually significant in the 2014 Context report *Heritage Gap Study: Review of Central Richmond* for inclusion in the Heritage Overlay of the Yarra Planning Scheme, the Place is not currently included in the Heritage Overlay.

Discussion

- 012.** The Committee notes the information provided by the Nominator, particularly in relation to Criterion H, for a special association with the life or works of group of persons of importance in Victoria's history, being the previous land owners of the Place.
- 013.** The Committee is of the view that while the previous land owners of the Place may have played a role in Victoria's history, no evidence was provided that demonstrated a special association between the life or works of the group of persons and the Place itself.
- 014.** The Committee also found that the information provided in relation to Criteria A, B, C, D, E, and F did not demonstrate that the Place had a reasonable prospect of inclusion in the Register for State-level cultural heritage significance.
- 015.** The Committee therefore agrees with the position of the Executive Director that the Place does not have a reasonable prospect of inclusion in the Victorian Heritage Register for State-level cultural heritage significance under the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance*.
- 016.** The Committee notes that an appropriate course of action may be reconsideration of the Place at a local level for inclusion in the Heritage Overlay of the Yarra Planning Scheme.

CONCLUSION

- 017.** After considering a request to review the Executive Director's decision to refuse to accept a nomination to include the Former Dairyman's Residence at 107 Coppin Street, Richmond in the Victorian Heritage Register, pursuant to Section 30(5)(a) Of the *Heritage Act 2017*, the Heritage Council has determined to affirm the decision under review and refuse to accept the nomination.
- 018.** The Committee thanks all interested parties for providing additional information on the Place for its consideration, especially noting the considerable time, effort and research undertaken by the Nominator in preparing the documentation under review.

ATTACHMENT 1

HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE

CRITERION A	Importance to the course, or pattern, of Victoria's cultural history
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION D	Importance in demonstrating the principal characteristics of a class of cultural places or environments.
CRITERION E	Importance in exhibiting particular aesthetic characteristics.
CRITERION F	Importance in demonstrating a high degree of creative or technical achievement at a particular period.
CRITERION G	Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

These were adopted by the Heritage Council at its meeting on 7 August 2008, and replace the previous criteria adopted by the Heritage Council on 6 March 1997.