


4 March 2021

Planning Manager  
Hepburn Shire Council  
Via email: [planningscheme@hepburn.vic.gov.au](mailto:planningscheme@hepburn.vic.gov.au)

**Attention: Strategic Planning Department**

Dear Sir/Madam,

**RE: Submission against Hepburn Shire Council proposed Planning Scheme Amendment C82hepb  
236 Main Road, Hepburn (Old Hepburn Hotel, formerly Old Racecourse Hotel, Menz Hotel)**

1. We act on behalf  of 236 Main Road, Hepburn ("the subject site").
2. Hepburn Shire Council's Planning Scheme Amendment C82hepb proposes to apply the Heritage Overlay (HO987) over the subject site on a permanent basis. The existing building at 236 Main Road is proposed to be individually listed (significant) as being of *"local historic, rarity and representative significance to Hepburn Shire as well as its significant potential to yield further information about Hepburn Shire"*<sup>1</sup>.
3. Our clients oppose the planning controls that Council are proposing to impose in relation to this property for the following reasons.
4. The heritage citation lacks the level of robustness to adequately demonstrate inclusion of the property in the manner contemplated.
5. The question would remain whether the demolition of this building would undermine the integrity, character and significance of the Shire, and whether this would represent an appreciable loss of heritage built form.
6. Firstly, it is noted that the original building was destroyed by two separate bushfires in the years 1906 and 1909<sup>2</sup>.

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<sup>1</sup> Old Hepburn Hotel Statement of Significance, Hepburn Shire Council, February 2020

<sup>2</sup> Newspapers and Gazettes, Trove, National Library of Australia:

1906 fire - <https://trove.nla.gov.au/newspaper/article/114850618>

1909 fire - <https://trove.nla.gov.au/newspaper/article/10705497?searchTerm=1909%20hepburn%20fire>

At Glenlyon the farm of Mrs John O'Neill, who died on Monday, was attacked, and the corpse had to be removed to a potato-field. Even the lid of the coffin was burned. At Hepburn, Bellinzona, the boardinghouse of the Misses Borsa; the Mount Franklin shire hall; the Pyrites Company; Mrs Uren's new boardinghouse; Vanzetta's bakery, containing 125 bags of flour, several tons of hay, and 100 tons wood; Mrs Cullen's; the whole of the Chinese Camp, save the Joss-house; portion of Menz's hotel property; the residences of Messrs Alec and Ernest Menz, Thomas Hart, Mrs M'Cracken's portion of the Black premises, and Perini's, Tinetti's, Dickson's, Yanner's, Manley's, M'Guinness's, Byers's, Wedge's and other small cottages opposite Misses Borsa's, were all destroyed. The machinery of the Bruce's No. 1 Company has been totally ruined, everything being in ashes. At the Glenmona the stables are burned, but by great exertion the machinery was saved. On the Dry Diggings road Kirkham's and Patterson's residences are both gone.

Figure 1 Extract of *The Riverine Herald* - Echuca, VIC, Thursday 25 January 1906

## FIRES IN THE COUNTRY.

DAYLESFORD.—The Old Racecourse Hotel at Hepburn, the property of the estate of the late Mr. Abel Menz, was destroyed by fire on Wednesday morning, together with the contents, the property of Mrs. H. Harvey, the licensee. The property was insured for £345 in the Northern Company and £200 in the Royal. The furniture was insured in the Norwich Union for £325, which includes £50 on the piano, which was not burnt, being in a hall adjoining at the time of the fire.

Figure 2 Extract of *The Argus* - Melbourne, VIC, Thursday 27 May 1909

7. The building that currently exists on the site was reconstructed in 1911 by Abel Menz, a goldminer/hotelier of German descent, and does not form part of the original built form of 19<sup>th</sup> century Daylesford/Hepburn.





8. Similar to other Victorian goldfield areas, 19<sup>th</sup> century Daylesford/Hepburn attracted a large cohort of foreign nationals – most notably the Chinese and the Swiss-Italians from Tincino, Switzerland<sup>3</sup>. While German and other European nationals were present, it is understood that they were not as prominent as the Chinese and Swiss-Italian cohorts.
9. The citation report appears to conflate German and Swiss-Italian built form, and does not appropriately delineate between the subject site and other hotels constructed in 19<sup>th</sup> century Daylesford/Hepburn (such as the Swiss Mountain Hotel in Blampied and Carlo Traversi's Hotel and Dance Hall previously located in the area boarded by Raglan Street, Vincent Street North and Howe Street, Daylesford).
10. Notably, it appears the Swiss Mountain Hotel in Blampied has retained its original built form since its construction in 1865, and has been trading as an ongoing commercial/accommodation venue since its inception. In contrast and as noted above, the current building on the subject site has been reconstructed twice due to the original building being destroyed by bushfires in 1906 and 1909, and the venue ceased trading as a business in 2019. The building has been disused since its closure and the integrity of the building has not been maintained.
11. The citation report also fails to acknowledge that extensive internal and external alterations to the building that have been carried out over time, save for the side and rear additions.
12. The building has been substantially modified internally by the previous owners (from early 2000s to 2019), including opening up and removing internal walls to accommodate the previous use of the building as a live music venue<sup>4</sup>.

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<sup>3</sup> Swiss-Italian, Chinese and Other Groups on the Goldfields, Heritage Study Daylesford and Glenlyon Conservation Study, Part 2, Volume 1 Environmental History, Mary Grant, May 1995, pg. 5

<sup>4</sup> Source: <https://www.hepburnadvocate.com.au/story/5934510/last-call-at-old-hepburn-hotel-before-closure/>



Figure 3 Photos of internal of the building - dated 2018 from website



Figure 4 Photos of internal of the building - dated 2018 from website



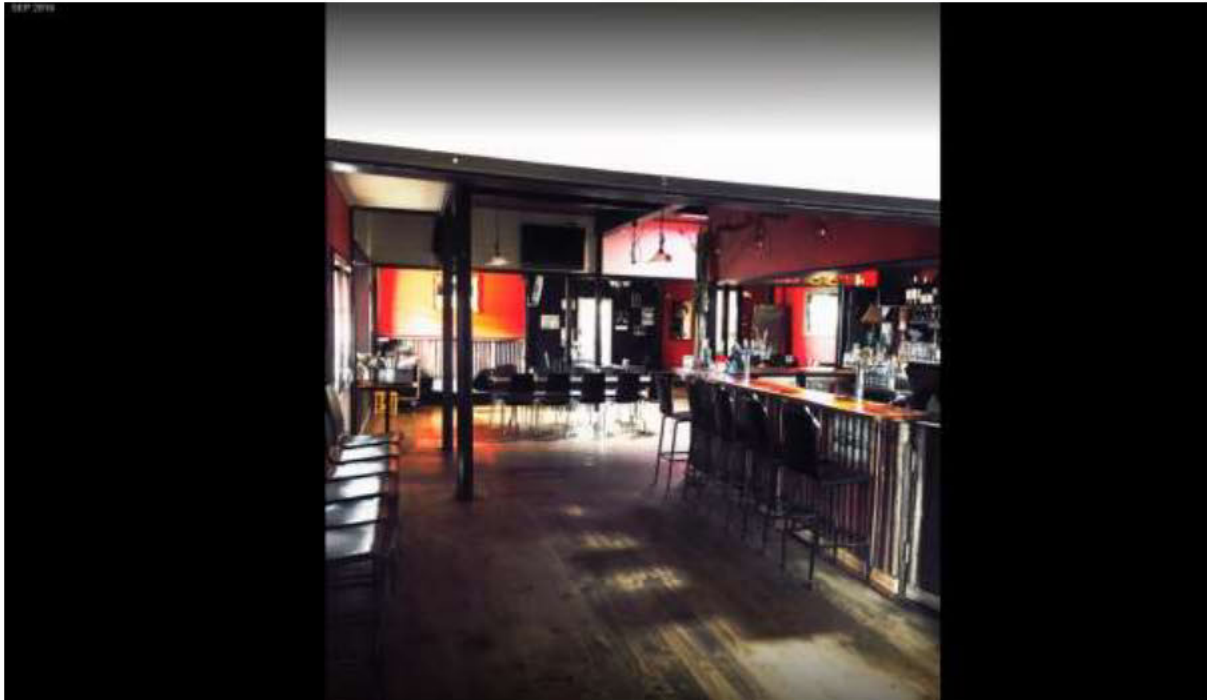


Figure 5 Photos of internal of the building - dated 2016 from website

13. The building on the site is not considered to be an intact or “rare surviving example of a single-storey timber weatherboard hotel”<sup>5</sup>, noting the original building in fact did not survive the two previous fires and the hotel use has ceased as of 2019. There is insufficient justification provided in the citation to accept the association of this building is capable of yielding further information of mid-19<sup>th</sup> century Swiss-Italian migration to Victoria.
14. Further, it is noted that no Heritage Study has been prepared by the Council to support this amendment to include the subject site into a permanent heritage overlay. It is understood that Council released and adopted the *Hepburn Heritage Strategy 2020-2030* in June 2020. The subject building is not mentioned within this strategy, despite the strategy detailing the history of mid-19<sup>th</sup> century Victorian goldfields and the settlement patterns of a diverse range of ethnic groups (including the Swiss-Italian miners) to this region<sup>6</sup>.
15. The building’s association with Swiss-Italian migration is considered dubious as the building was reconstructed twice and most recently in 1911 – almost 40 years after the 1854 early gold rush period of the Hepburn Springs goldfields. While the building may appear to represent a type of architectural style built at a particular time, it is important to acknowledge that the current building on the site is not an intact example of mid-19<sup>th</sup> century built form. The building has been substantially internally and externally modified in recent years, and lacks a well-considered and reasoned response to the historical context linked to the Hepburn Shire.

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<sup>5</sup> Heritage Citation Report, Hepburn Shire Council, February 2020, pg. 2

<sup>6</sup> Hepburn Heritage Strategy 2020-2030, adopted June 2020, pg. 15



16. For that reason, the aesthetic significance as a “rare surviving example”<sup>7</sup> is, with respect, an overreach.
17. The building does not provide any significant contributory elements in the statement of significance and the citation lacks the rigour of assessment for justification in the manner intended by the Planning Scheme Amendment.
18. There is nothing significant about this building that warrants protection as a heritage building, nor is there any significant justification in the context of a broader precinct.
19. The strengthening of heritage policy within the Hepburn Shire Planning Scheme may be considered a worthy exercise, however the retention of significant buildings needs to be carefully assessed to avoid inaccurate or unremarkable classifications that do not contribute to the proposed heritage control.
20. On behalf of our client’s we respectfully request that the existing building is removed from any heritage listing and controls.

**Mapping Inconsistencies**

21. In addition, it appears that there is a mapping error on the exhibited explanatory report. The exhibited documents appear to propose permanent heritage overlay across the entire site:

**Land affected by the amendment**

The amendment applies to the Old Hepburn Hotel at 236 Main Road Hepburn Springs, shown in Figure 1 below.



Figure 6 Extract of c82hepb explanatory report

<sup>7</sup> Heritage Citation Report, Hepburn Shire Council, February 2020, pg. 2






22. It is noted that the interim heritage controls that were introduced under Amendment c79hepb only affect the existing building toward the front of the land:



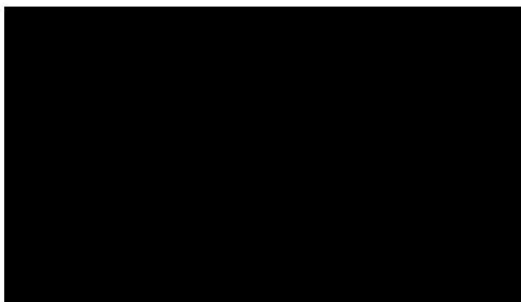
Figure 7 Extract of VicPlan, 2021

23. As Council are aware, the landowners hold a live planning permit (PA1426) which allows for, amongst other things, buildings and works to provide 6 accommodation units, change of use of the hotel to a function centre and associated buildings and works, and 7 lot subdivision.

24. The landowners have commenced the lawful subdivision of the land in accordance with the approvals. It would be highly inappropriate for Council to now pursue heritage controls across the entire lot, particularly given that the statement of significance does not speak to the surrounding area, and is confined to the existing building only. Should permanent heritage controls ultimately be imposed over the building, the mapping and relevant documentation is required to be amended to accurately reflect the extent of those controls.

If you have any questions please do not hesitate to contact me on 

Yours Faithfully,





To Planning authority, Hepburn Shire  
In relation to amendment C82hepb  
Old Hepburn Hotel 236 Main road Hepburn

I have been associated with this Hotel  
for about 60 years. As a child I went to  
work with my grandmother who cooked  
and cleaned there for about 70  
Myself and brothers also have owned and  
leased this Hotel. So I have seen all the  
changes from the little single story weatherboard  
building with the double gable roof and verandah  
opening on to public foot path. There has been  
many extensions over the years, Walls and  
rooms knocked down, concrete ramp on verandah  
Basically the Hotel has been totally gutted.  
Nothing much of the original building left  
So I think only the site is heritage

My reasons for objecting to heritage Overlay  
The building is a eye sore, its falling apart  
and could be quite dangerous, window dropped  
roof not too sturdy in a storm, rails rotten  
Its a haven for vermon, often see a dead rat  
or mouse, and snake's have been sighted there  
this year. I also feel its only a matter of time  
before squatters move in and that is a major  
worry in this bushfire prone area.

So in my opinion there is nothing heritage left  
of the Old Hepburn Hotel

Just memories

Maybe demolish the Hotel and erect a plaque  
depicting the history of the Old Hepburn Hotel



**From:** [REDACTED]  
**To:** [Planning Scheme](#)  
**Subject:** Amendment C82 Old Hepburn Hotel  
**Date:** Wednesday, 24 February 2021 3:02:55 PM

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I am writing to oppose the above application. I believe that the building is derelict and has been neglected by previous and current owners that it is not worth the legal effort for something that is an eyesore. The claim that it is heritage significant is a long stretch of the imagination. There are other more significant buildings in the shire that need protection than this.

If the building is retained the possibility of using it as a commercial business is now not in keeping with the residents surrounding it.

With the current approved permit for 7 residential blocks and if demolished a possible 4 more it would be a more appropriate use of land.

Especially when there is a shortage of affordable residential housing. In the past 5 years there has been at least 20 new residences built within 300 metres. So I think a complete residential zone would be the best outcome.

Thanking you from a ratepayer and resident of 21 years

[REDACTED]

**From:** [REDACTED]  
**To:** [Planning Scheme](#)  
**Subject:** Hepburn Planning Scheme Amendment C82hepb submission  
**Date:** Wednesday, 3 March 2021 1:41:26 PM

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This submission objects to the Amendment to apply the Heritage Overlay (HO987 Old Hepburn Hotel) on a permanent basis to the Old Hepburn Hotel at 236 Main Road Hepburn Springs.

In the less than 20 years that we have been patrons of the Old Hepburn Hotel, it has undergone at least two significant renovations, neither of which heralded back whatsoever to a Swiss Italian or German heritage.

Consequently it is difficult to visualize "the high potential of the site and building to yield further information about the history of the Swiss Italian and German migration to the area", so described in the Heritage Advisors investigation.

As the whole area is known for its Swiss Italian heritage there is a "potential " for numerous properties in the area to yield further information about the history of the Swiss Italian and German migration. The sudden application for a heritage overlay by the Council onto a property purchased in good faith without this impediment upon their property, is of concern. Adverse economic effects may result if investors are deterred from investing into the Shire if the Council develops a reputation for "moving the goalposts" on property owners. If the Council believed that this overlay was of merit, it should have been done while the Old Hepburn Hotel was a going concern.

We requested information from the Council regarding the owners plans for the site and the timing of the instigation of the overlay, as it may have been relevant to the need for any submission to Amendment C82hepb. But this information was not forthcoming prior to the submission's deadline.

[REDACTED]



**From:** [REDACTED]  
**To:** [Planning Scheme](#)  
**Subject:** Objection to Old Hepburn Hotel  
**Date:** Wednesday, 3 March 2021 8:05:34 AM

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[REDACTED]

To whom it may concern

I wish to make an objection re Old Hepburn Hotel gaining a Heritage listing .

There is nothing heritage about this building inside or out .

- The original bar and bedrooms and toilets have been demolished years ago
- The old stove in kitchen has long been removed
- All original windows except 1 have been replaced by bigger ones
- The path has been changed into a ramp nothing heritage about it whats so ever  
\_I worked there on and off since the age of 15 (now 61) so have seen first hand all the changes over the years, its nothing like it was when Bing & Aileen Baker owned it

Also when the building was up for sale there was no talk of it becomming a heritage building and I think it is extremely unfair to try and do it now to the new owner .

A plaque could be place at the site with all owners and dates for the history of the building

Just because something is old ...does not make it a heritage  
Thankyou for your time ...

Cheers [REDACTED]

Rec'd Date: -7 MAR 2021

Rec'd By: K. Conroy

Action By: G. M. J. S. T. O.

Reg No:

THE STRATEGIC PLANNING OFFICER,  
DEAR SIR/MADAM,

I OPPOSE THE  
PROPOSAL THAT "THE OLD HEPBURN HOTEL"  
BECOME AN "HISTORICAL OVERLAY" BUILDING.

OVER THE YEARS SINCE THE 1970S I HAVE  
HAD MANY MEALS AND DRINKS AT  
"THE OLD HEPBURN HOTEL".

I HAVE WORKED AS A DRINK WAITER  
AT THE MANY FUNCTIONS THE HOTEL  
HOSTED.

THE BAR CONFIGURATION HAS CHANGED  
MANY TIMES TO MAKE IT UNRECOGNIZABLE  
TO WHAT IT ORIGINALLY WAS.

AS A MEMBER OF THE HEPBURN FOOTBALL  
CLUB WE SPENT TIME AT THE HOTEL  
AFTER THE GAME.

SINCE "THE OLD HEPBURN HOTEL" WAS  
LAST SOLD IT HAS NOT OPERATED  
AS A PUB.

IT IS HARD WORK, WITH LONG  
HOURS FOR UNSATISFACTORY FINANCIAL  
REWARD.



THE CURRENT OWNER BOUGHT "THE OLD HEPBURN HOTEL", WITH A CONSIDERABLE AMOUNT OF SURROUNDING LAND, LONG BEFORE ANY "HISTORICAL OVERLAY" WAS THOUGHT OF.

AS THE INSIDE OF THE HOTEL WAS "GUTTED" BY THE PREVIOUS OWNER THERE IS VERY LITTLE OF ANY HISTORICAL OR HERITAGE INTEREST THERE.

I AM OPPOSED TO MY RATES BEING USED TO MAINTAIN A BUILDING THAT DOESN'T HAVE ITS HISTORY VISIBLE.

YOURS SINCERELY.





to whom ~~it~~ may CONCERN.

I would like to know what is going  
to be put in place of the hotel if  
it is pulled down. Before any thing  
Happen's to it people should be in the  
know of what exactly is going to happen  
ON the site.

My submission to Amendment C 82.

OLD HEPBURN HOTEL

Submitted on 2-3-2021

**HEPBURN SHIRE COUNCIL**

File No: Foel/20/1120

Rec'd Date: - 2 MAR 2021

Rec'd By: C. Symes

Action By: G. Mustafa

Reg No:

Rec'd Date: - 1 MAR 2021

Rec'd By: C. Conroy

Action By: C. Musto

Reg No: .....

The Strategic Planning Officer  
Hepburn Shire Council  
P.O. Box 21

Daylesford 3460

Dear Sir/Madam,

I write to oppose the proposal that  
The Old Hepburn Hotel becomes a  
Heritage Building.

Despite being built in the first decade  
of the 1900s it has undergone many  
changes that have left little that is  
historical.

There was an internal fire in the early 1900s  
that destroyed the kitchen.

Several kitchens have been installed since.

In the 1960s a large room was added  
to make a dining room.

Successive owners have altered many  
parts to make it unrecognizable from  
what it originally was.

I feel it would be unfair financially  
to the current owner to have an  
Historical overlay on The Old Hepburn Hotel.



I have waitressed at The Old Hepburn Hotel from the 1970s to around 1990s.

I do have a suggestion of how to record significant historical details instead of retaining a defunct building.

A person who is on Council now should liaise with

- (i) People who have owned The Old Hepburn
- (ii) People who have worked at " " "
- (iii) People who have frequented " " "
- (iv) Any people with other connections to The Old Hepburn Hotel eg Hepburn Footy Club, Rotary

These anecdotes and, most likely, photos could be collected and presented to the Public as "A Virtual History of The Old Hepburn Hotel".

I'm not sure if the actual building could be made to an Historical Museum.

Yours Sincerely

