

Expert Witness Statement to Panel
Amendment C192bays
Bayside Planning Scheme

1-4/16 Gillard Street, East Brighton

Prepared under instruction from Best Hooper
16 February 2024

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1.0 Introduction

1. This statement of evidence was prepared under instruction from Best Hooper on behalf of the owner(s) of the subject site at 1-4/16 Gillard Street, East Brighton. I have been asked to comment on the heritage considerations associated with Amendment C192bays to the Bayside Planning Scheme insofar as they relate to the subject site.
2. By way of background, in December 2020 GJM Heritage were commissioned by Bayside City Council to undertake the *City of Bayside Mid-Century Modern Heritage Study*, which was then revised and renamed the *Post-War Modern Residential Heritage Study*. The purpose of the study was to identify residential buildings and precincts constructed within the municipality in the postwar period (between 1945 and 1975) and to determine if properties satisfied the threshold for local heritage significance. This study identified the subject site as a place of individual heritage significance.
3. Amendment C192bays to the Bayside Planning Scheme seeks to implement the recommendations of the *Post-War Modern Residential Heritage Study, Volumes 1-3* (GJM Heritage, July 2022) and to apply an individual Heritage Overlay to the subject site. Under the proposed amendment no external paint controls, internal alterations controls or tree controls will apply. The site is subject to an interim Heritage Overlay (HO845), with an expiry date of 11 October 2024.
4. My instructions are to prepare an expert report considering the heritage significance of the place and whether a permanent heritage control is warranted.
5. This statement was prepared with assistance from Sally Beaton and Martin Turnor of my office. The views expressed are my own.
6. I note that there is no private or business relationship between myself and the party(s) for whom this report is prepared other than that associated with the preparation of this statement and associated advice on heritage issues.

2.0 Sources of Information

7. The analysis below draws upon an external inspection of the site and a review of the Amendment C192bays documentation, which included a citation for the site prepared by GJM Heritage. Other documents referred to include:

Bayside Planning Scheme – *Clause 15.03-1S (Heritage Conservation)* and *Clause 43.01 (Heritage Overlay)*

Exhibited materials for Planning Scheme Amendment C192bays, including:

- *City of Bayside Post War Modern Residential Heritage Study, Volume 1* (GJM July 2022)
- *Contextual History: Post-War Modernism in the City of Bayside, Volume 2* (GJM January 2022)
- *City of Bayside Post War Modern Residential Heritage Study, Volume 3* (GJM July 2022)
- Statement of Significance 1-4 of 16 Gillard Street, Brighton East (July 2022)

City of Bayside Inter-War & Post-War Heritage Study (Heritage Alliance, May 2008).

City of Bayside Heritage Review (Allom Lovell & Associates, 1999).

Submission letter to council by Robert and Mary Gluck (property owners), 26th September 2023.

Submission letter to Council (Aron Paul, Trethowan Architecture, 17 October 2023).

Bayside Council Building Application Files (provided by the owner).

Census of Population and Housing, 30 June 1966, Commonwealth of Australia.

Bayside City Council, Agenda Council Meeting, Tuesday 19 July 2022.

Council meeting minutes 19 July 2022

Council Part A Submission and Evidence including:

- *Expert Witness Statement, Planning Panels Victoria, Bayside Planning Scheme Amendment C192bays*, Jim Gard'ner, GJM Heritage (7 February 2024)
- *Bayside Planning Scheme Amendment C192bays, Statement of Evidence*, Natica Schmeder, Landmark Heritage (9 February 2024)

Stonnington Heritage Review Summary Report Part 2B Armadale Volume 1 (Extent Heritage Pty Ltd, April 2022).

City of Greater Dandenong Heritage Study and Heritage Places (2003).

Applying the Heritage Overlay, Planning Practice Note 1 (first published August 2018, updated June 2023).

Dictionary of Unsung Architects, Built Heritage Pty Ltd (www.builtheritage.com.au/resources.html)

Hermes Orion online database <https://hermesorion.heritage.vic.gov.au>

3.0 Author Qualifications

8. A statement of my qualifications and experience with respect to urban conservation issues is appended to this report. Note that I have provided expert witness evidence on similar matters before the VCAT, Planning Panels Victoria, the Heritage Council and the Building Appeals Board on numerous occasions in the past and have been retained in such matters variously by municipal councils, owners, developers and objectors to planning proposals.

4.0 Declaration

9. I declare that I have made all the inquiries that I believe are desirable and appropriate, and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.



BRYCE RAWORTH

5.0 History and Description

10. The subject site is occupied by a double storey block of flats, constructed in 1968 for R & M Gluck, to a design by architect David Spair. The Glucks resided in a large two level flat at the front of the building, with three, smaller single level flats to the rear.¹ The rear flats were advertised for rent in 1969 and described as '1 min, City tram & shops. Comp, 2 and 3 bedrms, spac lounge, fam, kitch., tiled bathrm, sep. shwr, rec., w.w carps, heating, security phone own laundry and carport.'² It is understood that the property was not strata titled, remaining in a single title and single ownership.³

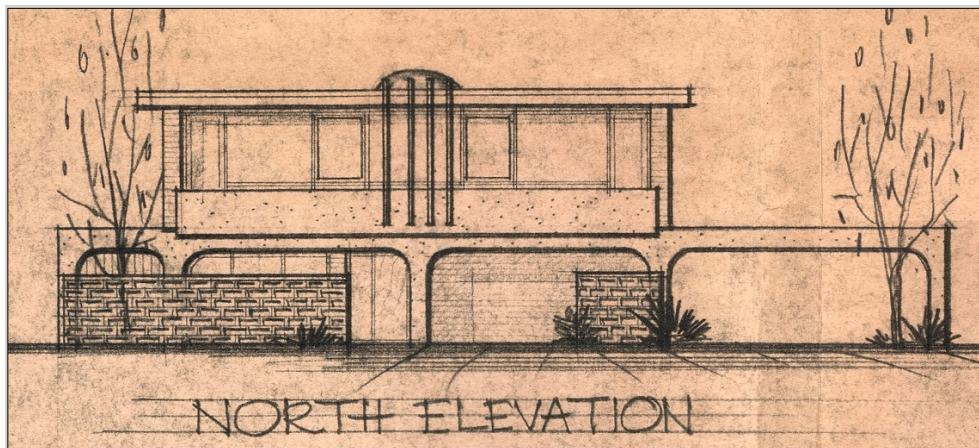


Figure 1 North Elevation from May 1968 Sketch Plan documentation, prepared by David Spair and Associates, and stamped by Council 31 May 1968, showing an initial façade design.

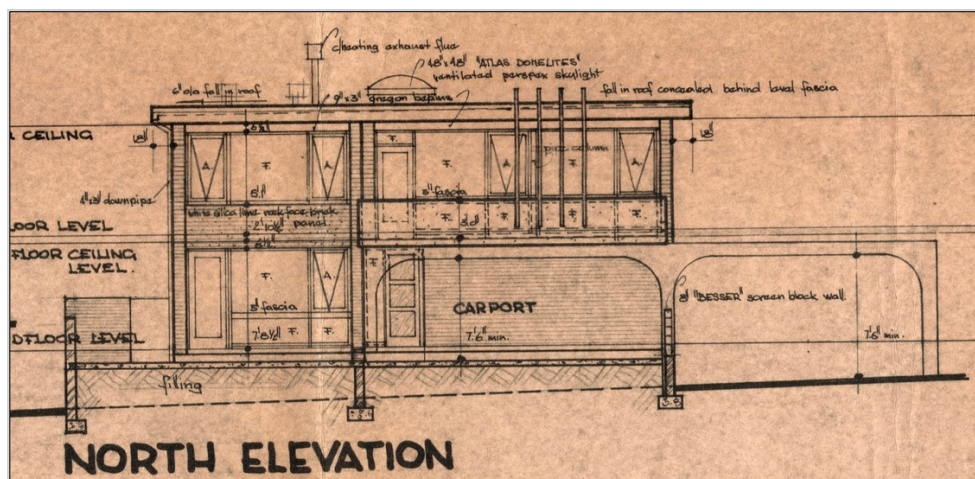
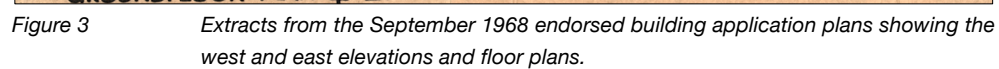


Figure 2 Extract from detail drawings, September 1968, the endorsed building application plans, showing an amended façade design (generally 'as built').

¹ Aron Paul (Trethowan Architecture), 16 Gillard Street - Submission to Council.

² *The Australian Jewish News*, 25 July 1969, p.34.

³ Aron Paul (Trethowan Architecture), 16 Gillard Street - Submission to Council.



11. The block of flats on the subject site has a flat roof with timber fascia boards. External walls are predominately constructed of brown brick with contrasting white silica rock-faced bricks used for spandrel panels. Windows are timber framed with varying configurations of fixed and top hung awning sashes. The asymmetrical street façade has a broad first floor balcony with a solid, rendered balcony and three vertical battens projecting above the roof line (described on the September 1968 building application plans as 6 inch x 3 inch Oregon). The front flat has street facing undercroft carparking street with a reinforced concrete beam with curved corner junctions, mirrored over the tenant driveway entry.
12. The front boundary is enclosed by a besser block screen wall. A matching wall that originally separated the two driveways has been demolished. The concrete 'archway' over the tenant's driveway is understood to have been rebuilt recently after being struck by a vehicle.
13. The building appears to be largely intact externally, apart from the removal of a door from the ground floor of the façade. It was replaced by brick infill and an extended timber framed window.



Figure 4 *The subject site viewed from Gillard Street.*



Figure 5 *The subject site showing the undercroft carpark (left) and entrance to the tenant driveway (right), the latter arch having been rebuilt in recent years.*



Figure 6 *The west elevation.*



Figure 7 Part of the north elevation showing the location of an original door opening, replaced by brick infill and a window. Note the concrete step to the doorway has been retained.

6.0 Heritage Status

14. The site is subject to an interim heritage control, identified as HO850, which at present expires 11 October 2024. No external paint controls, internal alteration or tree controls apply as a result of this interim control. These same controls are proposed for the permanent overlay.
15. The documents exhibited by Bayside City Council in support of Amendment C192bays included a citation prepared by GJM Heritage, containing a Statement of Significance for the property, which is reproduced below:

The Flats at 16 Gillard Street, Brighton East, built in 1968.

Elements that contribute to the significance of the place include (but are not limited to):

The original external form, materials and detailing of the flats

The high level of integrity to their original design

Modernist composition and form, including box-like form with horizontal emphasis, flat roof with broad eaves and deep fascia, expansive glazing, steel batten motif, decorative concrete post and beam structure providing an entrance archway to the shared side driveway

Modernist materials and detailing, including brown brick, textured cream brick, concrete, steel battens, and expansive timber-framed windows

Landscape features including hollow concrete block front fence, pebble mix path and concrete driveway.

Later alterations and additions are not contributory.

How is it significant?

The Flats at 16 Gillard Street, Brighton East are of local historical, representative (architectural) and aesthetic significance to the City of Bayside.

Why is it significant?

The Flats at 16 Gillard Street, Brighton East are illustrative of the suburban development in the City of Bayside in the post-war period when a number of multi-storey residential flats were constructed across the municipality. This type of development was largely the result of increased housing demand following World War II. The impetus for higher density living, combined with changes to strata title legislation (which allowed for the sale of individual units for the first time in Victoria), led to a proliferation of multi-unit developments in the 1960s and 1970s. The flats at 16 Gillard Street clearly demonstrate this shift towards lower-cost, higher density living which characterised suburban development in what is now the City of Bayside, and across Victoria more broadly, in the post-war period (Criterion A).

The flats at 16 Gillard Street, Brighton East are notable as a fine and substantially intact representative example of a small residential flat building constructed during the post-war period in the City of Bayside. Designed by architects David Sapir & Associates, the flats display a range of characteristics that are typical of Post-War Modernist design, including a two-storey box-like form with asymmetrical principal elevation, flat roof with broad eaves and deep fascia, expansive timber-framed glazing, shared driveway, hollow concrete block front fence, integrated carports and the use of contrasting materials such as brown brick, textured cream brick, concrete and steel to articulate the front elevation (Criterion D).

The flats at 16 Gillard Street, Brighton East are of aesthetic significance as a well-resolved and carefully detailed example of a small flat complex constructed in the Modernist style. Designed by architects David Sapir & Associates, the building is characterised by its distinctive balustrading, contrasting brickwork, expansive glazing and its refined detailing. The flats at 16 Gillard Street, Brighton East demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

7.0 Discussion

16. The recognised criteria for the assessment of heritage values of a heritage places, as set out in *Practice Note 1: Applying the Heritage Overlay* (August 2018 – updated June 2023), are as follows:

Criterion A: Importance to the course or pattern of our cultural or natural history – historical significance.

Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history – rarity.

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history - research potential.

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments - representativeness.

Criterion E: Importance in exhibiting particular aesthetic characteristics - aesthetic significance.

Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period - technical significance.

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 - social significance.

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history – associative significance.

17. The case in this instance for recommending an individual Heritage Overlay be adopted is predicated on the view that the block of flats at 16 Gillard Street, Brighton East, is of historical, architectural (representative) and aesthetic significance to Bayside City Council (ie Criterion A, D and E).
18. Aron Paul of Trethowan Architecture prepared a detailed assessment of the subject site in October 2023, which was provided to Council in opposition of the proposed overlay. He concluded that the proposed citation did not establish that the flats at 16 Gillard Street meet the threshold of local significance to the City of Bayside against Criteria A, D or E:

The flats are not characteristic historically of the shift to higher density housing that accompanied post-war demand and strata titles, given that they were built as a residence with units attached and were never strata titled.

The flats are not an outstanding example of Modernist post-war architecture in Bayside. The architect is an obscure one not recognised as a notable or significant Australian Modernist. The building itself appears to depart from the original design vision and presents more as an ad hoc response using combinations of materials and features common in 1960s-70s buildings of the type.

The comparative analysis has not adequately established a threshold of local significance for this type of building, a multi-storey block of flats, in Bayside. When analysed alongside Modernist buildings on the Heritage Overlay, the flats compare poorly in terms of their Modernist characteristics such as horizontal expression, expansive glazing, and design detail.⁴

19. I concur with the findings of Mr Paul in respect to the subject site not meeting criterion A, D or E to an extent that would justify the application of a heritage overlay control, as demonstrated the following analysis.

Criterion A: Importance to the course or pattern of our cultural or natural history – historical significance

20. The citation comments that the subject site is illustrative of the suburban development in the City of Bayside in the post-war period when a number of multi-storey residential flats were constructed across the municipality. The citation further mentions that multi-storey residential flats were a form of development that increased in popularity following WWII and that combined with changes to strata title legislation, led to a proliferation of multi-unit development in the 1960s and 1970s. The flats are said to clearly demonstrate this shift towards lower-cost, higher density living which characterised suburban development in what is now the City of Bayside, and across Victoria more broadly in the post-war period.
21. In reality, flats were not built in high enough numbers in the post-war period the City of Bayside to constitute an important phase of development – certainly not to an extent that would justify the application of Criterion A to a building as unremarkable as that found on the subject site. This observation is consistent with the scant attention paid to post-war flats in previous heritage studies of the area. The *Bayside Thematic History*, completed in 1999, provides limited commentary on the importance of post-war architecture within the city of Bayside, only commenting briefly that flat building continued after WWII.⁵

⁴ 16 Gillard Street - Submission to Council (Aron Paul, Trethowan Architecture, 17 October, 2023).

⁵ *City of Bayside Heritage Review, Thematic History*, p.36.

22. That said, it is accepted that there has been a greater recognition of importance of post-war domestic architecture since the 1999 study was prepared. The *City of Bayside Inter-War & Post-War Heritage Study* (May 2008) sought to address this imbalance in providing a revised and expanded thematic history on the subject of post-war housing, but it nonetheless makes little specific reference to flat development in the post-war period other than to examples built by the Housing Commission of Victoria (HCV), including at Leith Crescent, Brighton. Aside from the HCV flats, the 2008 study included only one other citation for a post-war flat, being the 1967-68 Graeme Gunn townhouses at 16-22 Yuille Street, Brighton. It is noted that the townhouses were identified as being of architectural and aesthetic significance – ie the 2008 study did not seek to establish that post-war flats/multi-residential buildings were historically important to the City of Bayside.

23. The contextual history at volume 2 of *Post-War Modern Residential Heritage Study* has a chapter dedicated to ‘higher density living options’ (albeit only a page in length). Single-storey villa units are singled out for mention as ‘a particularly popular form of higher density housing in the municipalities of Brighton and Sandringham’. There is little discussion in the contextual history that would demonstrate the importance of blocks of flats such as that found on the subject site to the course or pattern of the cultural history of this area:

Although multi-storey blocks of flats were constructed in the municipalities of Brighton and Sandringham, it appears to have been a less popular form of higher density housing in the Bayside suburbs.

24. Freestanding, single-family residences were the prevailing form post-war housing development in the affluent/middle class bayside suburbs. The 1966 Census records over 10,000 houses in the City of Brighton compared to 2,236 self-contained flats (ie individual flats, not the number of blocks of flats). This can be compared to the 13,310 flats in the City of St Kilda for the same year.⁶ By 1971, flats comprised 62% of all dwellings in St Kilda.⁷ There has been growing recognition of the contribution of the ubiquitous and oft derided ‘six pack’ flats to post-war urban landscape of Melbourne, but this is better demonstrated in suburbs with a higher concentration of this building type.

25. Further to the significance of post-war flats, the *Post-War Modern Residential Heritage Study* contextual history points to the role of legislative changes to the strata title system in stimulating higher density development throughout suburban Melbourne. This is also referenced in the assessment against criterion A in the citation:

The flats at 16 Gillard Street, Brighton East are illustrative of the suburban development in the City of Bayside in the post-war period when a number of multi-storey residential flats were constructed across the municipality. This type of development was largely the result of increased housing demand following World War II. The impetus for higher density living, combined with changes to strata title legislation (which allowed for the sale of individual units for the first time in Victoria), led to a proliferation of multi-unit developments in the 1960s and 1970s ...

⁶ *Census of Population and Housing, 30 June 1966, Commonwealth of Australia, Volume 4: Population and Dwellings Local Government Areas, Part 2: Victoria*, p. 412 & 414.

⁷ City of Port Phillip Heritage Review Place Name; Feldhagen Flats Group Listing Citation 2445.

26. The Stratum Title system introduced in 1960 offered separate registered title to individual flats, defined by height measurements based on data provided by the MMBW. It has been described as unwieldy and difficult to administer.⁸ The passage of the Strata Title Act of 1967 was far more impactful and meant that purchasers of apartments and flats could at last obtain separate titles for their unit and carpark. While the flats on the subject site were constructed shortly after the introduction of the Strata Title Act, they were not strata titled and remained under a single ownership. To that end, the subject site is not directly associated with the boom in flat development brought about by changes to the strata title system.
27. Having regard for the above, the subject building is not demonstrative of a pattern of development that was historically important in the context of the City of Bayside. It is representative of a building typology which had a minor, inconsequential role, as evident in the lack of attention paid to the 'multi-storey' flats in the contextual history forming part of the Amendment c192bays documentation.

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments – representativeness

28. The assessment against Criterion D provided in the citation describes the subject building as 'a fine and substantially intact representative example of a small residential flat building constructed during the post-war period'.
29. The citation attributes to the flats a broad range of design characteristics 'including a two-storey box-like form with asymmetrical principal elevation, flat roof with broad eaves and deep fascia, expansive timber-framed glazing, shared driveway, hollow concrete block front fence, integrated carports and the use of contrasting materials such as brown brick, textured cream brick, concrete and steel to articulate the front elevation'. All of these architectural elements are ubiquitous to the period.
30. It is also worth noting that the sketch design as originally prepared by architect David Sapir had a stronger, more distinctive façade composition than the 'as built' version (refer figures 1 and 2 above).
31. It is not the case that a building that displays the principal characteristics of its type would by default meet Criterion D. To be identified as a place of local significance sufficient to warrant application of the Heritage Overlay, a place should meet the criteria to a degree that meets a threshold level of local significance. This is to say, the criteria in question should be met not just in a simple or generic manner, but to a degree that is better than many or most other examples at a local level, or to a degree that is comparable to other examples that are subject to the Heritage Overlay. The subject building could be said to demonstrate principal characteristics of post-war walk-up flats but only in the most generic sense.
32. Similar attributes of two storey rectilinear face brick design, albeit without the simple featurism overlay seen at the subject site, are evident in post-war dwellings at 15A Clinton Street, 718 Hawthorn Road and 13 Montgomery Street – none of which have been proposed for heritage overlay controls.

⁸ MELMO: *Modernist Architecture in Melbourne*, p.172.



Figure 8 (left) Post-war dwelling at 15A Clinton Street, East Brighton.



Figure 9 (right) Post-war dwelling at 718 Hawthorn Road, East Brighton.



Figure 10 Post-war dwelling at 13 Montgomery Street, East Brighton.

33. According to the citation for 16 Gillard Street, there are currently no examples of flats constructed in the post-war period included in the Heritage Overlay of the Bayside Planning Scheme on an individual basis or that are identified as contributing to the significance of a precinct. The citation instead relies on comparisons with examples that are also proposed for individual HO controls as part of Amendment C192bays, including 16 Clive Street, Brighton, 150 Beach Road, Sandringham and 405 Beach Road, Beaumaris. The significance of these examples has not been tested and they cannot be relied upon for the purposes of comparative analysis with 16 Gillard Street.
34. Accepting that there are no other post-war flats in Bayside with heritage overlay controls, useful comparisons can be made with post-war flats in South Yarra Precinct (HO6) that were recently assessed as part of Amendment C426melb. The subject building is of a generally comparable standard to flats in HO6 that were proposed to be graded contributory – ie buildings that were not individually significant. Some examples are illustrated below. I note that the South Yarra Precinct was, inter alia, identified as being significant for its high concentration of flat development across the interwar and post-war periods. That is to say, post-war flats are of greater significance to the particular context of South Yarra than would be the case in Bayside.

Contributory Graded Flats in the South Yarra Precinct (HO6)



Figure 11 7 Clowes Street.



Figure 12 63 Domain Street.



Figure 13 63 Millswyn Street.



Figure 14 35 Walsh Street.



Figure 15 949 Punt Road.



Figure 16 16-18 Anderson Street.

35. Comparisons can also be made with Elwood, a suburb with a similarly high concentration of flats as South Yarra. A block of flats which shares some of the design characteristics of subject building can be found at 7 Milton Street, Elwood – this building being excluded from the neighbouring St Kilda, Elwood, Balaclava, Ripponlea Precinct (HO7). It is worth noting that HO7 has recently been subject to a comprehensive review process that sought greater recognition of post-war architecture and proposes changes to the boundary of HO7.



Figure 17 *Post-war flats at 7 Milton Street, Elwood. This site is not subject to a heritage overlay control, either as an individual place or as part of a precinct.*

Criterion E: Importance in exhibiting particular aesthetic characteristics – aesthetic significance.

36. The flats at 16 Gillard Street were assessed as meeting criterion E on the basis that the building is a 'well-resolved and carefully detailed example of a small flat complex', characterised by its distinctive balustrading, contrasting brickwork, expansive glazing and its refined detailing. The balustrading is not distinctive, being of a simple rendered concrete construction and the glazing could not be described as expansive, at least to an extent that is in any way notable for flats of this period. Nor is the detailing refined – basic would be a more apt descriptor.
37. The flats do not demonstrate *particular* aesthetic characteristics in the sense that particular can be understood to mean unusual, remarkable or unique. The three vertical timber battens applied to the façade are minor, featurist elements that do not have sense of belonging to a cohesive, integrated design approach. The battens read as an ad-hoc gesture intended to add some visual interest to an otherwise bland street façade.

38. Accepting that the citation does not rely on associations with architect David Sapir, the low aesthetic value of the flats at 16 Gillard Street is indicative of Sapir's status as a relatively unknown, minor architect. No entries for Sapir designed buildings could be found on Heritage Victoria's HERMES database, and he has no listing in the 'Dictionary of Unsung Architects', an online resource created by Built Heritage Pty Ltd with an emphasis on twentieth century Australian Architects that '*are less likely to be well-documented in existing studies and published resources*'.⁹

39. As an architect operating in post war Melbourne, David Sapir is overshadowed by his younger cousin Sol Sapir, as described by Aron Paul of Trethowan Architecture:

Several of Sol Sapir's bold tower designs and 'New York Style apartments' have been protected on Heritage Overlays, in particular in the City of Port Phillip. By contrast, none of David Sapir's residential designs have been similarly recognised. The design of the subject property certainly bears no comparison to Sol Sapir's avant garde or locally ground-breaking tower designs. Sol Sapir was working around the same period as his cousin and his work drew attention during his lifetime. Several of his flat developments contemporaneous with the subject site were photographed by Peter Wille (State Library of Victoria). They give an idea of the kind of designs that were considered notable with ribbon windows and balconies and emphasis on repeated forms. Sol Sapir demonstrated considerable flair for garnering attention with bold but simple geometric designs combining alternating expanses of brick wall and glazing with equally bold horizontal lines. By comparison, David Sapir's work did not garner the same kind of attention.

40. I am aware of only one Sapir designed building with a Heritage Overlay control – being the drive-in bottle shop at 64 Foster Street, Dandenong, (HO14, Greater Dandenong Planning Scheme). Constructed in 1969, the bottle shop is an exemplar of post-war futurist design with exuberant decorative forms not evident in the Gillard Street flats – reflecting the eye-catching intent behind this commercial building.

41. A more readily comparable block of flats by David Sapir at 47 Denbigh Road, Armadale, has no Heritage Overlay control and was not identified in the recently completed Armadale Heritage Review. That study involved an inspection of every street in Armadale with the objective of finding potential heritage places that were not identified in other Council sources, including post-war buildings.¹⁰

42. The flats at 47 Denbigh Road employ a similar palette of brown brick with highlight white balconies and very similar arched openings to the carpark and driveway. That said, the result is a more substantial and impressive building than the subject site, albeit not a building deemed worthy of a heritage control in Stonnington.

43. It is relevant that the 'GJM Response to Submissions' contained within the evidence statement of Mr Gard'ner states that the GJM assessment of the site did not conclude that the site was of significance for its association with David Sapir.

⁹ <http://www.builtheritage.com.au/resources.html>

¹⁰ Extent Heritage Pty Ltd, *Stonnington Heritage Review Summary Report Part 2B Armadale Volume 1: Findings*, p.13.



Figure 18 (left) Drive-in bottle shop, 64 Foster Street, Dandenong. David Sapir, 1969. HO14 to the Greater Dandenong Planning Scheme.



Figure 19 (right) Flats at 47 Denbigh Road, Armadale. David Sapir, c1969. The flats do not have a heritage overlay control.

44. Council's Part A Submission and the associated evidence, being the expert witness statements of Jim Gard'ner (7 February 2024) and Natica Schmeder (9 February 2024), were provided to me on 12 February 2024. Council has confirmed its position seeking a Heritage Overlay control to the subject site, proposing to adopt Mr Gard'ner's recommendation for no changes to the Statement of Significance and Citation, while also noting that Ms Schmeder has recommended some changes. The rationale for this position is set out in the Response to Submissions Table at Attachment 2 to the Part A Submission.

Council has considered the advice of the heritage experts engaged by Council as part of its consideration of the issues raised in submissions.

GJM have recommended no changes be made, citing that:

- *The place holds representative elements of post-war modern architecture and design.*
- *The Malvern example cited in the submission demonstrates less 'architectural finesse' compared to 16 Gillard Street, Brighton East.*
- *It is not necessary for a Heritage place to meet all the HERCON criteria to be considered significant.*
- *Comparative Analysis did not reference the examples at 51 Lynch Crescent, Brighton and 21 Vardon Avenue, Beaumaris, which were not in the Heritage Overlay at the time of the assessment. They are now included in Interim Heritage Overlays as a result of the recommendations of the Post-War Modern Residential Heritage Study.*
- *Following a site visit on 18 December 2023, GJM have confirmed that the property remains highly intact to its period of construction.*

Ms Schmeder recommended that no changes be made to the controls proposed by the Amendment but has suggested some changes be made to the drafting of the Statement of Significance, citing that:

- *The Citation and SoS should be updated to reflect the appropriate level of intactness/integrity, note the new door and replace figure 2.*
- *Expand the comparative analysis to include other similar flats from this era and style.*

Council supports the recommendations of its experts to include the place in the Heritage Overlay as proposed by Amendment C192bays. Council invites the Panel to consider the Ms Schmeder's recommendations for modifications to the Statement of Significance as part of its consideration of submissions.

45. I disagree with the views expressed by Mr Gard'ner and Ms Schmeder that the place meets the threshold for local significance.

8.0 Conclusion

46. Having regard for the above, it is my view that the place is not of sufficient historic, representative (architectural) or aesthetic significance to warrant the application of a Heritage Overlay control, as proposed by Amendment C192bays.

Bryce Raworth

CONSERVATION | HERITAGE

BRYCE RAWORTH

M. ARCH., B. A. (HONS), ICCROM (ARCH), FRAIA

Bryce Raworth has worked with issues relating to heritage and conservation since the mid-1980s, and has specialised in this area since establishing his own consultant practice in 1991. **Bryce Raworth Pty Ltd, Conservation • Heritage**, provides a range of heritage services, including the assessment of the significance of particular sites, preparation of conservation analyses and management plans, design and/or restoration advice for interventions into significant buildings, and detailed advice regarding the resolution of technical problems relating to deteriorating or damaged building fabric.

From 2004-2011 Raworth was a member of the Official Establishments Trust, which advises on the conservation and improvement of Admiralty House and Kirribilli House in Sydney and Government House and The Lodge in Canberra. As a member of the former Historic Buildings Council in Victoria, sitting on the Council's permit, planning and community relations committees, Raworth has been involved with the registration and permit processes for many registered historic buildings. In 1996 he was appointed an alternate member of the new Heritage Council, the successor the Historic Buildings Council, and in 1998 was made a full member.

At present he provides regular advice to architects and private owners on technical, architectural and planning issues relative to the conservation and adaptation of historic buildings, and is occasionally called upon to provide expert advice before the VCAT. He is currently the conservation consultant for the city of Stonnington, and has recently stepped down as a foundation member of the Advisory Board to the Australian Centre for Architectural History, Urban and Cultural Heritage, University of Melbourne (ACAHUCH)

With respect to historic precincts, the company has provided detailed advice towards the resolution of heritage issues along the Upfield railway line. The company is currently contributing to redevelopment plans for the former Coburg Prisons Complex (comprising Pentridge Prison and the Metropolitan Prison) and the former Albion Explosives Factory, Maribyrnong. In 1993 Bryce Raworth led a consultant team which reviewed the City of Melbourne's conservation data and controls for the CBD, and in 1997 **Bryce Raworth Pty Ltd** revised the former City of South Melbourne Conservation Study with respect to the area within the present City of Melbourne. The firm is currently completing documentation for significant heritage places and areas in the City of Stonnington.

In recent years **Bryce Raworth Pty Ltd** has also provided documentation and advice during construction on the restoration of a number of key registered and heritage overlay buildings, including the Ebenezer Mission church and outbuildings, Antwerp; the former Martin & Pleasance Building, 178 Collins Street, Melbourne; the former Uniting Church, Howe Crescent, South Melbourne; Heide I & II, Heide Museum of Modern Art, Bulleen; Melbourne Grammar School, South Yarra; various guard towers and other buildings, Pentridge Prison, Coburg; and Coriyule Homestead, Curlewis.

BRYCE RAWORTH
M. ARCH., B. A. (HONS), ICCROM (ARCH), FRAIA

Professional Status:	Conservation Consultant and Architectural Historian
Current Positions:	Conservation Consultant to the cities of Kingston, Frankston and Stonnington
Organisation Membership:	Australian Institute of Architects VPELA (Victorian Planning and Environmental Law Association)
Professional Experience:	<p>independent practice as conservation consultant and architectural historian from January 1991 (ongoing). Services include: identification and assessment of the significance of sites and complexes; preparation of guidelines regarding the safeguarding of significant sites; provision of technical, design and planning advice to architects, owners and government on issues relating to the conservation of sites of cultural significance; expert witness advice on conservation issues before the VCAT</p> <p>member, Historic Buildings Council (architectural historian's chair) 1993-1996; member, Heritage Council (architect's chair) 1998-2002</p> <p>conservation consultant to the cities of Brighton, Northcote and Sandringham (1989 only), Essendon, Hawthorn and Kew (1989-1994), Melbourne (1992-2009) and Prahran (1992-1994)</p> <p>established the Metropolitan Heritage Advisory Service on behalf of the Ministry for Planning & Environment - this service was offered to the cities of Brighton, Essendon, Hawthorn, Kew, Northcote and Sandringham in 1989-90</p>
Studies:	<p>Certificate of Architectural Conservation, ICCROM (International Centre for the Study of the Preservation and the Restoration of Cultural Property at Rome), 1994</p> <p>Master of Architecture by thesis, University of Melbourne, 1993 (thesis: A Question of Style: Domestic Architecture in Melbourne, 1919-1942)</p> <p>B. Architecture (First Class Honours), University of Melbourne, 1986</p> <p>B. Arts (Second Class Honours, Division A), University of Melbourne, 1986</p>
Committee Membership:	<p>Member of Advisory Board, ACAHUCH (Australian Centre for Architectural History, Urban and Cultural Heritage, University of Melbourne) (2018-2022)</p> <p>Twentieth Century Buildings Committee, National Trust of Australia (Victoria), 1990-1994 (Chairman 1992-1993)</p> <p>RAIA Jury, Conservation Category, 1995, 1996, 1998 and 2001 Awards (Chairman 1996 & 1998)</p>
Awarded:	<p>Henry and Rachel Ackman Travelling Scholarship in Architecture, 1987-88</p> <p>JG Knight Award, conservation of Heide 1, Royal Australian Institute of Architects, Victorian Chapter, 2003</p> <p>Lachlan Macquarie Award for heritage (commendation), conservation of Heide 1, Royal Australian Institute of Architects National Award program, 2003</p> <p>Award for Heritage Architecture, conservation of Coriyule Homestead, Australian Institute of Architects, Victorian Chapter, 2015</p> <p>Award for Heritage Architecture, conservation of Coriyule Homestead, Australian Institute of Architects, National Awards, 2015</p>