

Expert Witness Statement to Panel  
Amendment C192bays  
Bayside Planning Scheme

27 Bolton Avenue, Hampton

Prepared under instruction from Best Hooper  
16 February 2024

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*Conservation Consultant and Architectural Historian*



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Attachment – Memorandum of Heritage Advice, Bryce Raworth Pty Ltd, 30 May 2022.

## 1.0 Introduction

1. This statement of evidence was prepared under instruction from Best Hooper on behalf of the owner of the subject site at 27 Bolton Avenue, Hampton. 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 to 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, internal alteration or tree controls will apply. The site is subject to an interim Heritage Overlay (HO850), 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. As is referred to in this evidence, my office provided a Memorandum of Heritage Advice on the subject site in May 2022.
6. This statement was prepared with assistance from Sally Beaton and Kyra King of my office. The views expressed are my own.
7. 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

8. 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 Spedding House – 27 Bolton Avenue, Hampton (July 2022)*
- *City of Bayside Heritage Review, Thematic History, Volume 1, Allom Lovell, March 1999*
- *City of Bayside Inter-War & Post-War Heritage Study, Volume 1, Heritage Alliance, 2008*
- Bayside City Council, Agenda Council Meeting, Tuesday 19 July 2022.
- *Australian Women's Weekly*, November 24 1976.
- City of Sandringham Building Permit No.1281, Dated 17/7/1963.
- City of Sandringham Building Permit No.2519, Dated 16/5/1969.
- City of Sandringham Building Permit No.1715, Dated 7/10/1974.
- *Early sketches of dwelling by Bernard Joyce* (RMIT Joyce/Nankivill archives – provided by client)
- JP Dixon, Real Estate Flyer, July 1997.
- Owners' personal photos from 1998 and 2014.
- Submission to Council by owner, dated 28 April 2022.
- Submission to Council by Fulcrum Urban Planning on behalf of the owner, dated 28 April 2022
- *Memorandum of Heritage Advice*, Bryce Raworth Pty Ltd (dated 30 May 2022) (provided to Council by Fulcrum in submission on 1 June 2022).
- Email correspondence between owners planning representative and Council, dated May and June 2022.
- Email submission to Council by owner's representative, dated 11 June 2022.
- Email submission to Council by owner's representative, dated 11 July 2022.
- Email correspondence from Council/GJM to owners representative, dated 18 July 2022.
- Submission to Council by Fulcrum Urban Planning on behalf of owners, dated 18 October 2023.
- 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)
- *Applying the Heritage Overlay, Planning Practice Note 1, (First published August 2018, updated 16 June 2023).*
- *The Modern House in Melbourne 1945-1975* (Philip Goad, 1992).
- *Australian Encyclopedia of Architecture* (eds. Philip Goad & Julie Willis, 2012).

### 3.0 Author Qualifications

9. 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

10. 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.

A handwritten signature in black ink, appearing to read 'Bryce Raworth', with a stylized flourish at the end.

**BRYCE RAWORTH**

## 5.0 History and Description

11. The dwelling at 27 Bolton Avenue, Hampton, was constructed in 1963 for Mr and Mrs Spedding to a design by architect Bernard Joyce. It had a rectangular form, orientated on a north-south axis, with an east facing courtyard separating the bedroom wing at the front from a large lounge and dining room to the rear. External walls were constructed of unpainted white silica lime bricks with joints raked horizontally and vertically. Windows were timber framed. A carport was located fronting the street with dual driveway access.

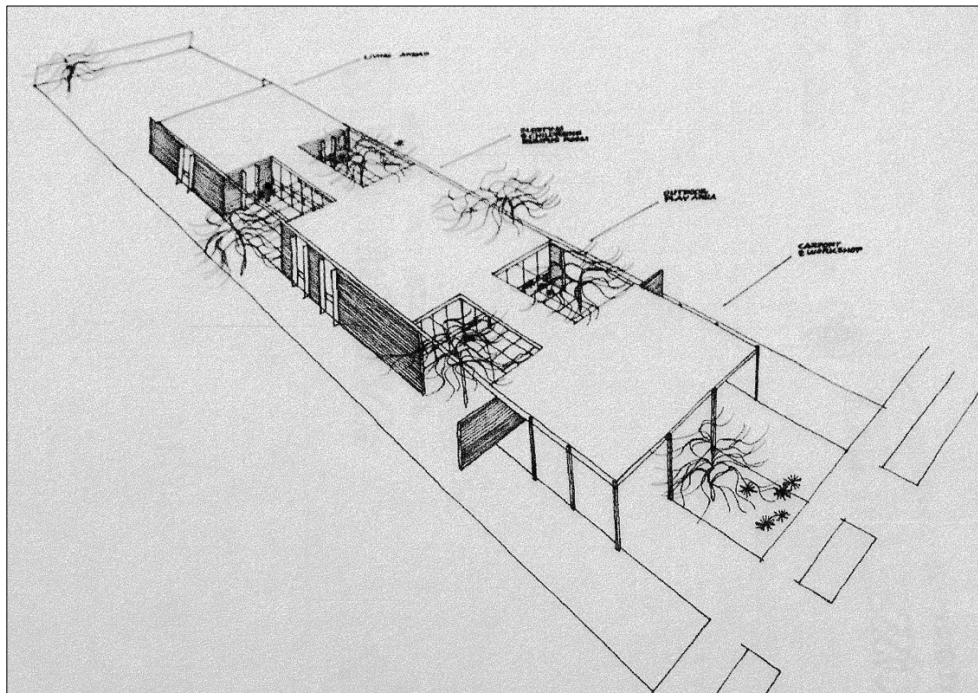


Figure 1 Sketch of the proposed house, March 1963. Note that it differs from the plans as built – refer below. Source: - RMIT Joyce/Nankivell archives, provided by the owners.

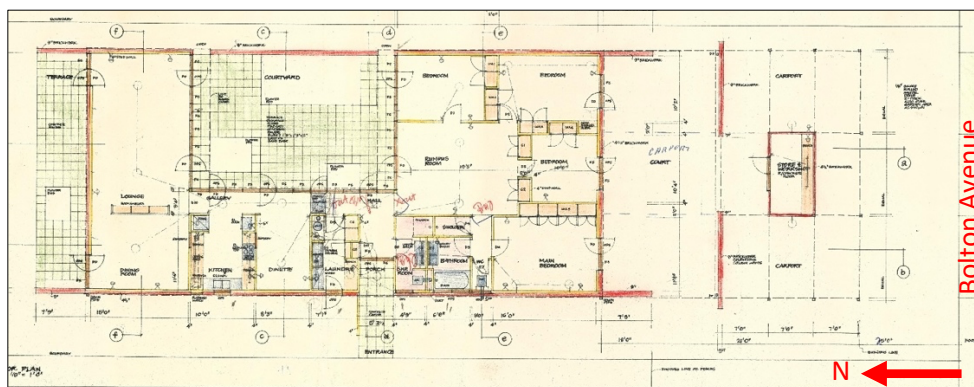


Figure 2 Floor plan, extracted from May 1963 building permit application drawings by Bernard Joyce & Associates Architects. Source: City of Sandringham Building Permit No. 1281.

12. The subject building has undergone numerous changes since its initial construction. A list of known internal and external changes was prepared by the current owners and provided to Council in April 2022 as part of the objection submission. This list is reproduced below (some key items are underlined for emphasis):

**1963 / 64**

- *House built – not to originally envisaged concept plan*

**ca. 1968**

- Swimming pool put into front courtyard behind carports by original owners.

**Late 1970s**

- *New owners.*
- Large extension added across the back of the house including huge games room, addition of sauna, toilet, washroom, bar. Extension is 1m higher than the original house. Extension to house was mission brown and exposed brown brick, yellow glass lanterns chain lighting.
- Access to back yard from original house changed with removal of one set of double doors (vs 2) into the added games room.
- Inground pool put into back yard with decking (pool removed from front yard). Brown brick paving between house and pool replacing earlier landscaping. Large cement grey pavers laid over old pool area in front yard.
- *House carpeted throughout except for original black and white lino in kitchen and dinette.*
- *Walls covered in patterned wallpapers. Heavy curtains along hallway to block light / privacy.*
- *Bedrooms reconfigured from original plans. From 4 to 5.*

**1980s – 1990s**

- *New owners*
- *Italian tiling laid throughout house*
- *Wallpaper painted over to orange, taupe shades.*
- *Kitchen and bathroom fittings upgraded.*

**1997 to present**

**Extensive changes to garden, internal and external house structure**

**External alterations to house since original build**

- Letterbox – new. Replaced by current owners in early 2000s when earlier letterbox was torn out of ground by local kids after a party. As it was in poor condition it was replaced with new wood and design. It was then relocated to another position on the property (vs when house was purchased). Not original.
- Front gardens – new. Gardens have been dug out and replanted several times by current owners (and previous owners) and now heavily planted out. The original brutalist gravel and paved area as per original plan are long gone. Vegetation seeks to hide ugly carports.
- Carport – extended and original materials replaced. Walls now rendered and painted (several times 1999, 2007, 2020) cf. original exposed white bricks. Carport roof replaced in 2008 (rusted out & leaking), rotten uprights also replaced with new timber (not like for like). Carport shed was extended forward south on the property to provide another room / office in 1970s – original external street-facing white brick wall cut for doorway and then hidden by new wooden room with wooden wall and window (now all ivy covered – this is the view from the street) – differing from original plans.
- *Front yard – area behind carport: Post the build of the house (1963) this area had an inground pool installed which was filled in in the late 1970s by next owners – who built a new pool at the back of the property. The metre square concrete pavers covering this entire space were removed in mid 2000s. The area has been replanted several times and redesigned with landscape design plans including paths, garden and veggie patch (2016). New wooden 2m high paling fence and a matching gate were added to the property on the west side by current owners to improve security – changing the original design.*
- *Paving in crossover carports and down front path – not original. Added in 70s. Paths down both sides to back yard of house now concrete (2016).*

- Centre yard completely remodelled and planted out several times; original brutalist 1m square paving lifted in mid-2000s. All vestiges gone. This area relandscaped and planted to landscape architect's plan in 2016.
- Service yard – full height (2m) solid wooden gate added for security in 2000s. Concreted yard. All other paving removed. Side garden bed with trees planted by current owners.
- Backyard – replaced in late 70s, and again in mid 2000s by large pale Italian tiles in line with current tastes. This extends to pool area where new decking surrounds the refurbished pool (early 2000s, and again in 2020). Except for some large palms all trees and gardens have been created by current owners. This is not a courtyard but a backyard.
- House external – refurbished. Entire main building exterior now rendered (1998) and painted (1998 & 2020) covering exposed brick of original design. roofing replaced. 3 skylights installed (bathroom x 1, kitchen x 2).
- Entrance to house – new. Original front door and surrounds gone and replaced with different style door in 1998. Entrance portico retiled in mid 2000s with large Italian tiles (old small brick tiles replaced).
- All external windows updated. All original cedar window frames giving onto centre yard overpainted – replaced with other timber and safety glass. Updated with modern screens. (1998, 2000's, 2020). Mid 70s – 80s colours overpainted with white. All 1970s+ windows giving on to backyard now aluminium glass sliding doors.

#### **House internal**

In 1997 house in poor condition and required significant maintenance following purchase. House painted white and off-white throughout in 1999. Repainted in mid 2000s, 2015 and 2020. Rotting wood replaced with aluminium windows / doors.

**Bedrooms – refurbished** – repainted several times, new windows (2015), new built-in wardrobes.

- configuration of bedrooms changed from original floor plan (now 5 rooms vs 4 big rooms) -changed in 1970s.
- South facing doors and windows to all 3 bedrooms replaced with modern aluminium frames and screens
- East facing small bedroom window replaced with aluminium window and screen.

#### **Bathrooms – new**

- Main family bathroom replaced, retiled, repainted – shower and bathroom spaces. New fittings, bath, shower recess, vanity and cupboards. Now ensuite to main bedroom. Skylight added.
- Guest bathroom – replaced and updated with new fittings, tiles and tapware, original pink floor and wall tiled bathroom gone.
- Games room back of house north – new
- This area was painted sand /white in 1998 and was stripped of internal fittings (bar and built-in divans, yellow glass lantern lights on chains), brown wood panelling overpainted. This room has since been renovated, painted all white, new light fittings, back windows all glass sliding doors (replacing wooden, glass doors), large internal glass sliding door removed to extend room.
- This renovation included adding in ground pool added at back. (Earlier inground pool added in late 1960s at front of property was filled.). See notes above for details.

#### **Rumpus room at south end of house – refurbished**

- Rumpus room / open area giving onto bedrooms/study altered with new tiling and storage room / linen cupboard added. Repainted several times.

#### **Kitchen – new**

- Kitchen twice remodelled and rebuilt with current owners; now large open plan room with island bench (2006, 2022). No trace of old 'nook' and servery remains.
- Built in cupboards and large pantry added – 2006 and 2020.
- Timber ceiling (with damaged timber) covered with new lower plasterboard ceiling and down lights replaced strip fluorescent lights. Work done in 2006.



- 2 skylights have been installed (2006).
- Kitchen floor retiled (2022). 1980 terracotta floor tiles replaced.
- Old kitchen originally divided into 2 areas (stand up kitchen and dinette, with servery hatch that could be closed into adjacent dining room.) Black and white lino floors removed (as advised by former owner). External rubbish door in original house bricked up in early 1999.

#### Hallway

- Retiled in 1980s as per rest of house. Downlights changed, curtains, curtain tracks removed.

#### Laundry – new

- Rebuilt with inbuilt cupboards, new lighting, new fittings.

#### Décor and colours

- Flooring – new/not original. 1980s pink/beige floor terracotta Italian tiles covering all floors throughout house. This was not original flooring – black and white lino in kitchen area and carpets throughout, as advised by a previous owner. Kitchen has been retiled as part of recent refurbishment.
- New colour scheme throughout. None of the original colours remain. Colours white throughout – nothing of earlier wallpaper, paint and colour schemes. Ugly 1970s fittings removed from games room entirely different.

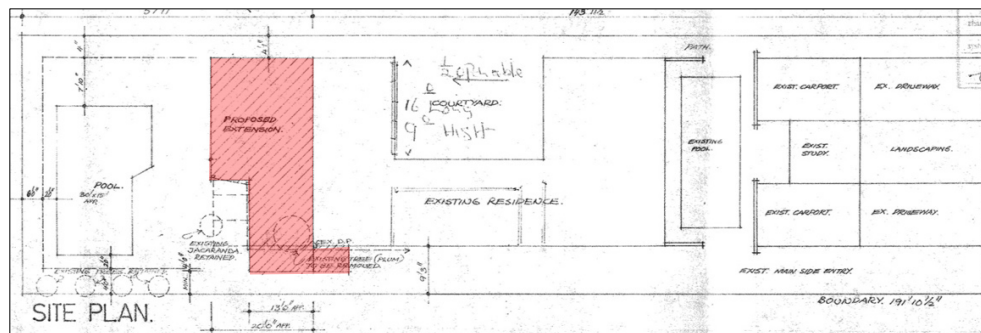


Figure 3 Site plan extracted from the 1974 building permit, highlighting the proposed addition to the rear, and the proposal to relocate the pool from the front of the property to the back.



Figure 4 A 1976 photograph of the street elevation. Note the addition between the two carports and the unpainted brickwork beyond. Source: Australian Women's Weekly, 24 November 1976 edition.

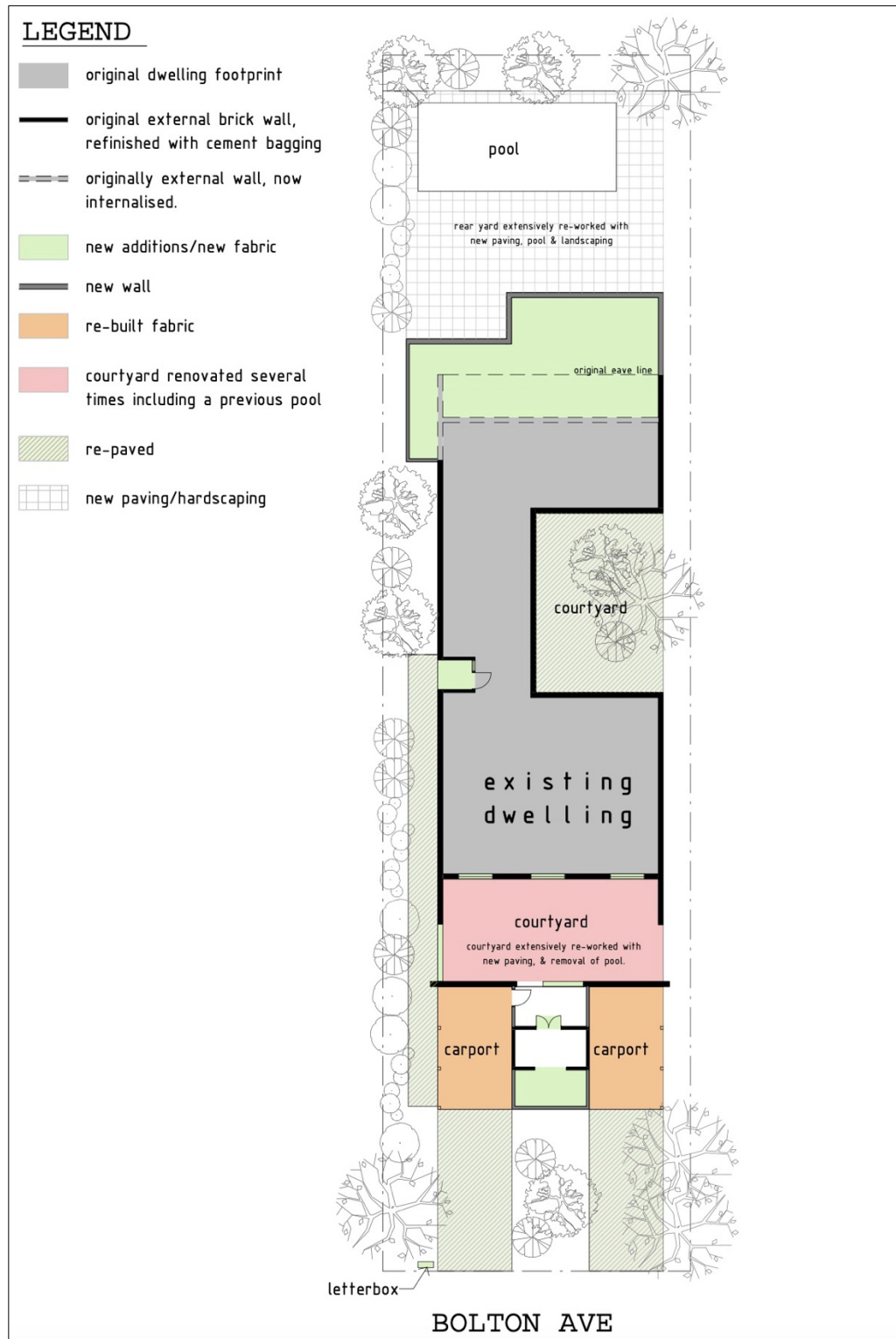


Figure 5 Site plan that illustrates the extent of change to the built form and the landscape. Not indicated is the fact that the original external brick walls have been bagged and painted, a substantial change from the original face brick character. Plan produced by BRPL.



Figure 6 Photo c.1998, showing the southern elevation of the dwelling on the front courtyard. Note the original white face brickwork and the dark painted/stained window joinery, since replaced with white aluminium windows. Image provided by the client.



Figure 7 The southern external wall to the courtyard, as seen now. The face brick seen in the above image is now bagged and painted, the former timber doors replaced with aluminium framed doors and the courtyard has been re-landscaped (subsequent to the insertion and then removal of a swimming pool). The solar panels that have been added to the roof detract from its original rectilinear character.





Figure 8 *Rear of the dwelling in 1998, highlighting timber framed roof and windows. Although this was an addition, it retained the face brickwork and dark timber language of the original. Image provided by the client.*



Figure 9 *The rear of the dwelling as seen today.*





Figure 10 The east facing, northern courtyard, which has been relandscaped.



Figure 11 The east carport, showing the addition to what was originally a small workshop (left). The carports to the front have themselves been rebuilt and are not original.

## 6.0 Heritage Status

13. The subject site is not included on the Victorian Heritage Register.
14. The subject site is not included on the National Heritage Register (Victoria).
15. 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.

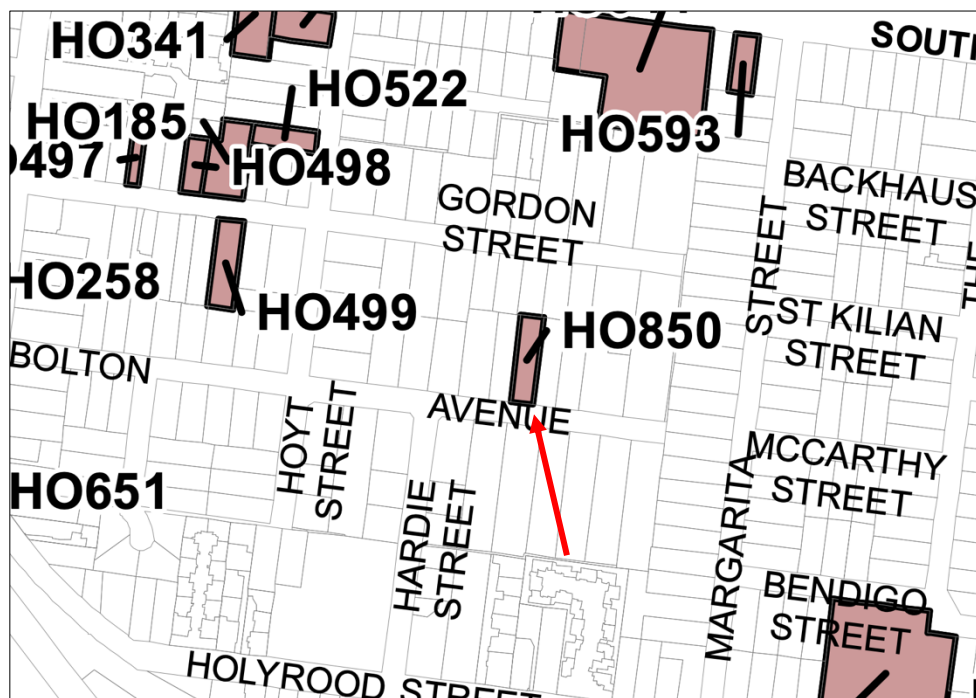


Figure 12 The subject site (indicated with a red arrow) is proposed to have an individual Heritage Overlay, identified at HO850.

16. In February 2022, Council wrote to the owners of impacted properties to begin preliminary consultation regarding the proposal to include their properties on the Heritage Overlay as part of a draft heritage study investigating post-war development. The draft study had identified that the subject site was of historical, architectural and aesthetic significance. The draft study provided the following Statement of Significance:

*What is significant?*

*Spedding House at 27 Bolton Avenue, built in 1963.*

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

- *The original external form, materials and detailing of the building*
- *The building's high level of integrity to its original design*
- *Floor plan comprising a series of discrete box-like forms arranged around internal courtyards to separate living zones and to provide access to natural light*

- *Modernist composition and form, including low horizontal form, flat roof, prominent integrated carport, expansive timber-framed glazing and concealed front entrance*
- *Materials, including (now overpainted) face brick, timber-framed windows and timber cladding*
- *Landscape features, including garden beds flanking both driveways and original or early free-standing timber letterbox.*

*Later alterations are not significant.*

*How is it significant?*

*Spedding House at 27 Bolton Avenue, Hampton is of local historical, representative (architectural) and aesthetic significance to the City of Bayside.*

*Why is it significant?*

*Built in 1963 to a design by architect Bernard Joyce, Spedding House at 27 Bolton Avenue, Hampton is illustrative of post-war suburban development in the City of Bayside, when a large number of architect- designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture, its design principles, and the value of employing an architect. Spedding House at 27 Bolton Avenue makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).*

*Spedding House at 27 Bolton Avenue, Hampton is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architect Bernard Joyce, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Hampton and across Victoria more broadly, including low box-like forms with horizontal emphasis, flat roof, brick construction including front wall concealing the house and entry, internal courtyards, expansive timber-framed glazing, prominent and integrated timber-framed carport and freestanding timber letterbox (Criterion D).*

*Spedding House at 27 Bolton Avenue, Hampton is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect Bernard Joyce, the house is characterised by its austere presentation to the street, its emphasis on private open space and its refined detailing. Spedding House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).*

17. On 28 April 2022 Fulcrum Planning provided a submission to Council on behalf of the owners, stating that the place had been significantly altered with internal and external changes that had compromised its integrity. This submission to Council also included a letter written by the owners of the house, which was submitted to Bayside City Councillors days earlier. Council acknowledged receipt of this submission on the 28 April 2022.
18. On 31 May 2022, Fulcrum Urban Planning forwarded a memorandum of heritage advice completed by my office to Council for consideration as part of the client's objection. On that same day Council responded to say the memorandum still contained a watermark and asked if it was a final document, and if it could please have the watermark removed. On 1 June 2022 a copy of the final memorandum was provided to Council. On 2 June 2022, Council acknowledge receipt of the final memorandum, however stated that while the memorandum will be put on record, it could not be considered as part of the revised version of the Study that was going to be discussed during the 15/16 June Delegated Committee meeting – noting that Council did not provide any such information two days earlier when asking for a final to be issued.
19. On 11 June 2022, Fulcrum Planning wrote to Councillors requesting that the memorandum of heritage advice provided by our office be reviewed and considered at their June meeting.



20. In July 2022, following the initial consultation period, Council officers adopted the *Post-War Modern Heritage Study* and mandatory listing of private properties on the Heritage Overlay. Council's officers and heritage advisor had reviewed submissions provided as part of the initial consultation period and the 19 July 2022 Council meeting agenda provided the following response in relation to the owner's objection:

*Objection to the draft Study is noted.*

*The documented changes to the property have been provided to Council's heritage consultant.  
A revised Statement of Significance has been prepared.*

21. On 7 September 2023, the exhibition period commenced for the introduction of permanent controls to the properties identified to be of heritage significance in the Post-War Modern Residential Heritage Study. The subject site was still proposed to be listed as a property of individual heritage significance. Interim heritage controls were then gazetted to 58 individual heritage places, including the subject site on 23 November 2023.
22. The documents exhibited by Bayside City Council in support of Amendment C192bays included an updated citation prepared by GJM Heritage, containing an amended Statement of Significance for the property:

*What is significant?*

*Spedding House at 27 Bolton Avenue, built in 1963.*

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

- *The original external form, materials and detailing of the building*
- *The building's high level of integrity to its original design*
- *Floor plan comprising a series of box-like forms arranged around an internal courtyard to separate living zones and to provide access to natural light*
- *Modernist composition and form, including low horizontal form, flat roof, prominent integrated carport, expansive timber-framed glazing and concealed front entrance*
- *Materials, including (now overpainted) face brick, timber-framed windows and timber cladding*
- *Landscape features, including garden beds flanking both driveways.*

*Later alterations are not contributory.*

*How is it significant?*

*Spedding House at 27 Bolton Avenue, Hampton is of local historical, representative (architectural) and aesthetic significance to the City of Bayside.*

*Why is it significant?*

*Built in 1963 to a design by architect Bernard Joyce, Spedding House at 27 Bolton Avenue, Hampton is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture, its design principles, and the value of employing an architect. Spedding House at 27 Bolton Avenue makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).*

*Spedding House at 27 Bolton Avenue, Hampton is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architect Bernard Joyce, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Hampton and across Victoria more*

*broadly, including low box-like forms with horizontal emphasis, flat roof, brick construction including front wall concealing the house and entry, internal courtyard, expansive timber-framed glazing, and prominent and integrated timber-framed carport (Criterion D).*

*Spedding House at 27 Bolton Avenue, Hampton is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect Bernard Joyce, the house is characterised by its austere presentation to the street, its emphasis on private open space and its refined detailing. Spedding House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).*

23. The only material difference between the draft statement of significance and the adopted version is the removal of a comment that the 'original or early free-standing timber letterbox' is a significant feature, with comments about other aspects of alterations and additions not recognised by Council in the adopted Statement of Significance.

## 7.0 Discussion

24. The recognised criteria for the assessment of heritage values of a heritage place, as set out in *Practice Note 1: Applying the Heritage Overlay* (first published 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.*

25. To be identified as a place of local significance sufficient to warrant application of the Heritage Overlay, a place should meet one or more of the above criteria to a degree that meets a threshold level of local significance. The case in this instance for recommending an individual Heritage Overlay be adopted is predicated on an assessment that the dwelling at 27 Bolton Avenue, Hampton, is of historical, representative (architectural) and aesthetic significance to the Bayside municipality (Criteria A, D and E).
26. The site has been inspected on several occasions, and there are numerous changes that have been made to the place, many of which are not recognised or understood in the assessment that underlies Council's citation and statement of significance. In short, the building is very altered, notably in terms of how it is seen from the street, but also in terms of its external appearance further within the site, and in terms of its landscaping and general presentation. The diminished integrity and intactness of the building and of its setting are factors that militate against the case for listing and impact upon the extent

to which the site can be seen to meet any of the significance criteria with which it has been associated by Council.

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

27. The citation states that the dwelling is illustrative of post-war suburban development in the City of Bayside, a period when a large number of architect designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture, its design principles, and the value of employing an architect.
28. Insofar as the building is identified as being of historical significance in the context of Criterion A, ie as an exemplar of post-war architect-designed residential development, it is not at all apparent that it *makes a strong contribution to this important phase in the development of the City of Bayside*. The contribution that it makes to this historical theme is limited by the extent to which it has been altered over time.
29. Until the *Post-War Modern Residential Heritage Study* was undertaken, there was limited discussion surrounding post-war dwellings in previous heritage studies. Accepting the *Bayside Thematic History* (TEH) was completed in 1999, the only commentary provided on post-war housing was that the area went through a population boom with new housing estates through Moorabbin, Cheltenham, Highett and Hampton. The TEH also then comments that many notable modern Australian architects built in the area including Neil Clerehan, Mockridge, Stahle & Mitchell, John & Phyllis Murphy and J F Spears<sup>1</sup>.
30. The *City of Bayside Inter-War & Post-War Heritage Study* (May 2008) provides additional detail regarding the development of the post-war Modern House, commenting that due to areas such as Beaumaris having substantial areas of undeveloped land in the post-war period, it attracted the attention of prospective homeowners and prominent architects, with James Spears, David Godsell, David Brunton, Ken Atkins, T J Karasinski, Ian Freeland, John Gates (of Yuncken, Freeman Brothers, Griffiths & Simpson), Lindsay Bunnnett (of Plottel, Bunnet & Alsop) and Eric Lyon (of Smith, Tracey & Lyon) all designing houses for themselves in Beaumaris<sup>2</sup>. The study goes on to comment that the significance of Beaumaris as an epicentre for modern residential architecture in the post-war period has been acknowledged by many, including Robin Boyd, Neil Clerehan and Philip Goad<sup>3</sup>.
31. Good examples of Modernist dwellings are important to the historical significance and understanding of Bayside's architectural history and examples such as those highlighted in the citation that are already on the heritage overlay emphasize this point.

<sup>1</sup> *City of Bayside Heritage Review, Thematic History*, Volume 1, Allom Lovell, March 1999, p. 36

<sup>2</sup> *City of Bayside Inter-War & Post-War Heritage Study*, Volume 1, Heritage Alliance, 2008, P 21

<sup>3</sup> *ibid*



Figure 13 (left)

451 Beach Road, Beaumaris (HO430), a 1956 dwelling to a design by Mockridge, Stahle & Mitchell. Described in the citation as a double storey timber residence with a skillion roof that has wide overhanging eaves to the west elevation, it is of aesthetic significance. Image source: Beaumaris Modern.



Figure 14 (right)

Cromer Road, Beaumaris (HO475), a c.1965 dwelling on an elevated corner. The lower level is of cream brick with the upper level finished with shiplap boarding painted white. The place is identified as of aesthetic significance.



Figure 15 Fletcher House, 8 Avonbury Court, Brighton (HO410), constructed 1967 to a design by Robin Boyd.

32. The subject site cannot be considered an important example of Modernist architecture when compared to the above examples. While the dwelling was first constructed in the 1960s in a Modernist style, it has been changed to a degree such that its character and appearance as first designed by Joyce has been appreciably eroded.
33. This is particularly evident in the bagging and painting of the original face brick, and in the alterations to the front portion of the site, as seen from the street and within the first courtyard in from the street (the southern courtyard), but it is also a result of numerous smaller changes throughout the site.

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

34. The statement of significance comments that the house is a substantially intact representative example of a Modernist dwelling. It states that, being designed by architect Bernard Joyce, the place displays characteristics that are typical of a Modernist dwelling in Hampton, including its low box-like form with horizontal emphasis, its flat roof, brick construction, internal courtyards and expansive timber framing, and prominent and integrated timber-framed carport.
35. As outlined in section 5, many aspects of the dwelling have been altered. In the first instance the front carports have been rebuilt, an addition has been constructed between the carports, and the brickwork at the rear of the carports has been bagged and painted (as is the case with all the external brickwork). This means that no original, unaltered fabric is visible from the street. In addition, the landscaping to the front has been altered, with the area repaved. The presentation of the building to the street is therefore heavily altered and non-original. Beyond this, the house and its courtyards have been subject to numerous changes over time, as set out above.
36. Accepting this, the building cannot be said to be a *substantially intact representative example of a Modernist suburban house* in Bayside with reference to Criterion D in the manner set out in Council's citation.

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

37. The Statement of Significance comments that the subject site is a well-resolved and carefully detailed example of a Modernist style house, with the house characterised by its austere presentation to the street, its emphasis on private open space and its refined detailing.
38. As has been detailed above, the dwelling has undergone extensive alterations and additions since it was constructed, with much of its original design intent and refined detailing having been altered or replaced. The 'austere presentation to the street' is non-original, given the carports have previously been extended and rebuilt.
39. Beyond this, while Bernard Joyce was undoubtedly a well-respected architect of the era, and the architect for numerous well regarded buildings, this house has not been seen as a key example of his work in the past. It is not mentioned in Philip Goad's thesis on postwar residential architecture, *The Modern House in Melbourne 1945-1975*, or in the entry on Joyce Nankivell in the *Australian Encyclopedia of Architecture*, and it is not otherwise well known.
40. Nor is Joyce an architect of such stature within the Melbourne or Bayside environment that any building by him should be considered significant as a matter of course. In this he might be contrasted with architects such as Robin Boyd and Guildford Bell. While there are known examples of his work within the Bayside area, including at 1 Chavasse Street, Brighton, they are minor examples. It is also noted that the dwelling at 1 Chavasse Street is not on the Heritage Overlay, nor proposed for the overlay as part of this Amendment.





Figure 16 The dwelling at 1 Chavasse Street, Brighton. This dwelling was constructed to a design by Bernard Joyce c.1970. Image Source: Real Estate.com.au



Figure 17 The dwelling at 1 Chavasse Street, Brighton, beyond the fence. This dwelling was constructed to a design by Bernard Joyce c. 1970. Image Source: Real Estate.com.au

41. Given its altered state, the subject building cannot be seen to be a key exemplar of Joyce's work nor a building that is important at a local level because of this association. The 'careful' and 'refined' detailing of Joyce that is referenced in the citation and statement of significance has, in many instances, been the subject of renovation or replacement, and again fails to substantial a case for local significance.

42. Accepting its altered character and detail, this building in my opinion is not one of those special examples that warrant protection. Having regard for this, its identification as a building that meets a local threshold of significance against Criterion E is questioned.
43. In finalising this statement I have been provided with 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).
44. At paragraph 110 Council states that in response to issues raised in submissions and having regard to expert advice in relation to the same, Council proposes to delete several properties from the Amendment by way of post-exhibition changes. The subject site at 27 Bolton Avenue is one of these properties.
45. In Attachment 1 to the Part A submission Council provides a summary of the Delegate response to submissions that has informed Council's submissions to the Panel, including the following in relation to the subject site:

*Building permit information was provided by Council to GJM in March 2022 and the changes identified were incorporated into the assessment at that time. On site access was subsequently provided to Council's heritage experts on 18 December 2023.*

*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 to remove the place from the Heritage Overlay, citing that:*

- *Onsite access enabled GJM to understand the nature of changes and while the plan form and much of the detailing remains highly intact, a roughcast cementitious render has been applied to the entirety of the property, covering all original brickwork.*
- *GJM have formed the view that the rendering has adversely impacted the place's significance to the point where it no longer warrants inclusion in the proposed group listing.*

*Ms Schmeder recommended no changes are to be made and that the place be included in the Heritage Overlay as proposed by Amendment C192bays, citing that:*

- *The alterations made do not diminish the heritage significance of the place and the place still meets the threshold for local significance.*
- *The most visually intrusive change is the bagging and painting of the brickwork, but this could be removed by a future owner if desired.*

*Council supports the recommendations of GJM to remove the place from the Heritage Overlay given the place no longer meets the threshold for Heritage protection.*

*Council acknowledges that that Ms Schmeder does not recommend that the place be removed from the Heritage Overlay. It invites the Panel to consider the Ms Schmeder's evidence as part of its consideration of submissions.*

46. I support Council's position as expressed in the Part A submission, and the advice provided by GJM (including the views expressed in the evidence of Mr Gard'ner).
47. It is apparent that the preparation of the citation for the subject site and Council's response to the owner's submissions in 2022 and 2023 did not have the benefit of a detailed site inspection and an associated understanding of the extent of change that had occurred on the site. It is understandable that the site inspection in December 2023 has altered GJM's views. I agree with the observation of GJM that the bagging and painting of the exterior face brickwork has been a very substantial change to the site, but I note that the impact of this change is augmented by the impact of numerous other incremental changes across the site and in particular to the front of the dwelling facing the street and in the first, or

southern, courtyard. The intactness and integrity of this place have been heavily impacted as a result of these changes, and this has had an appreciable impact upon the heritage values of the place.

48. In noting this, I clearly disagree with the views expressed by Ms Schmeder that the alterations do not diminish the significance of the place and that the place meets the threshold for local significance. Moreover, it is my view and experience that the bagging and painting of the building is not a readily reversible change. It would be very difficult and expensive to undertake this process, if it is found to be possible at all – it is entirely likely that a satisfactory outcome in terms of the recovery of the original white face brick appearance of the building could not be achieved.
49. Accepting this, the building should be assessed in terms of its present altered condition, and weight should not be given to the suggested potential for removal of the bagging and painting in making a decision regarding the significance of the place relative to the threshold of local significance.

## 8.0 Conclusion

50. Having regard for all of the above, it is my view that the dwelling at 27 Bolton Avenue, Hampton, is of greatly diminished intactness and integrity and is not of historic, representative (architectural) or aesthetic value sufficient to warrant an individual heritage control as proposed by Amendment C192bays to the Bayside Planning Scheme. I support the position adopted in Council's Part A Submission that the property should be deleted from the Amendment.

# Bryce Raworth

CONSERVATION | HERITAGE

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## 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 &amp; 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 &amp; 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>

## Attachment:

Memorandum of Heritage Advice, Bryce Raworth Pty Ltd, 30 May 2022.

# Memorandum of Heritage Advice

27 Bolton Avenue, Hampton  
30 May 2022



## Memorandum of heritage advice regarding the draft heritage study citation for the site

This memorandum of advice was prepared on behalf of the owner of the property at 27 Bolton Avenue, Hampton. It comments on the heritage citation for the site, as found in the draft *City of Bayside Post War Modern Residential Heritage Study* (GJM Heritage). The analysis below draws upon an external and internal inspection of the house, and a review of the draft heritage study citation. Reference is also made to historical building permit records for the house.

The draft citation includes the following statement of significance for the house at 27 Bolton Avenue:

*What is significant?*

*Spedding House at 27 Bolton Avenue, built in 1963.*

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

- *The original external form, materials and detailing of the building*
- *The building's high level of integrity to its original design*
- *Floor plan comprising a series of discrete box-like forms arranged around internal courtyards to separate living zones and to provide access to natural light*
- *Modernist composition and form, including low horizontal form, flat roof, prominent integrated carport, expansive timber-framed glazing and concealed front entrance*
- *Materials, including (now overpainted) face brick, timber-framed windows and timber cladding*
- *Landscape features, including garden beds flanking both driveways and original or early free-standing timber letterbox.*

*Later alterations are not significant.*

*How is it significant?*

*Spedding House at 27 Bolton Avenue, Hampton is of local historical, representative (architectural) and aesthetic significance to the City of Bayside.*

*Why is it significant?*

*Built in 1963 to a design by architect Bernard Joyce, Spedding House at 27 Bolton Avenue, Hampton is illustrative of post-war suburban development in the City of Bayside, when a large number of architect designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture, its design principles, and the value of employing an architect. Spedding House at 27 Bolton Avenue makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).*

*Spedding House at 27 Bolton Avenue, Hampton is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architect Bernard Joyce, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Hampton and across Victoria more broadly, including low box-like forms with horizontal emphasis, flat roof, brick construction including front wall concealing the house and entry, internal courtyards, expansive timber-framed glazing, prominent and integrated timber-framed carport and freestanding timber letterbox (Criterion D).*

*Spedding House at 27 Bolton Avenue, Hampton is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect Bernard Joyce, the house is characterised by its austere presentation to the street, its emphasis on private open space and its refined detailing. Spedding House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).*



The draft *City of Bayside Post War Modern Residential Heritage Study* recommended that 27 Bolton Avenue, Hampton be included in the Heritage Overlay to the Bayside Planning Scheme as a locally significant place (to the extent of the whole of the property). Internal alteration controls, external paint controls and tree controls were not recommended by the study. The study recommended, however, that the carport, though an outbuilding, should not be exempt under Clause 43.01-3 (ie should not be permit exempt).

The site has been inspected in detail in company of the owners, and this office has reviewed and endorsed a document prepared by the owners that sets out the nature and extent of changes that have been made to the place, many of which are not recognized or understood in the assessment that underlies Council's citation and statement of significance. In short, the building is very altered, most notably in terms of how it is seen from the street.

In the first instance, the front carports have been rebuilt, an addition has been constructed between the carports, and the brickwork at the rear of the carports has been bagged and painted. This means that no original, unaltered fabric is visible from the street. In addition, the landscaping to the front has been altered, and the letterbox, which is mentioned in the statement of significance, has been replaced in a different format and relocated after the original was vandalized. The presentation of the building to the street is therefore heavily altered and non-original.

Beyond this, the house and its courtyards have been the subject of numerous changes over time, and the rear of the building has been altered and no longer reads as originally designed. Finally, the interiors have been subject to change and are not of any interest, noting that the interiors are not recommended for a control under the proposed Heritage Overlay in any case.

Accepting this, the building cannot be seen to be a *substantially intact representative example of a Modernist suburban house* in Bayside with reference to Criterion D.

Beyond this, while Bernard Joyce was undoubtedly a well respected architect of the era, and the architect for numerous well regarded buildings, this house has not been seen as a key example of his work in the past. It is not mentioned in Philip Goad's thesis on postwar residential architecture, *The Modern House in Melbourne 1945-1975*, it is not mentioned in the entry on Joyce Nankivell in the *Australian Encyclopedia of Architecture*, and it is not otherwise well known.

Nor is Joyce an architect of such stature within the Melbourne or Bayside environment that any building by him should be considered significant as a matter of course. In this he might be contrasted with architects such as Robyn Boyd, or Guilford Bell. Given its altered state, this building cannot be seen to be a key exemplar of his work, nor a building that is important at a local level because of this association. The *careful* and *refined detailing* of Joyce that is referenced in the citation and statement of significance has, in many instances, been the subject of renovation or replacement, and again fails to substantiate a case for local significance.

Moreover, this house exemplifies a dilemma common to many modernist houses in terms of heritage controls. Victorian, Edwardian and interwar heritage buildings typically make a statement to the street that is a conscious and public expression of architectural design, and in some instances may have little of architectural interest to their rear or sides. The protection of the front parts of those buildings makes sense and provides a manageable paradigm for their ongoing use, ie with retention of the front parts and, in some instances at least, modernization of the rear. A building such as the Spedding House reveals very little to the public realm,

particularly when it has been altered to its front, and the Heritage Overlay control is therefore largely directed to elements that are not seen from the street, ie elements such as plan form, concealed elevations and associated detailing, etc. Given the limited extent to which this is in any sense able to be appreciated by the community of Bayside, one would hope that only the highest and best, and the most intact, examples would warrant the introduction of heritage controls. In some ways this is analogous to the manner in which internal controls are exercised, or not exercised, in relation to heritage places, with only the most important examples subject to internal controls. Accepting its altered character and detail, this building does not seem one of those special examples that warrant protection. Having regard for this, its identification as a building that meets a local threshold of significance against Criterion E is questioned.

Insofar as the building is identified as being of historical significance in the context of Criterion A, ie as an exemplar of postwar architect-designed residential development, it is not at all apparent that it *makes a strong contribution to this important phase in the development of the City of Bayside*. Once again, the contribution that it makes to this historical theme is limited by the extent to which it has been altered over time.

In conclusion, it is apparent that the alterations and additions outlined in the submission of the owners of this place have not been understood and analysed in Council's draft citation, and the suggestion that this place is of local significance within the context of comparable, and often more intact, postwar modern houses must therefore be questioned.

**Bryce Raworth Pty Ltd**