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Dear Panel

**Melbourne Planning Scheme Amendment C387melb:
Hoddle Grid Heritage Permanent Controls**

We continue to act for Phileo Australia Limited, submitter 10, in relation to the above Panel Hearing.

In accordance with direction 8 of the Panel's directions dated 17 June 2021, we enclose our client's expert witness statement prepared by Bryce Raworth of Bryce Raworth Conservation and Heritage.

We also advise the Panel that our client has engaged Senior Counsel Nicholas Tweedie S.C. and Junior Counsel Daniel Robinson to represent them at the Panel Hearing.

We confirm all submitters on the Distribution List have been blind copied in this correspondence.

If you have any questions or require further information, please do not hesitate to contact David Passarella on +61 3 8568 9527 or dpassarella@millsOakley.com.au.

Yours faithfully



DAVID PASSARELLA
PARTNER
Encl.

Expert Witness Statement to Panel

Amendment C387 to the
Melbourne Planning Scheme

303-317 Collins Street, Melbourne

Prepared under instruction from Mills Oakley
August 2021

Bryce Raworth
Conservation Consultant and Architectural Historian



Contents

1.0 Introduction 2

2.0 Sources of Information..... 2

3.0 Author Qualifications..... 3

4.0 Declaration..... 3

5.0 History and Description 4

6.0 Heritage Listings 9

7.0 Discussion..... 10

8.0 Conclusion 20

1.0 Introduction

1. This statement of evidence has been prepared under instruction from Mills Oakley on behalf of the owner of the property at 303-317 Collins Street, Melbourne. It comments on the heritage considerations associated with Amendment C387 to the Melbourne Planning Scheme, which proposes to implement the recommendations of the *Hoddle Grid Heritage Review* July 2020 and apply the Heritage Overlay to 133 individual places, revise the boundary of four existing individual Heritage Overlays and apply the Heritage Overlay to five precincts including extending one precinct.
2. Amendment C387 proposes to introduce an individual Heritage Overlay control to the subject site. My instructions are to prepare an expert report considering the heritage significance of the subject property and the appropriateness of the proposed overlay.
3. This statement was prepared with assistance from Martin Turnor of my office. The views expressed are my own.
4. 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 advice on heritage issues associated with both Amendment C387.

2.0 Sources of Information

5. This statement is informed by an external inspection of the building at 303-317 Collins Street along with a review of the documentation associated with Amendment C387, including the exhibited *Hoddle Grid Heritage Review* (Context Pty Ltd & GJM Heritage, 2020) and the *Summary of Submissions and Management Responses* (18 May 2021). Other documents referred to include:
 - *MELMO: Modernist Architecture in Melbourne* (Robin Grow, 2021).
 - *Port Phillip Heritage Review* (Version 35, March 2021).
 - *The Victorian Heritage Register Criteria and Threshold Guidelines* (Updated 3 December 2020).
 - *Australian Modern* (Hannah Lewi & Philip Goad, 2019).
 - *Modern Movement Architecture in Central Sydney: Heritage Study Review* (TKD Architects, 2019).
 - *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).
 - *Guildford and Hardware Laneways Heritage Study* (Lovell Chen, 2017).
 - Panel Report - Nillumbik Planning Scheme Amendment C100 (26 March 2015).
 - *Melbourne's Marvellous Modernism: A Comparative Analysis of Post-War Modern Architecture in Melbourne's CBD* (National Trust of Australia (Victoria), 2014).

- *The Encyclopedia of Australian Architecture* (Philip Goad & Julie Willis eds., 2011).
- *Melbourne Architecture* (Philip Goad, 2009).
- *Tall Buildings: Australian Business Going Up 1945-1970* (Jennifer Taylor, 2001).
- *Australian Architecture since 1960* (Jennifer Taylor, 1990).
- *Central City Heritage Study Review* (Philip Goad, Miles Lewis, Alan Mayne, Bryce Raworth & Jeff Turnbull, 1993).
- *Central Activities District Conservation Study* (Graeme Butler, 1985).

3.0 Author Qualifications

6. 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 Panels Victoria, the VCAT, 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

7. 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 'B. Raworth', with a stylized flourish at the end.

BRYCE RAWORTH

5.0 History and Description

8. The multi-storey office building at 303-317 Collins Street was completed in 1973 for the Mutual Life and Citizens Assurance Company (MLC). It replaced the company's earlier Art Deco styled Melbourne headquarters, built in 1938 to a design by architects A & K Henderson and Partners.¹ The site had been occupied by a three storey commercial building since c1862 and was acquired by MLC in 1936.²
9. By the 1960s MLC had outgrown their original 1938 offices, and they began acquiring adjacent properties on Collins and Elizabeth Street for redevelopment.³ A building at the corner of Collins and William Street was also purchased to temporarily house MLC staff during the redevelopment. It was reported in June 1968 that construction of the new MLC building was not expected to commence before 1970.⁴ In January of that year a building permit application was lodged with the City of Melbourne for a multi-storey office building on the MLC site with an estimated cost of \$6,624,851.⁵



Figure 1 (left) The south-west corner of Collins and Elizabeth Street, 1916. Source: State Library of Victoria. .



Figure 2 (right) The same street corner c1939 showing the then newly completed MLC building. Source: State Library of Victoria.

¹ *Australian Modern: The Architecture of Stephenson and Turner*, p.46.

² National Library of Australia, picture collection, PIC Volume 1022 #S5210.

³ *Canberra Times*, 14 June, 1968, p.18.

⁴ *Canberra Times*, 14 June, 1968, p.18.

⁵ Building Permit Application Index, Application No. 41046.

10. The new MLC office building was officially opened by the Victorian Premier Rupert Hamer on 13 August 1973.⁶ The thirty storey tower has a curved plan form with a circular lift shaft to the rear, described in a feature article in *The Age* as a 'notable addition to Melbourne's financial district' (accepting that the article reads as a self-promotional paid advertisement).⁷ A forecourt was provided at the street corner with a fountain and circular rotunda where clients and members of the public could transact minor business with MLC without entering the building. The building was faced in re-constituted granite panels chosen for their 'rugged brown stone effect'.⁸ A weather beacon from the old MLC offices was re-installed on the top of the tower, operated by remote control from the weather bureau with changing sequences of red and white lights to indicate weather patterns and forecasts.⁹

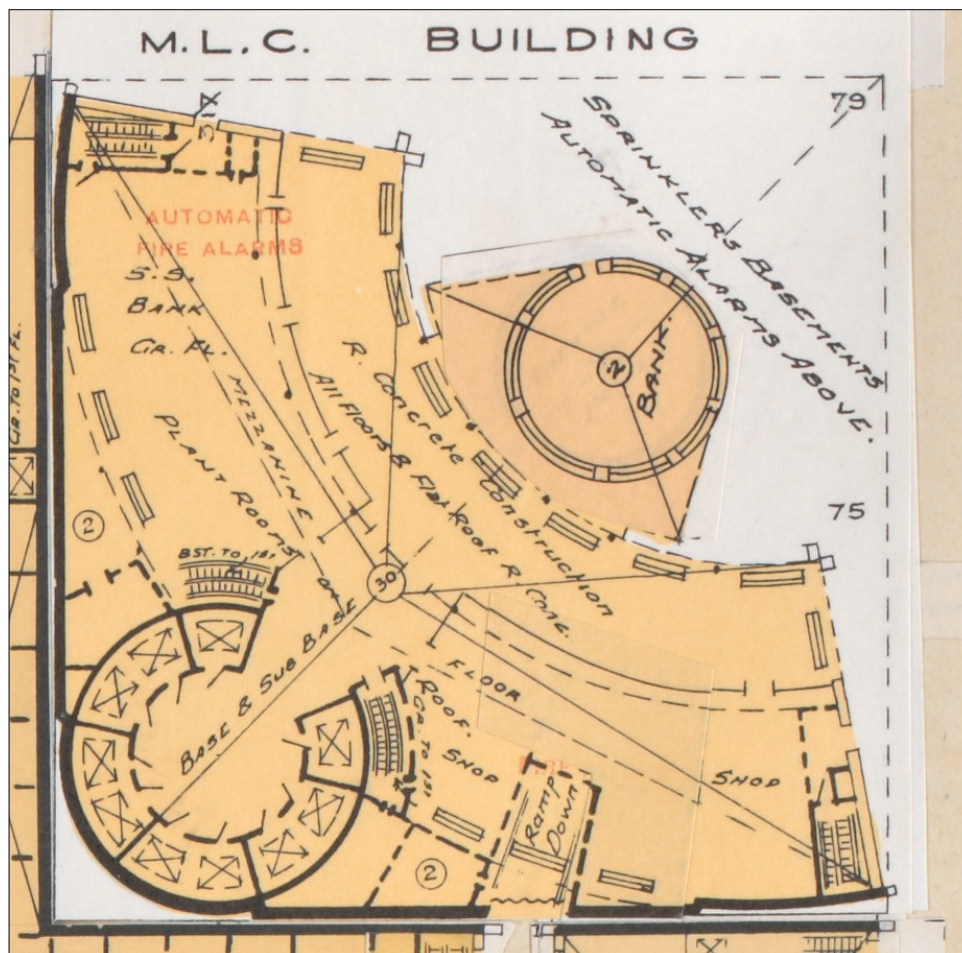


Figure 3 A Mahlstedt fire insurance plan showing the original ground floor layout of the MLC Building. Source: State Library of Victoria.

⁶ *The Age*, 13 August 1973, p.17.

⁷ *The Age*, 13 August 1973, p.17.

⁸ *The Age*, 13 August 1973, p.21.

⁹ *The Age*, 13 August 1973, p.20.



Figure 4 (left)

The MLC Building, 1973. Source: National Archives of Australia.



Figure 5 (right)

The southern façade of the MLC building, 1973. Source: National Archives of Australia.



Figure 6

The forecourt to the MLC Building, 1973. Source: National Archives of Australia.

11. As reported in *The Age*, design co-ordination and construction of the building was carried out by Civil and Civic Pty Ltd in association with architects R S Demaine and Partners.¹⁰ However, it was Kris Kudlicki of Civil and Civic who claimed authorship of the design.¹¹ Not long after the completion of the MLC Building, Kudlicki pleaded guilty to a charge of holding himself out to be an architect.¹²
12. The original rotunda was demolished in recent decades and the forecourt entirely built over with a 2-3 storey podium of contemporary design. The levels about the podium remain intact externally other than through the removal of the original MLC signage and the installation of IOOF signage around the crown of the lift shaft.



Figure 7 (left)

The MLC Building with the rotunda in the foreground, 1973. Source: The Architect.

Figure 8 (right))

View from the top of the MLC Building looking down towards the forecourt, 1973. Source: National Archives of Australia.



¹⁰ *The Age*, 13 August 1973, p.17.

¹¹ *Architect*, May-June, 1973, p.8.

¹² *Architect*, May-June, 1973, p.8.



Figure 9 (left) The former MLC Building viewed from the corner of Collins and Elizabeth Street.
Figure 10 (right) The south elevation viewed from Elizabeth Street.



Figure 11 The non-original podium, replacing the forecourt and rotunda.

6.0 Heritage Listings

13. Interim Heritage Overlay control (HO1319) has been applied to the subject site with an expiry date of 29 May 2022. As noted, Amendment C387 to the Melbourne Planning Scheme seeks to apply a Heritage Overlay on a permanent basis. No external paint controls, internal alteration controls or tree controls would apply under the proposed Heritage Overlay.
14. The subject site is not included on the Victorian Heritage Register, nor has it been classified by the National Trust of Australia (Victoria).
15. The citation for the former MLC Building, as included within the *Hoddle Grid Heritage Review*, provides the following statement of significance:

What is significant?

The Former MLC Building, 303-317 Collins Street, a multi-storey office building constructed in 1970-73. Elements that contribute to the significance of the place include (but are not limited to):

- *The building's original external form, materials and detailing*
- *The building's high level of integrity to its original design.*

Later additions made to the forecourt are not significant.

How it is significant?

The Former MLC Building at 303-317 Collins Street is of historical and representative significance to the City of Melbourne.

What is significant?

Constructed c1970-73 to a design by Civil and Civic Pty Ltd in association with Demaine, Russell, Trundle, Armstrong & Orton, the Former MLC Building has a clear association with the postwar building boom which transformed central Melbourne into a modern high-rise city. The design of these commercial buildings from the late 1950s to the mid-1970s – many of which were architect designed – was driven by the commercial demands and the prestige afforded by a dominant city presence (Criterion A).

The Former MLC Building is a fine and highly intact representative example of a Post-War Modernist commercial building. The building strongly reflects the style which was popular from the 1960s to the mid 1970s, particularly in central Melbourne. Constructed as a 30-storey structure, the Former MLC Building clearly demonstrates typical characteristics of a later postwar commercial building including grid-like walls of clearly expressed structure, and the use of materials such as granite-faced precast concrete panel cladding. These demonstrate important aspects of the Post-War Modernist style. The adoption of a curved form to clearly display the trabeated system of construction is unusual and distinctive (Criterion D).

7.0 Discussion

16. A submission was made to Council on behalf of the owner in opposition to the heritage overlay control proposed for the subject site under Amendment C387. Matters raised in the submission are listed in Council's Summary of Submissions and Management Response as follows:

- *Substantial modifications have been made to the MLC building since its construction and, on that basis, our client submits that the Statement of Significance's description of 'highly intact' is misguided.*
- *The original forecourt rotunda has been demolished and replaced with a three-storey podium which extends to the site boundaries. The citation contained in the Hoddle Grid Heritage Review, downplays this modification and suggests that the alterations do not diminish the ability to understand and appreciate the place as a fine example of a Post-war Modernist, multi-storey commercial building. However, in circumstances where the curved features of the building are supposedly paramount to its significance, our client's view is that the removal of a prominent curved element compromises the architectural importance of the building.*
- *There is nothing remarkable about the materials or detailing of the building. The materials used are considered typical for this type of commercial building and the curved form is not particularly innovative, given the earlier construction of buildings like the former BP House on the corner of Albert and St Kilda Roads.*
- *It is queried whether the MLC building can be properly characterised as having 'a clear association with the postwar building boom' as the Statement of Significance suggests. Arguably, the building was constructed too late to fall within this category of development.*
- *It is acknowledged that the 'postwar building boom' does not have specific beginning or end dates. However, the Pictorial Guide to Identifying Australian Architecture defines the postwar era as c1940-1960. Accordingly, a building which was designed in 1969 and completed in 1973 is too recent to be properly considered postwar.*
- *There have been a number of heritage studies undertaken in the Melbourne CBD and the subject site has never before been considered worthy of heritage protection.*
- *The existing building is not of sufficient intactness or architectural or historical significance to warrant heritage protection.*

17. The submission was referred to the City of Melbourne's heritage consultant GJM Heritage, and their responses were reaffirmed and tabulated as follows:

- *Management agrees with GJM's ~~notes~~ response that podiums of the majority of 1960s and 1970s multi-storey commercial buildings in the City of Melbourne have been modified at street level. ~~GJM considers that the a~~ Alterations to the forecourt of the MLC Building – acknowledged in the heritage assessment – do not diminish its architectural integrity or the ability to understand and appreciate the place as a fine example of a Post- War Modernist style commercial building to such an extent that it does not warrant inclusion on the Heritage Overlay.*
- *Management agrees with GJM's response that ~~T~~he Pictorial Guide to Identifying Australian Architecture (Richard Apperley et al) was published in 1989 and focuses on the classification of architectural styles rather than the definition of historic periods. It also considers the postwar period within a different historical context,*

being published over 30 years ago. The end date of 1975 chosen for the study is consistent with the timeframe for this period in other prominent heritage studies, including the Central City (Hoddle Grid) Heritage Review (Graeme Butler and Associates, 2011), the Survey of Post-War Built Heritage in Victoria: Stage One and Two (Built Heritage, 2008) and Melbourne's Marvellous Modernism (National Trust of Australia (Victoria), 2014), as well as surveys of this period such as Australia Modern: Architecture, landscape & design (Lewi, H. & Goad, P., 2019) and Philip Goad's doctoral thesis The Modern House in Melbourne, 1945-1975. A building designed in 1969 and completed in 1973 is therefore appropriately included within this defined period.

- *Management agrees with GJM's response that ~~The~~ the Hoddle Grid Heritage Review is the most comprehensive review of heritage buildings within the Hoddle Grid since the 1990s. The majority of current Heritage Overlays within the Hoddle Grid therefore arise from heritage studies undertaken in the 1980s and 1990s. Given the timeframe that has elapsed since then – now more than 20 years – it is reasonable to expect that public and professional recognition of heritage has changed over this time and the assessment of heritage values may warrant reconsideration.*
- *This is particularly relevant to the assessment of postwar places (dating to the period 1945 to 1975). In comparison with nineteenth and early twentieth century buildings, very few postwar buildings have been identified through previous heritage studies undertaken within the City of Melbourne. Given that it is the passing of time that allows the enduring cultural heritage values of a place or object to be rigorously and objectively assessed, it is unsurprising that heritage studies undertaken in the 1980s and 1990s 'overlooked' some buildings dating from the 1960s and 1970s as sufficient time had not elapsed to be able to undertake a meaningful assessment of such places.*
- *Management agrees with GJM's response that ~~The~~ the subject building is one of a number of postwar places that have been assessed as part of a comprehensive review undertaken to address this gap. ~~GJM is of the opinion that the~~ Review provides sufficient justification to substantiate the significance of the place and the building warrants the application of an individual Heritage Overlay.*

18. With references to GJM's comments on intactness, the construction of a new podium over the forecourt goes well beyond the typical alterations to the ground floor of postwar offices or buildings involving new glazing/shopfronts, entrances and awnings.
19. In my opinion the architectural significance of the former MLC Building has been appreciably compromised by the demolition of the original forecourt and rotunda and replacement with a substantial podium structure built out to the street boundaries. The citation's description of the podium as 'low rise' gives a misleading impression of its visual impact. The original design used the concave plan form of the tower to create a generous forecourt with the rotunda as a focal point – the relationship of the rotunda to the tower and the circular lift shaft was a key aspect of the design. The loss of the forecourt and rotunda undermines the logic of the curved plan form, regardless of the levels above the podium remaining intact.

20. Alterations of a less dramatic nature were made to the lower levels of the 1965 office building at 458-466 Bourke Street and yet it was excluded from further assessment in the *Hoddle Grid Heritage Review* on the basis of its diminished architectural integrity.¹³



Figure 12 (left) A 1982 photograph of the 1965 office building at 458-466 Bourke Street. Source: City of Melbourne Libraries.

Figure 13 (right) Current photograph of the same.

21. The former State Accident & Motor Car Insurance Offices at 480-490 Collins Street was also excluded from further assessment because of its low integrity. The front plaza was infilled with a three level podium. It was originally 9 storeys as built in 1966 with 9 storeys added in 1972 – accepting this was a major change, the façade above podium level appears to be largely intact to its 1972 condition (ie contemporary with the former MLC Building). According to the *Hoddle Grid Heritage Review* two levels were added to 480-490 Collins Street in 2005 although the façade height seems unchanged from its appearance in a 1982 photograph.

¹³ *Hoddle Grid Heritage Review*, p.122.



Figure 14 (left) A 1982 photograph of the former State Accident & Motor Car Insurance offices at 480-490 Collins Street. Graded B in the 1985 Melbourne CAD Conservation Study. Source: City of Melbourne Library

Figure 15 (right) Current photograph showing podium addition.

22. Accepting that the former MLC Building is intact above the podium level, it is not a fine or notable example of postwar modernism. I have come to this conclusion on the basis of an assessment against the heritage criteria set out below.
23. In respect to whether the former MLC Building can be categorised as postwar, it is accepted that the postwar era is not a precisely defined timeframe. The recently published book *MELMO: Modernist Architecture in Melbourne* includes buildings from 1970s and the National Trust's 2014 report *Melbourne's Marvellous Modernism* has a date range of 1945-1975.

24. On the other hand, 1970 is seen as a 'turning point' in Jennifer Taylor's *Tall Buildings: Australian Business Going Up: 1945-1970* (the key reference document for the development of multi-storey buildings in post war Australia).¹⁴ Regardless of this, the former MLC Building was conceived at the tail end of the postwar boom when economic impetus for office development was in decline.
25. With further reference to Council/GJM's response to submissions, I agree that public and professional recognition of post 1945 built heritage has advanced since the heritage studies of the 1980s and 1990s, and that some hitherto overlooked modernist buildings may warrant reconsideration. This is not to suggest that buildings of the 1960s and 1970s were entirely overlooked in the past heritage studies of the City of Melbourne. Nor is it the case that 'very few' postwar buildings were identified in those studies.
26. The 1985 study halted 'comprehensive assessment' at buildings less than 25 years old (ie c1960) with the exception of award winning buildings.¹⁵ While not a thorough, all-encompassing survey of postwar buildings, the 1985 study most certainly recognised that buildings of the 1960s and 1970s could be of heritage value. The study was prescient in identifying a number of post-1960s buildings that are now on the Victorian Heritage Register, including Eagle House, 473 Burke Street (1970-71), the former BHP House, 130-148 William Street (1969-72), the former Hoyts Cinema, 134-144 Bourke Street (1966-69) and Total House, 170-190 Russell Street (1964-65). The 1985 study also identified (as B grade places) the AMP Building/St James Building, 527-555 Bourke Street (1965-69), Royal Insurance Building, 430-444 Collins Street (1962-65) the former Young Women's Christian Association, 489-499 Elizabeth Street (1973-75) and the former Hoyts Mid-City Cinemas, 194-200 Bourke Street (1969-70). To that end, the 1985 study remains a useful guide to notable modernist buildings in the Melbourne CBD.
27. The subsequent 1993 *Central City Heritage Study* sought to address gaps in the 1985 study by placing an emphasis on the 'critical appreciation of post war building stock dating between 1956 and 1974, which had not been formally assessed as part of the 1985 study'.¹⁶ This resulted in several postwar modernist buildings being nominated for planning scheme protections, inter alia, the former BHP Building, the Total Building, the Hoyts Cinema Complex, Eagle House, Coates Building, Royal Insurance Group Building and Gilbert Court.

¹⁴ Jennifer Taylor, *Tall Buildings: Australian Business Going Up: 1945-1970*, 16.

¹⁵ *Melbourne Activities District Conservation Study – Building Citations*, p.2.

¹⁶ *Tall Buildings: Australian Business Going Up: 1945-1970*, p.111.

28. In the present instance, the case for recommending an individual Heritage Overlay for the site is predicated on the view that the former MLC Building is of local historical and representative significance to the City of Melbourne (Criteria A and D). As per *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018), the criteria are as follows:

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

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

29. At present, 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. 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. It is my opinion that the former MLC Building does not meet this benchmark in respect to Criterion A and D.
30. As repeatedly stated in Council's response to submissions, the assessment of places in the *Hoddle Grid Heritage Review* was undertaken in accordance with *Planning Practice Note 1: Applying the Heritage Overlay*. That document, however, only provides general guidance on the application of the heritage criteria. The Heritage Council of Victoria *State of Heritage Review: Local Heritage 2020* identifies the need to update the practice note and create local threshold guidelines, similar to those used for State heritage.¹⁷
31. In the absence of such a document, consideration can be given to the *Victorian Heritage Register Criteria and Threshold Guidelines* (Endorsed by the Heritage Council 6 December 2012, reviewed and updated 3 December 2020). Accepting that the guidelines were prepared to assist in determining whether a place is of state significance, the methodology for applying the heritage criteria is transposable to places of local significance. The use of the Heritage Council guidelines for this purpose has been accepted by past Planning Panels (eg Nillumbik Amendment C100, pp.12-28).
32. The Heritage Council guidelines make it apparent in the first instance that a place should be assessed against a basic test for satisfying any given criteria, but then having met that basic test, it should be assessed against a test for determining state level significance.
33. Paraphrasing the Heritage Council guidelines, the first basic test for satisfying Criterion A in a local context would be as follows:

¹⁷ Heritage Council of Victoria *State of Heritage Review: Local Heritage 2020*, p. 47.

The place/object has a CLEAR ASSOCIATION with an event, phase, period, process, function, movement, custom or way of life in [Melbourne's] cultural history.

The association of the place/object to the event, phase, etc IS EVIDENT in the physical fabric of the place/object and/or in documentary resources or oral history.

The EVENT, PHASE, etc is of HISTORICAL IMPORTANCE, having made a strong or influential contribution to [Melbourne].

34. Criterion A is likely to be satisfied if all of the above requisites are met, and it can be demonstrated that the *'The place/object allows the clear association with the event, phase, etc, of historical importance to be UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS [in Melbourne] WITH SUBSTANTIALLY THE SAME ASSOCIATION'* (caps as per the Heritage Council document).
35. The former MLC Building demonstrates postwar office tower development in the CBD only in the most generic sense insofar as it is a multi-storey office building designed in the late 1960s. Any sizable post war office building in Melbourne can be said to reflect the economic circumstances of the period, but this is not to say they would all meet Criterion A.
36. The place's association with Melbourne's postwar building boom is not understood better than most other places with the same association. There are better and more intact examples than the former MLC Building.
37. The ability of the former MLC Building to demonstrate Melbourne's postwar phase of development is diminished by the substantial alterations involving the removal of the plaza that typified the modernist approach of breaking free of the traditional building pattern to create an object in an open landscape. The non-original podium is a small scale element relative to the main tower, but nonetheless has a commanding presence to the streetscape wherein it is perceived as a contemporary piece of architecture and the primary streetscape reference for the pedestrian viewer.
38. In terms of assessment against representative (architectural) significance, and again paraphrasing the *Victorian Heritage Register Criteria and Threshold Guidelines*, the basic test for determining if Criterion D is met at a [local] level of significance is as follows:

The place/object is a NOTABLE EXAMPLE of the class in Victoria (refer to Reference Tool D).

39. Reference Tool D defines a 'notable example' of a class as follows:

- **A fine example** – *the place/object displays a large number or range of characteristics that is typical of the class; the place/object displays characteristics that are of a higher quality or historical relevance than are typical of places/objects in the class; or the place/object displays the principal characteristics of the class in a way that allows the class to be easily understood/appreciated.*

- **A highly intact example** – the place/object displays characteristics of the class that remain mostly unchanged from the historically important period of development or use of the place/object.
- **An influential example** – the place/object contains physical characteristics of design, technology or materials that were copied in subsequent places/objects of the class (direct physical influence), or other places/objects were created, altered or used in response to the characteristics of this place/object.
- **A pivotal example** – the place/object encapsulates a key evolutionary stage in the development of the class.

40. The former MLC Building does not display characteristics of a higher quality than is typical for postwar modernist office buildings. The principal characteristics of the building as described in the *Hoddle Grid Heritage Review*, including grid-like walls of clearly expressed structure, and granite-faced precast concrete panel cladding, are not unusual for multi-storey buildings of the era. To meet Criterion D, a building needs to be more than just a representative example of a building type, as per Reference Tool D above. Regardless of this, the postwar modernist character of the subject building is not easily understood or appreciated on account of the podium addition.
41. Further to Reference Tool D, the former MLC Building is not highly intact, and no information has been brought forward to indicate that it was influential. Nor did the building represent a key evolutionary stage in the design of multi-storey office buildings. Rather, it adopts a heavier, masonry expression in high rise office design that had emerged in the early 1960s.
42. The adoption of a curved plan form to clearly display the trabeated system of construction is not unusual or distinctive, to the extent that most multi-storey buildings can be categorised as trabeated – ie horizontal elements spanning strong vertical elements.
43. The curved plan form was used to far better effect in the earlier example of the former BP House, 1 Albert Road, Melbourne (1965). It has been described as one of the most important office buildings to be erected along St Kilda Road in the 1960s, and a '*benchmark for quality corporate design*.'¹⁸ The significance of the former BP House is recognised by an individual heritage overlay control (HO319, Port Phillip Planning Scheme). Despite its location outside the City of Melbourne, the former BP house is a relevant comparator for the subject building as an example of Melbourne's post war boom in office development.
44. The subject building can be seen as the poor relation to Sydney's (former) MLC Centre, a 67 storey tower designed by eminent architect Harry Seidler and constructed between 1972 and 1977. The MLC Centre was built for Civil & Civic founder Gerardus (Dick) Dusseldorp. As previously noted, Civil & Civic constructed the subject building for MLC and may have also been largely responsible for its design. This connection suggests that Sydney's MLC Centre influenced the design of MLC's Melbourne building, albeit that the expressive, sculptural

¹⁸ Philip Goad, *Melbourne Architecture*, p. 189.

qualities of the former are emulated with far less refinement in the latter, and on a smaller scale (30 storeys compared to Sydney's 67 storeys). It is noted that the former MLC Centre is currently proposed for heritage listing on the City of Sydney's Local Environmental Plan.¹⁹



Figure 16 (left) The former BP House (now The Domain apartment), 1 Albert Road, Melbourne. It is subject to an individual Heritage Overlay control (HO319, Port Phillip Planning Scheme).



Figure 17 (right) Former MLC Centre, Martin Place, Sydney.

45. As a measure of the subject building's importance, it is also relevant to consider how it was received by the architectural profession and broader community at the time of its completion, and whether it was recognised as being a notable design or as the recipient of an architectural award. No reference to awards of this kind is found in the citation and the building is not understood to have received broader acclaim or awards from the architectural community.
46. There is no mention of the former MLC Building in any of the following key reference documents for post war modernist architecture in Melbourne: *Tall Buildings: Australian Business Going Up: 1945-1970* (Jennifer Taylor, 2001), *Australian Architecture Since 1960* (Jennifer Taylor, 1986), *Melbourne Architecture* (Philip Goad, 2009), *Australian Modern* (Hannah Lewi & Philip Goad, 2019) and *MELMO: Modernist Architecture in Melbourne* (Robin Grow, 2020). The building is also absent from the National Trust's *Melbourne's Marvellous Modernism: A Comparative Analysis of Post-War Modern Architecture in Melbourne's CBD 1955-1975*. It can reasonably be assumed that the omission of the building from the latter

¹⁹ www.cityofsydney.nsw.gov.au/policy-planning-changes/proposal-to-heritage-list-modern-movement-buildings-and-art

study was deliberate given that the adjoining building at 319-325 Collins Street was included, along with the former MLC Building on the opposite side of the street.

47. The building was the subject of an extensive feature article in *The Age* at the time of its official opening in 1973, but, as noted above, that article reads more like a paid advertisement than objective journalism. It does not serve as an authoritative comment on the architectural merit of the building.
48. In terms of previous heritage assessments, it is noted that the former MLC building was not graded in the 1985 *Central Activities District Conservation Study*, but not because it was overlooked. A Building Identification Datasheet was prepared for the site with a photograph showing the exterior in an intact state.
49. The citation for the subject building provides a wide-ranging list of comparative examples of postwar office buildings in the Melbourne CBD, 33 of which are also proposed for Heritage Overlay controls under Amendment C387. This could be taken as evidence that this is not a rare or endangered building type. Moreover, the significance of those places has not been tested at Panel, and as such that they do not establish a benchmark for the threshold for individual heritage overlay for postwar modernist architecture.
50. I have not had the opportunity to undertake a detailed review of all the postwar office buildings included in the Amendment, but many strike me as being no more than standard or typical examples. Very few have been recognised in past studies and in the growing body of local publications dedicated to postwar architecture. This again goes to the issue of representativeness and the heavy reliance on Criterion D in the *Hoddle Grid Heritage Review*.
51. To meet criterion D, a building should be more than just a typical example of its style/era – it should be notable. This has not been adequately demonstrated in terms of the subject building.
52. An instructive comparison can be made with the former Scottish Amicable Building, 128-146 Queen Street. An individual Heritage Overlay control was applied to that site in 2019 via Amendment C271 to the Melbourne Planning Scheme. Built in 1964-65 to a design by acclaimed post war architects Yuncken Freeman, the former Scottish Amicable Building was assessed by Lovell Chen as being of historical and aesthetic/architectural significance to the City of Melbourne.²⁰ While the façade of this building was proposed to be incorporated into a redevelopment of the land and adjoining land, it has recently been demolished due to issues associated with the deterioration of the façade's concrete panels.
53. The former MLC Building is far less intact, less refined, and not as architecturally innovative. Overall, it compares poorly with the former Scottish Amicable Building. The fact that the

²⁰ Lovell Chen, *Guildford and Hardware Laneways Heritage Study*, Appendix B.

Scottish Amicable Building has been demolished (on the basis of its poor structural condition) does not render it invalid as an exemplar of locally significant postwar modernist architecture.



Figure 18 (left) A 1965 photograph of the then newly completed Scottish Amicable Building, 128-146 Queen Street. Source: National Library of Australia.



Figure 19 (right) 2019 photograph of 128-146 Queen Street, since demolished.

8.0 Conclusion

54. In conclusion, the former MLC Building is not of sufficient representative (architectural), or historical significance to warrant a Heritage Overlay control as proposed by Amendment C387 to the Melbourne Planning Scheme.
55. Moreover, the loss of the original forecourt and ground floor rotunda and introduction of a sizable new podium have greatly diminished the significance that the place may have had if those changes had not been introduced.

Bryce Raworth

CONSERVATION | HERITAGE

BRYCE RAWORTH

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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 cities of Frankston, Kingston and Stonnington, and is a 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 MMTB Building, Bourke Street West, Melbourne; 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 Coriylue Homestead, Curlewis.

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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)</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> <p>Award for Heritage Architecture, conservation of Coriyule Homestead, Australian Institute of Architects, National Awards, 2015.</p>