

# Expert Witness Statement to Panel

Amendment C387 to the  
Melbourne Planning Scheme

308-336 Collins Street, Melbourne

Prepared under instruction from Hall & Wilcox  
August 2021

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## 1.0 Introduction

1. This statement of evidence has been prepared under instruction from Hall & Wilcox on behalf of the owner of the property at 308-336 Collins Street, Melbourne (alternatively known as 330 Collins Street). It comments on the heritage considerations associated with the site and with Amendment C387 to the Melbourne Planning Scheme. The latter 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, as regards to the subject site, proposes to introduce an individual Heritage Overlay control. 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. It builds upon a report dated December 2020 that addressed similar matters.
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 308-336 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).
6. Other documents referred to include:
  - *MELMO: Modernist Architecture in Melbourne* (Robin Grow, 2021).
  - *The Victorian Heritage Register Criteria and Threshold Guidelines* (Updated 3 December 2020).
  - *Tom Bass Sculpture The Children's Tree: A Report on the artistic and heritage significance of the sculpture, its place in the artist's oeuvre and in the context of the Melbourne CBD* (Geoffrey Edwards, December 2020).
  - *330 Collins St: Façade Redevelopment Concept Design Options* (Gray Puksand, September 2019).
  - *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).
  - 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).
- *A City Lost & Found: Whelan the Wrecker's Melbourne* (Robyn Annear, 2005).
- *Australian Modern: The Architecture of Stephenson and Turner* (Philip Goad, Rowan Wilken and Julie Willis, 2004).
- *Tall Buildings: Australian Business Going Up 1945-1970* (Jennifer Taylor, 2001).
- *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

7. 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, 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

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



BRYCE RAWORTH

## 5.0 History and Description

9. The multi-storey office building at 308-336 Collins Street was constructed 1959-1963 for the Colonial Mutual Life Assurance Society (CML). It was designed by major architectural firm Stephenson & Turner. The site had previously been occupied by the imposing neo-Classical style offices of the Equitable Life Assurance Society. Erected 1891-1896, the Equitable building was designed by American architect Edward Raht with the intention of being the 'grandest building in the Southern Hemisphere'. The exterior was clad in granite from Phillip Island and Harcourt near Bendigo. The lavish interiors featured imported marble, elaborate plasterwork and fine timbers.



Figure 1 (left) *The Equitable Life Building, c1930. Source: State Library of Victoria.*

Figure 2 (right) *An interior view of the Equitable Building 1959. Source: State Library of Victoria.*

10. The Equitable Company occupied the building until 1923, when it was sold to CML for £280 000 (less than half of the original cost of its construction). By the late 1950s the building had become economically unviable due to its generously proportioned offices and high ceilings. In 1957 CML announced that they were planning to replace their historic Melbourne headquarters with a 'building worthy of this great society'.<sup>1</sup>

<sup>1</sup> *A City Lost & Found: Whelan the Wrecker's Melbourne*, p.135.

11. Recognizing that the demolition of a Melbourne landmark might be met with opposition, CML sought sanction from the fledgling National Trust, whose determination was '*interesting, but not worthy of preservation*'.<sup>2</sup> Whelan the Wrecker commenced demolition of the Equitable building in September 1959. They encountered great difficulty taking apart the massive and solidly built nineteenth century edifice and the site wasn't fully cleared until October 1960.<sup>3</sup>



Figure 3 (left) The CML Building, 1965. Source: State Library of Victoria.



Figure 4 (right) The Children's Tree sculpture, 1970. Source: State Library of Victoria

12. The new CML building was officially opened by the Governor General Viscount de L'Isle on 28 May 1963, with Prime Minister Sir Robert Menzies also in attendance.<sup>4</sup> The cost of constructing the twenty-one storey building amounted to nearly £4 million. It had a curtain wall with slim aluminium window frames and facings of cream Italian travertine, grey Victorian granite and black imperial granite from South Australia.<sup>5</sup> Sculptor Tom Bass was commissioned by CML to provide a statue for the forecourt. The cast bronze sculpture 'The Children's Tree' depicts a life-sized girl and boy beside a tree in which sits a symbolic owl.<sup>6</sup> Bass offered the following explanation as to why he chose the theme of children for his sculpture: '*in the roar and surge of the city it will help us rediscover our lost childhood.*'<sup>7</sup>

<sup>2</sup> A City Lost & Found: Whelan the Wrecker's Melbourne, p.137.

<sup>3</sup> A City Lost & Found: Whelan the Wrecker's Melbourne, p.152.

<sup>4</sup> Canberra Times, 28 May 1963, p. 7.

<sup>5</sup> Canberra Times, 8 November 1963, p. 35.

<sup>6</sup> Canberra Times, 18 December 1963, p. 35.

<sup>7</sup> Australian Women's Weekly, 17 May 1967, p. 82.

13. A generally unflattering review of the newly completed CML building was published in the December 1963 edition of *Cross Section* (the journal of the University of Melbourne's department of architecture):

*This new building for the Colonial Mutual Life Assurance Society Limited, at the corner of Collins and Elizabeth Streets, Melb, is conservatively clad, in panels of cream travertine Italian marble, grey Harcourt (Vic.) granite and black Imperial (S.A.) granite. The C.M.L. building sits back 20 ft from the Elizabeth Street frontage, providing the currently conventional street-side pedestrian precinct, which at this windy, dusty, tram-rowdy corner is a dubious asset. If all new city buildings were to acknowledge a similar generosity of ground floor space, Melb would have perhaps the widest foot paths in the world—and this may be desirable — but it is not necessary to assume that a tall building rising sheer from the building line is a visually evil object in the city-scape. One block further south on a similar corner, Hosies Hotel, whatever its superficial vulgarisms, is more in keeping with the busy urban nature of the site. The pavement space outside the C.M.L. is yet to be enlivened by a Tom Bass sculpture. At present two lonely stone benches, as grim as autopsy tables, against a backdrop of the stern black granite facing of the lower two floors, complete a corner of ghoulish good taste. On the skyline, the C.M.L. bldg fits into place without looking like a raw and independent intrusion ...*<sup>8</sup>

14. The building was subject to extensive façade rectification works in 2002-2003 whereby the original travertine facing to the columns and spandrels was clad over in aluminium composite panels (ACP). The granite stringcourse at level 2 was removed and replaced by a projecting aluminium clad ledge. Over cladding was carried out on the basis that the integrity of the façade had been compromised, due to weathering and degradation of the porous travertine facing.<sup>9</sup> Defects observed in 2002 included spalling stone and corroded steel fixings, shrinking and deterioration of sealants allowing water ingress, cracked/displaced and badly stained stone panels, and corroded fixings to the level 2 granite string course.<sup>10</sup> The original sealants were found to contain asbestos and where this could not be removed the sealant was encapsulated in bituminous foil tape.
15. The original shopfronts, setback from the main façade line to create a public colonnade, were replaced with new shopfronts set forward under the main façade line. This change has reduced the extent of public open space around the perimeter of the building. New cantilevered canopies were erected above the ground floor shopfronts and a double storey addition was made to the Elizabeth Street frontage, further reducing the extent of the original forecourt/plaza. The original black polished granite cladding has been retained to the ground floor podium with the name of the original occupants 'CML' inscribed on the piers. The 'Children's Tree' sculpture by artist Tom Bass remains in the Elizabeth Street forecourt.

<sup>8</sup> *Cross Section*, Issue No. 134, 1 December 1963, p. 1.

<sup>9</sup> 330 Collins St: Façade Redevelopment Concept Design Options AMP Capital 04 September 2019.

<sup>10</sup> 330 Collins St: Façade Redevelopment Concept Design Options AMP Capital 04 September 2019.

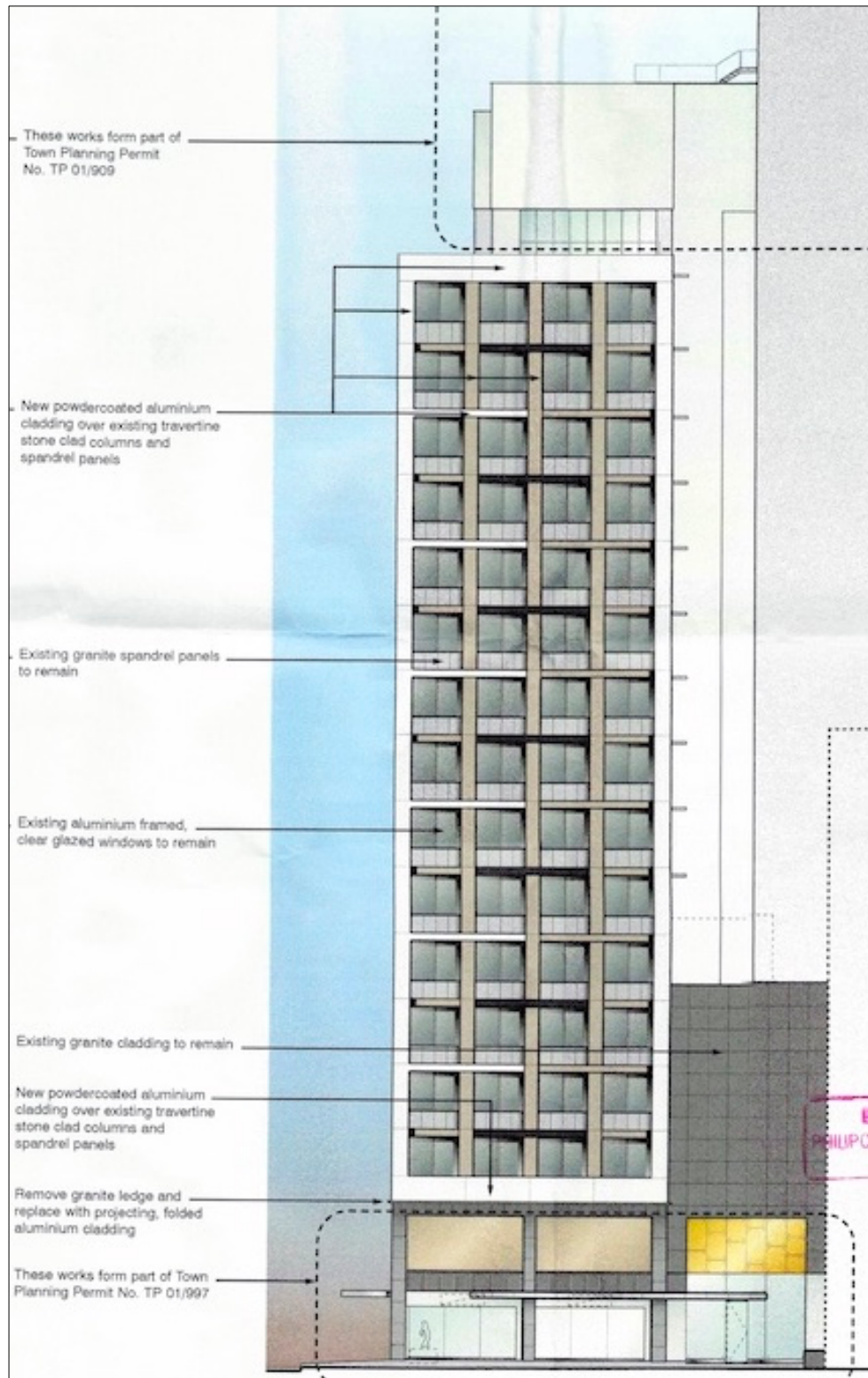


Figure 5 Extract from a 2002 drawing showing recladding of the Elizabeth Street facade (the same works occurred on the Collins Street facade).



Figure 6 (left)

*The CML Building, 1970. Source: State Library of Victoria.*



Figure 7 (right)

*Current photograph*



Figure 8 (left)

*A 2002 photograph of the facade in its original condition, prior to overcladding.*



Figure 9 (right)

*Current photograph of the facade showing non-original aluminium panels and random colour pattern.*

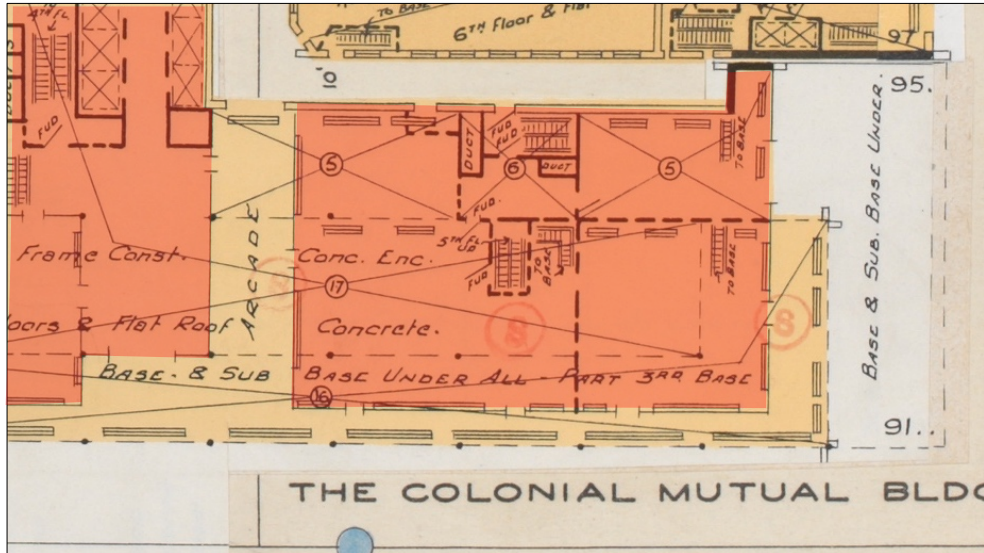


Figure 10 A Mahlstedt fire insurance plan showing the ground floor of the CML building in its original configuration. Source: State Library of Victoria

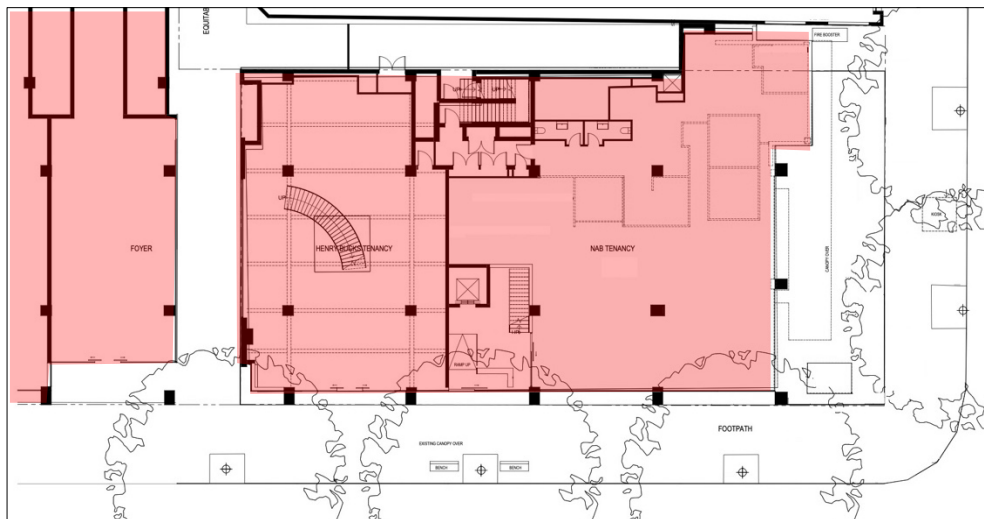


Figure 11 Part of the existing ground floor plan.



Figure 12 The Collins Street entrance foyer, 1963. Source: State Library of Victoria.



Figure 13 Current photograph of the Collins Street entrance.



Figure 14 The Elizabeth Street frontage, 1985. The building exterior appears to be intact at that time. Source: City of Melbourne Library.



Figure 15 Current photograph of the Elizabeth Street frontage. Note part of the plaza has been infilled by a double-storey addition and the shopfronts rebuilt at a reduced setback with new canopies. The two original stone benches were removed in March this year (under permit).

## 6.0 Heritage Listings

16. An interim Heritage Overlay control 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.
17. The subject site is not included on the Victorian Heritage Register, nor has it been classified by the National Trust of Australia (Victoria).
18. The citation for the former CML Building, as found within the *Hoddle Grid Heritage Review*, provides the following statement of significance:

*What is significant?*

*The former Colonial Mutual Life Assurance Society building, built in 1959-63 to a design by Stephenson & Turner, and publicly accessible plaza with bronze 'Children's Tree' sculpture, created in 1963 by Tom Bass at 308-336 Collins Street, Melbourne, is significant.*

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

- *Original building form and scale;*
- *Original publicly accessible plaza setting with bronze 'Children's Tree' sculpture, created in 1963 by*
- *Tom Bass;*
- *Original pattern of fenestrations; and*
- *Original double height building base with granite cladding and aluminium windows.*

*Later alterations, particularly at street level, are not significant.*

*How it is significant?*

*The former Colonial Mutual Life Assurance Society Building with Plaza and 'Children's Tree' sculpture at 308-336 Collins Street is of local historic, representative and aesthetic significance to the City of Melbourne.*

*Why it is significant?*

*The former Colonial Mutual Life Assurance Society building, constructed in 1959-63 to a design by Stephenson & Turner, for the Colonial Mutual Life Assurance Society (founded in Melbourne in 1873), is significant as part of the post-World War Two development and the rapid growth of the corporate architecture of the 1950s-1970s. Its development reflected the expansion of large national and international companies opting for construction and naming rights of new city office buildings as a form of promotion and fund investment. The former Colonial Mutual Life Assurance building is significant historically as a reflection of the growth of insurance and assurance companies in Victoria during the 1950s-60s resulting in many company-named buildings being commissioned and constructed. (Criterion A)*

*The former Colonial Mutual Life Assurance Society building and plaza is also historically significant as an example of a postwar office site that provided a publicly accessible plaza, demonstrating one of the key aspects of the postwar corporate buildings in Melbourne. Many postwar office towers also played a gallery role as sculpture, paintings and tapestries were installed in their foyers, meeting rooms and forecourts. The provision of the forecourt or plaza in the curtilages of building allotments created a specific urban form in the central city. The former Colonial Mutual Life Assurance Society building and plaza is an important example that still retains the ground level plaza and commissioned artwork by sculptor Tom Bass, 'Children's Tree'. (Criteria A and D)*

*The former Colonial Mutual Life Assurance Society building is a good example of postwar development in central Melbourne that retains its original form, scale and characteristic stylistic details which reflect the era and original design in which it was constructed. It exhibits a design aesthetic characteristic of its type, medium/high rise commercial office buildings that combine expansive glazed panel with solid sections to achieve a distinctive expressed aesthetic. Key stylistic details include the regular grid pattern of windows above ground level and the original double height building base, clad in granite and retaining the original aluminium framed windows. It is unusual in retaining its original plaza and bronze sculpture 'Children's Tree' created in 1963 by Tom Bass specifically for this space. (Criterion D)*

*The bronze sculpture 'Children's Tree', created in 1963 by celebrated Australian sculptor Tom Bass, and set within its original plaza setting is aesthetically significant. The aesthetic qualities of the place are enhanced by the incorporation of an outstanding piece of publicly accessible artwork in the plaza, which was commissioned by the Colonial Mutual Life Assurance Society. The sculpture and plaza were integral parts of the original design of the building at 308-336 Collins Street, by architects Stephenson & Turner. (Criterion E)*

## 7.0 Discussion

19. In December 2020 my office prepared a heritage assessment of the subject site, which concluded that the subject building did not warrant a Heritage Overlay control. The assessment was provided to Council as part of a submission made on behalf of the owner in opposition to the Amendment. Matters raised in the submission have been summarised by Council officers as follows:

- *The Building is not of sufficient historical, representative or aesthetic significance to warrant a Heritage Overlay.*
- *The Building's heritage significance has been compromised by its diminished integrity and intactness, following a significant refurbishment in 2003. The changes alter and diminish the aspects of the Building that are referred to in the citation. The alterations largely replaced the postwar modernist style with a contemporary commercial architectural character.*

- *There are many other examples of such buildings in the Melbourne CBD. The Building does not display characteristics of a higher quality than is usual for postwar modernist office buildings.*
- *The Building was designed by a known architectural firm, however it is not striking or remarkable example of their work.*
- *There is no visual or thematic relationship between the Building and the sculpture. It does not form an integral part of the Building, nor contributes to an understanding of the history or social significance of the site. A planning permit, currently allows for the relocation of the sculpture.*
- *Planning Permit No. TP-2016-1004 allows for a new glazed double-storey addition which fills in the plaza and provides for the relocation of the sculpture.*

The submission was referred to the City of Melbourne's heritage consultant GJM Heritage, and the response was tabulated as follows:

*Management agrees with GJM's response that the assessment of 308-336 Collins Street was undertaken in accordance with Planning Practice Note 1: Applying the Heritage Overlay. The site is of local historical, representative and aesthetic significance for the reasons outlined in the Statement of Significance, and the assessment of the building (as contained in the exhibited heritage citation) provides sufficient justification for the application of the Heritage Overlay.*

*Management agrees with GJM's response that the building remains largely intact to its original form and scale. While some change has occurred, including the over-cladding of the elements of the façade in aluminium panels, GJM is of the opinion that this has not diminished the ability to understand and appreciate the place as a fine example of a Post-Modernist style office building within the City of Melbourne.*

*Management agrees with GJM's response that 308- 336 Collins Place is one of a number of fine and highly representative examples of postwar office buildings within the Hoddle Grid that together clearly illustrate the advancement of construction techniques from the 1960s through to the mid-1970s and demonstrate the broad range of design approaches of the period.*

*In particular, the combined building and public plaza is an important, and increasingly rare, typology within the Hoddle Grid. The concept of the open plaza formed part of a strategy adopted in the 1960s to gain council approval for additional building height. As outlined in the heritage citation for the place, most examples within the City of Melbourne of buildings that retain their original plaza setting are located outside the Hoddle Grid, making this an important surviving example of this once more widely adopted practice. The relationship of the building to the plaza is integral to its significance. The partial infilling of the return of the plaza at the northern end of the Elizabeth Street elevation and construction of a cantilever canopy has not, substantially reduced the legibility of the historic relationship between the tower and plaza and the 'Children's Tree' sculpture.*

*Management agrees with GJM's response that there is a clear link between the 'Children's Tree' sculpture and the plaza as it was commissioned specifically to sit within this space. As clearly articulated in the Statement of Significance, it formed part of the original design concept for the building and plaza and remains in its original location.*

*Management agrees with GJM's response that the building's significance is not solely based on its association or connection with architects, Stephenson & Turner. The building is one of a number of buildings that were completed by the firm in the postwar period and forms part of the firm's extensive body of work.*

*Amendment C387 does not affect permit TP-2016-1004 which allows for alterations to 308-336 Collins Street. Heritage protection for this site is being pursued through Amendment C387 in the event that the permit is not acted upon. If the permit is acted on the Heritage Overlay can, if appropriate, or via a future amendment [sic].*

20. The response to the submission does not go beyond a reaffirmation of the exhibited citation and does not bring to light any new information that would give me cause to reconsider my opinion that the subject building does not meet the criteria threshold(s) for a Heritage Overlay listing.
21. As referred to above, the place was assessed by council's heritage consultants using the criteria for the assessment of heritage places listed in *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 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).*

22. 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.
23. The case in this instance for recommending an individual Heritage Overlay be adopted is predicated on the view that the former CML Building is of local historical, representative and aesthetic significance to the City of Melbourne (Criteria A, D & E). As discussed below, it is my opinion that the former CML Building does not meet any of these criteria to a threshold level.
24. In relation to historical significance, the former CML Building demonstrates postwar office tower development in the CBD only in the most generic sense insofar as it is a multi-storey office building dating from the 1960s. The same would apply to numerous other postwar office towers in the CBD but this is not to say they would all meet Criterion A.
25. Furthermore, *Practice Note 1* is useful only to the extent that it provides general guidance on application of the heritage criteria. 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) in order to achieve a more analytical approach to both criteria and thresholds. 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 the assessment of places of local significance and has been used for past planning scheme amendments (eg Nillumbik Amendment C100, pp.12-28).
26. The *Victorian Heritage Register Criteria and Threshold Guidelines* make it apparent in the first instance that a place should be assessed against a basic test for satisfying any given criterion, but then having met that basic test, it should be assessed against a test for determining state level significance. In a local context, and in relation to the Heritage Overlay, the relevant second step would be a test for determining local level historical significance, ie, and paraphrasing the Heritage Victoria document, *'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).
27. The former CML Building's association with the postwar construction boom is not understood better than most other places in Melbourne with the same association.

28. The ability of the former CML Building to demonstrate the central Melbourne's postwar phase of development is also compromised by its diminished integrity and intactness. It can be observed that the building has been appreciably and adversely altered from its original presentation, with the 2003-2004 alterations postdating its 1985 C grading. The *Hoddle Grid Heritage Review* citation references '*substantial alterations to the facade*' resulting from the 2003-2004 refurbishment. This certainly goes much further in acknowledging the full extent of change than the comment in the response to submissions that '*some change has occurred*'.
29. That the overall form and scale of the building remains largely unchanged is not in and of itself determinative of its level of intactness and integrity, given the building's original form is essentially that of a cubiform multi-storey storey slab of unremarkable height.
30. Volume 1 of the *Hoddle Grid Heritage Review* (p 77-79) outlines the approach taken in relation to benchmarking integrity, that is '*a method of comparison across many places to establish where a threshold for recommendation to the Heritage Overlay may be*'. The benchmark indicators relied upon by the study for high rise buildings are reproduced below:

<b><i>At benchmark</i></b>	<b><i>Above benchmark</i></b>	<b><i>Below benchmark</i></b>
<i>Original scale of building legible but may have one or two storeys added.</i>	<i>Original scale maintained - no upper floor additions.</i>	<i>Original scale not legible.</i>
<i>Glazing or curtain wall may have been replaced but still reflects original characteristics.</i>	<i>Original glazing pattern including early curtain wall glazing.</i>	<i>Curtain wall replaced, and glazing pattern considerably changed.</i>
<i>Ground floor changed.</i>	<i>Ground floor may be changed but not excessively.</i>	<i>Ground floor changed.</i>
<i>No balconies added</i>	<i>Wall surfaces of the original materials.</i>	<i>Wall surfaces changed by recladding</i>
		<i>Balconies added.</i>

31. It is not clear exactly how these benchmarks have been applied in the present instance, or for that matter whether the indicators in each column are to be assessed individually or must all be applicable in order to apply the relevant benchmark. Looking at the 'At benchmark', 'Above benchmark' and 'Below benchmark' indicators in terms of the issue of recladding, it is apparent that 'wall surfaces changed by recladding' is an indicator that a building is below benchmark, as is 'ground floor changed'. But while 330 Collins Street has been comprehensively reclad in a manner that has appreciably changed its character, with sundry other significant changes at ground floor, etc, Council has stated that '*GJM is of the opinion that this has not diminished the ability to understand and appreciate the place as a fine example of a Post-Modernist style office building within the City of Melbourne*'.

32. The alterations to the exterior of the former CML Building are comparable to those made to the 1965 office building at 458-466 Bourke Street, and yet the latter was excluded from further assessment in the *Hoddle Grid Heritage Review* on the basis of its low intactness. The explanation for the exclusion of 458-466 Bourke Street was that the recladding of the spandrels in an unsympathetic material had substantially altered the original design intent. Similar comments could be made regarding the former CML Building.<sup>11</sup>



Figure 16 (left) A 1982 photograph of 458-466 Bourke Street.

Figure 17 (right) Current photograph of the same.

33. The 1964-66 office building at 60 Market Street has undergone changes similar to those at the former CML building in terms of recladding of the façade, but it was excluded from further assessment on the basis of its diminished integrity. The building also has a three storey upper level addition dating from c2007, but the impact of these additions is mitigated to certain degree because of their considerable height above street level. The subject building has more extensive alterations at street level where the impact is more profound in terms of the public appreciation of the site.

<sup>11</sup> *Australian Modern: The Architecture of Stephenson and Turner*, p.46.



Figure 18 (left) A 1968 photograph of the former AMP building, 60 Market Street (Architects Bates, Smart & McCutcheon, 1964-66).



Figure 19 (right) Current photograph of 60 Market Street.

34. A useful comparison can also be made with the former Reserve Bank of Australia building at 60 Collins Street. Completed in 1965, the Reserve Bank building is 16 storeys with a gridded façade, bearing a close resemblance to 330 Collins Street, and originally featured contrasting facings of marble to the columns and granite to the spandrels. The ground floor foyer was originally setback from the perimeter columns to create a wide public concourse to Exhibition Street. Extensive works were undertaken in the 1990s when the marble facings were overclad in metal and the ground floor lobby was extended outwards to enclose the concourse. The changes were similar in scope and visual impact to the 2002-2003 works to the former CML Building.

35. The former Reserve Bank is a contributory graded place in the Collins East Precinct (HO504) and is proposed for an individual Heritage Overlay control as part of Amendment C387. Notably, a permit was issued in May 2020 for full demolition of the Reserve Bank Building and the redevelopment of the site (PA1900656). The Responsible Authority's Officer Assessment Report concluded that the modifications to the Reserve Bank Building had diminished its architectural expression and its contribution to the character of the precinct and on that basis its demolition was considered acceptable.<sup>12</sup>



Figure 20 (left) *The Reserve Bank Building, 1969.*

Figure 21 (right) *Recent photograph of the Reserve Bank building.*

36. It is recognised that the original travertine facing to the former CML Building is extant under the aluminium cladding but this is not to suggest that original architectural character of the building is easily recoverable. As set out in the 2019 report by Gray Puksand, the travertine facing was encapsulated in the aluminium panels because it had degraded and caused defects that compromised the integrity of the façade. The aluminium composite panels installed in 2002-2003 have been found to contain a flammable material and will need to be removed but in a manner that causes as little disturbance to remnant asbestos.

<sup>12</sup> 50-62 Collins Street, Melbourne Planning Permit Application No. PA1900656 Officer Assessment Report, DELWP p.20.

37. Various options are being considered for recladding of the façade to 330 Collins Street, potentially including encapsulation of existing cladding and replacement of original windows to improve thermal performance. To this end, further changes to the facade are inevitable.
38. In terms of issues of architectural/representative 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 CML 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 the use of a concrete and steel frame, the regular grid pattern of aluminium framed windows and solid cladding and double height podium with stone facing, are standard for multi-storey buildings of the era. Regardless of this, the postwar modernist character of the building is not easily understood or appreciated on account of its low intactness.
41. Further to Reference Tool D, the former CML Building is not highly intact, and no information has been brought forward to corroborate that it is an influential example of its type. Nor did the building represent a key evolutionary stage in the design of multi-storey office buildings. The use of a curtain wall system with aluminium framed glazing in conjunction with stone facings was demonstrative of design trends that were already established by the time of the building's construction.

42. As a measure of the 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 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.
43. No articles on the former CML building could be found in *Architecture in Australia* (the journal of the Royal Australian Institute of Architects) through the 1960s. The building was featured in a 1963 edition of *Cross Section* - the influential newsletter published by the department of architecture at the University of Melbourne - but only in the context of a mostly unflattering review (reproduced in Section 3.0 of this report).
44. The former CML building has fared no better in more recent critical reappraisals of the work of Stephenson and Turner, most notably in *Australian Modern: The Architecture of Stephenson and Turner*, wherein Philip Goad acknowledges that the firm were at the vanguard of experiments in curtain wall design in the 1950s, but:

*By the early 1960s, however, Stephenson and Turner had appeared to return to the propriety of the 1920s, with the demure, even diffident forms of the Colonial Mutual Life Assurance Building on the corner of Collins and Elizabeth Street ...*<sup>13</sup>

45. Goad also touches on reasons why the former CML Building is not ranked among Melbourne's notable body of postwar modernist architecture:

*Buildings, such as the CML Melbourne were neglected in the pantheon of postwar Australian modernism for their mannered response to the historic city.*<sup>14</sup>

I note that *Australian Modern: The Architecture of Stephenson and Turner* is not listed among the references in the heritage citation for the former CML Building.

46. The former CML building was included in *Melbourne's Marvellous Modernism*, a study of postwar modern architecture in the CBD published in 2014 by the National Trust of Australia (Victoria). That study included a brief statement of significance for 330 Collins Street, but this does not read as particularly strong endorsement of its heritage value:

*Uses separate slab and (hidden) core design. Tallest building at completion with observation feature on top of core section. (Generally disliked building due to size, plainness, and replaced the 1893 Equitable building). Coloured detailing across facades. Setback at shopfront for "pedestrian precinct." Tom Bass sculpture in forecourt*

<sup>13</sup> *Australian Modern: The Architecture of Stephenson and Turner*, p.46.

<sup>14</sup> *Australian Modern: The Architecture of Stephenson and Turner*, p.48.

47. It is again noted that the shopfront setback no longer exists, and that the original, coloured façade detailing is no longer apparent. The Trust study also underplays the impact of the 2003-2004 changes by describing ‘some curtain wall cladding changed with ground level intact’. Most of the curtain wall cladding is obscured and the ground level is patently no longer intact.
48. The former CML Building is not included in Phillip Goad’s *Melbourne Architecture* and is not cited in the entry for Stephenson & Turner in the *Encyclopedia of Australian Architecture*. It is discussed, albeit briefly, in the key reference book on the development of multi-storey office buildings in postwar Australia - ie Jennifer Taylor’s *Tall Buildings: Australian Business Going Up: 1945-1970*. Taylor makes reference to the former CML Building in the context of describing the shift away from sleek glazed curtain walls towards a stronger masonry expression in office tower design.<sup>15</sup> The former CML Building was not innovative in this respect, and is preceded in the use of stone facings by the 1958 Atlas Assurance Company offices at 404-406 Collins Street (H Garnet Alsop & Associates) which represented an early use in Melbourne of marble spandrels in an otherwise conventional milieu of modernist glass and metal curtain walls.<sup>16</sup> Taylor also makes passing reference to the Tom Bass Sculpture in the CML Building plaza as an example of the widespread practice of using sculptures as a focal point for an external landscape design.<sup>17</sup>
49. The former CML Building is featured in the recent publication *MELMO: Modernist Architecture in Melbourne*. The author describes the building as ‘conservatively clad’ (paraphrasing the *Cross Section* review) and further references its mixed reception among architectural critics:

*An important feature of the building was its setback from the street which provided a colonnade at ground level, as well as a small plaza on Collins Street here the footpath space was enlivened by a Tom Bass Sculpture. Opinions were divided about the layout of the building and its placement on the corner. Some saw it as a mannered response to the historic city representing tension arising from competing notions of an existing city and a city devoted to the ideals of progress and flux. Others saw the setback as a dubious asset, describing the Elizabeth Street frontage as a windy, dusty, tram-rowdy corner. It certainly raised the question of whether a tall building rising sheer from the building line is objectionable or whether new buildings should have a generous amount of ground floor public space, as this one did.<sup>18</sup>*

<sup>15</sup> *Tall Buildings: Australian Business Going Up: 1945-1970*, p.63.

<sup>16</sup> *Tall Buildings: Australian Business Going Up: 1945-1970*, p.63.

<sup>17</sup> *Tall Buildings: Australian Business Going Up: 1945-1970*, p.111.

<sup>18</sup> *MELMO: Modernist Architecture in Australia*, p.139.

50. Notwithstanding that the ground floor colonnade no longer exists, and that the plaza is reduced in size, the above description is not suggestive of a building that is well regarded or held in any particular esteem by the architectural profession.
51. The former CML Building is arguably better known among the broader community as the site of one of Melbourne's lost nineteenth century architectural treasures (ie the Equitable Life Building), rather than for the architectural merit of its 1960s replacement.
52. The exhibited citation for the subject site provides a wide-ranging list of comparative examples of postwar office buildings, most of which are also proposed for heritage overlay controls under Amendment C387. Given that the significance of these places has not been tested at Panel they are not a useful benchmark for the threshold for individual Heritage Overlay.
53. Further to difficulties associated with the comparative analysis, some 33 postwar office buildings are cited in the subject site's heritage citation. I have not had the opportunity to undertake a detailed review of all 33 places, but many strike me as being no more than standard or typical postwar office buildings. Not all have been recognised in past studies and in the growing body of local publications dedicated to postwar architecture. This again goes to the issues of representativeness and the heavy reliance on Criterion D in the *Hoddle Grid Heritage Review*. To meet criterion D, a building should be more than just a typical or standard example of its style/era – it should be *notable*. This has not been demonstrated in relation to the subject building and a number of other places included in the Amendment.
54. The exhibited citation concludes with an analysis describing the subject building as a generally intact example of the type, demonstrating the 'key characteristics such as the use of steel and reinforced concrete frame and non-loadbearing glazed façade system'. Beyond the fact that the subject building is not 'generally intact', the characteristics described are shared by most postwar office buildings, but this is not to say all such buildings are worthy of a Heritage Overlay control. The benchmark for an individual Heritage Overlay control needs to be higher than a standard (and unsympathetically altered) example of a building typology.
55. Accepting that few postwar office buildings in the CBD are currently listed on the Heritage Overlay, the comparative analysis mentions two specific examples as sharing similar design aspects of the postwar period – the aforementioned Reserve Bank at 60 Collins Street (a contributory building in the Collins East Precinct) and Eagle House at 473 Bourke Street (VHR H1806). The design of the subject building is similar to the former Reserve Bank building but has also been altered to a similarly detrimental extent. Eagle House is a more architecturally sophisticated and more intact building, distinguished by its sleek aluminium curtain wall with flush glazing, reputedly one of the first in Melbourne to provide floor to ceiling glazing. The effect of Eagle House's flush curtain wall facade is quite unlike the subject building's conventional facade articulation of expressed columns and solid recessed spandrels.

56. The citation asserts that the subject building ‘generally’ compares with Eagle House, the inference being the two buildings are of comparable heritage value – in my view the subject building is an inferior example of a postwar modernism.
57. With respect to Criterion E and the aesthetic significance arising from the public plaza and presence of the Tom Bass sculpture, the citation does not properly recognise the extent to which the plaza has been diminished in extent, notwithstanding that it does not seem to have been especially large in its original state. The nomenclature ‘plaza’ is perhaps suggestive of a far grander and more impressive public space than actually exists. Philip Goad describes it more accurately as a ‘*small piazza*’.<sup>19</sup> Council’s response to submissions asserts that the partial infilling of the ‘return’ at the northern end of the plaza has not substantially reduced the legibility of the relationship between the tower, plaza and ‘Children’s Tree’ Sculpture. It is not just the northern end of the plaza that has been infilled but also the original colonnade to Elizabeth Street. This has reduced in size what was a relatively meagre public space to begin with.
58. I am not aware of any information to suggest that the Tom Bass sculpture is thematically linked to CML or to this building. The sculpture is mounted on a prosaic stone slab to one side of the plaza, but remains a focal point within the plaza and neighbouring street.
59. Nor is the sculpture integral to the architectural character of the building beyond being representative of the fairly widespread postwar trend of including artwork in office tower development as an expression of corporate largesse. Philip Goad describes the Tom Bass sculpture as ‘*one of the city’s favourite pieces of public art*’ but this is not to suggest that it has a symbiotic relationship to the former CML Building. That is to say, the sculpture can be appreciated as a work of public realm art on its own merit. This is an opinion shared by curatorial consultant Geoffrey Edwards:

*... It is also doubtful that passing pedestrians in 1963 would have made a significant connection – visual or symbolic – between the sculpture and the building at 330 Collins Street. The whimsical character (and stated subject) of the sculpture would definitely have engaged the imagination and attention of viewers but it is unlikely, as is the case today, that casual observers would register any meaningful relationship (aside from mere proximity) between the building (330 Collins Street) and the sculpture ...*

*... pragmatically speaking, its relationship to the building at 330 Collins is more or less incidental.*<sup>20</sup>

<sup>19</sup> *Australian Modern: The Architecture of Stephenson and Turner*, p.46.

<sup>20</sup> Geoffrey Edwards, *Tom Bass Sculpture The Children’s Tree: A report on the artistic and heritage significance*, pp.6-8.

60. Edwards recognises that it is one of Tom Bass's most readily accessible and admired works in Melbourne but its artistic attributes are not '*wholly contingent upon he work's placement on the current site.*' In his opinion, the sculpture could take up an alternative location so long as it was comparably accessible to the wider public.
61. The postwar trend of setting office towers back from the street frontage to create public open space is far better demonstrated in the former BMP House and State Offices at Treasury Place. The former AMP tower on the corner of Bourke and Williams Streets also has a spacious plaza (albeit partially infilled and re-landscaped). These buildings achieve the modernist ideal of a freestanding building in open space, exemplified in the Seagram Building in New York (Mies van der Rohe, 1955-58).
62. The former Royal Insurance Group Building, Collins Street, has a modest forecourt, similar in extent to the former CML Building's plaza. There is the large plaza under a space frame at Collins Place. The rarity of postwar plazas or other open landscaped areas in the CBD does not otherwise make the small and much altered example on the subject site locally significant.



Figure 22      The former BHP Building plaza, 140 William Street (1969-72). Listed on the Victorian Heritage Register (VHR H1699).



Figure 23 *Collins Place , 45 Collins Street (1971-1981). No Heritage Overlay control applies to this site, nor is one proposed under Amendment C387.*



Figure 24 *1960s buildings at Treasury Place set amidst a plaza (1967-68). Listed on the Victorian Heritage Register (VHR H1526).*



Figure 25      *The former CML Building plaza.*



Figure 26      *Forecourt to the former Royal Insurance Group Building, 430-442 Collins Street (1966). A permanent heritage overlay control is proposed under Amendment C387.*

63. In terms of previous heritage assessments, it is noted that the former CML building was graded C in the 1985 *Central Activities District Conservation Study* using a gradings system of A-F. Within the terms of the 1985 study, C graded places were considered to make an architectural and historic contribution that is important within the local area. The building identification sheet prepared as part of the 1985 study listed the notable features as 'intact shop front', 'setback for pedestrian precinct' and 'sculpture forecourt: Tom Bass'. These notable features have been removed or altered, with the exception of the Tom Bass sculpture.
64. The 1985 study halted 'comprehensive assessment' of buildings less than 25 years old (ie c1960), with the exception of award winning buildings.<sup>21</sup> While not a thorough survey in terms of postwar buildings, the 1985 study certainly recognised that they could be of heritage value, and it remains a useful guide to notable examples in central Melbourne. Among the 'A' graded places in the 1985 study are Eagle House (1970-71), AMP Building/St James Building (1965-69), Royal Insurance Building (1962-9165) the Young Women's Christian Association (1973-1975).
65. The 1993 *Central City Heritage Review* retained a C grading for 330 Collins Street, but it is worth noting that a revised three tier gradings system was used in that study, in which C was the lowest grading. Buildings with a C grading were considered to 'make a contribution to the cultural value of the streetscape or precinct within which they were located'. That is to say, C graded buildings were considered to have contributory value if located within a heritage precinct (the subject site was not within a precinct at that time) but were not recommended for an individual or site specific control as places of individual significance.
66. The low grading applied to the former CML Building in the 1993 study is not indicative of a lack of appreciation of postwar architecture at that time. The 1993 study had an emphasis on the 'critical appreciation of postwar building stock dating between 1956 and 1974, which had not been formally assessed as part of the 1985 study'.<sup>22</sup> This resulted in several postwar modernist buildings being nominated for planning scheme protections, inter alia, the former BHP Building 140 William Street (1972), the Total Carpark, 170-190 Russell Street (1964-65), the Hoyts Cinema Complex, 134-144 Bourke Street (1966-69), Eagle House, 473 Bourke Street (1970-71), Coates Building, 18-22 Collins Street (1957-59) Royal Insurance Group Building, 430 Collins Street (1962-65) and Gilbert Court, 100-104 Collins Street (1955).

<sup>21</sup> *Melbourne Activities District Conservation Study – Building Citations*, p.2.

<sup>22</sup> *Tall Buildings: Australian Business Going Up: 1945-1970*, p.111.

## 8.0 Conclusion

67. In conclusion, the former CML Building is not of sufficient representative (architectural), aesthetic or historical significance to warrant a Heritage Overlay control as proposed by Amendment C387 to the Melbourne Planning Scheme. Council's heritage citation does not provide sufficient analysis or evidence to substantiate the claim that it is fine example of a postwar modernist office tower.
68. Moreover, the diminished intactness of the building and the associated change in its architectural character have substantially lessened any significance that the place may have had if those changes had not been introduced.

# Bryce Raworth

CONSERVATION | HERITAGE

## BRYCE RAWORTH

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

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 Coriule Homestead, Curlewis.

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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>