

Expert Witness Statement by:
Peter Andrew Barrett

Registered Address
Level 31
120 Collins Street
Melbourne

For:

Planning Panels Victoria
Hearing

With regard to Amendment C365 of the
Melbourne Planning Scheme,
that proposes to include Chart House,
372-378 Little Bourke Street, Melbourne,
as a 'contributory' building within the
Guildford and Hardware Laneways Precinct.

Prepared for:
Berjaya Developments Pty Ltd

Instructions received from:
Best Hooper Lawyers

29 November 2019

PREAMBLE

Chart House, 372-378 Little Bourke Street, Melbourne is a commercial building, constructed in 1940-41.

Amendment C365 of the *Melbourne Planning Scheme*, proposes to re-grade Chart House as a 'contributory' place within the HO1205 Guildford and Hardware Laneways Precinct.

As way of background, the Panel for the hearing of the earlier Amendment C271 (approved and gazetted 12 August 2019) found the subject building to be a non-contributory place of the proposed HO1205 Guildford and Hardware Laneways Precinct. I was involved with Amendment C271 of the *Melbourne Planning Scheme*. This was expert evidence on three sites in the Elizabeth Street West Precinct.

The proposal to revise the grading of Chart House from a non-contributory to a contributory grading, is a consequence of information received by the City of Melbourne from Melbourne Heritage Action. Lovell Chen, who prepared the heritage study for the Guildford and Hardware Laneways Precinct, have supported the proposed revised grading by the City of Melbourne.

I am instructed to review this proposed revised grading, and to provide my opinion as to the merits of changing the grading of Chart House, from non-contributory to a contributory place of the HO1205 Guildford and Hardware Lane Precinct.

The purpose of this expert witness statement is to assist Planning Panels Victoria in a hearing to assess the proposed re-grading of Chart House as a contributory place within the HO1205 Guildford and Hardware Laneways Precinct

My qualifications and experience in the field of architectural history and heritage conservation are outlined below.

QUALIFICATIONS & EXPERIENCE

I am a qualified architectural historian and heritage consultant. I have a Masters Degree in Architectural History and Conservation from the University of Melbourne. I also have a qualification in Architectural Technology from the Royal Melbourne Institute of Technology (RMIT).

In 2017, I completed a program in urban design and Placemaking at the Project for Public Spaces in New York.

I am a member of Australia ICOMOS (International Council on Monuments and Sites), and I adhere to its *Burra Charter* (2013). I am a member of the Pacific Heritage Reference Group of Australia ICOMOS, whose purpose is to provide advice to the President and the Executive Committee of Australia ICOMOS on cultural heritage matters in the Pacific region. Other affiliations that I have are membership of the Australian Architecture Association, and the Society of Architectural Historians of Australia and New Zealand.

I have appeared as an expert witness on heritage matters at Planning Panel Hearings for matters before the Minister for Planning, the Heritage Council of Victoria, the Victorian Civil & Administrative Tribunal, and in other forums.

I am a heritage advisor to the Alpine Shire, Latrobe City Council and the City of Kingston. I have previously worked as a heritage advisor, and continue to work as an external heritage consultant, to the City of Port Phillip. I have undertaken heritage assessments and heritage studies for municipalities within Victoria including Glenelg, Wyndham, Moreland, and Frankston City.

I have been involved in a range of heritage projects within Australia including heritage studies, conservation management plans, and heritage assessments of development proposals of residential, commercial, industrial and public buildings.

I have worked on heritage projects in New South Wales and Tasmania. I have also been involved in heritage projects in the United States of America. In California I worked on heritage impact assessments and cultural resources studies of districts of Los Angeles and San Francisco. In 2004, I received an exporters grant from Austrade for the provision of heritage services to the United States. In 2011, I was invited to speak at the California Preservation Foundation conference in Santa Monica.

I have written published architectural histories for the Public Record Office Victoria, the City Museum and for the *Melbourne Design Guide*. I have also been commissioned to write histories of commercial and residential buildings in Melbourne. I am the author of an online architectural history and heritage blog. I have also curated architecture exhibitions.

The University of Melbourne, RMIT, CAE and other educational institutions have engaged me as a tutor and lecturer in architectural history and design. I have also been retained by RMIT to assess postgraduate-level architectural theses. Educational organizations, as well as heritage groups and the media, ask me to speak, or to comment, on architectural history and heritage matters.

In 2014, my heritage firm received a bronze commendation from the Lord Mayor for its contribution to the prosperity and vitality of the City of Melbourne.

SOURCES OF INFORMATION

This heritage assessment is prepared with regard to the *Australia ICOMOS Burra Charter, 2013*, which is the standard of heritage practice in Australia.

My assessment is prepared with regard to the Department of Environment, Land, Water and Planning, Practice Note 1, 'Applying the Heritage Overlay', August 2018. Within that document are the recognised criteria used for the assessment of the heritage value of a place.

This assessment is based, in part, on two inspections of the subject site and its environs. An exterior inspection was made on 12 November 2019, followed by an interior and exterior inspection on 28 November 2019. Inspection of other sites, relevant to the comparative analysis contained in this expert witness statement, was also undertaken.

During the course of preparing this expert witness statement I have reviewed a number of documents associated with this amendment. These are the City of Melbourne 'Guildford and Hardware Laneways Heritage Study May 2017: Statements of Significance' (Incorporated Document). The 'Panel Report of Melbourne Planning Scheme Amendment C271: Guildford and Hardware Lanes Heritage Study' (dated 6 September 2018).

I have also reviewed documents and correspondence in relation to this matter from Robyn Riddett of Anthemion Consultancies (expert witness statement, dated July 2018), Melbourne Heritage Action (letter, dated 24 December 2018), GJM Heritage (memorandum of advice, dated 28 January 2019), and Lovell Chen (memorandum, dated 11 February 2019).

I have been supplied with original drawings of Chart House, prepared by its architects, R M and M H King, (Drawing No's 1 and 2 [dated 22 April 1940] & 3 [dated 19 April 1940]), and a block plan (dated 7 June 1940), and a ground floor shop plan (date stamp [City of Melbourne] 2 December 1941). I have also reviewed a drawing of proposed shopfronts for Chart House (stamped by Duff Shop Fitters, North Melbourne, not dated), and structural engineering drawings prepared by A R C Engineering (Sheets 1 [date cannot be determined], 2 [dated 25 November 1940] and 3 [dated 7 December 1940]).

During the course of preparing this expert witness statement I have undertaken research into the history of this site, using primary and secondary sources. Where primary and secondary sources are relied upon in this expert witness statement I have referenced them in footnotes.

SITE & ENVIRONS

Guildford and Hardware Laneways Precinct

The HO1205 Guildford and Hardware Laneways precinct contains one of the finer networks of laneways in Melbourne. Pedestrian-friendly thoroughfares, and the relatively low-scale of its built form define its character. At street-level are active frontages serving different uses, particular the provision of food and beverages.

It is the early built form of the Guildford and Hardware Laneways Precinct (Pre-World War II), which contribute to this heritage and urban character most. It is the former industrial/warehouse buildings of the nineteenth century that are built of brick, that are the landmark elements of this precinct, as they provide the greatest interpretative value of its earlier industrial heritage. Later buildings of the Edwardian, and some inter-war buildings, demonstrate a continued later/phase of this industrial heritage. The newer uses of the buildings of the precinct have activated former utilitarian laneways that extend from Little Bourke Street.

Chart House

Chart House is a relatively late commercial building of this precinct, having been completed in 1941. It is situated on the northwest corner of Niagara Lane and Little Bourke Street, approximately mid-way between Elizabeth Street and Hardware Lane. Chart House is a six-storey, reinforced concrete building, erected for the firm John Donne & Son, cartographers, and was designed by the architectural firm, R M & M H King.

*Chart House, 372-378
Little Bourke Street,
Melbourne.*



Chart House, looking north from Little Bourke Street. The Niagara Lane elevation is visible to the right of centre.



Ground floor of the Little Bourke Street frontage of Chart House. Two original shopfronts are extant, although the camping goods shopfront (centre) is altered. The hotel entrance (at left) is of recent origin.



The ground floor of the Little Bourke Street frontage retains two original shopfronts, one altered. The entrance to the upper levels of the building, at the west end of the Little Bourke Street frontage, has been remodelled unsympathetically in recent decades, and now forms the entrance to a hotel in the building.

The upper portion of the façade (Little Bourke Street elevation) has been remodelled in recent decades, which has altered its detailing. The level of change and the impact that this has had upon the façade's original character is discussed in the analysis (next section) of this expert witness statement.

The east elevation of Chart House, extending along Niagara Lane, is utilitarian in character, finished in render and relieved with large steel framed windows. Equally, the west elevation, expressed as the reinforced concrete frame of the building, infilled with brick, is also utilitarian in appearance.

An inspection of the interiors of Chart House found them to be relatively unremarkable, with many of the spaces upstairs (partitioned into hotel rooms and their corridors) altered. The roof of the building is flat and finished in concrete with metal roof decking over. A raised parapet has been lowered on the Little Bourke Street elevation, and a low steel railing now extends along the edge of the roof.

ANALYSIS

Conservation of places of recognised cultural heritage value to the City of Melbourne is supported, as it enables the community to understand its origins and identity. In putting in place heritage controls on sites within precincts, there needs to be a sound basis for the implementation of these controls, based upon an understanding of the site, its contribution to its context, and the core cultural heritage values that are to be conserved. Without this level of assessment, there is the risk of conserving places of little or no heritage value.

The recent Amendment C271 of the *Melbourne Planning Scheme*, which put in place heritage controls on the Guildford and Hardware Laneways Precinct, ensures that this fine network of laneways and streets, and much of its built form, is conserved. My comments on the heritage value of these laneways in the city is quoted in the Panel Report on Amendment C271:

The 'Guildford and Hardware Lanes Heritage Study Methodology Report' (May 2017) has revealed a relatively rich and diverse history in this part of central Melbourne, with some of this history expressed to varying degrees in its pre World War II building stock. Efforts to put in place controls to conserve and enhance this portion of Elizabeth Street, and its neighbouring laneways to the west, are to be encouraged.¹

Amendment C365, proposes to re-grade Chart House from a non-contributory place within the HO1205 Guildford and Hardware Laneways Precinct, to a contributory place. The definition of a 'contributory' place within this precinct is defined as:

A 'contributory' heritage place is important for its contribution to a precinct. It is of historic, aesthetic, scientific, social or spiritual significance to the precinct. A 'contributory' heritage place may be valued by the community; a representative example of a place type, period or style, and/or combines with other visually or stylistically related places to demonstrate the historic development of a precinct. 'Contributory' places are typically externally intact, but may have visible changes which do not detract from the contribution to the precinct.²

In assessing whether this building is contributory to the HO1205 Guildford and Hardware Laneways Precinct, the statement of significance for this precinct provides guidance. The statement of significance identifies the precinct to be of historical, social and aesthetic/architectural significance to the City of Melbourne. The key characteristics of the precinct are listed as (**bold** my emphasis):

- *Laneways predominantly follow a north-south alignment, reflective of the boundaries of the large Hoddle Grid (Crown land) allotments of the late 1830s and 1840s.*
- *Density of laneways is reflective of their proliferation within the large city blocks from the mid-nineteenth century, following increased subdivision and changing land use patterns.*
- *Laneways include those which are distinct streets with property frontages; and those which have formed to the sides or rears of properties.*

1 Planning Panels Victoria, 'Panel Report. Melbourne Planning Scheme Amendment C271. Guildford and Hardware Lanes Heritage Study', 6 September 2018, p 10.

2 Planning Panels Victoria, 'Panel Report. Melbourne Planning Scheme Amendment C271. Guildford and Hardware Lanes Heritage Study', 6 September 2018, p 9.

- **Narrow proportions, emphasised by walls of buildings, provide a unique character to the laneways as public spaces.**
- Contributory components of buildings to the precinct include side and rear elevations, as well as property frontages and facades.
- Contributory building materials include face red brick, bluestone, rendered masonry and concrete. **Of note is the limited overpainting of original external walls.**
- Windows and doors expressed as **punched openings in masonry walls rather than large expanses of glazing.**
- Original window and (to a lesser degree) door joinery, including nineteenth century timber elements, and more commonly steel windows from the interwar period.
- Buildings are typically constructed from boundary to boundary, with no setbacks.
- Heights of buildings vary but are generally within the one to four storey range, with some exceeding this.
- Other notable built form characteristics include elevated ground floors and visible basements; **high parapets** and very little visibility of roof forms; **original signage and building names**; chamfered corners; hoists and crane beams to warehouses, providing access to upper levels; and timber and concrete buffers.
- There is a general absence of vehicle parking arrangements.
- Contributory laneway materials include bluestone kerbs, channels and flagstones.

The bold emphasis highlights elements absent or removed/altered on Chart House. This level of inconsistency in what can be considered a fairly broad range of key characteristics that make up this precinct, puts into question claims of the contributory value of Chart House to the HO1205 Guildford and Hardware Laneways Precinct.

Chart House does not have narrow frontages (either to Little Bourke Street or Niagara Lane), whereas other buildings within the precinct are generally defined by a fine grain character. The large sections of glazing on the upper levels of Chart House (both Little Bourke Street and Niagara Lane), are in contrast with the punctured wall openings said to be commonly found on buildings in the precinct. Although render is included as a key characteristic of the precinct, it is the red brick of buildings that contribute most in the aesthetic value of Niagara Lane. Overpainting of facades (and the rendering over of original finishes), as has occurred to Chart House, is also not a key characteristic of the precinct.

The east elevation of Chart House, fronting Niagara Lane (left). Niagara Lane further north (right), which displays more of the key characteristics of the precinct, its lanes and its building stock. Photograph: Peter Andrew Barrett



Robyn Riddett in her statement of evidence, states that a heritage overlay is not warranted, based upon the minimal contribution of Chart House to Niagara Lane.³ I agree with this opinion, as an elevation providing a street wall along a laneway, and this wall having a rendered finish, is not a sound basis for a contributory grading. As Robyn Riddett notes, these characteristics could be achieved equally by a new building of a responsive design along Niagara Lane, in terms of scale, materials and architectural expression. Examples do exist within the City of Melbourne, where a new building has contributed equally, if not more, to the character of a laneway.

Some of my colleagues perceive the façade of Chart House to be intact, and/or it being a fine example of 1940s architecture. I have noted, as quoted in the Panel Report for Amendment C271, the rich and diverse history of this part of Melbourne is expressed in earlier building stock, which pre-dates World War II.⁴

However, in assessing Chart House in the context of 1940s architecture, many of the assessments of others have not fully appreciated the changes that have occurred in recent decades to the building. These changes have diluted the original design of the Little Bourke Street facade. In addition to lowering the original parapet and removing its signage, other façade detailing has now been removed.

3 Robyn Riddett, 'C271 Panel Hearing. 372-378 Little Bourke Street', Point 25, p 10.

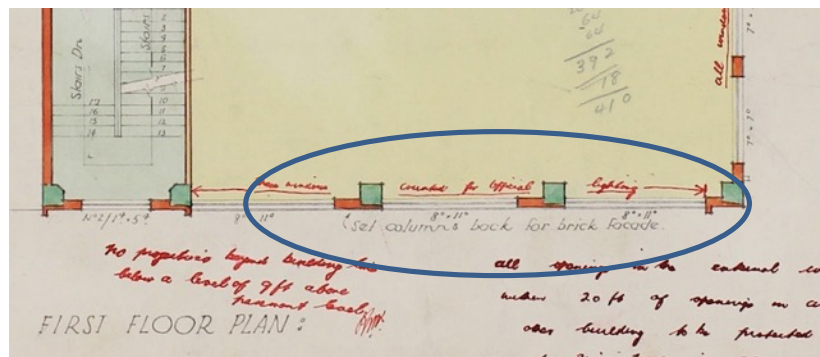
4 Planning Panels Victoria, 'Panel Report. Melbourne Planning Scheme Amendment C271. Guildford and Hardware Lanes Heritage Study', 6 September 2018, p 10.

A newspaper article in the *Argus*, 19 December 1940, describes the window surrounds of the upper levels of the Little Bourke Street façade to be faced in brickwork:

Special light pink 2 inch bricks will be used for piers and bands between the large steel frame windows, and the balance will be cement render.⁵

Face brickwork is also noted on the 1940 architectural drawings prepared by R M & M H King, who set back the reinforced concrete columns from the façade of the building, so as to provide a brick external finish. Whereas columns on the east and west elevations are shown on the architectural drawings flushed with the exterior edges of the floor plates.

Floor plan (Sheet 1) showing the setting back of columns on the Little Bourke Street elevation to allow for face brickwork on the elevation.



Some of the original detailing can be seen in a photograph of this part of Little Bourke Street in the mid 1970s. Visible above the windows of the façade of Chart House are what appears to be a concrete lintel extending across each window opening. This lintel element may be the outer edge of each floor plate of the level above. This photograph is on the next page of this expert witness statement.

Melbourne Heritage Action discuss at some length the Modernist appearance of Chart House, citing this to be an early and therefore important example of this style. Rather, this existing Modern appearance can be attributed to the remodelling of the façade in recent decades (which seems to be the intention of this remodelling).

5 *Argus*, 19 December 1940, p 8.

Little Bourke Street, looking east from Queen Street c1975. Chart House is partially visible at right. At right, the photograph is enlarged to better show this detailing. Photograph by K J Halla. State Library of Victoria Collection.



Many buildings of the late 1930s and the 40s demonstrate tenets of Modernism, and if some of their embellishment was to be removed, as has occurred with Chart House, they would not be dissimilar to their 1950s and or even 1960s counterparts (see the examples of the Century Building and Wales Corner that I cite on the following page). Therefore, it is not surprising that the removal of some of the original detailing on Chart House has resulted in it taking on the appearance of a later generation of Modern building stock.

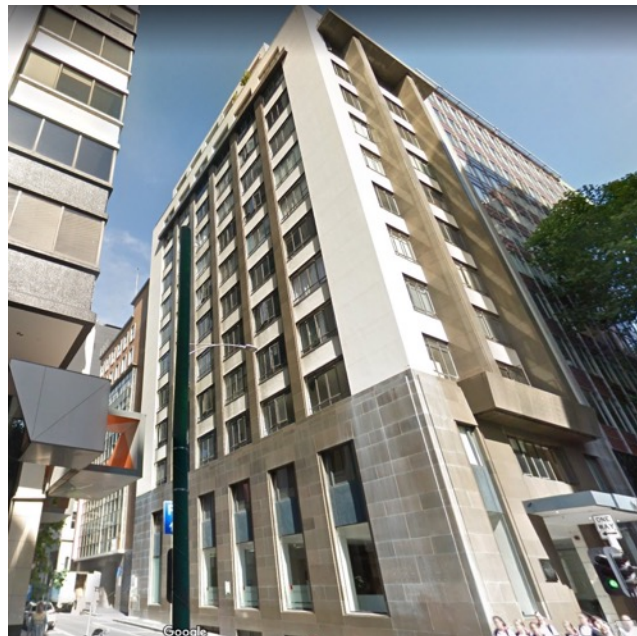
The conclusion of Melbourne Heritage Action that Chart House is an important example of early Modernist design in Melbourne, has been derived from a limited comparative analysis. In addition to Barnett's Building (1938) and some other examples they cite, there are some other notable examples and these include the Provident Life Assurance Co, 37-41 Queen Street, Melbourne (1938); Askew House, 364-372 Lonsdale Street, Melbourne (1938); and Manchester Unity Oddfellows (NB: different building to the 'Manchester Unity Building'), 339 Swanston Street, Melbourne (1941). These in my view better demonstrate this shift to Modern design that was occurring by the late 1930s and early 1940s than Chart House. In regard to the Provident Life Assurance building, its facade is very intact (see photographs on proceeding pages).

Century Building (1939-40), left, shows an emerging Modernist approach to fenestration pattern and façade design. Without a tower, a composition with a similar fenestration pattern is used one block south of the Century Building in Swanston Street, on Wales Corner (1965), right.

Photographs: Peter
Andrew Barrett
Collection.



Provident Life Assurance Building, 37-41 Queen Street, corner Flinders Lane, Melbourne (1938). Note the fenestration pattern on the Flinders Lane frontage (left) is similar to that on Chart House. Photograph: Google Streetview.



Askew House, 364-372 Lonsdale Street, Melbourne (1938), visible at left. Photograph: State Library of Victoria Picture Collection.



*M U Oddfellows Building
(later Jensen House),
339 Swanston Street,
Melbourne, (1941).
Photograph: State
Library of Victoria
Picture Collection.*



Askew House and the M U Oddfellows Building are situated within two blocks of the Guildford and Hardware Laneways Precinct, which demonstrate that this style of Modernist expression is not particularly rare within Melbourne.

A contributory grading would effectively remove the opportunity to enhance this part of Niagara Lane with a superior built form. A new building, responsive in terms of materiality, scale and expression, or significant alterations to the existing, have potential to make a greater contribution to both Niagara Lane and the broader Guildford and Hardware Laneways Precinct. Whereas, retention of the Niagara Lane façade, as a contributory element based on the east elevation being of aesthetic value, prevents any opportunity to activate this frontage along the lane, and enhance the upper portions of the façade, which forms an important gateway to the lane.

Little, if any, discussion has been made by my colleagues of the west elevation of Chart House. Viewed from Little Bourke Street, from the intersection of Hardware Lane, this elevation presents as a blank wall composed of the exposed concrete frame of the building with infill panels of brickwork.

The west elevation of Chart House, provides a poor response to its environs. Photograph: Peter Andrew Barrett



This west elevation of Chart House presents as a poor built form viewed from the intersection of Little Bourke Street and Hardware Lane. It is an unsightly backdrop to the two heritage buildings to the west of Chart House, which are some of the oldest buildings in this precinct. This I note to be another aspect of the poor built form of Chart House, and puts further doubt on claims of its contributory value to the Guildford and Hardware Laneways Precinct.

CONCLUSION

Chart House, in the context of the history of the HO1205 Hardware and Guildford Laneways Precinct, is a relatively late example of a commercial building of this heritage overlay. Claims of the intactness of the 1941 design by R M & M H King, are not supported either with physical evidence or documentary evidence, which demonstrate that the building has been altered from its original appearance.

Chart House is not a ground-breaking example of Modernism in Melbourne, as has been claimed. The conclusion it was at the forefront of Modernist design in Melbourne in the mid-twentieth century, and more representative of a later generation of Modernism, is based upon a limited comparative analysis of 1930s and 40s architecture in this city. This claim also fails to appreciate that much of the existing Modernist appearance of Chart House is not the work of R M & M H King, but of a later architect, or designer, that remodelled the building in recent decades to have a more contemporary appearance.

Chart House has little in common with most other contributory built form of this precinct. It shares very little with the materiality and fine grain character of the Pre-World War II building stock of this precinct, which are often of a higher architectural resolve and often more intact. In the context of Little Bourke Street, and in Niagara Lane, Chart House contributes little to surrounding built form and the key characteristics of the built form discussed in the precinct's statement of significance, and the heritage (HERCON) criteria attributed to the broader HO1205 Hardware and Guildford Laneways Precinct.

It is on this basis, that I recommend that Chart House remains a non-contributory building within the HO1205 Hardware and Guildford Laneways Precinct.

DECLARATION

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 blue ink, appearing to read 'P. Barrett', with a stylized flourish at the end.

Peter Barrett
Master of Architectural
History & Conservation (Melb.)