

AMENDMENT C172
THE FORMER ES&A BANK BRANCH
153-155 SPRINGVALE ROAD, NUNAWADING
THE CITY OF WHITEHORSE
HERITAGE EXPERT WITNESS STATEMENT
by
JOHN BRIGGS
Instructed by
PLANNING PROPERTY PARTNERS PTY LTD
MARCH 2016



JBA
John Briggs Architect
And Conservation Consultant
331A Bay Street
Port Melbourne 3207
Mobile 0411 228 515
Phone 9681 9924

I am the Principal of John Briggs Architects Pty Ltd, Architect and Conservation Consultant at 331A Bay Street, Port Melbourne. This Statement of Evidence provides review of the heritage assessment of the former ES&A Bank, that is advanced as a basis for inclusion of the property in the Schedule to the Heritage Overlay of the City of Whitehorse Planning Scheme, under Amendment C172.

I am a Registered Architect, No. 4972, a member of the RAIA and hold a Bachelor of Architecture, University of Melbourne. Of the 29 years that I have worked in the practice of Architecture, the last 25 years have been predominantly in the field of Conservation Architecture. For 8 of those years I was employed by the firm Allom Lovell and Associates and was the Project Architect responsible for the heritage works at both the Regent Theatre and the Gothic Bank at 380 Collins Street. I left Allom Lovell and Associates in 1998 to pursue practice in architecture and as a heritage consultant.

My work has provided me with broad experience in all aspects of heritage architecture including historical research, preparation and production of conservation reports and conservation plans for projects at all scales, as well as the preparation and presentation of submissions to Councils, Heritage Victoria, Planning Panels and to the Victorian Civil and Administrative Tribunal. I am a heritage advisor to the City of Melbourne. I have significant experience in the design, documentation and administration of restoration works, works to reconstruct missing historic elements and works to facilitate the adaptation of historic buildings for new use.

In preparing this statement I have been instructed by Planning Property Partners Pty Ltd on behalf of the owner of the property.

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



John Briggs
John Briggs Architects Pty Ltd

March 2016

Introduction

I have been instructed to undertake a review of the assessment of heritage significance that is advanced as a basis for the application of the Heritage Overlay to the former ES&A Bank. As the building and its setting have been described and documented, as a basis for the proposed Amendment, and as the Panel will inspect the building, I have not provided a further description or repeated the history of the place.

The primary document relied upon by Council in advancing the proposed Heritage Overlay is understood to be the City of Whitehorse Post – 1945 Heritage Study, prepared by Built Heritage Pty Ltd in the City of Whitehorse Post -1945 Heritage Study, Final Draft: 3 July 2015, and particularly :

- The Citation No E018 for the property.

In my review of the assessments of significance I have had regard to the Practice Note 01, Applying the Heritage Overlay, Revised 2012 by the then Department of Planning and Community Development. In considering the extent of justification necessary for provision of public confidence in the attribution of heritage significance I also have had recourse to the Victorian Heritage Register Criteria and Threshold Guidelines 5 June 2014.

I have inspected the building from the street frontage on 5 March 2016.

Summary of Opinion

It is my assessment that there remains an absence of readily understandable reasoned explanation that is needed to justify the attribution of heritage significance to the former Bank.

The building is a recent building by comparison with most places recognised as having heritage significance across wider Melbourne and accordingly the rigor and expectation of clarity in the justification of heritage significance should be at the highest level. At 57 years old the building is not of an age to be considered historic, on the basis of time elapsed since construction, but rather must demonstrably exhibit other value important to the identity of the City of Whitehorse community.

It is to be noted that at the Policy Basis of Clause 22.01 Heritage Buildings and Precincts, in the City of Whitehorse Planning Scheme there is the following statement:

There are over two hundred individual heritage properties scattered throughout the municipality ranging from Victorian period schools, farmhouses and cottages dating from 1865 through to high schools and churches built in the 1940's and 50's. These buildings add interest, character and a sense of identity to the neighbourhoods in which they are located.

This policy basis is dated 21/03/2013 however there is under policy no expectation that all building that exhibits distinctive features from within that period are by definition a heritage place. It is not demonstrated that any particular community of the City of Whitehorse, or its visitors, have more than passing interest in this former bank or that there is a community associated with Whitehorse that hold it as an object of heritage reverence.

In any case the basis on which places from each more modern decade are to be added to the Heritage Overlay needs to be without assumption and to be clearly justified so that the importance of the place is clearly, and verifiably, established.

Whilst the former bank has distinctive design features and is distinct as a product of its time, the appropriation of control over the property for the protection of a perceived public benefit cannot be based upon assumption, irrespective of how expert those making assumptions may be.

Fundamental to an assessment of heritage significance is clarity in the understanding of what is of significance, and how and why it is significant. This understanding requires the demonstration of the thresholds for attributing significance against relevant criteria through comparative analysis. This is the fundamental task required of heritage practitioners, and adjudicators and, in my view, this has not been achieved for the Heritage Criteria of the field of "Architectural and aesthetic significance to the City of Whitehorse". More specifically the thresholds for significance under Criteria E, F and H have not been related to how the building is claimed to be of heritage significance. The thresholds for attribution of heritage significance under these criteria have also not been established or identified in any verifiable manner.

Whilst in my view the building is interesting, it has not been demonstrated in an appropriately verifiable and objective manner to have heritage significance.

Attribution of Heritage Significance

Most importantly, assessment of heritage significance is not a cumulative exercise where limited value, across a range of criteria, accumulate to the point of inclusion in the Heritage Overlay. Heritage significance requires that the threshold for inclusion must be clearly demonstrated, and achieved, under at least one criterion for heritage significance. For this to be demonstrated it is necessary that the location of the threshold must also be established and identified beyond mere assertion or assumption.

The Post - 1945 Heritage Study by Built Heritage attributes Architectural and Aesthetic significance to the former Bank.

‘Architectural significance’ is not one of the criteria set out in the Practice Note 01 “Applying the Heritage Overlay or the Heritage Criteria” published by the Heritage Council.

Architectural significance can be addressed under more specific criteria, particularly under **Criterion A** – the particular historical thematic associated with the use of a type of building or the development of an architectural style. This would also generally be addressed under **Criterion D** where a particular architectural style or building type is an important thematic in the history of the relevant area, and so a building may be illustrative of that thematic history. This may be such as the use of modernist, or perhaps surrealist, architectural expression for banks, or generally as a hallmark of development in Whitehorse. A building may also have architectural value under the **Criteria E** due to the aesthetic qualities it may exhibit; that is a building widely appreciated or held in high esteem by the people of Whitehorse past, and/or present and potentially future generations. Alternatively as a milestone, or influential exemplar, in the span of development of architecture as exercised in the City of Whitehorse a building might have significance as having “importance in demonstrating a high degree of creative achievement at a particular period” in accordance with **Criterion F**. As the work of a particular person or firm of architects that featured prominently in the history of the municipality, or local area, a building may have associative heritage significance under **Criterion H**.

The asserted significance of the place found in the Citation for the former bank is paraphrased below under the relevant criteria with my commentary following.

Criterion E Aesthetic - Importance in exhibiting particular aesthetic characteristics

“...as a fine and substantially intact example of the progressive and highly distinctive bank architecture”.

“...the ES&A Bank was acknowledged at the time as the leader of this [modernist style] trend, creating ‘eye-catching designs...”

“...influenced by Surrealist design techniques, was particularly idiosyncratic, characterized by contrasting finishes, projecting and receding planes and bold massing of sculptural forms.”

Comment: The aesthetic significance of the building, that it is a place recognised as being held in high esteem by the public by comparison with other buildings from the late 1950s, is simply not demonstrated within the City of Whitehorse.

For this to be demonstrated with any measure of the rigor required to justify the appropriation of control over the former bank branch, the other buildings that have aesthetic significance from this period need to be identified for comparison. The necessary threshold for attribution of cultural heritage significance on the basis of aesthetic significance within the City of Whitehorse could then be established and the former bank could then be positioned in relation to that threshold and those other comparative buildings. The comparative field should not be limited to banks, but should reasonably address the range of buildings considered to be nearly adequate, but deemed to be of inadequate aesthetic quality, or altered to a degree that the aesthetic value is obscured or lost. I would recommend that the best dozen of the buildings excluded on the basis of this criterion, and the worst of those include, as having aesthetic significance under the criterion, should be listed so as to locate the threshold for a place having aesthetic significance. Without such an objective measure the question of aesthetic criteria is entirely subjective and opaque to verification, and amounts to a ‘taste’ test rather than the exercise of proper and orderly planning.

By way of comparative assessment it is stated in the citation that *“While they [other banks from the period in Whitehorse] were all perfectly confident manifestations of the prevailing modernist style, none of these mid-century branch banks, even in their heyday, were as visually arresting as the boldly sculptured former ES&A Bank at Nunawading.”*

There remains a further test which is even if no other building was as boldly sculptured In Whitehorse, was this out-lier seen as important aesthetically then, or is it just a curiosity such as would be a geodesic dome, also the product of the period?

Criterion F Technical – Importance in demonstrating a high degree of creative or technical achievement at a particular period.

“Aesthetically [sic], the building is significant for its atypically sculptural form, of a type rarely seen in the mid-century architecture in Victoria (Criterion F).”

“...an unusual plan form ... small forecourt ... a stark symmetrical façade ... windowless stone-clad volume hovering above ... particularly striking and eye-catching”

Comment: To seriously and reasonably assess the matter of the degree of creative achievement requires that the above features be addressed and placed in some broader context. It is my view that all the above discussion and description attributed to Criterion F should rather be under the Aesthetic Criterion E. The Criterion F in my understanding is generally invoked where the subject place embodies or demonstrates either a technical, or creative, break through. As discussed above the place could be shown to exhibit in clear objective terms a high point in the trajectory of the development in a particular field. Specifically the subject place should be placed in the context of that which influenced it and that influenced by it. As an odd outlier of a phenomenon it may yet have aesthetic significance in a locality but would not have value under this criterion. Similarly, as what may be an example typical of the state of the art at the time, ‘the way banks were done’, this would not lift the place above ‘interest’ to having heritage significance and importance to local identity. There would need to be demonstration of considerable local pride in having such a bank at the time, and that such pride is, in some sense, remembered and maintained. That the place is to be attributed heritage significance on the basis that it is generally identified in Nunawading as representing a high degree of achievement in the late 1950s would require some proof beyond the assertion of the expert with interest in the field. That this product of drawing random diagonal lines to generate bold forms is important to Nunawading or the wider City of Whitehorse needs to be unequivocally demonstrated.

There seems to be confusion in the statement of significance between the issue of local significance and of attribution of significance to some wider architectural interest against the Victoria catchment. There is no doubt that the bank was the product of a particular policy of a particular bank and was the product of a particular design and time. The

citation under the History notes that: *“Although a number of McIntosh’s ES&A Bank branches were published in architectural journals of the day (notably those in Ringwood, Malvern and Canberra), this particular example was not.”*

It is the case that although the phenomenon of ES&A Banks by McIntosh may be on the radar of the history of development of architecture across Victoria that this was, or is, or might become, of particular importance to the City of Whitehorse needs to be rationally and reasonably demonstrated by the comparative case study. This does not appear to have been undertaken.

Criterion H Associative - Special association with the life or works of a person, or group of persons, of importance in our history

“Architecturally, the building is significant as a fine and substantially intact example of the progressive and highly distinctive bank architecture introduced in the post-war period by the ES&A Bank, and specifically by Stuart McIntosh, who was Staff Architect from 1953 to 1963.”

“...the building is unique as the only example of McIntosh’s bank architecture in the City of Whitehorse (and one of only a handful in Victoria that still remain substantially intact), ...”

“... McIntosh himself was a local resident at the time of construction (Criterion H).”

Comment: There is no demonstration that this bank expression or the architect McIntosh has particular importance to the City of Whitehorse. The renown of the bank work or the work of McIntosh, the man, being widely acknowledged in the Whitehorse City context at the time or today is not shown. That McIntosh as an architect was renowned in Nunawading is not shown to be a story of importance to the identity of the city of Whitehorse. That McIntosh and his work may be of some interest in the history of the trajectory architecture in wider Melbourne may be real but that this interest justifies curatorial care of this former bank for the public benefit of Nunawading or the wider City of Whitehorse would need to be demonstrated more thoroughly if heritage protection is to be reasonably imposed.

Conclusion

Heritage controls are a form of appropriation of a place, or appropriation of control over the place for the public benefit. This is potentially at considerable direct cost, and considerable loss of opportunity cost for the property owners. This is particularly the case for individual properties where the impediment of an outdated building may significantly limit the use and development of the site. It is because of the detriment that the Heritage

Overlay may inflict upon the property owners that heritage significance should only be attributed with rigor and with justification.

The Practice Note 01 includes the following statement:

In order to apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those that have previously been included in a heritage register or overlay. Places identified to be of potential State significance should undergo limited analysis on a broader (Statewide) comparative basis.

That a place now only fifty seven years old is to be elevated from being of architectural or aesthetic interest in a general or specific sense to a place of controlled and specifically determined heritage value must be supported with readily understandable reasoned explanation. This requires clear comparative illustration of the threshold for any criterion relied upon for attribution of heritage significance rather than interest.

In my view there is no demonstration that this site is expressly associated in the public awareness as being important to local or municipal identity. For a building of such youth, in comparison with buildings to which heritage significance is generally attributed, a high onus of proof can be expected.

The inclusion of a property in the Heritage Overlay is not to be based upon a cumulative view of a fit with a number of heritage criteria. Rather the mapping of the particular threshold and the location of the former Bank in relation to that threshold is required. Assumption or assertion of opinion, or suggestion, cannot reasonably be taken as justification for attributing heritage significance to a building of such relative youth without appropriate verification being made available.

The citation provided in support of the proposed inclusion in the Heritage Overlay does not provide an objective, understandable and verifiable basis for imposing controls on this property. The cautionary principal that applies once a property is recognized by inclusion in the Heritage Overlay is not to be extended to suggest that if there is doubt a property should be included for protection.

Whilst there is the risk of some loss of places that may grow in heritage value over time such a risk can not be taken as justification for subverting the need for appropriate comparative illustration of the basis of the heritage significance of a place. In this case it is on aesthetic value that is in reality relied upon under the citation. No comparative case under a thematic history of the use, or development, of architectural styles in Whitehorse has been advanced. Similarly, and although McIntosh was a resident in Nunawading no case has been seriously made to link what was clearly a profile of some interest amongst architects to importance to local identity. It has not been presented that McIntosh was a local identity of note, then or now. He may be of note in the history of bank architecture however it has not been demonstrated that such history is of note locally in Nunawading.

I conclude that heritage significance has not been demonstrated for this building and the Heritage Overlay should not be applied to the subject property.



John Briggs
John Briggs Architects Pty Ltd