

**GLEN EIRA PLANNING SCHEME AMENDMENT C190  
CENTRE ARCADE  
325 CENTRE ROAD, BENTLEIGH**

**HERITAGE EXPERT WITNESS STATEMENT**

**by**

**JOHN BRIGGS**

**Instructed by**

**ASK PLANNING**

**for**

**RUSHAM Pty Ltd**

**19 OCTOBER 2020**

**JBA**  
**John Briggs Architect**  
**And Conservation Consultant**  
331A Bay Street  
Port Melbourne 3207  
john@jbarchitects.com.au  
Mobile 0411 228 515  
Phone 9681 9924

## EXPERT WITNESS STATEMENT JOHN BRIGGS

### AMENDMENT C190 GLEN EIRA - CENTRE ARCADE, 325 CENTRE ROAD, BENTLEIGH

I am the Principal of John Briggs Architects Pty Ltd, Architect and Conservation Consultant at 331A Bay Street, Port Melbourne. This Evidence Statement addresses the proposal under Amendment C190 to apply to the subject property at the *Centre Arcade*, 325 Centre Road, Bentleigh the Heritage Overlay, HO162.

I am a Registered Architect, No. 4972, a member of the RAlA and hold a Bachelor of Architecture, University of Melbourne.

Of the 34 years that I have worked in the practice of Architecture, the last 30 years have been predominantly in the field of Conservation Architecture. My training in conservation architecture was in my employment with the firm Allom Lovell and Associates over 8 years where I was the Project Architect responsible for the heritage works at both the Regent Theatre and at 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 ASK Planning on behalf of Rusham Pty Ltd.

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 Tribunal.



John Briggs

19 October 2020

John Briggs Architects Pty Ltd

## Introduction

This statement addresses proposed application of the individual Heritage Overlay, HO162 to the Centre Arcade at 325 Centre Road, Bentleigh. That the building has individual heritage significance to warrant the application of the Heritage Overlay is not contested. However, given the nature and location of the property it is a candidate for development in the foreseeable future and with the application of the Heritage Overlay to the property it is considered that the Statement of significance and the Heritage Policy at Clause 22.01, which will become applicable with the Heritage Overlay, should provide clarity with regards to what is significant. This is important in providing clarity regarding the constraints and opportunities for development that is respectful of heritage significance and conserves that significance without being unnecessarily constraining.

This evidence is informed by inspection of the site and citation prepared as a part of the *Glen Eira Heritage Review of Bentleigh and Carnegie Structure Plan Areas (Commercial)* in 2018 by RBA on behalf of the City of Glen Eira. In reviewing the heritage assessment, I have had regard to the Planning Practice Note No. 1 *Applying the Heritage Overlay*, August 2018. I have previously assisted ASK Planning in their preparation of the submission of 2 March 2020.

## Summary of Opinion

It is my recommendation that, with the application of the Heritage Overlay, and added reliance upon Statements of Significance from August 2018, the statement should provide clarity that the rear exterior and roof of the building as well as the airspace over the building, beyond the common area of the first floor at approximately 15 metres from the property frontage, make no contribution to the appreciation of the heritage value of the property or its significance.

I also recommend that with consideration of amendments to the Heritage Policy at 22.01 of the Glen Eira Planning Scheme the Panel make further recommendation on the clarification of the extent of setback, presence and expression of rear additions to commercial properties, possibly as has been adopted in Stonnington in relation to commercial heritage buildings.



### Citation

The following is the citation for the Centre Arcade as provided by RBA to which I have added in bold my recommended additional text to address explicitly the absence of attribution of heritage value to the rear north elevation facing onto the Bleazby Street car park, and the roof and airspace over the Hall.



### What is significant?

*The two storey shopping arcade and 'Star Dance Studio' neon sign at 325 Centre Road, Bentleigh. Notable detailing to the upper level of the façade includes the main aluminium-framed panelling (bands of glazing and alternating yellow and mauve coloured panels) and the umber bricks to the side walls. Significant elements include the intact interiors to the common areas of the building, ground and first floors, including the granolithic floors, balustrade, light fittings, and the shopfronts (tiling, frames, highlight windows, and doors).*

[The interiors of the shops, the hall and offices, as well as the north frontage to the car park, the east elevation and the air space over the hall, are not contributory to the heritage importance of the Centre Arcade.]

*How is it significant?*

*The Centre Arcade and Neon Sign are of local historical and aesthetic significance to the City of Glen Eira.*

*Why is it significant?*

*The Centre Arcade & Neon Sign is historically significant as a Post WWII period arcade in the Bentleigh shopping centre with its original signage. The well-resolved, progressive design utilised demonstrates the substantial commercial development that was occurring in Bentleigh at this time. It also demonstrates the importance of shopping areas in the daily life of communities in suburban Melbourne. In addition, the Star Dance Studio has occupied the first floor continuously since the early 1960s. (Criterion A)*

*The Centre Arcade, built in 1959 is aesthetically significant as a remarkably intact and relatively uncommon example of a suburban mid-20<sup>th</sup> century shopping arcade in the International style. Designed by the architects Forsyth & Dyson, it is notable for the prismatic configuration of its upper level façade and the original neon sign installed in the early 1960s. (Criterion E).*

### **Heritage Policy to Become Applicable**

As a commercial building the Heritage Policy that is applicable in the guidance of development is to be found at Clause 22.01-3 Policy. Under the heading *Statements of Significance*:

*It is policy to:*

- *Take into account the statement of significance for a heritage place when making decisions about proposed buildings and works associated with that place.*
- *Where an individually significant place is located within a heritage precinct, any proposal must have regard to both the statement of significance for the individual place and the statement of significance for the heritage precinct in which it is located.*

Under the heading *New Buildings, Alterations and Additions (Commercial Heritage Areas)*

*It is policy to:*

- *Encourage the conservation of setbacks that impart significance to those buildings that are surrounded by open space (including but not limited to churches and schools).*
- *Ensure any new upper level additions and works are respectful to the scale and form of the heritage place or contributory elements of the place and, where relevant, the heritage precinct as a whole.*
- *Encourage higher building additions to be well set back from the front wall of the building unless the specific context of the site recommends otherwise.*
- *Encourage the retention, restoration or reconstruction of original shopfronts and verandahs.*
- *Ensure commercial infill buildings adopt a contemporary architectural form or simplified interpretation of nearby contributory buildings.*
- *Discourage the introduction of architectural features, where it is known that these features were not originally present.*

- *Discourage signage above the verandah if it results in visual clutter in the streetscape and obscures views of the subject building and nearby contributory buildings.*
- *Ensure retention of signage deemed to have heritage value.*
- *Discourage sky signs, reflective signs, animated signs and electronic signs within heritage precincts.*
- *Ensure the design of new development, and alterations and new buildings and works on land zoned PUZ2 in the Derby Road Heritage Precinct (18-28 Derby Road) complements and responds to the heritage significance of the precinct and enables an appropriate interface with the emerging built form from the adjoining PUZ2 zoned land to the east.*

The Performance measures that apply to New Buildings, Alterations and Additions (Commercial Heritage Areas)

*It is policy to assess proposals against the following measures:*

- *Avoid erecting structures, including high fences in front of significant or contributory schools and churches.*
- *Respect the existing rhythm and grain of existing streetscapes including the visual repetition of parapet lines when constructing new buildings or additions to significant or contributory buildings.*
- *Identify the critical architectural forms that impart significance to the building or precinct and ensure that new works conserve and enhance this character.*
- *Ensure plant and equipment are concealed from view within the street.*
- *Conserve original elements on the front façade of the building. New openings may be introduced on secondary elevations to corner buildings provided they do not irreversibly alter valued architectural treatments.*
- *Avoid obscuring names and dates forming part of the architectural treatment of the building. Avoid use of materials and colour that conflict with significant and contributory buildings.*
- *Avoid visually intrusive design which confronts the established architecture of the centre and dominates the surroundings.*
- *Conserve and repair original elements of significant and contributory shopfronts. Discourage glass bricks, security roller doors and tinted or obscure glazing.*
- *Encourage new verandahs to be setback 750mm from the street pavement to avoid damage sustained by passing trucks.*
- *Verandahs are discouraged on (former) public buildings and banks unless evidence can be provided indicating an original verandah to the building.*
- *Discourage internally illuminated signs unless they are located below the verandah, hanging under the soffit.*
- *Discourage above verandah signage unless specific provision has been made in the original façade treatment for a sign in that location.*
- *Ensure a neutral palette is used for the design of signage within heritage areas.*
- *The sign reading “Dairy Produce” at first floor level at 789 Glenhuntly Road should be conserved.*
- *The sign reading “The Argus” and “The Age” on the northern façade of 14 Derby Road should be conserved.*

It is suggested that the Heritage Policy of the City of Stonnington and of City of Melbourne Amendment C258 provide parameters for setbacks of additions for commercial heritage buildings that are instructive and could be considered as a model by this Panel.

At Clause 22.04-4.4 of the Stonnington Planning Scheme, *Additions and alterations* in the Stonnington heritage policy is the following:

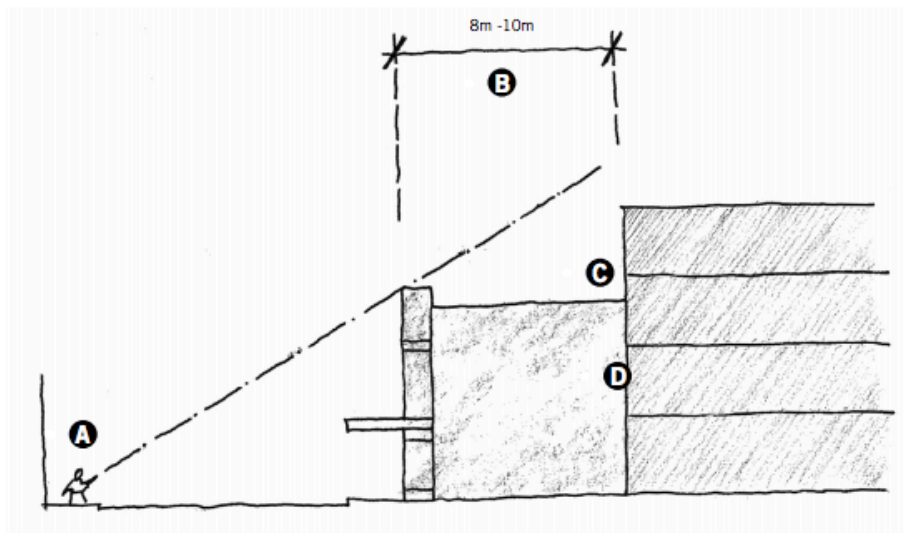
*Ensure that all additions and alterations:*

- *Retain and conserve the primary building volume and significant building fabric.*
- *Are set back behind the primary building volume.*
- *Respect the built form character of the place including but not limited to scale, form, height, street wall, siting and setbacks.*
- *Adopt a visually recessive design where the heritage place remains the dominant visual element.*

*Ensure that all [commercial] upper level additions and alterations:*

- *Are set back behind the primary building volume.*
- *Complement the height, scale and setbacks of any adjoining significant or contributory buildings.*
- *Result in storey heights to complement the alignment of the primary building volume.*
- *Are generally contained within an envelope created by projecting a sight line from 1.7 metres above ground level on the opposite side of the street.*
- *Present minimal bulk from oblique views.*

In the Heritage Design Guidelines of Stonnington further explanation is provide in diagrammatic form:



Setbacks should be visually recessive including:

- A** Sightline from 1.7 metres (eye level) on opposite footpath
- B** Retain primary building volume (at least first 8-10 metres)
- C** Additional storeys above primary building volume height to be visually recessive
- D** Storey heights to complement the alignment of the primary building

**Figure 5 Upper Level Setbacks - Commercial setting**

It is however the case that, by its nature, this modernist building presents in its expression as a building form that would not be compromised by the presence, even prominent presence, to the rear of the primary heritage entity. This could well be taken to be to a depth of the 8 to 10 metres recommended in Stonnington, and also in the City of Melbourne for the CBD as addressed in the recent C258 Amendment. As with the CBD circumstance, where there is a mix of built form, the subject site presents in a context where more prominent new building presence, set back beyond the 'primary building depth' from the street frontage could be expected to be seen as recessive by comparison with the heritage street presence.

Critical from the heritage perspective is the need for retention of the 'appreciation' and 'perception' that the heritage entity has been conserved with integrity.

To this end the dance hall need not be retained, as that interior space has not been considered of significance, and prominent new building form recessed beyond the 8-10 metres from the street frontage could, with appropriate expression, be seen to be recessive and so acceptable.

As the common areas of the interiors are also considered to be of significance and at first floor the front of the Hall, and rear of the first floor foyer is at a distance of approximately 15 metres from the property frontage it would be conservative to identify the airspace beyond this distance as not contributory to the appreciation of the heritage significance of the Centre Arcade.

With conservation of the arcade, the appreciation of the heritage entity as having integrity need not be compromised by new prominent building presence over the rear half of the site. Such new evident building presence might extend to even 8 or 9 storeys without becoming dominating of the heritage presence in the Centre Road Streetscape. Even with construction of such a mid-rise tower at the rear of this deep site the visual primacy of the 1959 Centre Road frontage could be expected to be conserved. In juxtaposition with the subject building a new building presence set beyond the 15 metre depth of the host heritage entity need not to be contained within the sightline from eye level on the opposite foot path. It is reasonable to expect with a setback of beyond 15 metres, and with architectural expression complementary to heritage character and appearance, the objective of being visually recessive in relation to the streetscape and retaining the visual primacy of the heritage host would be achieved.

Whilst the expectation that the visual primacy and appreciation of integrity of the heritage entity are performance tests that should be named as expectations of heritage policy, some direction regarding the depth at which visible new additions are expected to be recessed from the street frontage would be sensible.



As a useful rule of thumb, as tested in VCAT findings and discussion, the physical prominence of an addition can reasonably be considered 'recessive' if it is not more than 20% (measured in the picture plane) over the height of the frontage of the host building (or streetscape) as seen in the perspective that is the primary view of the place (the opposite footpath).

On the basis of simple diagrammatic analysis of sightlines over the 1959 Centre Arcade parapet, an 8 storey building presence at the halfway point of the site would be 20% of the height of the heritage frontage as seen in perspective from the opposite footpath above that frontage. At two thirds of the site depth, 13 metres from the rear car park a height of 9 floors would still present as a 20% projection over the heritage frontage. At the set back of 2/3rds of the site depth if a visible addition was the full width of the site, in perspective the visible form would be only 1/3rd of the width of the heritage frontage to Centre Road.

### Conclusion

Policy is often applied without appropriate exercise of discretion, or the discretion that is exercised often becomes contested for other reasons. It is therefore sensible to better define what the heritage entity of value actually is and how, and from where, it is anticipated that the heritage value should be experienced and appreciated. The expression in the Statement of Significance for the property that defines not only what is of heritage importance but makes clear what is not important in the experience of the place will inform the understanding of what can reasonably be developed without impact on heritage significance. For that reason, I recommend that the Statement of Significance exclude those interiors and exterior elements and that airspace of the building that is not contributory to the heritage value of the place.

In application of the Heritage Overlay it is also my view that the Heritage Policy that becomes applicable to the Heritage Overlay should be reviewed to ensure it is appropriately tailored to the new application. By comparison with other municipalities the current policy of Glen Eira provides limited guidance regarding additions to commercial heritage properties in high street contexts. It is my recommendation that the Panel comment upon the need to provide more clarity in relation to introduction of inevitable new higher density built presence in these heritage contexts.



John Briggs  
John Briggs Architects Pty Ltd