

25 September 2023



Mr Steven Avery
Executive Director
Heritage Victoria

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T 03 9656 9818

Re: Objection to P37583 Bryant & May Industrial Complex

Dear Mr Avery,

The National Trust of Australia (Victoria) (National Trust) objects to the above permit application for the construction of one 13 level tower and one 12 level tower and associated landscaping on the northern half of the place, demolition of non-heritage buildings and adaptation and conservation of the administration building, Brymay Hall and dining hall, and the boiler house and chimney stack.

The National Trust has classified the Bryant and May complex at the state level of significance (B5506), the Statement of Significance notes that,

The Bryant and May complex is of strong significance as one of the few surviving mostly intact examples of substantial factories engendered in Richmond prior to the 1914-18 war. ...In the 1920s Bryant and May became regarded as a model factory with the provision of staff amenities such as tennis courts, basket ball courts, a bowling green, and one of Australia's first industrial nurses. The complex exhibits harmonic progression of form and a firm imprint of Australia's industrial and social history.

National Trust Position

The National Trust supports the adaptive reuse of heritage buildings to ensure they have an ongoing purpose and remain viable assets to their communities. Indeed, we support the proposed demolition of non-heritage buildings and adaptation and conservation of the administration building, Brymay Hall and dining hall, and the boiler house and chimney stack.

However, it is our submission that the proposed development of the new hotel and workplace towers would have an adverse and unacceptable impact on the registered place. The proposed development would have detrimental impacts on significant streetscapes and view lines to the landmark heritage fabric and would overwhelm the site and detract from the heritage values of the complex.

Towers

We submit that the proposed tower additions to the site would detract from the landmark qualities of the significant heritage buildings, as the towers would threaten important views to and from the place. We support comments made by Heritage Victoria in the permit pre-application advice that the 1909 William Pitt offices fronting Church Street, the associated clock tower and chimney stack make important contributions to the surrounding streetscapes

and should remain the dominant architectural features of the area.¹ While we acknowledge that the plans for these towers have been revised by the applicant to accommodate this advice, we still believe the current proposal is an overdevelopment of the complex.

Heritage Victoria's guiding principles for changes to registered places discourages tower developments and building over the airspace of a registered place,

Land or airspace within the extent of registration should not automatically be considered as developable. Some places may only be able to sustain limited new development, while others may not be able to sustain any at all... Major changes which have the potential to substantially impact the setting and views of a place include: Towers - multi-level tower proposals almost always have an adverse impact on the setting of a place. They often include cantilevering over a place to maximise floor plate size and can also visually overpower a place so that the heritage elements are reduced to secondary elements.²

The National Trust finds that both the intactness of the site and the ability to appreciate the noted architectural elements of the complex are threatened by the height and bulk of the proposed tower developments.

While it is understandable that an industrial heritage site, no longer being used for its original purpose would face obsolescence, we disagree with the Heritage Impact Statement that, 'the proposed new built form would add a layer of architectural development which responds to the heritage context.'³ Whilst there are some design elements in the podiums that reference the architecture of the heritage buildings, the obstruction of view lines due to the overall height and mass of the tower developments is not adequately addressed through these design choices. Rather than responding to the heritage context of the Bryant and May complex, we submit the proposed tower developments would overwhelm and obscure it.

Additionally, the Heritage Impact Statement (HIS) comments regarding the landmark qualities of the site, seem to down-play both the importance of view lines to the landmark heritage buildings and the resulting impacts to those view lines by the proposed development.

On the one hand the HIS states, 'In assessing the impact of the proposal on the landmark qualities of the place as related to the taller elements, the development will impact in removing or limiting visibility in both closer and more distant viewing.' However, then speaks about the views to the site being 'fortuitous rather than designed and where development of the surrounding area is also impacting, the changes present as part of a dynamic context.' We submit that the landmark values of the complex are not dependent on having been designed to be considered significant. Further, if increased development in the surrounding area is indeed impacting on the landmark quality of the complex than that would present even more reason to retain the integrity of important view lines and the prominence of the significant heritage buildings on the site. We find that the degree to which the viewing points of landmark qualities of the individual elements have been restricted is an adverse and unacceptable impact on the registered place.

¹ Source; Bryant & May Industrial Complex: Revised Heritage Impact Statement, Lovell Chen, August 2023

² Principles for considering change to places in the Victorian Heritage Register, Heritage Victoria, December 2022

³ Bryant & May Industrial Complex: Revised Heritage Impact Statement, Lovell Chen, August 2023

Furthermore, the National Trust supports the comments provided as feedback from the Victorian Design Review Panel at the Office of the Victoria Government Architect on 15 June 2023;

Alongside other high profile heritage sites in Victoria, the proposal for 560 Church Street raises a broad question about how to appropriately balance the sensitivity of significant heritage places with new development in a city facing substantial growth pressures. We do not question whether this site should be developed; rather, the scale, density, nature and long-term legacy of the proposal needs interrogation. The panel agrees the site, and its locale, will benefit from new development, and this can be contemplated provided it achieves a sense of 'design equivalence' between heritage and contemporary amenity and structures.⁴

We agree that some form of development and adaptive reuse of the heritage complex would be appropriate and desirable for activation of the site. However, we submit that the negative impacts of this proposal outweigh the benefits, which we believe should be explored through a less intensive development.

Response to Reasonable or Economic Use

When making a permit determination, under Section 101 of the Act, the Executive Director is required to consider:

(a) the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object;

(b) the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object;

We acknowledge that the Reasonable Economic Use report argues for a sustainable commercial activation of the site through the development. However, the National Trust is not satisfied with the arguments that the overall project profit margin of the properties commercial use will be unsustainable if the proposed development is refused.

Due to the redacted nature of the Reasonable and Economic Use Report, it is difficult to meaningfully comment on the case for the economic use of the place. However, it should be noted that the Reasonable and Economic Use report focuses on a "minimum acceptable requirement for return on investment from the client, potential funder / financiers and other development groups." We question whether this minimum profit margin is the same as the minimum necessary to fund the conservation and maintenance of each place, (which is the requirement for Heritage Victoria) or rather is it based on highest and best use of the place and not its cultural heritage significance.

The main argument for why the property is not able to continue its existing commercial use is that tenants are vacating due to the condition of the building.⁵ However, there is no

⁴ Source; Bryant & May Industrial Complex: Revised Heritage Impact Statement, Lovell Chen, August 2023

⁵ 560 Church Street, Cremorne: Reasonable & Economic Use, macroplan, August 2023.

information provided to indicate what the current condition of the property is such that it is unlettable.

It would be beneficial to understand the cost of bringing the building up to the current tenants' requirements through basic maintenance, rather than the full scope of the adaptive reuse of the heritage buildings. Without this information we are not satisfied with the evidence provided that economic sustainability via a smaller development or more basic upgrades to the existing building stock is not feasible. Nor are we satisfied that refusal of this permit would affect the reasonable and economic use of the registered place in its current use, were the building to be maintained and new tenant agreements sought.

Conclusion

The National Trust opposes the proposed development of towers at the Bryant and May Complex on the basis they would have an adverse and irreversible impact on the heritage significance of the place. We believe that this impact is not justified by the case for reasonable or economic use.

For any enquiries regarding this submission, please get in touch with this office on 03 9656 9844 or with me directly at samantha.westbrooke@nattrust.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Westbrooke', with a stylized flourish at the end.

Samantha Westbrooke

Executive Manager - Conservation and Advocacy
National Trust of Australia (Victoria)