

# 11 The Esplanade, St Kilda

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Application for Review VCAT Reference Number P424/2003

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Heritage evidence prepared by  
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# 11 The Esplanade, St Kilda

## Statement of Evidence

### Introduction

1. My name is Professor Richard Gordon Mackay. I am the Managing Director of Godden Mackay Logan Pty Ltd, Heritage Consultants, which conducts its business at 78 George Street, Redfern, NSW. I am also an Adjunct Professor at La Trobe University, a former Member of the NSW Heritage Council and I was the inaugural Chair of the NSW State Heritage Register Committee. My qualifications and experience are more fully set out in Annexure A, as per the Tribunal's Practice Direction No. 2.
2. I have been requested by Minter Eillison, Lawyers, representing Becton Esplanade Pty Ltd to provide an independent peer review of the heritage issues that arise in the subject proposal in relation to items affected by Heritage Overlays in the *Port Phillip Planning Scheme*, namely The Esplanade Hotel (HO117) and St Kilda Hill (H05).
3. I have been instructed to examine the heritage assessment and evaluation of heritage impact prepared by Allom Lovell and Associates on behalf of the Applicant and to comment upon the methodology used and conclusions reached. I have also been asked to review a Statement by Mr Peter Lovell, filed in these proceedings, and to assess whether, in my view, the conclusions presented in that Statement were sound.

### Summary of Opinions

4. On the basis of my review, investigations and assessment, I have concluded that:
  - Evaluation of the heritage impacts of the subject proposal should address the Heritage Overlays of the *Port Phillip Planning Scheme* and have particular regard to the Statements of Significance in the *Port Phillip Heritage Review*, Version 2, 2000, as that document is incorporated in the Planning Scheme.
  - The Esplanade Hotel is a significant heritage item comprising a number of elements of differing age and relative significance. The Hotel, excluding bottle shop is identified as a 'significant heritage place' on the Port Phillip Heritage Policy Map.
  - I concur with the assessment of heritage significance for The Esplanade Hotel completed by Allom Lovell and Associates in 1998 and with the Statements of Significance, presented in the *Port Phillip Heritage Review*, Version 2, 2000.
  - The Baymor Court Flats building is an item of some heritage significance within the St Kilda Hill Heritage Overlay. The building is identified as a 'significant heritage place' on the Port Phillip Heritage Policy Map.
  - I generally concur with with the assessment of heritage significance for the Baymor Court Flats completed by Allom Lovell and Associates in 1998, but believe additional contextual considerations relating to Inter-War flats and 'Spanish Mission' architecture were warranted. I concur with the Statement of Significance, presented in the *Port Phillip Heritage Review*, Version 2, 2000.
  - I have not independently assessed the significance of the St Kilda Hill area included within Heritage Overlay HO5, but accept the Statement of Significance, presented in the *Port Phillip Heritage Review*, Version 2, 2000.

- Both Allom Lovell and Associates (November 2002) and Mr Peter Lovell (July 2003) identify the heritage impacts of the subject proposal and address the basis for allowing consent in the light of applicable provisions of the *Port Phillip Planning Scheme*. I have reviewed the methodology used and concur with the rationale and assessment.
- The proposed demolition of the shed remnants, bottle shop and beer garden wall have no substantive heritage impact on The Esplanade Hotel (HO117) or on the assessed significance of St Kilda Hill (HO5).
- The proposed demolition of the former stables/motor garage and rear kitchen wing will have a negative heritage impact on The Esplanade Hotel (HO117), but an impact which does not fundamentally alter its assessed significance and which is reasonable in the circumstances. The demolition of these elements will not affect the assessed significance of St Kilda Hill (HO5).
- The demolition of the Baymor Court Flats building involves the loss of a significant building and therefore a heritage impact on St Kilda Hill (HO5). However, this impact does not fundamentally alter its assessed significance.
- The demolition of the Baymor Court Flats building does not achieve the conservation objectives of the Port Phillip Heritage Policy, but is allowable when the replacement shows design excellence which 'clearly and positively supports the ongoing heritage significance of the area'. Further, the discretion required to be exercised in accordance with the Municipal Strategic Statement and the decision guidelines in the Heritage Overlay Provisions of the *Port Phillip Planning Scheme*, also require that the demolition decision should have regard to other relevant heritage planning objectives and strategies.
- I have not addressed the 'design excellence' of the proposed new building in terms of compliance with all applicable planning policies and development standards. I have reviewed Mr Peter Lovell's July 2003 statement and I agree with his methodology and his conclusions.
- I observe that the proposed new building:
  - relates in form, height and scale to other built elements in St Kilda Hill;
  - is of a striking, high quality architectural design;
  - would contribute to the diversity of the built form of The Esplanade, while not dominating other built elements;
  - has been sited and aligned to retain, and indeed emphasise, the separate identity of the retained portion of The Esplanade Hotel;
  - maintains existing views of Port Phillip Bay along Victoria Street and Pollington Street;
  - presents a human scale at street level and will not affect the significance of other heritage buildings in the vicinity; and
  - juxtaposes with The Esplanade Hotel in siting, built form and architectural language, such that the 'old' and 'new' are readily discernible, but not in conflict.
- The proposed new building, while substantial and very different from existing development on the site, responds positively to the objectives of Design Development Overlay DD012 and provides the 'contemporary architecture and innovative design' sought in the Port Phillip Heritage Policy.
- The proposed new building is consistent with the identified significance of the St Kilda Hill Heritage Overlay (HO5).

- In summary, the Application under review does have heritage impacts and does involve demolition of a significant building. The heritage impacts do not fundamentally affect the identified significance of the St Kilda Hill (HO5) and Esplanade Hotel (HO117) Heritage Overlays. The heritage significance of these places and the precise nature of the heritage impact of the proposal has been properly documented by Mr Peter Lovell and Allom Lovell and Associates.

## Background

### The Site

5. The subject site is generally rectangular, fronting The (Upper) Esplanade opposite the Pier at St Kilda. It is bordered by The Esplanade, Victoria Street and Pollington Street. The site contains two properties, commonly referred to as The Esplanade Hotel (11 The Esplanade) and Baymor Court (6 Victoria Street).

### Proposal

6. The proposal under consideration involves:
  - alterations and additions to The Esplanade Hotel;
  - partial demolition of The Esplanade Hotel;
  - demolition of the Baymor Court Flats building;
  - construction of a predominantly residential development on lands to the rear (north) and east of the retained hotel building; and
  - related and ancillary construction, activities and uses.
7. The current proposal (on which this statement is based) is shown on the following plans prepared by Fender Katsalidis Architects and dated June 2003.

Drawing No.	Date	Scale	Title
TP001	20.06.2003	1:500@A3	Existing Site Conditions
TP090	20.06.2003	1:250@A3	Demolition Plan Ground Level
TP099	23.06.2003	1:100@B1/1:250@A3	Basement Carpark Level
TP100	23.06.2003	1:100@B1/1:250@A3	Ground Level
TP101	23.06.2003	1:100@B1/1:250@A3	Level 1
TP102	23.06.2003	1:100@B1/1:250@A3	Level 2
TP103	23.06.2003	1:100@B1/1:250@A3	Level 3
TP104	23.06.2003	1:100@B1/1:250@A3	Level 4
TP105	23.06.2003	1:100@B1/1:250@A3	Level 5
TP106	23.06.2003	1:100@B1/1:250@A3	Level 6
TP107	23.06.2003	1:100@B1/1:250@A3	Level 7
TP108	23.06.2003	1:100@B1/1:250@A3	Level 8
TP109	23.06.2003	1:100@B1/1:250@A3	Level 9

Drawing No.	Date	Scale	Title
TP110	23.06.2003	1:100@B1/1:250@A3	Plant Room/Main Roof Level
TP200	23.06.2003	1:100@B1/1:250@A3	Section A-A
TP201	23.06.2003	1:100@B1/1:250@A3	Section B-B
TP211	23.06.2003	1:100@B1/1:250@A3	North Elevation
TP212	23.06.2003	1:100@B1/1:250@A3	South Elevation
TP213	23.06.2003	1:100@B1/1:250@A3	East Elevation
TP214	23.06.2003	1:100@B1/1:250@A3	West Elevation

8. Further details of the proposal, including reports prepared for the Applicant and the Council of the City of Port Phillip are provided by the documents noted below.

#### Documentation Considered

9. In addition to the above plans, I have considered a set of plans dated November 2002 (which represent the original Application) and a range of other documentation, including:
- City of Port Phillip, Statutory Planning Committee, Officer's Report, 10 February 2003;
  - copies of Objectors' Statements of Grounds;
  - *Analysis of Significance — Esplanade Hotel and Baymor Court* prepared by Allom Lovell and Associates dated April 1998;
  - *Esplanade Hotel — 1878 — An Exploration of the Epsy's Cultural Significance*, prepared by The Esplanade Alliance dated 1998;
  - Port Phillip Panel Hearing — Evidence on The Esplanade Hotel and Baymor Court Flats prepared by Timothy Hubbard dated 26 August 1999;
  - *Comment on the Heritage Issues Relating to the Proposed Redevelopment of The Esplanade Hotel Site St Kilda*, prepared for SJB Planning on behalf of Becton by Allom Lovell and Associates dated November 2002;
  - *The Architecture of Baymor Court*, manuscript prepared by Philip Goad as part of the St Kilda Heritage Watch submission to an Administrative Appeal Tribunal hearing, February 1989;
  - *Port Phillip Heritage Review Version 2* (CD), prepared for the City of Port Phillip by Andrew Ward, Architectural Historian, 2000;
  - *St Kilda Conservation Study Area One Final Report*, prepared for the City of St Kilda by Nigel Lewis and Associates, Architects and Conservation Planners, September 1982;
  - *Esplanade Hotel: A Report to the Heritage Council of Victoria in Support of a Nomination by the City of Port Phillip*, prepared by Timothy Hubbard Pty Ltd, April 1998;
  - the Victorian Heritage Register;
  - the Register of the National Estate;
  - the Port Phillip Planning Scheme; and
  - the *Heritage Act 1995* (Victoria).

### Site Inspection

10. I have undertaken a site inspection in July 2003. This included consideration of the site and its context from external vantage points and an internal inspection of The Esplanade Hotel. (I have not inspected the interior of the Baymor Court Flats.)

### Other Investigations

11. I have been briefed about the proposal and previous heritage investigations undertaken by Mr Peter Lovell of Allom Lovell and Associates. Mr Lovell accompanied me on my site inspection.

### Heritage Context

12. The proposal directly affects items included within two Heritage Overlays of the Port Phillip Planning Scheme:
  - the entire site is included within the St Kilda Hill Heritage Overlay (HO5); and
  - The Esplanade Hotel is the subject of an additional Heritage Overlay (HO117).
13. No part of the site is included on the (Commonwealth) Register of the National Estate, nor on the (State) Victorian Heritage Register. Indeed on two occasions The Esplanade Hotel has been nominated to the Victorian Heritage Register, assessed and not listed. On the second occasion (1998), Baymor Court Flats was included in the nomination.
14. Both The Esplanade Hotel and Baymor Court Flats are classified by the National Trust of Australia (Vic).

### St Kilda Hill

15. The St Kilda Hill Overlay (HO5) is a broad and eclectic area which displays a very wide variety of built forms and urban environments. The significance of this area is summarised in the *Port Phillip Heritage Review* as follows:

*The St Kilda Hill area encompasses the Port Phillip Bay shoreline and is further defined by Fitzroy Street, Barkley Street and Carlisle Street. It has historical importance (Criterion A) as a seaside resort for the metropolis and location for marine villas since the commencement of settlement during the 1840s. This importance is demonstrated primarily by the privately owned building stock of houses, hotels and apartments but also by places of entertainment and other recreational facilities. Government and to a lesser extent privately funded infrastructure such as transport facilities, schools and churches also make a crucial contribution to the interpretation of life on St Kilda Hill at various times in its history. The long history of the place has combined with its role as a resort to impart a diverse architectural character to the area that reflects its socio-economic profile and is highly valued by the community (Criterion G). Today, the Hill offers valuable insights into the housing styles of the rich from the 1840s onwards, retaining important examples of architectural styles from each period in its history (Criterion C). It also includes unusual street layout, with Alfred Square and Church Street demonstrating past planning practices.*

16. Additional descriptive information about St Kilda Hill is provided in the Statement of Mr Peter Lovell, which has been filed in these proceedings.

### The Esplanade Hotel

17. There have been numerous heritage assessments, of varying detail, of The Esplanade Hotel. I have reviewed those assessments provided in the documentation cited above and note the Statement of Significance provided by the *Port Phillip Heritage Review*, Version 2, 2000:

*The Hotel Esplanade is situated at No. 11 The Upper Esplanade, St Kilda and was built in 1877 to the*

design of architects Smith and Johnson for James Orkney. It was subsequently extended c1921. It has historical, aesthetic and social significance. Its historical significance (Criterion A) arises from its survival as an early example of a resort hotel in Victoria's premier metropolitan seaside resort, rivalling the nearby George and Prince of Wales hotels in Fitzroy Street. It offers insights into past lifestyles wherein patrons either stayed for short periods or as permanents, attracted to the seaside location and vitality of St Kilda as a place. The most noteworthy of permanent residents was Alfred Felton, the industrialist and philanthropist who resided there from 1892 until his death in 1904. The surviving Inter-War refurbishment offers insights into the musical era of jazz and swing as a prominent testimony to the importance of St Kilda as a resort last century (Criterion E). The complex has social importance (Criterion G) as evidenced by the cultural values attributed to it by present day community groups which have consistently opposed redevelopment in recent years.

18. I have reviewed and accept the research, documentation and description of The Esplanade Hotel provided by the *Analysis of Significance* completed by Allom Lovell and Associates in April 1998, which is summarised in the Statement of Mr Peter Lovell, which has been filed in these proceedings.
19. I make further comments about the Allom Lovell and Associates methodology and conclusions below.

### **The Baymor Court Flats**

20. The Baymor Court Flats building was constructed on the northeast corner of the subject site in 1929, using a Spanish Mission style and apparently incorporating fabric from a former ballroom at the rear of the hotel. The Baymor Court Flats building was identified in the *Port Phillip Heritage Review*, Version 2, 2000, which summarises its significance as:

*This building is of significance as a rare example of a flat block designed to define a street edge eternally and a cortile internally, in the manner of Mediterranean vernacular village architecture. This design approach is extremely unusual in the Australian context, where the garden suburb approach of an object building set in landscaped grounds is prevalent. The building strongly evokes European seaside villages in the adoption of this form, reinforced by its location on the rise on Victoria Street, framing the view to the sea and palm trees beyond. The Spanish Mission style of the building, with its pantile roof, its fine pigmented render applied in fan shapes imitating adobe plastering, and its cantilevered wrought iron balconies, reinforces this character. The internal courtyard, though in poor condition, is an important element in the conception of the building. The building is intact but in poor condition.*

21. This building was included as part of a nomination of the subject site to the Victorian Heritage Register in 1998. The Registration Committee of the Heritage Council noted that the Baymor Court Flats building contributed to the character and significance value within the urban conservation area, but did not recommend that it be added to the Heritage Overlay of the *Port Phillip Planning Scheme* as a place of individual significance (as it did for The Esplanade Hotel).

## **Statutory Context for Heritage Considerations**

### **State Planning Policy Framework**

22. The primary heritage-related statutory controls pertaining to the subject development proposal are included in the *Port Phillip Planning Scheme*.
23. With respect to the State Planning Policy Framework, the heritage objective as set out at Clause 15.11 is:

*To assist the conservation of places that have natural, environmental, aesthetic, historic, cultural, scientific or social significance or other special value important for scientific and research purposes, as a means of understanding our past, as well as maintaining and enhancing Victoria's image and making a contribution to the economic and cultural growth of the State.*

24. In Clause 15.11–2 a range of conservation principles and processes are outlined, including a note that:

*Planning and responsible authorities should take account of the findings and recommendations of the Victorian Heritage Council and the provisions of the Heritage Act 1995.*

### **Specific Planning Controls**

25. The subject site is zoned 'Residential 1'. It is covered by three overlays:

- Design and Development Overlay DD012;
- Heritage Overlay HO5 (St Kilda Hill); and
- Heritage Overlay HO117 (The Esplanade Hotel).

26. The site is also covered by the Port Phillip Heritage Policy and the Municipal Strategic Statement.

### **Design Development Overlay DD012**

27. This overlay is site-specific and sets out particular design objectives and clear development controls covering matters such as height, setbacks, volumetric controls and overshadowing.

28. The objectives cover a range of matters relating to heritage considerations, and include (inter alia):

- *To recognise the central local landmark value of The Esplanade Hotel and secure its pre-eminent place among the landmark buildings of The Esplanade.*
- *To respond to the character and amenity of the local residential area.*
- *To ensure that new development will positively contribute to the diversity of the built form of The Esplanade.*
- *To ensure that new development responds to (and does not dominate) other built form elements along The Esplanade.*
- *To ensure that new development is of a height that consolidates the predominant massing and skyline profile of The Esplanade and St Kilda Hill as seen from relevant vantage points.*
- *To ensure that new development protects and positively responds to the character and amenity of the St Kilda foreshore.*
- *To ensure that the location and design of new development take into account the following:*
  - *St Kilda Pier and foreshore area between the Pier and The Esplanade;*
  - *The Esplanade (including the north-east corner of the intersection of Pollington Street and The Esplanade);*
  - *The view along Victoria Street and Pollington Street south-west towards Port Phillip Bay; and*
  - *The view to The Esplanade and St Kilda Hill from St Kilda Pier and the foreshore.*
- *To take into account and enhance the view to the hotel from the south-east corner of the intersection of Victoria Street and The Esplanade.*
- *To ensure that any new development on the south-east corner of the site has regard to the urban design contribution made by the Baymor flats building to the built form and streetscape of Victoria Street and Pollington Street.*

## Heritage Overlays

29. The Heritage Overlay Controls are provided at Clause 43.01 of the *Port Phillip Planning Scheme*.
30. Under Clause 43.01–1 a range of works including demolition and alteration require a permit.
31. Clause 43.015 of the *Port Phillip Planning Scheme* provides guidelines that must be considered by the responsible authority, as appropriate. These include:
  - *The State Planning Policy Framework and the local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
  - *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
  - *Any applicable heritage study and any applicable conservation policy.*
  - *Whether the location, bulk, form or appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
  - *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
  - *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

## Port Phillip Heritage Policy

32. Clause 22.04 of the *Port Phillip Planning Scheme* provides the local heritage policy that applies to Heritage Overlays HO5 and HO117.
33. As a number of the documents filed in the subject proceedings set out and comment upon this policy in detail, I limit the citations below to matters relevant to my review and analysis.
34. Objectives identified in Clause 22.04–3 are:
  - *To encourage the conservation of all significant and contributory heritage places in the Heritage Overlay.*
  - *To discourage the demolition of significant and contributory heritage places in the Heritage Overlay.*
  - *To encourage all new development and redevelopment of significant and contributory places to be respectfully and harmoniously integrated with the surrounding character.*
  - *To encourage the retention, reuse and recycling of significant and contributory heritage places in the Heritage Overlay in a manner which conserves and does not detract from the surrounding character.*
  - *To promote design excellence which clearly and positively supports the ongoing heritage significance of the Heritage Overlay.*
  - *To ensure new buildings and additions complement existing heritage characteristics.*
  - *To ensure that new development and any publicly visible addition and/or alterations in or to a heritage place maintain the significance of the heritage place and employ a contextual design approach.*
35. The policies set out in Clause 22.04–4 encourage conservation, but also overtly provide for new design and contemporary architecture. The advocated approach specifically includes:
  - *Contemporary architecture and innovative design which is an important part of the contextual*

*approach because it adds to the existing diversity and layering of styles through time. This layering is a defining feature in a number of areas and is therefore an important component of Port Phillip's heritage.*

36. Demolition of significant and contributory buildings is discouraged. The demolition policy includes the following provisions:
- *Require all applications for demolition of significant, or contributory buildings to be accompanied by an application for new development.*
  - *To allow the demolition of part of a heritage place if it will not affect the significance of the place and the proposed addition is sympathetic to the scale and form of the place.*
  - *Not support the demolition of a significant building unless and only to the extent that:*
    - *the building is structurally unsound or cannot be feasibly reused; and*
    - *the replacement building and/or works displays design excellence which clearly and positively supports the ongoing heritage significance of the area.*
37. The policy also provides additional detail and guidance regarding conservation practice, alterations, carparking and new development.

#### **Municipal Strategic Statement**

38. The Municipal Strategic Statement of the *Port Phillip Planning Scheme* provides additional objectives and policies relevant to these proceedings.
39. Objectives at Clause 21.05–5 include:
- *To retain, protect and enhance buildings, places, trees, streetscapes and areas of identified historical, architectural, cultural, social, scientific or environmental significance.*
  - *To encourage new development that is sympathetic and respectful to heritage places and encourage high quality design that positively contributes to identified heritage values.*
  - *To encourage the retention of heritage places through restoration or sympathetic recycling.*
40. Municipal-wide strategies include:
- *Encourage all new development within a Heritage Overlay to respectfully and harmoniously integrate with the surrounding neighbourhood character.*
  - *Encourage all heritage places in a Heritage Overlay to be restored, recycled and/or renovated in a sympathetic manner that will enhance the heritage value of the place.*
  - *Encourage a conservative approach to urban consolidation in Heritage Overlay areas by supporting increased residential densities on sites where it can be achieved without adversely affecting the identified significance of a Heritage Overlay.*
41. However, it is highly relevant, in the context of the subject Application for Review, to note that the Implementation Section of the strategy provides the following specific note about using the Heritage Policy:

#### ***Using Policy and the exercise of discretion***

*Using the Heritage Policy (Clause 22.04) to manage new development (including additions and alterations and demolition of all or part of a heritage place) in all areas covered by the Heritage Overlay.*

42. This provision is clear in its intent — firstly that discretion is to be exercised and secondly that the

Heritage Policy does not prohibit additions, alterations or demolition.

43. Clause 21.05–5 also incorporates the *Port Phillip Heritage Review*, Version 2, 2000. On this basis the appropriate assessments of heritage significance, against which to judge the impacts of the subject proposal, are those provided in the *Port Phillip Heritage Review* (ie those quoted earlier in this Statement).

#### **1998 Analysis of Significance (Allom Lovell and Associates)**

44. I have undertaken a review of the *Analysis of Significance* prepared by Allom Lovell and Associates for Becton Corporation Pty Ltd, as part of a submission to the Victorian Heritage Council in April 1998. This submission related to the second nomination of The Esplanade Hotel to the Victorian Heritage Register. The second nomination also included the Baymor Court Flats building.
45. The 1998 Allom Lovell and Associates report addresses the significance of both The Esplanade Hotel and the Baymor Court Flats building and provides an evaluation against the criteria for inclusion on the Victorian Heritage Register.
46. In considering this report I have also had regard to other submissions made to the Victorian Heritage Register at the time, particularly those prepared by Timothy Hubbard and Philip Goad, as well as to the ultimate decision of the Registration Committee of the Heritage Council.
47. The 1998 Allom Lovell and Associates report adopts a 'best practice' methodology consistent with the principles, processes and guidelines of the then current version of the *Burra Charter* of Australia ICOMOS. Put simply, this process requires that the cultural significance of a place is understood through a rigorous process of documentary research, examination of physical evidence, consideration of other evidence (eg oral history) and contextual/comparative evaluation. The Charter and relating practice require that cultural significance (or 'heritage') is assessed independently of any considerations about use and management of a place and that once the significance of a place has been established and formally stated, good conservation practice involves exploring means to achieve retention of identified heritage values, in the context of other applicable constraints.
48. The 1998 *Analysis of Significance* presents detailed historical research that refers to previous site-specific and contextual studies. Importantly, this research addresses the St Kilda historical context, as well as the site itself. A detailed physical analysis is presented, such that the reader has a clear understanding of the physical history and evolution of the site.
49. The final section of the report provides a systematic analysis of the significant attributes of both The Esplanade Hotel and the Baymor Court Flats building, initially as prose and finally in relation to the Heritage of Victoria assessment criteria.
50. In relation to The Esplanade Hotel, it may have been useful for the *Analysis of Significance* report to provide a 'Summary Statement of Significance' but that in no way diminishes the validity of the work and conclusions which are essentially consistent with the later findings of the *Port Phillip Heritage Review*, Version 2, 2000.
51. Similarly, with the Baymor Court Flats building, while there is a short conclusion presented, a 'Summary Statement of Significance' would have been useful. In the knowledge of subsequent assessments, I also note that additional attributes have been asserted for Baymor Court Flats. Having considered this material, I believe that more discussion could have been included in the 1998 report regarding the wider context of the 'Spanish Mission' style and the large number of apartment buildings built in St Kilda during the Inter-War period. These matters are, however, clearly adequately stated in the *Port Phillip Heritage Review*, Version 2, 2000. Other commentators have also attempted to make much of the significance of the plan form of the building; particularly the

internal courtyard or 'cortile'. While the plan form is unusual and probably reflects the site constraints and incorporation of fabric from the former ballroom, I do not agree that it is a matter of great importance to understanding the building's significance.

52. In relation to the Baymor Court Flats building, therefore, I believe that the methodology and approach used in the 1998 *Analysis of Significance* is appropriate and that the ultimate conclusions regarding significance are correct (even though some contextual aspects of significance have been further developed in other studies).
53. In the context of the subject proceedings it is useful to note further that the ultimate determination of the Registration Committee of the Victorian Heritage Council supported the 1998 Allom Lovell and Associates *Analysis of Significance*. Specifically, it was determined not to list the site as nominated on the Victorian Heritage Register, but it was recommended that The Esplanade Hotel be included within the schedule of the Heritage Overlays of the Port Phillip Victoria planning provisions as a place of individual heritage significance. By contrast, the Committee's comment on Baymor Court Flats did not make such a recommendation, but simply noted that it made a contribution to the character and significance of the surrounding urban conservation area.

#### **2002 Comment on Heritage Issues: Allom Lovell and Associates**

54. As part of the original Application for the subject development proposal, Allom Lovell and Associates prepared a report entitled: *Comment on the Heritage Issues Relating to the Proposed Redevelopment of The Esplanade Hotel Site, St Kilda*.
55. This report addressed the proposal as it was at the time and has been superseded by the the Statement of Peter Lovell filed in the current proceedings.
56. The November 2002 report sets out a summary and, where relevant, citation from the *Port Phillip Planning Scheme* and provides an overview of the site and its significant elements.
57. A careful analysis is then provided of:
  - *The impact of the proposed demolition and alteration works on the significance of The Esplanade Hotel (HO117) and on the significance of the broader St Kilda Hill Heritage Overlay Area (HO5).*
  - *The impact of the proposed new apartment complex on the significance of the Esplanade Hotel (HO117).*
  - *The impact of the proposed demolition of the Baymor Court Flats on the significance and character of the St Kilda Hill Heritage Overlay area (HO5).*
  - *The impact of the proposed new apartment complex on the significance and character of the St Kilda Hill Heritage Overlay area (HO5).*
  - *The extent to which the proposed new apartment complex is consistent with the policies and guidelines outlined in the Port Phillip Heritage Policy, including those identified under the heading 'New Development in a Heritage Overlay Area'.*
58. As the assessment provided in the November 2002 report is now superseded by the lodgement of amended plans and Mr Lovell's July 2003 Statement, it is sufficient here to note that I believe that the original application report properly addressed the heritage impacts of the proposal in the context of the applicable statutory planning framework.

#### **Statement by Peter Lovell, July 2003**

59. Mr Peter Lovell of Allom Lovell and Associates has provided a Statement which has been filed in the current proceedings. The first part of this Statement substantially replicates the outline of applicable statutory controls and matters for consideration from the November 2002 report. The second part of

the Statement provides an outline summary of the significance of The Esplanade Hotel, Baymor Court Flats and the St Kilda Hill area. The final sections of the Statement specifically address the heritage impacts of the proposal, in greater detail than the November 2002 report.

60. Recognising that the *Port Phillip Heritage Review*, Version 2, 2000, is now an incorporated document within the *Port Phillip Planning Scheme*, Mr Lovell cites the Statements of Significance from the *Port Phillip Heritage Review*, and uses these (as well as his firm's *1998 Analysis of Significance*) as the basis for evaluating heritage impact. I believe that this is the correct approach which also, therefore, addresses my minor concerns about some of the contextual considerations of the Baymor Court Flats not addressed in the 1998 report.
61. Mr Lovell recognises that the proposal involves substantial alterations to the existing Esplanade Hotel complex including the demolition of:
  - the two-storey northern end of the eastern kitchen wing (including the existing kitchen and dining areas), and the removal of a chimney on the roof of the three-storey section of the east wing;
  - the Beer Garden, Bottle Shop and Liquor Store;
  - the former Motor Garage/Stables; and
  - a section of brick wall on the Pollington Street north frontage of the site (formerly part of a brick shed of indeterminate age).

#### **The Esplanade Hotel Alteration/Demolitions**

62. Relying on the assessed significance of the Esplanade Hotel, Mr Lovell notes that its use as a robust contemporary music venue ('relatively aggressive activity') militates against feasible adaptive re-use of what were formerly residential rooms in the rear wings. He concludes, therefore, that while there are negative impacts of the proposed demolitions, what is retained reflects the 'core significance of the place'. Therefore, while recognising the loss of the Motor Garage/Stables and Kitchen wing as significant elements, Mr Lovell concludes that the heritage impacts are acceptable.
63. I am aware that these impacts have also been addressed by Port Phillip Council, through its advisor Mr Andrew Ward, and that, it is common ground that the demolition of the Beer Garden, Bottle Shop and shed remnants have no substantive heritage impacts. I concur with that assessment. Council, through Mr Ward also identifies the loss of the Motor Garage/Stables area and Kitchen wing as negative impacts, but concludes that this is unacceptable.
64. In turning my mind to this difference of professional opinion, I believe that it is appropriate to rely, in particular on the Statement of Significance from the incorporated *Port Phillip Heritage Review*, Version 2, 2000. This Statement is not only operable in a statutory sense, it post-dates the analyses undertaken by various parties as part of the 1998 nomination process and is therefore cogniscent of information and opinions available at the time. This Statement does recognise the history and evolution of the complex and its association with various owners and residents, as well as its aesthetic value. However, while recognising the contemporary social importance of The Esplanade Hotel's role as a music venue, effectively no mention is made of the rear service areas or the site's evolving history; indeed some later elements such as the Bottle Shop and Beer Garden are clearly excluded from the citation and in turn from the accompanying map.
65. Therefore, in relation to the heritage impact of the proposal, I concur with Mr Lovell's assessment that the demolition of the Motor Garage/Stables and rear (east) kitchen wing does have a heritage impact but one which does not fundamentally affect the identified core significance of the place.

### **The Baymor Court Flats Demolition**

66. The demolition of the Baymor Court Flats building is considered by Mr Lovell in relation to its impact on the St Kilda Hill area. Although the building itself is identified as a 'significant place' it is not individually covered by a Heritage Overlay and, therefore, I agree that the appropriate benchmark for consideration is the heritage effect on the wider Overlay within which it is located. Mr Lovell's analysis of the significance of the Baymor Court Flats building is rigorous and incorporates the Statement of Significance from the *Port Phillip Heritage Review, Version 2, 2000* report. He is also careful to identify the *St Kilda Twentieth Century Architectural Study 1992*, as well as the advice of the Registration Committee of the Victorian Heritage Council already noted above.
67. The evaluation of heritage impact is based on contextual consideration of the surrounding area which is noted to contain 'a large number of inter-war flat blocks', buildings in the 'Spanish Revival and Mediterranean idioms popular in the 1920s' and it is allegedly unusual internal courtyard ('cortile') and its decorative finish. Noting the physical context and relatively weak relationship with other buildings in the area, Mr Lovell concludes that the building is isolated and contrasting with its immediate surrounds. He therefore concludes that 'it is reasonable to contemplate the demolition of Baymor Court, both in consideration of the relatively modest impact its loss would have on the St Kilda Hill heritage overlay area, as the relevant place, and on the basis of the generally poor condition of the building'.
68. On the basis of available evidence, I do not believe that the condition of the building is a major consideration. Certainly, I do not believe the building is beyond repair such that it would justify invocation of that demolition clause of the Port Phillip Heritage Policy. However, I believe that Mr Lovell has correctly characterised the context of the building and its modest contribution to the significance of the St Kilda Hill area.
69. Again, I believe that it is appropriate to rely on the Statement of Significance and citation provided in the *Port Phillip Heritage Review, Version 2, 2000*. It is particularly telling that, despite the previous nomination of the site to the Victorian Heritage Register, Baymor Court Flats is not specifically mentioned in the history, physical description or Statement of Significance presented for Heritage Overlay (HO5). It is common ground that the building is part of a larger set of Inter-War flats within the area, but it is not part of the set noted as lining the east side of The Esplanade, nor is it part of the 'rash of multi-storeyed Inter-War apartments and hotels' along Fitzroy Street. Indeed, its location and context between The Esplanade Hotel and late nineteenth century residential allotments to the north and northeast militate against a more substantial contribution as is made by some other Inter-War apartment buildings in the vicinity.
70. Nevertheless, demolition of the Baymor Court Flats building does represent an incremental loss of part of a large set of such buildings (in terms of both type and architectural style), within the area. Mr Lovell correctly characterises this as 'a loss, in that it will diminish the stock of heritage places which form part of that area'. However, he also concludes that 'the loss will be limited and able to be accommodated'.
71. When I consider this impact and the nature of the incremental loss in relation to the specific values noted in the Statement of Significance, I concur with Mr Lovell's assessment. The demolition of the Baymor Court Flats building will not fundamentally adversely affect the identified significance of the St Kilda Hill Heritage Overlay (HO5).

### **The Proposed New Building**

72. Mr Lovell's July 2003 Statement provides a more detailed analysis of the heritage impact of the proposed replacement building, noting that in order to exercise the discretion provided in the Planning Scheme, 'the nature of the replacement building is critical to determining the acceptability

of the proposed demolition works on the hotel site'.

73. Mr Lovell provides an overview description and analysis of the heritage impacts of the proposed replacement building noting (inter alia):
- the two and three-storey podium on the Victoria Street and Pollington Street frontages is of a scale and form comparable with significant contributory buildings in the immediate vicinity;
  - recent changes to the design have improved this interface;
  - The Esplanade frontage is significantly lower than the main section of the hotel;
  - upper levels are set back from the main facade of the existing hotel building and will maintain existing view and allow the building to continue its dominance on the site;
  - the revised podium is of a contemporary design and will contrast with the conventional facade of the hotel;
  - on the Pollington frontage frontage, the podium form will reflect the utilitarian character of the Motor Garage building;
  - the proposed tower, through its siting and form will allow the existing hotel building to maintain its visual prominence and three dimensional form;
  - the proposed tower will add a new and substantial element to the existing built environment of the St Kilda Hill overlay area;
  - the St Kilda Hill can accommodate a new building of substantial size, provided that it does not overwhelm or dominate significant and contributory buildings; and
  - in summary, that the proposed new building is carefully designed to respond to the existing hotel building and the surrounding heritage overlay area.
74. I have considered Mr Lovell's analysis and conclusions and agree that they present a rigorous and reasonable consideration of the heritage (as opposed to more general planning) issues.
75. I note that, although the proposal involves elements that are inconsistent with some policy objectives of the Heritage Policy, the new building itself fulfils a number of the stated objectives by *delivering both contemporary architecture and innovative design which is an important part of the contextual approach because it adds to the existing diversity and layering of styles through time. This layering is a defining feature in a number of areas and is therefore an important component of Port Phillip's heritage* (Clause 22.04-4).
76. When I consider the above policy in relation to the significance of the St Kilda Hill area as set out in the *Port Phillip Heritage Review*, Version 2, 2000 document, I believe that it is consistent with the recognition that the area does not have a cohesiveness attaching to particular historical periods, but is rather eclectic and distinctive because of the rich evolution of *'architectural styles from each period in its history'*. Therefore, having regard to the more particular analysis of visual impact provided by Mr Lovell, I believe that the proposed residential building is appropriate, in its St Kilda Hill context.

**Professor Richard Mackay, AM**  
July 2003

## **Annexure A: VCAT Practice Note 2 – Expert Evidence**

### **Name and Address**

Professor Richard Gordon Mackay, AM  
Managing Director  
Godden Mackay Logan, Heritage Consultants  
78 George Street  
Redfern NSW 2016

### **Qualifications and Experience**

#### **Qualifications**

- Member in the General Division of the Order of Australia, 2003
- Adjunct Professor, La Trobe University, 2000
- Master of Business Administration (University of Sydney), 1990
- Bachelor of Arts, First Class Honours (University of Sydney), 1983
- Member, Institute of Management Consultants Australia
- Member, Australian Association of Consulting Archaeologists
- Fellow, Australian Institute of Public Archaeology

#### **Honorary Positions**

- Member, Heritage Council of New South Wales, 1999–2001
- Member Australian ICOMOS Burra Charter Working Group, 1998–1999
- Director, National Trust of Australia (NSW), 1991–1996
- Archaeological Advisory Panel of NSW Heritage Council, 1989–1993; Chair, 1997–2000
- Chair, State Heritage Register Committee of NSW Heritage Council, 1997–2001
- Board Member Jenolan Caves Reserve Trust, 1992–; Deputy Chair, 1996–2000; Chair 2000–
- National Vice President, Australian Association of Consulting Archaeologists, 1987–1988

#### **Employment**

- Managing Director, Godden Mackay Logan Pty Ltd, Sept 1998–
- Managing Director, Godden Mackay Pty Ltd, Jun 1994–Aug 1998
- Director, Godden Mackay Pty Ltd, Jan 1990–May 1994
- Director, Don Godden & Associates Pty Ltd, Dec 1988–Dec 1989
- The National Trust of Australia (NSW) National Trust Archaeologist, Mar 1984–Dec 1988

## Areas of Expertise

- Cultural Heritage Management
- Strategic Heritage and Conservation Planning
- Heritage Assessment
- Urban Archaeology

## Expertise to Prepare Expert Evidence

- I have more than 20 years professional experience in cultural heritage management.
- Over recent years I have assisted the NSW Heritage Office and the NSW Department of Urban Affairs and Planning, providing specialist advice on heritage conservation, methodology and philosophy.
- I have been the project team leader for a number of major heritage studies and conservation plans.
- Over recent years I have provided expert evidence on heritage issues in a wide range of Court and Tribunal proceedings.

## Instructions

My instructions in relation to this matter were to provide an independent peer review of the heritage issues that arise in the subject proposal in relation to items affected by Heritage Overlays in the *Port Phillip Planning Scheme*, namely The Esplanade Hotel (HO117) and St Kilda Hill (H05).

I have been instructed to examine the heritage assessment and evaluation of heritage impact prepared by Allom Lovell and Associates on behalf of the Applicant and to comment upon the methodology used and conclusions reached. I have also been asked to review a Statement by Mr Peter Lovell which is to be filed in these proceedings and to assess whether, in my view, the conclusions presented in that Statement were sound.

## Facts, Matters and Assumptions Relied Upon

In preparing this Statement of Evidence, I have relied upon the following:

- Inspection of the subject site and surrounds.
- Review of development plans and accompanying documentation.
- Verbal briefing provided by Mr Peter Lovell.

## Reference Documents

The reference documents that I have considered include:

- City of Port Phillip, Statutory Planning Committee, Officer's Report, 10 February 2003;
- copies of Objector's Statements of Grounds;
- *Analysis of Significance — Esplanade Hotel and Baymor Court* prepared by Allom Lovell and Associates dated April 1998;
- *Esplanade Hotel — 1878 — An Exploration of the Epsy's Cultural Significance*, prepared by The Esplanade Alliance dated 1998;
- Port Phillip Panel Hearing — Evidence on The Esplanade Hotel and Baymor Court Flats prepared by

Timothy Hubbard dated 26 August 1999;

- *Comment on the Heritage Issues Relating to the Proposed Redevelopment of The Esplanade Hotel Site St Kilda*, prepared for SJB Planning on behalf of Becton by Allom Lovell and Associates dated November 2002;
- *The Architecture of Baymor Court*, manuscript prepared by Philip Goad as part of the St Kilda Heritage Watch submission to an Administrative Appeal Tribunal hearing, February 1989;
- *Port Phillip Heritage Review Version 2 (CD)*, prepared for the City of Port Phillip by Andrew Ward, Architectural Historian, 2000;
- *St Kilda Conservation Study Area One Final Report*, prepared for the City of St Kilda by Nigel Lewis and Associates, Architects and Conservation Planners, September 1982;
- *Esplanade Hotel: A Report to the Heritage Council of Victoria in Support of a Nomination by the City of Port Phillip*, prepared by Timothy Hubbard Pty Ltd, April 1998;
- the Victorian Heritage Register;
- the Register of the National Estate;
- the Port Phillip Planning Scheme; and
- the *Heritage Act 1995* (Victoria).

### **Identification of Persons Undertaking the Work**

The conclusions and opinions expressed in this Statement of Evidence are those of Professor Richard Gordon Mackay, AM.

### **Summary of Opinions**

A summary of my opinions in relation to this matter as included in the accompanying is:

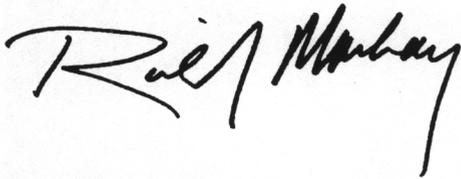
- Evaluation of the heritage impacts of the subject proposal should address the Heritage Overlays of the *Port Phillip Planning Scheme* and have particular regard to the Statements of Significance in the *Port Phillip Heritage Review*, Version 2, 2000, as that document is incorporated in the Planning Scheme.
- The Esplanade Hotel is a significant heritage item comprising a number of elements of differing age and relative significance. The Hotel, excluding bottle shop is identified as a 'significant heritage place' on the Port Phillip Heritage Policy Map.
- I concur with the assessment of heritage significance for The Esplanade Hotel completed by Allom Lovell and Associates in 1998 and with the Statements of Significance, presented in the *Port Phillip Heritage Review*, Version 2, 2000.
- The Baymor Court Flats building is an item of some heritage significance within the St Kilda Hill Heritage Overlay. The building is identified as a 'significant heritage place' on the Port Phillip Heritage Policy Map.
- I generally concur with with the assessment of heritage significance for the Baymor Court Flats completed by Allom Lovell and Associates in 1998, but believe additional contextual considerations relating to Inter-War flats and 'Spanish Mission' architecture were warranted. I concur with the Statement of Significance, presented in the *Port Phillip Heritage Review*, Version 2, 2000.
- I have not independently assessed the significance of the St Kilda Hill area included within Heritage

- Overlay HO5, but accept the Statement of Significance, presented in the *Port Phillip Heritage Review*, Version 2, 2000.
- Both Allom Lovell and Associates (November 2002) and Mr Peter Lovell (July 2003) identify the heritage impacts of the subject proposal and address the basis for allowing consent in the light of applicable provisions of the *Port Phillip Planning Scheme*. I have reviewed the methodology used and concur with the rationale and assessment.
- The proposed demolition of the shed remnants, bottle shop and beer garden wall have no substantive heritage impact on The Esplanade Hotel (HO117) or on the assessed significance of St Kilda Hill (HO5).
- The proposed demolition of the former stables/motor garage and rear kitchen wing will have a negative heritage impact on The Esplanade Hotel (HO117), but an impact which does not fundamentally alter its assessed significance and which is reasonable in the circumstances. The demolition of these elements will not affect the assessed significance of St Kilda Hill (HO5).
- The demolition of the Baymor Court Flats building involves the loss of a significant building and therefore a heritage impact on St Kilda Hill (HO5). However, this impact does not fundamentally alter its assessed significance.
- The demolition of the Baymor Court Flats building does not achieve the conservation objectives of the Port Phillip Heritage Policy, but is allowable when the replacement shows design excellence which 'clearly and positively supports the ongoing heritage significance of the area'. Further, the discretion required to be exercised in accordance with the Municipal Strategic Statement and the decision guidelines in the Heritage Overlay Provisions of the *Port Phillip Planning Scheme*, also require that the demolition decision should have regard to other relevant heritage planning objectives and strategies.
- I have not addressed the 'design excellence' of the proposed new building in terms of compliance with all applicable planning policies and development standards. I have reviewed Mr Peter Lovell's July 2003 statement and I agree with his methodology and his conclusions.
- I observe that the proposed new building:
  - relates in form, height and scale to other built elements in St Kilda Hill;
  - is of a striking, high quality architectural design;
  - would contribute to the diversity of the built form of The Esplanade, while not dominating other built elements;
  - has been sited and aligned to retain, and indeed emphasise, the separate identity of the retained portion of The Esplanade Hotel;
  - maintains existing views of Port Phillip Bay along Victoria Street and Pollington Street;
  - presents a human scale at street level and will not affect the significance of other heritage buildings in the vicinity; and
  - juxtaposes with The Esplanade Hotel in siting, built form and architectural language, such that the 'old' and 'new' are readily discernible, but not in conflict.
- The proposed new building, while substantial and very different from existing development on the site, responds positively to the objectives of Design Development Overlay DD012 and provides the 'contemporary architecture and innovative design' sought in the Port Phillip Heritage Policy.
- The proposed new building is consistent with the identified significance of the St Kilda Hill Heritage Overlay (HO5).

- In summary, the Application under review does have heritage impacts and does involve demolition of a significant building. The heritage impacts do not fundamentally affect the identified significance of the St Kilda Hill (HO5) and Esplanade Hotel (HO117) Heritage Overlays. The heritage significance of these places and the precise nature of the heritage impact of the proposal has been properly documented by Mr Peter Lovell and Allom Lovell and Associates.

### **Declaration**

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

A handwritten signature in black ink, appearing to read 'Richard Mackay', written in a cursive style.

**Professor Richard Mackay, AM**  
**Godden Mackay Logan, Heritage Consultants**  
**July 2003**

**Annexure B:**

Curriculum Vitae, Professor Richard Mackay, AM, BA(Hons), MBA, IMC, MAACA, FAIPA

Godden Mackay  
Logan  
Heritage Consultants

Professor Richard  
Mackay, AM  
Managing Director

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Australia  
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#### Qualifications/Awards

- 2003 Member in the General Division of the Order of Australia
- 2000 Adjunct Professor, La Trobe University
- 2000 National Trust/Energy Australia Heritage Award
- 1997 National Trust of Australia (NSW) Voluntary Service Medallion
- 1990 IMCA Medal and Graduate Management Association Prize
- 1987-1989 Master of Business Administration, University of Sydney
- 1983 Bachelor of Arts, First Class Honours, University of Sydney

#### Professional Affiliations/Memberships

- Australia ICOMOS
- Institute of Management Consultants Australia
- Australian Association of Consulting Archaeologists Incorporated (AACAI)
- Fellow, Australian Institute of Professional Archaeologists
- Australian Archaeological Association
- Australasian Society for Historical Archaeology (ASHA)
- Royal Australian Historical Society
- National Trust of Australia (NSW)
- History Council of New South Wales

#### Honorary Positions

- Member, Heritage Council of New South Wales 1999-2001
- Alternate Member, Heritage Council of New South Wales 1996-1998
- Director, National Trust of Australia (NSW) 1991-1996
- Chair, Archaeological Advisory Panel of NSW Heritage Council 1989-1993, 1997-2000
- Chair, State Heritage Inventory Committee of NSW Heritage Council 1997-2001
- Chair Cemeteries Committee, National Trust of Australia (New South Wales) 1988-1994
- Board Member Jenolan Caves Reserve Trust 1992-; Deputy Chair 1996-2000; Chair 2001-

Member Gore Hill Memorial Cemetery Trust 1987-1997; Chair 1992-1997  
Member, Joint Committee of Rookwood Necropolis Trustees 1988-1993  
National Vice President, Australian Association of Consulting  
Archaeologists 1987-1988  
Project Fellow, Sydney University Warren Centre 'Economic Recycling  
and Conservation of Structures' Project, 1989  
NSW Branch Commissioner Scouts Australia 1990-1995  
Member NSW Crown Reserves Advisory Committee 1994-1997  
Member Australian ICOMOS Burra Charter Working Group 1998-1999

### Employment

Sept 1998- Managing Director, Godden Mackay Logan Pty Ltd  
Jun 1994-Aug 1998 Managing Director, Godden Mackay Pty Ltd  
Jan 1990-May 1994 Director, Godden Mackay Pty Ltd  
Dec 1988-Dec 1989 Director, Don Godden & Associates Pty Ltd  
Mar 1984-Dec 1988 National Trust of Australia (NSW) National Trust  
Archaeologist  
May 1982-Dec 1983 National Trust of Australia (NSW) Research Officer

### Experience - Indicative Examples

During more than twenty years experience in cultural resource management I have been actively involved in an extensive range of conservation projects and issues. Extensive consulting experience since 1988 includes participation in more than 400 major studies, including roles as team leader, project director and facilitator.

### World Heritage Places

1991-1993 Kakadu National Park, Historic Sites Survey  
Client: Australian Nature Conservation Agency  
1991 Pillinger Conservation Plan, Southwest Tasmanian  
Wilderness  
Client: Department of Parks, Wildlife and Heritage,  
Tasmania

### Conservation Plans

1998-2000 Port Arthur Historic Site, Conservation Plan  
Client: Port Arthur Historic Site Management Authority  
1992 Luna Park, Conservation Plan  
Client: McLachlan Consultants on behalf of the Luna  
Park Reserve Trust

1990 Grace Bros Complex, Sydney, Conservation Plan  
Client: Coles Myer Ltd

#### Management Plans

2000 Parramatta Historical Archaeological Landscape  
Management Study  
Client: NSW Heritage Office

1993 Dundullimal, Dubbo, Management Plan  
Client: The National Trust of Australia (NSW)

1992 Highfield Stanley, Management Plan  
Client: Tasmanian Department of Construction

#### Archaeology

2002 Casselden Place Archaeological Dig, Melbourne  
Client: Industry Superannuation Property Trust

1995-1998 Prince of Wales Hospital Randwick Destitute Children's  
Asylum Cemetery  
Client: South Eastern Sydney Area Health Service

1994-1997 The Big Dig Cumberland Street, The Rocks,  
Archaeological Investigation  
Client: The Sydney Cove Authority

1991 Sydney Town Hall, Old Sydney Burial Ground Excavation  
Client: Howard Tanner and Associates and the Council of  
the City of Sydney

#### Heritage Studies

2000-2002 The Rocks Heritage Management Strategy  
Client: Sydney Harbour Foreshore Authority

1996-1997 Mosman Heritage Study  
Client: Mosman Municipal Council

1991-1993 North Sydney Heritage Study Review  
Client: North Sydney Municipal Council

1990-1991 Sydney and Middle Harbours Heritage Study  
Client: NSW Department of Planning

#### Industrial Sites

1997 Cockatoo Island Conservation and Management Plan  
Client: Department of Defence

1994 Mt Lyell Mine, Tasmanian Heritage Assessment  
Client: The Tasmanian Government

- 1990 Oyster Cove Gasworks, Conservation Study  
Client: Henry Pollack and Associates on behalf of AGL  
Ltd

#### Environmental and Heritage Impact Studies

- 2000-2003 Parramatta Rail Link Project, EIS Review, Heritage  
Advice  
Client: Parramatta Rail Link
- 1995-2000 Moore Park Showground, Heritage Impact Assessment and  
Conservation Strategy  
Client: Fox Studios, Australia
- 1989 Rouse Hill Development Area, Archaeological Sensitivity  
and Management Analysis  
Client: Baulkham Hills Shire Council
- 1989 Hill End - Hawkins Hill, Identification and Assessment of  
Significant Features  
Client: RW Corkery and Co Pty Ltd

#### Significance Assessment

- 2001-2002 Maribyrnong Defence Site Integrated Heritage Assessment  
Client: Major Property Disposal Unit, Department of  
Defence
- 1992 Convict Lumberyard Site, Archaeological Assessment and  
Heritage Conservation Advice  
Client: Planning Workshop, Rankine and Hill, The  
Council of the City of Newcastle
- 1989 Sydney Harbour Bridge. Travelling Maintenance  
Gantries. Assessment of Cultural Significance  
Client: Travis Partners Pty Ltd for the Department of  
Main Roads

#### Cemeteries Studies

- 1996-1997 Queensland Historical Burial Grounds Survey  
Client: Queensland Department of Environment
- 1992 Old Mans Valley Cemetery, Conservation Plan  
Client: Higgins Family Association
- 1990 Hawkesbury Shire Cemeteries Study  
Client: Hawkesbury City Council

#### Specialist Heritage Advice

- 1994 National Estate Regional Assessment Program Review  
Client: Australian Heritage Commission

- 1991 State Heritage Inventory Report Project. Post Pilot  
Studies Review, Context and Implementation Report  
Client: NSW Department of Planning
- 1989 Hunters Hill Heritage Properties Curtilage Study  
Client: Hunters Hill Municipal Council

#### Site Recording

- 1993 Stannard's Boatyard, Birchgrove, Site Recording  
Client: Stannard Bros Pty Ltd
- 1991 Unilever Complex, Balmain, Site and Process Recording  
Client: Leda Holdings Pty Ltd
- 1989 Markets Building Number 9, Banana Ripening Rooms and  
Industrial Relics Recording Project

#### Selected Lectures/Papers

'The Randwick Destitute Children's Asylum, Sydney: Issues Arising from  
the Excavation and Re-burial of Nineteenth Century, Non-Indigenous Human  
Remains', Ireland, T, and Mackay, R. Paper presented to combined  
AAA/ASHA Conference, Townsville, 2002

'GIS-based Documentation of Urban Archaeology in Australia'. Paper  
presented at the Documentation Scientific Symposium of the 13th General  
Assembly of ICOMOS, Madrid, Spain, 2002.

'Heritage Lotto', NSW Environmental Law Association Annual Conference,  
2002

'The Parramatta Historical Archaeological Landscape Management System',  
paper presented to 21st Annual ASHA Conference, Canberra, 2001

'Twentieth Century Heritage' NSW Heritage Council Heritage Festival  
Lecture, 1999

'From Cows to Cameras, The Conservation and Adaptation of the Sydney  
Showground' Fox Studios Training and National Trust Open Day  
Presentations, 1999-2000

'Layers of History: Layers of Meaning', 5th World Congress Heritage  
Interpretation International, 1998

- 'The Big Dig and Convict Consumerism', Seminar at School of Archaeology  
La Trobe University, 1997
- 'On the Rocks: Across the Cove from the Governor's House' 1995 First  
Government House Site Foundation Day Lecture, 1995
- 'Political, Pictorial, Physical and Philosophical Plans: Realising  
Archaeological Research Potential in Urban Sydney', Museum of Sydney  
SITES Seminar, 1995
- 'Industrial Sites Rehabilitation', ICOMOS Redundant Sites Conference,  
Launceston, 1994
- 'Statutory Protection and Predictive Plans - Archaeological Heritage  
Management in Sydney'. Paper presented at the Archaeological Heritage  
Management Scientific Symposium of the 10th General Assembly of ICOMOS,  
Colombo, Sri Lanka, 1993
- 'Censory Perceptions - Editing the Final Chapter of Kakadu History',  
paper presented at the Managing a Shared Heritage Conference, Australia  
ICOMOS, Darwin, 1993
- 'Documentary Prediction or Physical Examination? CRM Considerations at  
Dickson's Mill, Sydney', paper presented at 12th Annual ASHA Conference,  
Sydney, 1992
- 'Research Design: Concept and Product'. Discussion presented to  
Historical Archaeology in The Rocks and Millers Point Seminar, 1991
- 'Historic Significance', paper presented to the Professional Historians  
Association Seminar, Sydney, December 1990
- 'Identification and Investigation of Historical Archaeological Sites-A  
Different Perspective', paper presented to NSW Department of  
Planning/University of Sydney Centre for Historical Archaeology,  
Historical Archaeology Guidelines Seminar, 1989
- 'Built Environment Conservation: Concentrating on the Fabric', paper  
presented in the Inventing the Unwritten Past Symposium at the ANZAAS  
Centenary Congress, Sydney, 1988
- 'The Conservation Plan: A Co-operative Approach', James, PC and Mackay,  
R. Paper presented to Australia ICOMOS Seminar, 1987
- 'The Provision of Statutory Protection for Artefacts', paper presented  
(jointly with Peter James) to seminar on 'The Problems and Prospects of  
Preserving the Portable Scientific and Technological Heritage' organised  
by the National Trust of Australia (NSW), Powerhouse Museum and Royal  
Society of NSW, 1986

'The Preservation and Management of Redundant Industrial Archaeological Features', paper delivered to 5th Annual ASHA conference, Melbourne, 1985

'The Archaeological Significance of the Old Government House, Parramatta', paper delivered to National Trust Seminar, Old Government House, Parramatta, 1985

'The Burra Charter and Conservation Practice - Principles and Conservation Policy', paper and Seminar presented in Sydney, Newcastle, Wollongong, Darwin and Perth on behalf of Australian ICOMOS Inc, 1992-1998

Lectures to undergraduate and postgraduate Conservation, Fine Arts, Archaeology, Architecture and Town Planning Students, La Trobe University, University of New South Wales, University of Sydney, University of Technology, Sydney, 1986-2002.

#### Publications

'GIS-based Documentation of Urban Archaeology', Strategies for the World's Cultural Heritage, Preservation in a Globalised World - Principles, Practices, Perspectives, ICOMOS, Madrid, 2002

'Historical Archaeology at Camp Street, Ballarat, Victoria', AHA Bulletin No. 91, December 2000

'On With The Show' *Reflections*, National Trust of Australia (NSW), May-July 2000

Mackay, R and Karskens, G, 'Historical Archaeology in Australia: Historical or Hysterical? Crisis or Creative Awakening?', *AJHA* Vol. 17, 1999

Godden Mackay Pty Ltd, in conjunction with Grace Karskens, *The Cumberland Gloucester Streets Site Archaeological Investigation Volumes 1-6*, Godden Mackay Logan Pty Ltd, 1999

'To List or Not?', *In Place*, Australian Heritage Commission, Vol 3, November, 1997

'Political, pictorial, physical and philosophical plans-realising archaeological research potential in urban Sydney', in *Historic Houses Trust of NSW Sites-Nailing the Debate: Archaeology and Interpretation in Museums*, a Museum of Sydney on the Site of First Government House publication, Sydney, 1996

*Archaeological Assessments: Archaeological Assessment Guidelines*, NSW Heritage Manual Heritage Office Department of Urban Affairs and Planning, 1996

*Regional Assessment Program Review: Assessment of Cultural Research Methods and Analysis* Australian Heritage Commission, Canberra, 1996

'Conservation' in *Environmental Management Law and Practice Short Course Handbook*, Centre for Local Government Education and Research, University of Technology, Sydney, 1996

'Censory Perceptions: Editing the Final Chapter of Kakadu History', *Historic Environment*, Vol II No.2 and No.3, 1995

'Reading the Pollen', *National Trust Quarterly*, No.71, 1994

'Statutory Protection and Predictive Plans: Archaeological Heritage Management in Sydney', *Archaeological Heritage Management ICOMOS*, 10th General Assembly, Sri Lanka, 1993

'The Nature of Historical Significance', *The Role of History in Conservation Work*, Seminar Proceedings, Professional Historians Association, Sydney, 1991

*Cemetery Conservation*, Royal Australian Historical Society Technical Information Service No. 27, 1990

'Identification and Investigation of Historical Archaeological Sites: A Different Perspective', *Urban Digs Historical Archaeological Guidelines*, Department of Planning, Sydney, 1989

'Industrial Archaeology', *History* No. 4, April 1989, p 15

*Industrial Archaeology: Policy Paper*, The National Trust of Australia (NSW) (Editor), 1989

Lavelle, S and Mackay, R, 'Cemeteries: Kitsch Memorials or Serious Undertakings?', in Birmingham, Bairstow and Wilson (eds), *Archaeology of Colonisation: Australia in the World Context*, Australian Society for Historical Archaeology, Sydney, 1988

'Industrial Archaeology' in DC Goldney and IJS Bowie (eds) *Scenic and Scientific Survey of the Central Western Region*, a report to the Australian Heritage Commission, Mitchell College of Advanced Education, Bathurst, 1987

Mackay, R and White, JP, 'Musselling in on the New South Wales Coast', *Archaeology in Oceania* 22 No. 3, 1987

Conservation and Industrial Archaeology: Recent work by the National Trust (NSW) *ASHA Journal*, Volume 4, 1986

Professor Richard  
Mackay, AM

*Cemeteries: Policy Paper*, The National Trust of Australia (NSW)  
(Editor), 1985

*Bridging the Past*, *National Trust Magazine* No. 29, 1985

*Report on Heritage Conservation Matters Relating to the Darling Harbour  
Basin, Sydney*. The National Trust of Australia (NSW) (Editor), 1984

*The Discovery and Exploration of Spider Cave, Jenolan* *ASF Newsletter*,  
1981