

**Mary Immaculate Church  
2-6 Waverley Avenue, Ivanhoe**

**Heritage Council Registrations and Reviews Committee  
Hearing – 17 April 2018**

**Members – Ms Juliette Halliday (Chair), Dr Karen Murphy, Mr Garrie  
Hutchinson**

### **DECISION OF THE HERITAGE COUNCIL**

**Not to include in the Victorian Heritage Register** - After considering the Executive Director's recommendation, submissions received and conducting a hearing into those submissions, pursuant to section 49(1)(c)(i) of the *Heritage Act 2017*, the Heritage Council has determined that Mary Immaculate Church at 2-6 Waverley Avenue, Ivanhoe is not to be included in the Victorian Heritage Register, and to refer the recommendation and any submissions to the City of Banyule for consideration for an amendment to the Banyule Planning Scheme.

**Juliette Halliday (Chair)  
Karen Murphy  
Garrie Hutchinson**

**Decision Date – 29 June 2018**

## **HEARING APPEARANCES/SUBMISSIONS**

### **Executive Director, Heritage Victoria**

Submissions were received from the Executive Director, Heritage Victoria ('the Executive Director'). Ms Nicola Stairmand, Acting Principal – Heritage Assessments, appeared on behalf of the Executive Director. Mr Geoff Austin, Manager – Heritage Register and Permits was also present and available to take questions.

### **Roman Catholic Trusts Corporation for the Diocese of Melbourne and Catholic Parish of Ivanhoe**

Submissions were received from the Roman Catholic Trusts Corporation for the Diocese of Melbourne and Catholic Parish of Ivanhoe ('the Diocese'). Mr Dermot Cannon, Director – Property and Infrastructure, Senior Strategic Planner, appeared on behalf of the Diocese.

### **City of Banyule**

Written submissions were received from the City of Banyule ('Banyule') for information purposes only. Banyule neither objected to nor supported the recommendation of the Executive Director. No representative for Banyule appeared at the hearing or made verbal submissions.

### **Ms Libby Richardson**

Submissions were received from Ms Libby Richardson. Ms Richardson appeared and made verbal submissions.

### **Ms Alison Alexander**

Written submissions were received from Mrs Alexander and included supporting submissions from Mr Rohan Storey. Neither Mrs Alexander nor Mr Storey made verbal submissions or appeared at the hearing.

## **SUBMISSIONS RECEIVED PURSUANT TO SECTION 44 OF THE *HERITAGE ACT 2017***

### **Ms Alison Alexander**

Mrs Alexander made submissions objecting to the recommendation of the Executive Director pursuant to s.44 of the *Heritage Act 2017* ('the Act'), and requested that a hearing be held in relation to the matter.

### **National Trust of Australia (Victoria) ['the Trust']**

The Trust made submissions objecting to the recommendation of the Executive Director pursuant to s.44 of the Act.

## INTRODUCTION/BACKGROUND

### The Place

- 1 On 17 November 2017, the Executive Director made a recommendation ('the Recommendation') that the Mary Immaculate Church should not be included in the Victorian Heritage Register ('the Register'), and that the Heritage Council may wish to consider exercising its powers under s 49(1)(c) of the *Heritage Act 2017* to refer the recommendation to the City of Banyule for inclusion in the local heritage Overlay.
- 2 Mary Immaculate Church is located at 2-6 Waverely Avenue, Ivanhoe ('the Place').
- 3 The following historical summary is taken from pages 10-11 of the Recommendation:

*The Mary Immaculate Church was designed by the Melbourne-based architectural practice Mockridge Stahle & Mitchell in 1960, with its partner John Mockridge largely responsible for its design and detailing. The church was designed to accommodate a congregation of 450, and built to a total cost of £49,000. Its foundation stone was laid on 10 December 1961, followed by the official blessing and opening of the church by Archbishop E. V. Tweedy on 24 October 1962. Mockridge Stahle & Mitchell also commissioned artworks and leadlight windows by four prominent artists who were active in Victoria at the time.*

*The Church interior's fourteen silver and bronze Stations of the Cross were designed and cast by Matcham Skipper (1921-2011), a sculptor and jeweller who worked for much of his life at the Montsalvat artists' colony in Eltham. These were the subject of a film released in 1963 – one of several documentaries about Australian artists that were produced and directed by Tim Burstall in the 1960s – titled *The Crucifixion: Bas reliefs in silver by Matcham Skipper*.*

*The 2.1m (7 foot) bronze Madonna and Child on the exterior eastern wall, and smaller bronze Madonna and Child above the altar in the Chapel of Our Lady, are by German-born Hermann Hohaus (1920-1992), an artist who lectured at RMIT from 1961 to 1971 and whose work is held in most State gallery collections.*

*The coloured-glass east-facing wall of windows in the Chapel of Our Lady was designed by Australian artist David Michael Shannon (1927-1993). The coloured-glass windows at the eastern and western-most corners of the nave, the curved reredos (screen behind the altar) of elongated hexagonal glass-panels around the sanctuary's northern edge and the oval-shaped glass baldachin above were all designed by John Mockridge, the church's principal design architect. All of the church's coloured-glass windows were fabricated and installed by Brooks, Robinson & Co, a Melbourne-based studio which up until its closure in 1963 had dominated the trade during the twentieth century.*

*John Mockridge commissioned Justin O'Brien (1917-1996) to paint a triptych to form the focal point of the Chapel's northern wall. O'Brien was renowned for his religious paintings and his triptych for the Mary Immaculate Church, titled 'Annunciation, The Virgin Enthroned, Visitation', was characteristically saturated with vivid colour. Although the triptych was displayed in the Chapel for a time the parish later decided to remove it and the available evidence suggests that this painting is now within the art collection of Newman College at the University of Melbourne.*

*Some of the bottom row of glass panels in the centre of the reredos were removed, and the predella slightly extended at its rear, shortly after the church's completion. These minor*

alterations – which allowed more room for the priest to face and address the congregation while standing behind the altar, and appear to have occurred in response to reforms to the liturgy

4 The following description summary is taken from pages 12-13 of the Recommendation:

*The Mary Immaculate Church is a church building containing a kite-shaped Nave with a north-south axis longer than its east-west axis. This Nave has a flat floor and contains pews constructed of stained timber set out in a fan-shaped radiating arrangement of four bays, accommodating a congregation of up to 450. The Nave is roofed by two triangular plan-shaped roof planes, supported on internally-expressed dark-grey painted north-south steel beams and columns. These glazed terracotta tile-clad roof planes slope down to the north and south from an east-west horizontal ridge that is coincident in plan with the Nave's east-west axis. Directly beneath both the eastern and western ends of this axis are floor-to-ceiling windows, each containing some two-dozen rectangular and square-shaped panes of coloured and clear glass within white-painted timber framing. Within each of this pair of windows, a Christian cross-shape is emphasised by an intersecting transom and central mullion of larger size than the windows' other framing members.*

*At the northern end of the Nave the pews face a Sanctuary area which is ovoid-shaped in plan and at its east end contains a Predella raised four steps above the Nave's floor. The altar table in this area is clad with marble and supported by a gold-colour mosaic tiled concrete cylinder. A reredos (screen behind the altar) of vertically-elongated hexagon-shaped panes of coloured glass, supported by dark-grey painted steel-framing, is arranged in a curve around the northern edge of the Predella. Above this, an oval baldachin containing panels of obscure glass arranged in a cross-shape within steel glazing bars acts as a diffuser panel for a cluster of circular roof-lights above. The Nave's ceiling and its southern wall are lined with narrow pale-coloured vertical timber battens on dark-brown hessian, and its other walls of lightly-bagged concrete blockwork are painted off-white. Silver and bronze bas-relief Stations of the Cross are fixed to the east, south and west walls, and are positioned to cover perforated steel ventilation grilles set within the blockwork. Long white glass cylinder-shaped pendant light fittings are suspended by rods from the steel roof beams. Most of the floor is covered by green-coloured carpet, apart from areas of vinyl floor tiles in each of the four bays of pews.*

*To the immediate north of the Nave is the adjoining Chapel of Our Lady, with the central north-south axis of its rectangle-shaped plan aligned with that of the Nave's long axis. The Chapel's eastern wall is entirely of coloured glass within white-painted timber-framing, and is arranged in floor-to-ceiling star- and cross-shaped designs. The Chapel's skillion roof is much lower than that of the Nave, is supported by expressed white-painted timber beams and falls from south to north. The Chapel's northern and western walls are lined with narrow timber battens of the same profile and colour as those in the Nave. To the immediate west of the Chapel, and sharing its lower timber-framed roof, are Sacristy and lobby spaces.*

*Mary Immaculate Church's exterior walls are clad in 400 x 90mm rough-faced grey concrete bricks, with randomly-placed rows of three to six adjacent bricks projecting about 20mm beyond the walls' faces. Eaves and soffits are of white painted timber boards. A 24.4m (80 feet)-high copper-clad spire of triangular plan-shape, surmounted by a cross, springs from the roof at the southernmost end of the building. Fixed to the exterior south-east facing wall, under its eaves, is a 2.1m (7 feet)-high bronze Madonna and Child.*

*The principal entry to the Church is through its Narthex, a regular hexagon shaped space at the Nave's southern end. The Narthex's floor is of white terrazzo divided into radiating segments by brass strips on the hexagon's axes. The south side of the Narthex in turn opens into a space of triangular plan-shaped space at the base of the Church's spire. This triangular space – originally the Baptistry – is lined with vee-jointed vertical timber boards, overlaid at the east and west walls' northern ends with fine battens forming vertically-elongated hexagon shapes, matching the shape of the glass panels in the Nave's reredos. A circular opening in the ceiling of the former Baptistry admits light from panes of green and blue coloured glass within the base of the spire's north face.*

*A concourse area paved with dark orange-coloured clay bricks is located outside the Narthex and porch areas. At its south end this concourse becomes a pedestrian ramp, terminating at the concrete public footpath outside the site's Waverley Avenue site boundary. A five-riser set of clay brick-paved steps at the concourse's north end descends to a ground-level bitumen and concrete-paved car circulation and parking area on the Church's east side. Another ground level parking area, also paved with concrete, is located to the Church's west. A retaining wall and nine-riser flight of steps of the same clay bricks as the concourse links this parking area to a smaller concrete-paved outdoor space outside the Sacristies. Garden beds containing shrubs and some established trees are located along the external face of part of the Nave's southwest wall, along the nominated area's northern edge, and at its northwest and southeast corners.*

- 5 The Committee notes that the above history and description summaries are part of the Recommendation. They are provided for information purposes only.

### **Nomination**

- 6 The Executive Director accepted a nomination from Mrs Alexander to include the Place in the Register on 18 August 2017.

### **Recommendation of the Executive Director**

- 7 On 17 November 2017, the Executive Director recommended that the Place not be included in the Register, and that the Heritage Council may wish to refer the Recommendation to Banyule for consideration for inclusion in the Heritage Overlay of the Banyule Planning Scheme.

### **Process following the Recommendation of the Executive Director**

- 8 After the Recommendation of 17 November 2017, notice was published in accordance with s.41 of the Act for a period of 60 days.
- 9 Two (2) submissions were received pursuant to s.44 of the Act, objecting to the Recommendation, one of which requested a hearing before the Heritage Council.
- 10 In accordance with s.46(2)(a) of the Act, a hearing was required to be held.
- 11 The Heritage Council Registrations and Reviews Committee ('the Committee') was constituted to consider the Recommendation and the submissions received in response to it and to make a determination. The Committee then invited further written submissions and a hearing was scheduled for 17 April 2018 ('the hearing').

## **PRELIMINARY, PROCEDURAL AND OTHER MATTERS**

### **Site inspection**

- 12 On 17 April 2018, the Committee made a site inspection of the Place accompanied by the Heritage Council Hearings Coordinator. No submissions were sought, made or received at the time of the site inspection.

### **Conflicts of interest**

- 13 The Chair invited Committee members to make declarations in relation to any matters that may potentially give rise to an actual or apprehended conflict of interests.
- 14 The Chair circulated a written declaration to all hearing participants in relation to matters that may potentially give rise to an actual or apprehended conflict of interest. No objections to the appointment of the Chair, or the constitution of the Committee, were received from hearing participants.
- 15 The Committee was satisfied that there were no relevant conflicts of interests.

### **Late material**

- 16 Prior to the hearing, but after the date by which all submissions were to be received by the Heritage Council Secretariat, Ms Richardson lodged a request to appear at the hearing and make verbal submissions, aided by a slide presentation. The Committee allowed Ms Richardson to make verbal submissions and admitted the slide presentation for consideration after seeking the views of other hearing participants.

### **Request for further information**

- 17 At the hearing, the Chair requested that the Executive Director provide the Committee with a list of all Modernist churches currently included in the Register. Upon receipt, this information was circulated by the Committee to all hearing participants, and written responses were invited. The Committee has considered the responses to the request which were received from the hearing participants in reaching its conclusions in this matter.

### **Method of assessment**

- 18 A number of submissions questioned the method by which the Executive Director assessed the cultural heritage significance of the Place, namely the usefulness of the *Victorian Heritage Register Criteria and Threshold Guidelines* (2014) [‘the *Guidelines*’].<sup>1</sup> The Committee notes that the *Guidelines* have been endorsed by the Heritage Council of Victoria, and provide a standardised and uniform mechanism for assessing the cultural heritage significance of places and objects in Victoria. The Committee has proceeded in accordance with the assessment framework provided for by the *Guidelines*.

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<sup>1</sup> Document available for download at <https://heritagecouncil.vic.gov.au/heritage-protection/criteria-and-thresholds-for-inclusion/>

## ISSUES

- 19 The following section is not intended to be a complete record of submissions that were made to the Committee. It is a summary of what the Committee considers to be the key issues, followed by an explanation of the position the Committee takes on each key issue.
- 20 Any reference to Criteria refers to the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance* (as adopted by the Heritage Council on 7 August 2008) [see **Attachment 1**].

### Summary of issues

- 21 The Executive Director recommended that the Place not be included in the Register as the Executive Director's assessment concluded that it did not satisfy any of the criteria at a State level.
- 22 Mrs Alexander submitted that the Place is of cultural heritage significance to the State of Victoria. Mrs Alexander made submissions addressing Criteria A, D, E, F, G, and H, but submitted that the Place particularly satisfies Criteria A, D, E and H at State level.
- 23 Ms Richardson submitted that the Place is of cultural heritage significance to the State of Victoria. Ms Richardson's submissions directly related to the architectural and aesthetic significance of the Place, and are discussed below in relation to Criteria D and E. Ms Richardson further submitted that the Place ought to be referred to the City of Banyule for consideration for inclusion in the Banyule Heritage Overlay, should the Committee find that the Place is not of cultural heritage significance to the State of Victoria.
- 24 In its submission to the Heritage Council pursuant to s.44 of the Act, the Trust submitted that the Place satisfies Criteria A, D and H at State level.
- 25 The Diocese made submissions in support of the Recommendation.
- 26 The City of Banyule did not make submissions in relation to the cultural heritage significance of the Place, but rather sought to provide the Heritage Council with contextual information relating to the protection of the Place at local level. Banyule submitted that the Place is not currently included in the schedule to the Heritage Overlay in the Banyule Planning Scheme, and that the Place has not yet been assessed for local heritage significance. Banyule advised that the Place is scheduled to be included in a forthcoming Banyule Heritage Review in 2018.

### Criterion A – Importance to the course or pattern of Victoria's cultural history

#### *Submissions*

- 27 The Recommendation acknowledged that the design and construction of churches in middle and outer ring suburbs of Melbourne and across the State during the decades following World War II is a process of historical importance that has made a strong and influential contribution to Victoria, and that the Place has a clear association with this process. However, it was the Executive Director's view that the process of the design and construction of places of worship such as this can be better understood in any number of church buildings in other middle and outer ring suburbs of Melbourne and across the State, noting that at least 260 places of worship were constructed in the Melbourne metropolitan

area during the 1950s and 1960s. It was the Executive Director's view that Criterion A is not satisfied at the State level.

- 28 In response, Mrs Alexander submitted that the field of comparison which the Executive Director used would be more appropriate if narrowed down to focus on Catholic churches designed around the time of the introduction of the Second Vatican Council ('Vatican II')<sup>2</sup>. Mrs Alexander submitted that the Place satisfies Criterion A at State level for its historical links with Vatican II as one of the first and finest examples of an architectural response to the momentous changes within the Catholic Church as a result of Vatican II, particularly with respect to liturgical layout.
- 29 In its submission made to the Heritage Council pursuant s.44 of the Act, the Trust submitted that the Place satisfies Criterion A at State level as one of the first churches in Victoria designed to address liturgical changes instigated by Vatican II and for its wider, auditorium-like plan as an early example of the radical departure from traditional rectangular nave plans to more in-the-round forms.
- 30 The Executive Director submitted that the design and construction of the Place pre-dates Vatican II and was not a response to significant changes in the Catholic Church as a result of Vatican II. It was the view of the Executive Director that while alterations to the Place were completed at a later date, this occurred at many other Catholic churches at the same period.

#### *Discussion and conclusions*

- 31 The Committee is satisfied that the design and construction of the Place concluded in about 1962, as the official blessing and opening of the Church took place on 24 October 1962. The design and construction of the Place pre-dates the Vatican II meetings, which occurred between October 1962 to December 1965. Although the Place contains later alterations in response to of the outcomes of Vatican II, the Committee considers that such alterations were a typical response for Catholic churches after Vatican II.
- 32 The Place has a clear association with the design and construction of churches in middle and outer ring suburbs of Melbourne during the decades following World War II, which is a process that has made a strong and influential contribution to Victoria. However, the Committee considers that the Place does not have features or links to historical events which allow its association with the design and construction of churches in middle and outer ring suburbs of Melbourne during the decades following 1945 which elevate it above the many other places of worship built in this period with substantially the same historical association.
- 33 The Committee finds that Criterion A is not satisfied at State level.

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<sup>2</sup> The Vatican II process began with the convening of an Ecumenical Council by Pope John XXIII on 25 January 1959. The meetings began on 11 October 1962 and closed in December 1965.

## **Criterion D – Importance in demonstrating the principal characteristics of a class of cultural places or environments**

### *Submissions*

- 34 In the Recommendation, the Executive Director stated that the Place is an example of post-war Modern ecclesiastical architecture, which has a clear association with the historically important process of the design and construction of churches in Melbourne’s middle and outer ring suburbs during the decades following World War II.
- 35 However, the Executive Director submitted that Criterion D is not satisfied at a State level. In support of this submission, the Executive Director stated that some 743 places of worship were constructed between 1945 and 1994 in the Melbourne metropolitan area alone, with more than 460 of these displaying principally Modern design characteristics. The Executive Director noted that some of these places of worship are included in the Register.<sup>3</sup> It was the view of the Executive Director that the Place does not display characteristics that are of a higher quality or historical relevance than those that are demonstrated by other post-war modern churches, and that the Place cannot be described as a notable example of post-war Modern ecclesiastical architecture.
- 36 Mrs Alexander submitted that the Place satisfies Criterion D at State level. Mrs Alexander submitted the view that the elements and features of the Place are meticulously detailed and incorporated. Mrs Alexander further submitted that the Place should be assessed within the narrowed place type context of “Catholic churches designed around the time of the introduction of Vatican II.”
- 37 Mr Storey, in support of Mrs Alexander’s submission, put forward the view that the Place does not need to be of “higher quality” than similar places currently included in the Register in order to meet the State-level threshold for cultural heritage significance. Mr Storey disputed the Executive Director’s assessment that the Place “does not present as architecturally adroit or finely resolved”, and submitted that church design usually incorporates both tradition and modernism, and can therefore rarely be considered to demonstrate “pure” modernism. Mr Storey compared the Place with St Faith’s Anglican Church (H2254), also designed by Mockridge, Stahle and Mitchell, and submitted that the design elements of the Place were more “adroit” and “finely resolved” than those evident at St Faith’s. Mr Storey further submitted that the Place ought to be considered as being “substantially intact.”
- 38 Ms Richardson submitted that the Place should be assessed within the context of Catholic churches in Victoria, and put forward the view that the Place is largely and remarkably intact, and in near original condition. Mr Richardson put forward the view that the Place is unique in its intactness and finely considered design integration.
- 39 In its submission made to the Heritage Council pursuant s.44 of the Act, the Trust submitted that the Place satisfies Criterion D at State level, submitting that “of the many Modernist churches built in Victoria’s post-war boom, the [Place] is one of the largest and most striking and one of the most boldly fitted out”. The Trust put forward the view that the

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<sup>3</sup> These include St Faith’s Anglican Church, Glen Iris (H2254); All Saints (former Christ Church) Anglican Church, Mitcham (H2302); St Andrews Church Precinct, Brighton (H0124); Religious Centre, Monash University, Clayton (H2188); Church of the Resurrection, Keysborough (H2293); Former Chapel of St Joseph, Mont Albert North (H2351); and St Michael and St John Catholic Church, Horsham (H2301).

Place is a notable example of post-war Modern ecclesiastical architecture, and drew attention to a number of the Place's design elements and artworks.

### *Discussion and conclusions*

- 40 Having considered the submissions and Criterion D of the *Guidelines*, the Committee accepts the Executive Director's submission that the Place is an example of "post-war Modern ecclesiastical architecture", and that it has a clear association with the historically important process of the design and construction of churches in Melbourne's middle and outer ring suburbs during the decades following World War II, which was a process that made a strong and influential contribution to Victoria. The Committee considers that any further narrowing of this class relies on an unacceptable number of qualifiers.
- 41 The test for determining State level significance in the *Guidelines* for Criterion D requires (amongst other things) that the Place be a "notable example of the class in Victoria". The term "notable example" includes examples which are "fine", "highly intact", "influential" or "pivotal" as described in Reference Tool D in the *Guidelines*. The Committee is not persuaded by the submissions that the Place constitutes a "notable example of the class" in Victoria within the meaning of Reference Tool D because:
- It does not display Modern design characteristics that are of a higher quality or historical relevance than those that are demonstrated by other post-war Modern churches<sup>4</sup>;
  - The integration of the post-war Modern design features within the Place, such as the geometrical plan shapes, and the expressed structural steel elements, is not sufficient to make it a "fine" example (within the meaning of Reference Tool D); and
  - It cannot be described as highly intact due to changes to some of the original fabric, including the removal of the original benches within the Chapel of Our Lady, the replacement of all of the original roof tiles, replacement of some of the original copper rain water elements, and the repurposing of the Baptistry to the south side of the Narthex.

- 42 The Committee finds that Criterion D is not satisfied at State level.

### **Criterion E – Importance in exhibiting particular aesthetic characteristics**

#### *Submissions*

- 43 In the Recommendation, the Executive Director stated that the Place has aesthetic characteristics associated with post-war Modern ecclesiastical architecture, including a design vocabulary of several architect designed Modern churches in Victoria constructed in the 1950s and 1960s and artworks and stained-glass windows created specifically for the Place.
- 44 Mrs Alexander submitted that the Place met Criteria E at State level, drawing attention to the aesthetic significance of a number of the Place's elements, such as stained-glass walls and windows, the glass paneled screen around the altar and baldachin, and a number of the

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<sup>4</sup> These include St Faith's Anglican Church (H2254) in Glen Iris; the Religious Centre, Monash University (H2188); the Former Chapel of St Joseph (H2351) at Mont Albert North; and St Michael and St John Catholic Church (H2301) at Horsham.

Place's commissioned artworks including two bronze Madonna and Child sculptures by artist Herman Hohaus, and the 14 bronze Stations of the Cross by artist Matcham Skipper.

- 45 Ms Richardson described the aesthetic effect of the Place in detail, putting forward the view that each detail of the Place "has been designed in unison to meet the functional requirements of a place of worship." Ms Richardson described the Place a "finely crafted church building of the post-war period" and drew attention to the significance and aesthetic impact of the Place's numerous commissioned artworks, and the "experience of the holy" achieved through the "sweeping space" of the Place's interior design.
- 46 Mr Storey submitted that the Place meets Criterion E for its high aesthetic value, both for its architectural drama and effects, and for the range of commissioned artworks. Mr Storey submitted that the Place has a soaring, dramatic presence in the street, with a bold, angular folded, pointed roof sweeping down to embrace the striking vertical copper spire. He submitted that the interior is also dramatic, rising from the very low Narthex up to the highest point, marked by the flanking tall stained-glass windows.
- 47 Although the Executive Director did not dispute that the Place demonstrates aesthetic significance, he submitted that the Place does not do so at State level. The Executive Director referred to the tests for satisfying Criterion E in the *Guidelines* and submitted that the aesthetic significance of the Place had not received critical recognition within a related discipline, and that there is no available evidence of it having received wide public acknowledgement in Victoria of its exceptional merit. Although the Executive Director conceded that articles had been written about the Place, it was submitted that these articles were primarily found in publications by the Catholic Church, or about individual art works or artists, and not for the Place in its entirety. The Executive Director further submitted that the aesthetic significance of the commissioned artworks would be unchanged even if they were moved to another location.

#### *Discussion and conclusions*

- 48 Whilst the Committee is of the view that the Place has aesthetic characteristics associated with post-war Modern ecclesiastical architecture, it is not persuaded that these aesthetic characteristics are of State level significance, within the meaning of the *Guidelines*.
- 49 Whilst the physical fabric of the Place including the bronze Madonna and Child on the Church's exterior eastern wall; the smaller bronze Madonna and Child above the altar in the Chapel of our Lady, and the 14 bronze Stations of the Cross exhibit the aesthetic characteristics of the Place, no material was put before the Committee to demonstrate that these aesthetic characteristics are appreciated or valued by the "wider community" or "an appropriately related discipline" as set out in Criterion E of the *Guidelines*.
- 50 Ms Richardson referred to six publications which refer to the Place, three of which appear to be publications of the Catholic Church. One is an exhibition catalogue, presumably for an individual artwork and not for the Place. The final two are an architectural publication, and a publication in *Building, Lighting and Engineering*, about which no detail is provided. No material was provided to demonstrate that there has been the "critical recognition" of the aesthetic characteristics of the Place within relevant art, design, architectural or related disciplines as an "outstanding example within Victoria" referred to in the *Guidelines*. Nor was any material provided to show that there has been the "wide public acknowledgement of exceptional merit in Victoria" in publications or print media referred to in the *Guidelines*.

51 The Committee is of the view that no material was provided in the process of the hearing that persuasively demonstrated that Step 2 of Criterion E in the *Guidelines*<sup>5</sup> had been satisfied in relation to the Place in its entirety.

52 The Committee finds that Criterion E is not satisfied at State level.

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

#### *Submissions*

53 Although the Executive Director in the Recommendation acknowledged that the Place contains physical evidence of creative and technical achievement for the time in which it was created (including the incorporated artworks and the structural steel framing used to construct the Nave and steeple) the Executive Director submitted that the Place does not meet Criterion F at State level, as the Place did not reach the threshold provided for by the *Guidelines* in relation to creative achievement “beyond the ordinary”. The Executive Director stated in the Recommendation that although evidence existed of the Place’s publication in at least two architectural journals in the 1960s, no mention was made in these articles of exceptional technical or creative merit.

54 Mrs Alexander objected to the Executive Director’s assessment in relation to Criterion F and submitted that too much reliance was being placed on publication in determining merit.

#### *Discussion and conclusion*

55 The Committee finds that the Place contains physical evidence demonstrating creative and technical achievement for the time in which it was created, including the structural steel framing used to construct the Nave and steeple, and the incorporated art work such as the bronze Madonna and Child on the Church’s exterior eastern wall; the smaller bronze Madonna and Child above the alter in the Chapel of our Lady, and the 14 bronze Stations of the Cross.

56 However, the Committee finds that Criterion F is not satisfied at the State level, because the creative and technical achievement is not of a “high degree” or “beyond the ordinary” for the period within which it was created, within the meaning of Criterion F in the *Guidelines*. Whilst information about the Place was published in at least two architectural journals during the early 1960s, there was no material put before the Committee to demonstrate critical acclaim as an outstanding example of ecclesiastical architecture in Victoria. Nor was there material from publications or print media to demonstrate wide acknowledgement of exceptional creative merit in ecclesiastical architecture, or exceptional technical merit. No material was put before the Committee to demonstrate that the Place was a “breakthrough”, or that it “extended the limits” in terms of design or existing construction techniques or technology within the meaning of the Criterion F in the *Guidelines*.

57 The Committee finds that Criterion F is not met at State level.

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<sup>5</sup> Step 2 requires that “the aesthetic characteristics are appreciated or valued by the wider community or an appropriately-related discipline” as evidenced for example by critical recognition or wide public acknowledgement of exceptional merit.

**Criterion G – Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to indigenous people as part of their continuing and developing cultural traditions.**

*Submissions*

- 58 Mrs Alexander submitted that the Place meets Criterion G at State level. It was Mrs Alexander's submission that the introduction of Vatican II, and its direct impact on the design of the Place is evidence enough of a strong association with a particular community or cultural group for social, cultural or spiritual reasons. Mrs Alexander further submitted that the association between the Place and the Catholic Parish of Ivanhoe can be traced back to 1851 and to 1915 when the Church of the Immaculate Conception was constructed on the current site of the Place.
- 59 The Executive Director submitted that the Place does not meet Criterion G at State level, as a strong example of the association between the Place and a community or cultural group has not been demonstrated. It was the Executive Director's submission that Mrs Alexander's submissions primarily referred to historical and (or) local associations. The Executive Director relied on Step 3 in Criterion G in the *Guidelines* which states that the attachment should relate to the current generation and resonate beyond the local community.

*Discussion and conclusion*

- 60 There is a direct association between the Place and the church community of the Catholic Parish of Ivanhoe, which is strong and special, and which is demonstrated by the group's regular and enduring spiritual association with the Place. The Place is of social significance at a local level for its use as a religious building, and it continues to be used for this purpose.
- 61 However, no material was put before the Committee to demonstrate that the Place represents a particularly strong example of the association between the Place and the community of people within the Catholic Parish of Ivanhoe by reason of its relationship to important historical events in Victoria, or its ability to interpret experiences to the broader Victorian community, within the meaning of Criterion G in the *Guidelines*.
- 62 The Committee finds that Criterion G is not satisfied at State level.

**Criterion H – Special association with the life or works of a person, or group of persons, of importance in Victoria's history.**

*Submissions*

- 63 In the Recommendation, the Executive Director stated that the Place has a direct association with the three partners of the architectural practice of Mockridge, Stahle and Mitchell, which designed and documented the Place. The Recommendation states that John Mockridge, Ross Stahle and George Mitchell were architects who made an influential contribution to the course of Victoria's history, and that their association with the Place is evident in the physical fabric of the Place and in documentary resources, and that this association also relates directly to the achievements of Mockridge, Stahle and Mitchell relating to the Place.

- 64 However, the Executive Director submitted that the Place does not meet Criterion H at State level. The Executive Director put forward the view that although Mockridge, Stahle and Mitchell made an influential contribution to the course of Victoria's history, the Place is one of several dozen architectural projects completed by the firm in Victoria. It was the Executive Director's submission that the firm's contribution to the course of Victoria's history can be better demonstrated at other places it designed that are included in the Register, including St Faith's Anglican Church (H2254) and the Religious Centre, Monash University (H2188).
- 65 Mrs Alexander submitted that the Place satisfies Criterion H at State level for its association with architecture firm Mockridge, Stahle and Mitchell. Mrs Alexander put forward the view that although the Place is one of several dozen architectural projects by Mockridge, Stahle and Mitchell, it is one of only two Catholic churches designed by the firm. Mrs Alexander further submitted that several of the firm's buildings have already been demolished or altered, and that despite the firm's almost unparalleled contribution to Victoria's built heritage, the work of Mockridge, Stahle and Mitchell has not received appropriate acknowledgement.
- 66 In its submission made to the Heritage Council pursuant s.44 of the Act, the Trust submitted that the Place satisfies Criterion H at State level as one of only two Catholic churches in the State of Victoria designed by Mockridge, Stahle and Mitchell, and that it readily allows appreciation of the firm better than most other places with this association in Victoria.

#### *Discussion and conclusions*

- 67 The Place has a direct association with the architectural practice Mockridge, Stahle and Mitchell, who designed the Place, and who made an influential contribution to the course of Victoria's history.
- 68 The Place is one of several dozen architectural projects in Victoria completed by Mockridge, Stahle and Mitchell. The Committee is not persuaded that the Place allows the contribution of Mockridge, Stahle and Mitchell to the course of Victoria's history to be better appreciated than most other places in Victoria, including those places designed by the firm included in the Register, being St Faiths Anglican Church, Glen Iris (H2254) and the Religious Centre, Monash University (H2188). The Committee notes that the issue of whether or not a person or organisation has received due acknowledgement for their work to date is not included as part of the assessment criteria under Criterion H in the *Guidelines*.
- 69 The Committee finds that Criterion H is not satisfied at State level.

#### **CONCLUSION**

- 70 The Committee determines, in accordance with section 49(1)(c)(i) of the *Heritage Act 2017* that Mary Immaculate Church at 2-6 Waverley Road, Ivanhoe, is not be included in the Victorian Heritage Register, and to refer the recommendation of the Executive Director and any submissions to the City of Banyule for consideration for an amendment to the Banyule Planning Scheme.

**ATTACHMENT 1**

**HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE**

CRITERION A	Importance to the course, or pattern, of Victoria's cultural history
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION D	Importance in demonstrating the principal characteristics of a class of cultural places or environments.
CRITERION E	Importance in exhibiting particular aesthetic characteristics.
CRITERION F	Importance in demonstrating a high degree of creative or technical achievement at a particular period.
CRITERION G	Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

**These were adopted by the Heritage Council at its meeting on 7 August 2008, and replace the previous criteria adopted by the Heritage Council on 6 March 1997.**