



## **Heritage Council** Registrations and Reviews Committee

### **Footscray Psychiatric Centre (H2395)**

160 Gordon Street, Footscray, City of Maribyrnong

**Hearing** – 19 February 2020

**Members** – Ms Jennifer Moles (Chair), Dr Christine Phillips, Ms Penelope Smith

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#### **DETERMINATION OF THE HERITAGE COUNCIL**

**Inclusion in the Victorian Heritage Register** – After considering the Executive Director's recommendation, all submissions received, and conducting a hearing into the matter, the Heritage Council has determined, pursuant to section 49(1)(a) of the *Heritage Act 2017*, that Footscray Psychiatric Centre located at 160 Gordon Street, Footscray, is of State-level cultural heritage significance and is to be included as a Registered Place in the Victorian Heritage Register.

**Jennifer Moles (Chair)**  
**Christine Phillips**  
**Penelope Smith**

**Decision Date** – 22 May 2020

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## Decision summary

*The Heritage Council provides a decision summary if the Registration and Reviews Committee is of the view that there are points of interest in the decision which should be identified. The summary does not form part of the decision or reasons for decision.*

The Executive Director, Heritage Victoria recommended to the Heritage Council of Victoria that the Footscray Psychiatric Centre at 160 Gordon Street, Footscray (the Place) should be included in the Victorian Heritage Register (the Register). The Place is a work of Brutalist architecture completed in 1976 that operated as a mental health treatment facility between 1977 and 1996. Physically, the Place is a freestanding, four-storey building plus a basement, constructed largely of concrete to a rectangular plan in the Brutalist style. It features the extensive use of board-marked concrete and protruding pre-cast panels.

Submissions were received in response to public notice of the recommendation. Three objected to the proposed inclusion of the Place in the Register (two of them requesting a hearing) and eight supported its inclusion. Pursuant to the *Heritage Act 2017*, the Committee held a public hearing.

Following the hearing and after a consideration of all submissions and evidence, including extensive primary and secondary source material provided by Mr John Jovic and the National Trust of Australia (Vic.), the Committee has determined the Place to be of State-level cultural heritage significance. The Committee found the Place to be of State-level historical significance for its clear association with changes in the treatment of mental health in the late twentieth century. The Committee also determined the place to be of State-level significance as a notable example of both a Brutalist-style building and community mental health facility, respectively.

At the hearing, participants objecting to the recommendation submitted that the scale and aesthetics of the Place embody aspects of institutionalisation rather than the shift towards regionalisation referred to by the Executive Director. Submissions were made that the Place did not coincide with deinstitutionalisation, was never suitable for mental health treatment and cannot be considered a fine example of a mental health facility. Objecting submitters also argued the Place is not a notable example of the Brutalist style.

The Committee found that the intact features of the Place (both external and internal) contribute to an understanding of the regionalisation of mental health treatment, the shift away from asylums and large institutions, the shift towards treatment in one's community and the use of smaller-scale centres located close to other health services. The determination recognises that psychiatric facilities such as the Place can retain negative significance for former patients and staff. The Committee determined that the Place's location, size, layout, design and intactness demonstrate the principal characteristics of a community mental health facility and that it is a notable example of such a facility.

The Committee also determined the Place to be a striking, prominent, highly intact and notable example of a Brutalist building which demonstrates key elements of the style – including the use of board-marked concrete, precast protruding panels and other externally expressed elements - that are clearly able to be appreciated by the community. The Committee also compared the Place favourably to other Brutalist buildings in the Register.

The determination makes special mention of the assistance provided by Mr Jovic to hearing participants, and to the Committee, in providing illuminating information about the Place. The Committee disagreed with objecting submissions that argued certain expert witness evidence given at the hearing should be preferred. The Committee gave its view that the significance of the Place could effectively be determined by reference to historical research completed by participants, and stated that it's in the nature of historical research to collate and analyse historical information and invite further investigation through a transparent process, such as through the hearing process.

## ACKNOWLEDGEMENT

As a peak Heritage body, the Heritage Council is proud to acknowledge the Traditional Owners as the original custodians of the land and waters on which we meet, and to acknowledge the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

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## PARTIES WHO LODGED WRITTEN SUBMISSIONS AND MADE VERBAL SUBMISSIONS AT THE HEARING

### EXECUTIVE DIRECTOR, HERITAGE VICTORIA ('THE EXECUTIVE DIRECTOR')

Written submissions were received from the Executive Director, Heritage Victoria ('the Executive Director'). Ms Clare Chandler, Heritage Officer - Assessments, and Ms Nicola Stairmand, Acting Principal - Assessments, appeared and made verbal submissions at the hearing on behalf of the Executive Director.

### THE NATIONAL TRUST OF AUSTRALIA (VICTORIA) ['THE TRUST']

Written submissions were received from Ms Felicity Watson, Executive Manager – Advocacy, for the Trust. Ms Watson appeared and made verbal submissions at the hearing.

### MR JOHN JOVIC

Written submissions were received from Mr Jovic, who appeared and made verbal submissions at the hearing.

### DEPARTMENT OF HEALTH AND HUMAN SERVICES ('DHHS' OR 'THE OWNER')

Submissions were received from DHHS, the Owner of the Place. Mr Peter O'Farrell of counsel appeared and made verbal submissions on behalf of DHHS. The written submissions of DHHS were supported by a statement of evidence from Mr Peter Andrew Barrett, Architectural Historian and Heritage Consultant. Mr O'Farrell called Mr Barrett at the hearing to give expert evidence.

## PARTIES WHO LODGED WRITTEN SUBMISSIONS BUT DID NOT APPEAR OR MAKE VERBAL SUBMISSIONS AT THE HEARING

### MARIBYRNONG CITY COUNCIL

A written submission was received from Maribyrnong City Council, who did not appear or make verbal submissions at the hearing.

### FOOTSCRAY HISTORICAL SOCIETY ('FHS')

A written submission was received from Mrs Carmel Taig on behalf of FHS, who did not appear or make verbal submissions at the hearing.

### **DOCOMOMO AUSTRALIA INC. ('DOCOMOMO')**

A written submission was received from Professor Hannah Lewi on behalf of Docomomo, who did not appear or make verbal submissions at the hearing.

### **MS CI LAPUZ**

A written submission was received from Ms Lapuz, who did not appear or make verbal submissions at the hearing.

### **PROFESSOR JULIE WILLIS**

A written submission was received from Professor Willis, who did not appear or make verbal submissions at the hearing.

### **MR MARCUS MASON**

A written submission was received from Mr Mason, who did not appear or make verbal submissions at the hearing.

### **MR DANIELL FLOOD**

A written submission was received from Mr Flood, who did not appear or make verbal submissions at the hearing.

### **WESTERN HEALTH**

Written submissions were received from Western Health, tenant of Footscray Psychiatric Centre. Western Health did not appear or make verbal submissions at the hearing.

### **DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING ('DELWP')**

Written submissions were received from DELWP, the crown land manager of parts of the land at, and abutting, the Footscray Psychiatric Centre. DELWP did not appear or make verbal submissions at the hearing.

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## INTRODUCTION/BACKGROUND

### THE PLACE

**01.** On 15 July 2019, the Executive Director made a recommendation ('the Recommendation') to the Heritage Council, pursuant to section 37(1)(a) of the *Heritage Act 2017* ('the Act'), that the Footscray Psychiatric Centre, located at 160 Gordon Street, Footscray ('the Place'), should be included in the Victorian Heritage Register ('the Register').

**02.** The Place is described on page 4 of the Recommendation as follows:

*'The Footscray Psychiatric Centre is located on the Footscray Hospital site at 160 Gordon Street in the Melbourne suburb of Footscray. The building lies to the east of the hospital site, adjacent to the main hospital entrance and close to Gordon Street. It is surrounded by car parking and plantings of mature trees. It is a freestanding, four-storey building plus a basement constructed to a rectangular plan in the Brutalist style. Constructed largely of concrete, much with carefully considered textured detail, each elevation is broadly similar, with projecting concrete panels flanked by narrow vertical windows at each level. Services and stairwells are contained within projecting vertical shafts angled at roof level. The western elevation contains the main entrance, the southern elevation includes a c. 1990s porch and entry while the eastern elevation contains a ramped vehicle entrance to the basement. Internally, residential rooms of various sizes, therapy rooms, shared bathrooms and communal spaces open off hallways around a central lift well.'*

**03.** The following historical summary is taken from page 5 of the Recommendation:

*'From the 1950s, changes in the understanding of mental illness, development of new treatments and related public policy shifts emerged in Victoria. This phase, which became known as deinstitutionalisation, saw the rapid reduction of resident populations in large psychiatric hospitals, many of which had been established in the nineteenth century. The Footscray Psychiatric Centre was one of a series of community mental health facilities built in Victoria between the 1960s and 1980s. Planned as an early treatment centre, a design for the building emerged from the Victorian Public Works Department in the early 1970s. Construction began in 1974 and was largely completed by late 1976 but the facility did not commence operation until late 1977 with the opening of an outpatient clinic and community mental health service. Alterations and additions were made in the early 1990s, largely to the ground floor where the interior was updated, and a porch added to the south elevation. Beds were closed in the facility from 1993 and the building ceased to function as a psychiatric centre in 1996. It is currently used for storage by Western Hospital.'*

**04.** The above description and history summary have been taken from the Recommendation and are provided for information purposes only.

### NOMINATION

**05.** On 26 April 2019, the Executive Director accepted a nomination ('the Nomination') to include the Place in the Register.

## RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- 06.** On 15 July 2019 the Executive Director, pursuant to section 37(1)(a) of the Act, recommended the Place be included in the Register.

## PROCESS FOLLOWING THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- 07.** After the Recommendation, notice was published on 19 July 2019 pursuant to section 41 of the Act for a period of 60 days.
- 08.** Twelve (12) submissions were received, pursuant to section 44 of the Act. Three (3) submissions objected to the Recommendation, one (1) suggested some further minor changes before a prospective registration and eight (8) broadly supported the Recommendation. Two (2) objecting submitters, being DHHS and Western Health, requested that a hearing be conducted.
- 09.** In accordance with section 46(2)(a) of the Act, a hearing was required to be held. A Heritage Council Registrations and Reviews Committee ('the Committee') was duly constituted to consider the Recommendation and submissions received in response to it, and to make a determination. The Committee invited further written submissions and, following the consideration and granting of an adjournment request, a hearing was scheduled for 19 February 2020 ('the hearing').

## PRELIMINARY, PROCEDURAL AND OTHER MATTERS

### SITE INSPECTION

- 010.** On 7 February 2020, the Committee undertook a site inspection of the Place accompanied by the Heritage Council Hearings Manager. Hearing participants were invited to attend the site inspection and Ms Watson and Mr Jovic attended. Access to the Place was facilitated by a representative of Western Health. No submissions were sought, made or received at the time of the site inspection.

### CONFLICTS OF INTEREST

- 011.** The Chair invited Committee members to make declarations, written or otherwise, in relation to any matters that may potentially give rise to an actual, potential or perceived conflict of interest. Committee members were satisfied that there were no relevant conflicts of interests and made no such declarations.

### FUTURE USE, MANAGEMENT AND DEVELOPMENT OF THE PLACE

- 012.** It is not the role of the Committee to consider future development proposals or to pre-empt the consideration of potential future permit applications under the Act. Pursuant to section 49(1) of the Act, the role of the Committee is to determine whether or not the Place, or part of it, is of State-level cultural heritage significance and whether or not the Place, or part of it, is to be included in the Register.
- 013.** The Committee notes that some submissions occasionally referred to the future use, management or development of the Place, including in the context of *Planning and Environment Act 1987* considerations. According to its obligations pursuant to section 44(4) and section 49 of the Act, the Committee has not considered these matters in reaching its determination.

## LATE WRITTEN MATERIAL

- 014.** Mr O'Farrell sought to table late written material at the hearing, described by Mr O'Farrell as an 'outline' of submissions ('the tabled material'). Ms Watson objected to its tabling without notice and to some elements within it. Ms Watson and Ms Chandler sought to reply to elements of the tabled material if it was to be accepted by the Committee.
- 015.** The Committee ruled to accept the tabled material and that Ms Chandler and Ms Watson would be allowed a reply following the DHHS submissions. The Chair noted no notice had been given by Mr O'Farrell of the tabled material and noted it did include some matters not raised in written submissions. The Committee records its preference that DHHS should have taken the opportunity to lodge submissions in reply, as would be the normal course for a Heritage Council hearing, in order to afford all parties the same opportunity to review written arguments made by others prior to verbal submissions at the hearing.

## ISSUES

- 016.** 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 that the Committee takes on each key issue.
- 017.** Any reference to Criteria or to a particular Criterion refers to the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance* (as adopted by the Heritage Council on 4 April 2019) (see **Attachment 1**).
- 018.** The Committee has referred to the assessment framework in *The Victorian Heritage Register Criteria and Threshold Guidelines* ('the Guidelines', as adopted by the Heritage Council on 4 April 2019) in considering the issues before it. Any reference to steps 1, 2 or 3 refers to the assessment steps contained in the Guidelines.

## SUMMARY OF ISSUES

- 019.** The Executive Director recommended that the Place be included in the Register, his assessment concluding that the Place satisfied the State-level threshold for both Criterion A and Criterion D. In relation to Criterion A, the Executive Director assessed the Place as historically significant as an example of 'a facility that emerged from changes in the understanding and treatment of mental illness in the late twentieth century'. The Executive Director's assessment found the Place demonstrated a historical phase within mental health treatment named as 'deinstitutionalisation', characterised by 'a move away from treatment in large psychiatric hospitals, towards treatment within the community', and stated that the phase is evident in the physical fabric of the Place. In relation to Criterion D, the Executive Director assessed the Place as being a notable example of two separate classes of place: Brutalist buildings and community mental health facilities. The Executive Director found the Place was 'architecturally significant' for its Brutalist design and notable for its demonstration of the principle characteristics of a community mental health facility through its size, siting and internal layout.
- 020.** Mr Jovic and the Trust each agreed with the Executive Director that the Place should be included in the Register on the basis that it satisfies Criteria A and D at a State-level, agreed with the Executive Director's recommended extent of registration and each also provided further detailed submissions supporting their view that the Place is of State-level cultural heritage significance. There was substantial agreement between the submissions made by the Trust and Mr Jovic.

- 021.** Maribyrnong City Council lodged a written submission which 'noted' the Recommendation and provided some further suggestions in the event that the Place was registered, including that individual 'significant' trees be identified in the extent of registration, that the survival of trees be encouraged through exemptions from the need for a permit and that an Interpretation Strategy and a Conservation Management Plan for the Place be encouraged and mandated, respectively, as part of any registration.
- 022.** FHS, Professor Lewi for Docomomo, Ms Lapuz, Professor Willis, Mr Mason and Mr Flood lodged written submissions in response to the Recommendation that were wholly and broadly in support of it. The submissions of FHS, Professor Lewi and Professor Willis also included further substantive commentary and information about the Place in support of the Recommendation.
- 023.** Western Health, in objecting to the Recommendation, submitted that the Place was not of cultural heritage significance at a State level in relation to Criterion A because the phase of deinstitutionalisation of mental health treatment was implemented after the completion of the Place. In relation to Criterion D, Western Health submitted that the Brutalist design and aesthetic of the Place was contrary to the effective provision of good mental health treatment. Western Health also objected to the proposed extent of registration, largely on land management grounds. In its submissions, Western Health noted its support of DHHS' position and that further information and evidence would be provided by DHHS that Western Health supports. Western Health also submitted that the Executive Director's assessment lacked rigour and an evidentiary basis.
- 024.** DELWP, in objecting to the Recommendation, made no comment in relation to whether or not the building at the Place satisfied the State-level threshold in relation to Criteria A and D. Rather, it submitted that the Crown land and landscaping around the building do not contribute to the State-level cultural heritage significance of the Place. Specifically, DELWP submitted that two portions of Crown land included in the proposed extent of registration should not be included in the Register.
- 025.** DHHS objected to the Recommendation and submitted that the Place was not of State-level cultural heritage significance in relation to either Criterion A or Criterion D. DHHS argued the scale and aesthetics of the Place embody aspects of institutionalisation of the time. DHHS argued this was inconsistent with the Executive Director's view that the Place demonstrated a historic shift away from institutionalisation. DHHS submitted that the Place was ultimately never suitable for mental health treatment and cannot be considered a fine example of a facility of its phase or type. DHHS, relying on the evidence of Mr Barrett, also submitted that the Place is not a fine example of the Brutalist style and is not appreciated as such by the broader community. DHHS also submitted that the Executive Director's assessment lacked rigour and that the information, evidence and analysis of the Recommendation was deficient.
- 026.** In relation to the question of whether or not the Place might satisfy other Criteria at a State level, the Executive Director assessed the Place as satisfying the State-level threshold in relation to Criteria A and D only, and subsequent submissions focused on the question of whether or not the State-level thresholds for Criteria A and D were satisfied. This document has been set out accordingly. Some mention was made by the Trust and others, however, as to whether or not the Place would satisfy the State-level test for Criterion E. On the question of whether or not Criterion E might apply to the Place, the Committee has also, therefore, summarised some of these considerations and its view.

## CRITERION A – IMPORTANCE TO THE COURSE, OR PATTERN OF VICTORIA'S CULTURAL HISTORY

### *Summary of submissions and evidence*

- 027.** The Executive Director assessed the Place as satisfying Criterion A at a State level for its association with the changes in the understanding and treatment of mental illness in Victoria in the latter part of the twentieth century, including the approaches of deinstitutionalisation, regionalisation, treatment within the community and the integration of mental health services with other health services. The Executive Director submitted that the Place embodies that shift in the approach to psychiatric centres and that as a prominent, intact, purpose-built and free-standing building, it allows the historical phase to be understood better than other places with substantially the same association. In reply to the submissions of DHHS and Western Health that the Place was the embodiment of institutional models of mental health care treatment, the Executive Director submitted further that, rather than the phase requiring no institutions, the Place was representative of a new type of mental health facility arising from the relevant phase. Apart from the trend towards reductions in patient numbers, the Executive Director also made note that the Place and other facilities of the era were geared toward short-term stays, acute care, outpatient treatment and occupational therapy.
- 028.** The Trust, Mr Jovic, FHS, Docomomo, Ms Lapuz, Professor Willis, Mr Mason and Mr Flood each broadly supported the Executive Director's assessment in relation to Criterion A.
- 029.** The Trust's submissions in support of the Executive Director's assessment included additional background information in relation to psychiatric treatment in Victoria and developments that eventually led to what is understood to be the phase of deinstitutionalisation or regionalisation of mental health treatment.
- 030.** Mr Jovic provided in his submissions extensive background information on the history of the provision of mental health care in Victoria, on the relevant health authorities and on the Place's historical and political context. Mr Jovic submitted in relation to Criterion A that there are no places on the Register that better demonstrate the deinstitutionalisation or regionalisation of mental health care, as argued by the Executive Director, and submitted that the Place is uniquely associated with the evolution of twentieth century mental health care in Victoria. Mr Jovic provided extensive primary and secondary source materials within his submission, including photographs, architectural plans, archival news articles, contemporaneous documents of relevant State and Federal agencies including the Mental Health Authority Victoria ('MHA') and the Health Commission of Victoria, and public statements made by relevant State and Federal ministers. Mr Jovic submitted that the Place is of cultural heritage significance for its ability to demonstrate the changing delivery model of mental health services in Victoria (and Melbourne) to one of regionalisation in key population centres rather than concentrating services as per an 'asylum' model. Mr Jovic submitted that the Place was purpose-built for the short-term, community-based treatment of mental health patients and that its comparatively small size and co-location with a large hospital demonstrate its clear association with the historical phase. In submissions in reply and in response to DHHS and Western Health, Mr Jovic described regionalisation and deinstitutionalisation as periods of change that were well underway and leading to declines in patient numbers in psychiatric hospitals in Victoria by the time of the construction of the Place.
- 031.** FHS submitted, in support of the Recommendation, that 'preservation' of the Place would provide the opportunity to understand psychiatric treatment that took

place at the Place and submitted that the Place is representative of ‘advances in the field’.

- 032.** Professor Lewi, in response to the Recommendation, submitted that the Place should be included in the Register for its association with the postwar era of mental healthcare in Victoria and noted that there are a number of nineteenth century mental health facilities in the register but none from the postwar period.
- 033.** Professor Willis, in response to the Recommendation and referring to her expertise in twentieth century hospital design, submitted that the place represents a turning point or a moment of change in the provision of mental health care in Victoria and that its comparatively small size ‘signalled’ the phase of deinstitutionalisation
- 034.** Western Health submitted that the Place does not meet the State-level threshold in relation to Criterion A because its construction was not associated with the developments within the phase referred to in the Recommendation. Western Health submitted that deinstitutionalisation and regionalisation, ie part of the changes in the understanding and treatment of mental illness referred to by the Executive Director in relation to Criterion A, were not implemented until after the Place was completed and operational.
- 035.** In objecting to the Recommendation, DHHS submitted that the Place is not of historical significance at a State level for its association with deinstitutionalisation, as assessed by the Executive Director, because it was not built as part of the deinstitutionalisation of mental health treatment, which DHHS submitted occurred after the completion of the Place. In verbal submissions, Mr O’Farrell submitted that the Place is an ‘institutional’ building in design and scale that arose at the end of an era of ‘institutional hospitalisation’ and that the Executive Director failed to provide any health or medical evidence that would support his assessment within the Recommendation in this respect. DHHS submitted rather that the Place does not pass the step 3 test (the exclusion guidelines) within the Guidelines in relation to Criterion A because of the lack of basis, low historical importance and poor evidence for the Recommendation.
- 036.** DHHS relied on the evidence of Mr Barrett, who gave evidence that the process of deinstitutionalisation is not evident in the Place, that the Place’s scale and ‘foreboding aesthetic’ represents the institutional model rather than a shift away from it and concluded that Criteria A is not satisfied at a State level by the Place. Relying on the view of a Mr Tom Payton (noted as a former Director of Clinical Services at the Place), Mr Barrett’s evidence was that the Place was established as an ‘annexe’ to the then Royal Park Psychiatric Hospital and that (also referring to the view of a former nurse at the Place) the design of the Place was not suited for the treatment of mental health and led to very poor patient outcomes, including contributing to the self-harm of patients. Mr Barrett’s evidence was also that it is not an exemplar of the claimed phase because it has been closed for longer than it was open.

### ***Discussion and conclusion***

- 037.** The Committee is grateful to all hearing participants for the quality of their submissions and is conscious of the sensitive and complex nature of some of the material relating to the history of mental health treatment in Victoria. It is established from the material provided by all parties that the Place operated for a comparatively short time and its operations ceased by 1995.
- 038.** Concerning the submissions made by both DHHS and Western Health that the assessment completed by the Executive Director in relation to the Place ‘lacked rigour’ and was deficient in that it made assertions about the history of the Place

without an evidentiary basis, the Committee disagrees. The Committee is of the view that the question of the historical significance of the Place can be determined by reference to historical research. It is, in the Committee's view, the nature of historical research to collate and analyse historical information from various sources and to invite further investigation. In this case that process also occurred parallel with a process of public notice, submissions, submissions in reply and a hearing.

- 039.** The Committee also recognises that, in this and similar administrative review jurisdictions, expert witness evidence is usually afforded greater weight than submissions due in part to its examination and testing during the hearing process, as in the current instance. However, the Committee notes that the Heritage Council is not bound by the rules of evidence and may inform itself as it sees fit in determining registration matters before it. In relation to the history of mental health services and treatment, including in relation to the Place, the Committee is of the view it was Mr Barrett's evidence on these matters, rather than the Executive Director's assessment, that lacked rigour. In particular, the Committee contrasts Mr Barrett's reliance on forwarded emails from former psychiatric staff and social media postings lacking context, with the wealth of primary source material provided by Mr Jovic and the Trust in particular.
- 040.** The Committee notes the reliance of the DHHS and Western Health submissions on the evidence of Mr Barrett in relation to the history of mental health treatment in Victoria and at the Place. At the hearing, however, Mr Barrett acknowledged that he was not an expert on mental health treatment nor its history in Victoria. The Committee therefore gives little weight to Mr Barrett's opinion in relation to mental health treatment and services in Victoria and in relation to the association of the Place with desinstitutionalisation and/or regionalisation and/or other twentieth century changes in the treatment of mental health in Victoria.
- 041.** The Committee is not persuaded that the experiences of patients and staff as referred to by Mr Barrett should be a substantial consideration in determining the historical significance of the Place. The Committee recognises of course that psychiatric facilities may retain negative significance for many patients who were treated within them and many staff who worked within them. However, even in the most tragic circumstances this would not diminish historical significance *per se*.
- 042.** In satisfying itself as to the historical significance of the Place and its association with the named phase, the Committee prefers the submissions and material provided by Mr Jovic in particular and also those of the Trust, in addition to the assessment of the Executive Director. The Committee considers it an entirely valid exercise to inform itself about the history of a Place through the arguments, material, primary and secondary sources and analysis provided by participants to a hearing process. In relation to the Criterion A exclusion guidelines, the Committee finds that they do not apply in this instance because, in its view, the Executive Director's assessment and the supporting material provided by hearing participants is persuasive. In relation to Criterion A, the Committee disagrees with DHHS and Western Health. The wealth of material prepared by Mr Jovic and the clear analysis of the Executive Director have satisfied the Committee that the Place is of historical significance at a State level.
- 043.** In the Committee's view, the association between the relevant phase and the Place is clear and the former uses and functions of the Place are also demonstrated by external and internal architectural features. The Committee finds the siting of the Place, separate from, but close to, the nearby hospital is relevant in demonstrating the association of the Place with decentralisation and regionalisation.

- 044.** The Committee agrees with the Executive Director and other participants that the Place allows the clear association with the named phase to be understood better than most other places in Victoria with the same association. Further, the Committee determines that the extant, intact features of the Place contribute to an understanding of the nature of the changes in mental health treatment during the relevant phase and demonstrate the regionalisation of, and shift to, community-based psychiatric care during the period, including the use of smaller-scale centres located in key areas close to other health services.
- 045.** The Committee determines that the Place satisfies the State-level threshold in relation to Criterion A and is of historical significance to the State of Victoria.

## **CRITERION D – IMPORTANCE IN DEMONSTRATING THE PRINCIPAL CHARACTERISTICS OF A CLASS OF CULTURAL PLACES AND OBJECTS**

### ***Summary of submissions and evidence***

- 046.** The Executive Director's assessment within the Recommendation concluded that the Place satisfied Criterion D at a State level for its demonstration of the principal characteristics of two separate classes of cultural places: community mental health facilities and Brutalist buildings. The Recommendation and the Executive Director's submissions argued that the Place is highly intact and notable as a fine example within the class of community mental health facilities because the range of characteristics it displays are of higher quality than is typical, including the fact that it is purpose-designed and freestanding. The Recommendation and the Executive Director's submissions that the Place is highly intact and notable as a fine example within the class of Brutalist buildings because the range of characteristics it displays are of equal or higher quality than is typical and because the Place is a particularly clear and powerful interpretation of the Brutalist style, distinguished from other examples in the Register by its expression as a single block and by the regularity of its exterior. In reply to the submissions of DHHS and Western Health that the Place was not a good example of a facility as it was unsuitable for mental health treatment, the Executive Director submitted that the assessment of the Place as representative of changes in attitude to mental health was not a judgement of its therapeutic effectiveness. In reply to the submissions of DHHS and Western Health that the Place does not compare favourably to other Brutalist buildings, the Executive Director submitted that the Place is equally as significant as other registered examples, represents a different but no less valid interpretation of the style, features multiple characteristics of the style and is a substantial and highly visible example.
- 047.** The Trust, Mr Jovic, FHS, Docomomo, Ms Lapuz, Professor Willis, Mr Mason and Mr Flood each broadly supported the Executive Director's assessment in relation to Criterion D.
- 048.** The Trust submitted that the Place demonstrates the principal characteristics of, and is a notable example of, a community health facility and based its submissions on the history of mental health treatment in Victoria and of the Place, along with its location, scale, form and fabric. The Trust's submissions also included extensive background information and comparative analysis in relation to the class of Brutalist style buildings in Victoria. In submitting that the Place is also a striking example within the class of Brutalist buildings, featuring hallmarks of the style, the Trust noted the use of board-marked off-form concrete, precast panels which project and provide a sculptural effect, the Place's 'bold, monolithic' form and the externally expressed vertical structural elements and solid vertical tower elements which house services. The Trust's comparative analysis compared the Place favourably with the five non-residential Brutalist

buildings in the Register, including Total House, the Harold Holt Memorial Swimming Centre and the Plumbers and Gasfitters Union. The Trust concluded that the regular, bold patterning of the four sides of the Place, its severe and striking appearance and its monolithic quality make it a key, unique and pure example of the Brutalist style in Victoria.

- 049.** Mr Jovic's submissions in support of the Recommendation included substantial material both in relation to mental health treatment facilities during the latter part of the twentieth century and on Brutalist architecture. Mr Jovic submitted that the Place was integral to the regionalisation of mental health services and that its purpose was to serve the community or region of the western suburbs of Melbourne. Mr Jovic provided primary source material, including a 1973 statement of the Minister for Health, in arguing this background to the Place. In relation to the representativeness of the Place as a Brutalist building, Mr Jovic submitted that the board-marked concrete, precast protruding panels, other expressed elements of the structure and unusual cantilevered verandah make it one of the best examples of the Brutalist style in Victoria. Mr Jovic made particular mention of the precast panels as an unusual feature accommodating the internal wardrobe spaces and some interior elements, including the internal cavities and cabinetry in each room. Mr Jovic submitted that, as compared with other Brutalist places in the Register, the Place has more power and ability to demonstrate the nature of Brutalism.
- 050.** Mrs Taig, on behalf of FHS, submitted that the Place, if registered, would provide an opportunity to understand the mental health treatment provided at the Place and that the Place encapsulates advances in the field, including the move towards treatment 'in one's neighbourhood'. Mrs Taig also submitted the Place is a 'prime example of an underappreciated form of twentieth century architecture' and noted that it features in the 'Phaidon Atlas of Brutalist Architecture (2018)'.
- 051.** Professor Lewi submitted that the Place is an important example of the Brutalist style of architecture and submitted that the Place has attracted significant public and specialist interest and appreciation nationally and internationally through publications and exhibitions. Professor Lewi noted that the Place features in a 2019 book she co-edited with Professor Phillip Goad: *'Australia Modern: Architecture, landscape and design'* ('Australia Modern'). Professor Lewi noted the Place is included in this work, in a chapter on health facilities by Professor Willis, as 'an exemplar of the Brutalist tendencies of healthcare facilities in the 1970s nationally'.
- 052.** Professor Willis, an architectural historian, noted in her submission that her particular areas of expertise are twentieth century hospital design and Australian architecture. Professor Willis submitted that the Place represents a significant moment of change in Victoria's healthcare system and a 'particular moment' in the design of hospitals in Australia. Professor Willis noted in particular the intactness of the Place, its relatively small size evidencing approaches to deinstitutionalisation, and its mostly blind facades which Professor Willis identified as evidence of an approach to acute care and to the tendency toward self-contained facilities prevalent in the 1960s and 1970s. Professor Willis submitted the Place is also a striking and important example of Brutalist architecture and 'comparable to key exemplars of the style', including other key works in the Register. Professor Willis noted the Place is the only brutalist hospital she discusses in her chapter in the Australia Modern publication.
- 053.** Western Health submitted that Place does not satisfy the State-level threshold in relation to Criterion D, and submitted that the design of the Place was not conducive to the provision of mental health care, that it was not built as part of the phase claimed by the Executive Director and that Brutalism has not played an important part of hospitals or psychiatric centres as a class.

- 054.** DELWP submitted that neither community mental health facilities nor Brutalist buildings are characterised by landscaping, trees and carpark around a place and that the Crown land allotments in the recommended extent of registration do not contribute to the significance of the Place and should be excluded.
- 055.** In objecting to the Recommendation, DHHS submitted that the Place is not of cultural heritage significance at a State level in relation to Criterion D and that the nomination of the Place should not have proceeded due to the exclusion guidelines in relation to Criterion D. DHHS submitted that the Place is 'significantly inferior' to the Brutalist comparators in the Register featured in the Executive Director's assessment. In verbal submissions, Mr O'Farrell stated there is no evidence that the Place was a community-based facility, argued that the Place is 'institutional' in design and scale and also that the proposed class of 'community mental health facilities' is too narrow to form a class for the purposes of Criterion D. Mr O'Farrell also submitted that there is no evidence that the Place is elevated above other Brutalist places in Victoria and that, for example, it does not compare favourably to the Plumbers and Gasfitters Union building.
- 056.** DHHS relied on the evidence of Mr Barrett, who gave evidence that the Place does not satisfy Criteria D at a State level. Mr Barrett's evidence, in part relying on correspondence from former staff member Mr Payton, was that the Place is not in fact a community-based mental health facility but was established as an annex to Royal Park Hospital. Mr Barrett's evidence was also that the Place is not a State-significant building in the Brutalist style as it was not a notable example of Brutalism in Victoria. Mr Barrett disagreed with the views of Professors Lewi and Willis, stated at the hearing that he saw no evidence for their views and concluded that the Place does not compare favourably to other Brutalist places in the Register. Mr Barrett gave evidence that it had not received awards and described the Place as 'an unremarkable, if not lacklustre, example of Brutalism' in Victoria that does not articulate the Brutalist style. Mr Barrett also referred to social media postings indicating that the Place was not a well-loved building. Mr Barrett described the Place as of 'monolithic mass' and as featuring repetitious elements on all four elevations. In his evidence at the hearing, Mr Barrett described the Place as a 'bunch of features applied to a cuboid mass', a 'series of rectangular protrusions' and his evidence was that it presented to patients and the community as 'stark' and not inviting.

### ***Discussion and conclusion***

- 057.** In assessing the Place in relation to Criterion D, the Committee wishes to separate the historical function or use of the Place as a mental health facility from the architectural style. In the Committee's view, the two separate classes of Place proposed by the Executive Director should be assessed separately, as the architectural style should not be linked to the treatment provided or intended to be provided. This would be a conflation of style and purpose and the Committee finds no evidence to suggest that the Brutalist style of the Place was relevant to its purpose.
- 058.** The Committee is of the view that, through the submissions and material provided by Mr Jovic in particular, there is ample evidence that the Place was designed, constructed and used as a community-based mental health facility to serve the Western Metropolitan area of Melbourne.
- 059.** At the hearing, Mr Barrett stated that the correspondence he included from Mr Payton was the only documentary evidence he had for asserting that the Place was built as an annex to the Royal Park facilities. Mr Barrett conceded at the hearing that he had not pursued Mr Payton for further information concerning the view expressed in his email and had no expertise in relation to assessing social

media commentary or community surveys. The Committee finds that it cannot rely on the evidence of Mr Barrett in relation to the selected social media commentary, and is of the view that little weight can be given to the view expressed in correspondence by Mr Payton as an individual ex-employee. In relation to the social media commentary, the Committee considers it unusual for an expert to rely on such material with little accompanying analysis or detail, and for that reason finds it inappropriate to rely upon it.

- 060.** The Committee does not agree with the submissions of DHHS that the Place is 'institutional' in design and scale and cannot therefore be considered a community mental health facility. On this point, the Committee notes that Mr Barrett assessed the Place as a Brutalist building separately to his assessment of the Place as a mental health facility. The Committee prefers the approach to a dual assessment as per Mr Barrett and the Executive Director, so as not to conflate style and purpose. The Committee has assessed the Place as both a mental health facility and a Brutalist building, and that the two are not necessarily related.
- 061.** The Committee notes the submissions and evidence provided by the parties as to the dates of construction and operation of the Place and finds a strong basis for the proposition that the Place was designed and constructed in the context of a shift in approach to mental health treatment, and as a response by government authorities to a need in the community for corresponding new types of facilities. The Committee is satisfied that the Place, while it was operational, fulfilled the functions and uses generally of a community-based mental health facility, in this case to provide mental health treatment to the communities of Melbourne's western suburbs. The Committee notes that the relatively short lifespan of the facility is not necessarily directly related to its design or purpose. In the Committee's view, there may be a variety of reasons why the Place was not operational for a longer period, including that the programs pursued there were not effective.
- 062.** In the Committee's view, the marriage of the Place's location, size, layout, design and intactness satisfy it that the Place demonstrates the principal characteristics of a community mental health facility and the Committee finds that it is a notable example of such facilities. The Committee notes in particular the article provided by Mr Jovic (*The Mail* [Footscray], 17 December 1980), evidencing that the Place was designed and operated as a clinical, stand-alone/self-contained, community-based mental health facility with treatment focused on screening and triage and on the social independence and wellbeing of patients. That article fits strongly with the primary source material provided by Mr Jovic as to the MHA's intentions for the Place.
- 063.** The Committee finds that the Place does satisfy the State-level threshold for inclusion in the Register as a fine, intact and notable example within the class of community mental health facilities.
- 064.** The Committee, in making this finding, has given weight to the submissions of Professors Lewi and Willis, due to their level of expertise in the relevant field and given the sources provided by Mr Jovic and the Trust that corroborate their view as to the significance of the Place. Although the Committee notes the views of Professors Lewi and Willis were not able to be tested, weight needs to be afforded to their views as academic experts in pertinent fields. The Committee in this instance accepts the written submissions of these eminent experts as to the State-level significance of the Place as a Brutalist building.
- 065.** The Committee found Mr Barrett's evidence to be somewhat contradictory in stating that Brutalist buildings should, externally, express internal circulation while at the same time acknowledging that other State-level significant Brutalist

buildings, for example Total House, do not express such circulation. In relation to the external expression of internal function, Mr Barrett appeared not to appreciate the submissions made by Mr Jovic and others, that the exterior panels were expressive of internal elements and that each external panel (and window for that matter) effectively denoted a patient's room.

- 066.** The Committee is of the view that, as an architectural expression of Brutalism, the Place is a striking example within its class. The Committee agrees with the submissions that the Place could be interpreted as 'foreboding' given its past association with psychiatric treatment, but notes that a 'foreboding' aesthetic is perhaps not atypical of Brutalist buildings.
- 067.** The Committee finds that in addition to notable design elements of the Place, including the use of board-marked concrete, precast protruding panels and other externally expressed elements, the Place as a whole is intact, prominent and unusual, and considers that the landscaped elements within the curtilage complement the striking design of the Place, especially from the Gordon Street frontage.
- 068.** Based on its site visit and evidence presented to the Committee, the Committee disagrees with the submissions of DHHS and Western Health that the Place is not a notable example of a Brutalist building in Victoria when compared to other places on the Register. The Committee prefers the submissions and material provided by the Executive Director, the Trust and Mr Jovic in relation to comparative analyses of the Place with other works of Brutalism in Victoria and is convinced that the Place is notable example of Brutalism in Victoria.
- 069.** The Committee's view, based on its interpretation of the Criteria and the Guidelines, is that Criterion D is satisfied in relation to the Place. The Committee considers that the Place demonstrates key elements of Brutalist style that are able to be appreciated by the community and are associated with development of the Brutalist style during the twentieth century. The Committee determines that the Place represents an unusual and highly intact example of the Brutalist style.
- 070.** The Committee determines that the Place satisfies Criterion D as a place of significance to the State of Victoria for its demonstration of the principal characteristics of Brutalist buildings and finds it is a notable example within that class.

## **CRITERION E – IMPORTANCE IN EXHIBITING PARTICULAR AESTHETIC CHARACTERISTICS**

### ***Discussion and conclusion***

- 071.** In written submissions and at the hearing, several participants made brief submissions in relation to whether or not the Place was of aesthetic cultural heritage significance at a State level.
- 072.** The Committee notes that, although the Trust had included a discussion of Criterion E in the nomination for inclusion, the Recommendation found that Criterion E was unlikely to be satisfied at the State Level, based on the information available to the Executive Director at the time.
- 073.** No submitter or hearing participant made explicit submissions that the Place satisfied Criterion E at a State level, but there was acknowledgement in submissions of the architectural value of the building and the exceptional architectural merit of the Place. The submissions of the Trust, Mr Jovic, Professor Willis and Professor Lewi are relevant in this regard.

- 074.** The Committee determines that, although there appears to be some evidence that the Place has received critical recognition and acknowledgement as a work of Brutalism, including within the architectural profession, there is an insufficient basis at this time for inclusion of the Place in the Register in relation to Criterion E.

## **EXTENT OF REGISTRATION**

### ***Summary of submissions and evidence***

- 075.** The Executive Director's recommended extent of registration includes the exterior and interiors (including fixtures and fittings attached to the building at the time of prospective registration), paving, ramps, stairs, landscaping and land surrounding the building. Land described as curtilage is recommended to be included on each side of the building to maintain its complementary landscaped setting, provide curtilage and to protect key public views from Gordon Street.
- 076.** The Trust, Mr Jovic, FHS, Docomomo, Ms Lapuz, Professor Willis, Mr Mason and Mr Flood each supported the extent of registration recommended by the Executive Director.
- 077.** DELWP's submission was that the Crown land allotments 7B and 7C should be excluded from the extent of registration for the Place, on the basis that the landscaping, trees and carparking in the eastern part of the Place do not contribute to its State-level significance, either in relation to its historical significance or representativeness within either of the classes raised by the Executive Director.
- 078.** DHHS, relying on the evidence of Mr Barrett, submitted that, if registered, the extent of registration of the Place should be narrower on the east side, and in verbal submissions suggested a curtilage of five metres around the building. The DHHS submission was that the views generally from Gordon Street were unremarkable and that the proposed curtilage was not needed for the protection and conservation of the Place.

### ***Discussion and conclusion***

- 079.** The Committee agrees with the Executive Director that registration of the built form and of an appropriate curtilage or landscape setting is appropriate and necessary for the protection and conservation of the Place, and that the Place should include some land and landscape features to the north, east, west and south sides of the building.
- 080.** In particular, the Committee is of the view that the eastern boundary of the extent of registration of the Place is appropriate as recommended, as the Committee considers it important to preserve and maintain the key public views of the Place from Gordon Street. The Committee determines that the recommended extent of registration will preserve and maintain public views, appropriate setting, landscape features and curtilage, to assist in the protection and conservation of the State-level cultural heritage values of the Place
- 081.** The Committee records its determination as to the extent of registration of the Place in **Attachment 2**.

## CATEGORIES OF WORKS AND ACTIVITIES THAT MAY BE CARRIED OUT IN RELATION TO THE PLACE WITHOUT THE NEED FOR A PERMIT UNDER THE ACT

### *Summary of submissions and evidence*

- 082.** The Recommendation included a list of categories of works and activities that, in the Executive Director's view, may be carried out in relation to the place without the need for a permit under the Act.
- 083.** The Trust, Mr Jovic, FHS, Docomomo, Ms Lapuz, Professor Willis, Mr Mason and Mr Flood each supported the Executive Director's recommended categories of works and activities that may be carried out in relation to the Place without the need for a permit under the Act.
- 084.** Maribrnong submitted that individual 'significant' trees should be identified in the extent of registration, that the survival of trees should be encouraged through exemptions from the need for a permit and that an Interpretation Strategy and a Conservation Management Plan for the Place be encouraged and mandated, respectively.
- 085.** Western Health and DHHS submitted that additional categories of works and activities in within the Place's interior should be able to be carried out without the need for a permit under the Act.

### *Discussion and conclusion*

- 086.** The Committee is of the view that it is neither necessary nor desirable for it to either approve or amend the Executive Director's Proposed Permit Policy.
- 087.** The Committee does not agree with the submissions of DHHS and Western Health that additional categories of works to external or internal elements should be subject to an exemption from the need for a permit. The Committee is of the view that there are significant elements in the interior of the Place and determines that the exemptions within the Recommendation are appropriate. The Committee thanks Maribrnong for its useful submissions in relation to permit management but does not agree that its suggestions should be acted upon in this instance.
- 088.** The Committee generally agrees with the 'permit exemptions' listed in the Recommendation, but has made minor improvements to enable the protection, conservation and management of the Place. The Committee has listed the categories of works and activities that may be carried out in relation to the Place without the need for a permit under the Act at **Attachment 3**.

## STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE AND PERMIT POLICY

### *Discussion and conclusion*

- 089.** Whereas in the Recommendation the Executive Director recommended that the Statement of Cultural Heritage Significance and Permit Policy for the Place be considered and determined by the Heritage Council, and the Committee did receive some submissions on those matters, the Committee is of the view that it is neither necessary nor desirable for it to either approve or amend those aspects of the Place's registration. The Committee's reasons for not approving or amending the Statement of Significance and Permit Policy are in concert with those expressed in the Heritage Council decision concerning the registration of Federation Square, in particular paragraphs 0177 to 0209 of that decision.

- 090.** The reasons given by the Committee above for its determinations in relation to the Criteria, extent of registration and permit exemptions in respect of the Place may nevertheless be of some assistance to the Executive Director in terms of the final form of the Statement of Cultural Heritage Significance and Permit Policy for the Place.

## CONCLUSION

- 091.** The Committee wishes to record its thanks to all submitters and participants, but would like to especially extend its thanks to Mr Jovic for the extensive submissions, detailed information and primary source material he provided in relation to the Place, all of which greatly assisted other participants in the hearing process and greatly assisted the Committee in making its determination.
- 092.** The Committee finds that the Place satisfies the State-level threshold for inclusion in the Register in relation to Criteria A and D.
- 093.** After considering the Executive Director's recommendation and all submissions received, and after conducting a hearing into the submissions, the Heritage Council has determined, pursuant to section 49(1)(a) of the *Heritage Act 2017*, that the Footscray Psychiatric Centre located at 160 Gordon Street, Footscray, is of cultural heritage significance to the State of Victoria and is to be included as a Registered Place in the Victorian Heritage Register.

## ATTACHMENT 1

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

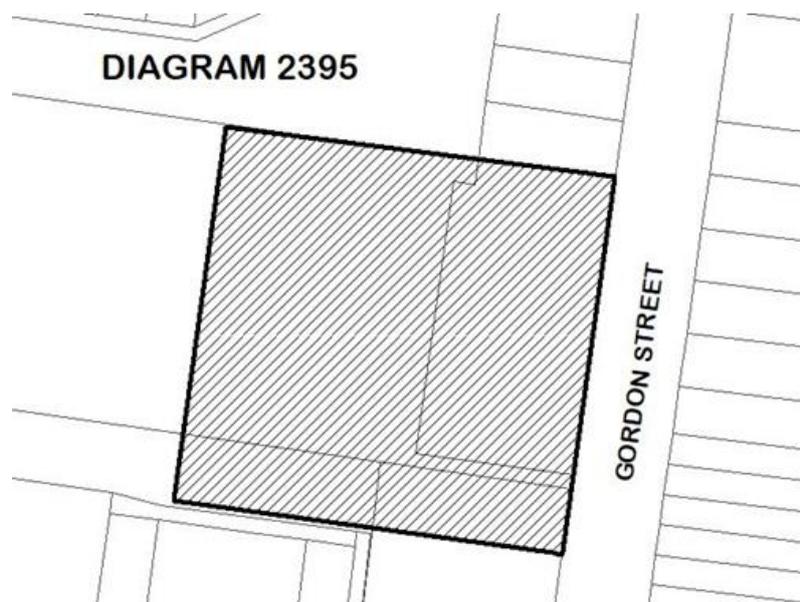
CRITERION A	Importance to the course, or pattern, of Victoria's cultural history
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION 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 present-day community or cultural group for social, cultural or spiritual reasons.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

These were updated by the Heritage Council at its meeting on 4 April 2019, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.

## ATTACHMENT 2

### EXTENT OF REGISTRATION

All of the place shown hatched on Diagram 2395 encompassing part of Lot 1 on Title Plan 11529, part of Lot 1 on Title Plan 242851 and part of Crown Allotments 7B and 7C, Section 15, Parish of Cut Paw Paw.



The extent of registration of the Footscray Psychiatric Centre in the Victorian Heritage Register affects the whole place shown on Diagram 2395 including the building (exterior and interiors), land, trees, paving, ramps and landscaping. The registration also includes all fixtures attached to the building at the time of registration.

**AERIAL PHOTO OF THE PLACE SHOWING EXTENT OF REGISTRATION**



## ATTACHMENT 3

### PERMIT EXEMPTIONS

#### General conditions

Exemptions from the need for a permit under the Act for categories of works and activities that may be carried out in relation to places and objects in the Register can be granted at the time of registration (under s.49(3) of the Heritage Act). Exemptions from the need for a permit under the Act for categories of works and activities in relation to places and objects can also be applied for and granted after registration (under s.92 of the Heritage Act).

#### *General Condition 1*

All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

#### *General Condition 2*

Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

#### *General Condition 3*

All works should ideally be informed by Conservation Management Plans prepared for the place. The Executive Director is not bound by any Conservation Management Plan, and permits still must be obtained for works suggested in any Conservation Management Plan.

#### *General Condition 4*

Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.

#### *General Condition 5*

Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the relevant responsible authority, where applicable.

Under s.49(3) of the Heritage Act 2017 the Heritage Council may include in its determination categories of works or activities which may be carried out in relation to the place or object without the need for a permit under Part 5 of the Act, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place or object. The following permit exemptions are not considered to cause harm to the cultural heritage significance of the Footscray Psychiatric Centre.

### **Categories of works and activities that may be carried out in relation to the Place without the need for a permit under the Act**

#### Exterior

The following works do not require a permit provided they do not harm the cultural heritage significance of the place.

- Minor patching, repair and maintenance which replaces like with like without large-scale removal of or damage to the existing fabric or the large-scale introduction of new materials. Repairs must maximise protection and retention of fabric and include the conservation of existing details or elements. Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.
- Localised repairs and maintenance to the roof to prevent ingress of water.
- Works to, or removal of, the 1990s verandah on the south elevation except where it intersects with the 1970s fabric
- Removal of graffiti from concrete elements via non-abrasive methods. No high-pressure hoses or wire brushes etc should be used.
- Removal of graffiti from metal elements via non-corrosive methods.
- Removal of or maintenance to existing signage attached to building.
- Preparation and painting of currently painted surfaces in the same colour, finish and paint type provided that preparation or painting does not remove evidence of earlier paint schemes.
- Maintenance, replacement or removal of existing heating, ventilation and air conditioning plant and making good.
- Maintenance, replacement or removal of existing services such as cabling, pipe work, ducting, plumbing (including downpipes), wiring, security lighting, antennae, aerials and fire services that use existing routes, conduits, voids or attachment points and making good, and does not involve damage to or the removal of significant fabric.
- Works and activities related to control of birds and vermin.

### Interior

The following works do not require a permit provided they do not harm the cultural heritage significance of the place.

- Installation, removal or replacement of safety devices such as detectors, alarms, emergency lights, exit signs, luminaires and the like.
- Preparation and painting of currently painted surfaces in the same colour, finish and paint type provided that preparation or painting does not remove evidence of earlier paint or other decorative schemes. No stained or varnished timberwork is to be painted.
- Removal of paint from originally unpainted surfaces including ceilings, wall panelling, joinery, doors, architraves and skirtings by non-abrasive methods.
- Removal or replacement of existing services including cabling, plumbing, wiring and fire services that uses existing routes, conduits, voids or attachment points, and does not involve damage to or the removal of significant fabric.
- Repairs, refitting or rewiring lift cars, motors, equipment and the like.
- Works and activities related to control of birds and vermin.

### Public safety and security

The following works do not require a permit provided they do not harm the cultural heritage significance of the place.

- General maintenance for the purposes of safety and security including the removal of broken glass, the temporary shuttering of windows and doors and covering of holes provided this work is reversible.

- The erection of temporary security fencing, scaffolding, hoardings, and security or surveillance systems to prevent unauthorised access or secure public safety.
- Works or activities, including emergency stabilisation, necessary to secure safety where a structure or part of a structure has been irreparably damaged or destabilised and poses a safety risk to its users or the public. If additional damage to significant fabric is required to stabilise and make safe, every attempt must be made to conserve and retain as much significant fabric as possible. The Executive Director, Heritage Victoria must be notified within seven days of the commencement of these works or activities.

### Landscaping

The following works do not require a permit provided they do not harm the cultural heritage significance of the place.

- Maintenance and repairs to existing roads, service roads, driveways and car parks.
- Installation, removal or maintenance of features required for car park operations such as bollards, speed humps, wheel stops and boom gates.
- Subsurface works involving the installation, removal or replacement of watering and drainage systems or other services provided there are no visible above ground elements. Landscaping, paving and other surface treatments are to be returned like for like on the completion of works.
- Erecting, repairing or replacing existing signage (directional signage, road signs, speed signs) and installing new signage which does not obscure heritage fabric. Note: Interpretive signage requires a permit.
- The processes of gardening, including mowing, hedge clipping, bedding displays, disease and weed control, maintenance of existing plants and replacement with similar species.
- Management and maintenance of trees including formative and remedial pruning, removal of deadwood and pest and disease control.
- Repair and maintenance of existing paving, gutters, paths, stairs and garden walls.
- Vegetation protection and management of possums and vermin.
- Clearing and maintenance of drains and gutters.