

IN THE HERITAGE COUNCIL OF VICTORIA

**IN THE REGISTRATION HEARING – FORMER ORIENTAL HOTEL, 57 NELSON PLACE
WILLIAMSTOWN**

14/000936

WITNESS STATEMENT OF PETER LOVELL

I, Peter Lovell, heritage consultant of Level 5, 176 Wellington Parade, East Melbourne Victoria, make the following statement in the abovementioned proceedings:

1. I am a heritage consultant and Director of Lovell Chen Pty Ltd, Architects and Heritage Consultants.
2. I have the qualifications and experience set out in a document attached to this witness statement (Attachment 1). In summary I have, over the past twenty years appeared frequently before the former Historic Buildings Council, the Heritage Council, the Victorian Civil and Administrative Tribunal, and at Planning Panels Victoria in relation to the conservation, adaptation and redevelopment of historic places.
3. I have been assisted in the preparation of this statement by Katherine White, Senior Associate of Lovell Chen. I have also been assisted in the formatting and presentation of this witness statement by Nick Sutton of Planning and Property Partners Pty Ltd. I adopt the content of this statement as my evidence before the Heritage Council. The views expressed in this witness statement are my own.
4. This witness statement has been prepared in response to written instructions provided to me by Planning and Property Partners Pty Ltd which are attached (Attachment 2)
5. In general terms I was instructed to:
 - Review the material supplied to me in relation to the Heritage Council Registration Hearing concerning former Oriental Hotel;
 - Review the expert evidence I previously prepared in respect of the former Oriental Hotel in VCAT proceeding P625/2013;
 - Consider whether the views I expressed as to the level of significance which could be attributed to the former Oriental Hotel in my earlier statements of

evidence, or the basis upon which those view were formed, require modification in any respect, and if so what respect?

- Consider whether the content of the proposed nomination, any of the work supporting the nomination and/or any of the statements of grounds filed objecting to the Executive Directors determination alter either the basis upon which I expressed my views as to the level of significance which could be attributed to the former Oriental Hotel, or my conclusions as to its level of significance;
- Consider whether I agree or not with the Executive Director's determination and the reasons given for that determination;
- Have regard for the criteria for inclusion of buildings on the Register under the Heritage Act 1995 in reconsidering my earlier evidence and the other matters which I am asked to consider in these instructions; and
- Prepare a witness statement which sets out the conclusions I have reached and clearly states the basis or assumption which I have made which form part of the reasoning by which I reach my conclusions. My witness statement should enclose my earlier evidence concerning the former Oriental Hotel

Previous Involvement

6. I have previous experience with the former Oriental Hotel. In 2013, I provided the current owner with heritage advice and reports culminating in an expert witness statement prepared for a hearing before VCAT in 2013 in respect of an application for a permit to demolish the former Oriental Hotel and redevelop the site (VCAT Reference Numbers: P74/2013, P398/2013 P625/2013, P611/2013, P73/2013, P401/2013). My previous statement of evidence in relation to the former Oriental Hotel is provided as Attachment 3 of this statement.

Opinions

7. As noted above, in 2013, I provided expert evidence in relation to the hotel to VCAT. My opinion on the significance of the hotel at that time can be summarised as follows:

The former Oriental Hotel is a building which is of considerable age, of uncommon height and which resides as a corner marker in a manner which is emblematic of such hotel buildings of the period in which it was constructed.

It is a building, which like many others in Williamstown and beyond, has an interesting history of use, ownership and occupation. It is a building which is

of some social interest, as are many, in evidencing to the current community the story of early Williamstown development. Beyond these attributes the building is also one which has been eroded in its external presentation by the considerable loss of original architectural detail and the modification of its presentation at ground level and as related to the attached southern wing. As a result of these changes its aesthetic and architectural value is compromised and considerably less than that which is associated with hotel buildings of a similar age in the Williamstown area. It is not a building which is readily discernible as a heritage place, accepting that it is a building which in its form and location makes a contribution to understanding the pattern of early development in the area and the Government Survey in particular.

8. I gave evidence to the Tribunal that was consistent with my written statement of evidence. As a consequence of giving that evidence and cross examination I confirm that the c 1854 Surveyor's field book, illustrated in Figure 5 of my evidence, shows dimensions in links and that the dimensions given match those of the three storey section of the existing building.
9. I was then of the view, based upon all I knew of the history of the building at that time, that the former hotel enjoyed no greater than significance at a local level. In forming that view I was mindful of the hierarchy of significance which exists in Victoria. Had I considered that the building warranted, or might have warranted, recognition at a State level, I would have been obliged to inform VCAT of that view.
10. Since preparing the VCAT statement, and giving evidence to VCAT in relation to the Former Oriental Hotel in 2013 I have, as part of responding to the instructions given to me in this case, considered:
 - a. The application to nominate the Former Oriental Hotel for inclusion in the Victorian Heritage Register;
 - b. The recommendation of the Executive Director to the Heritage Council;
 - c. All submissions to the recommendation of the Executive Director; and
 - d. The Victorian Heritage Register Criteria and Threshold Guidelines.
11. I note that nothing in any of the material which I have considered in response to my instructions in this matter in any way causes me to alter my opinion in relation to the level of significance of the building.
12. Having reviewed all the material, including the Victorian Heritage Register Criteria and Threshold Guidelines, I agree with the recommendation of the Executive Director to the Heritage Council.

13. Having reviewed all the material, my views on the significance of the former Oriental Hotel remain unaltered.

Declaration

14. I declare that I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Heritage Council of Victoria.

Dated: 7 July 2014

Signed: 

PETER LOVELL