



Heritage Council Regulatory Committee

Carnegie Swim Centre

Koornang Park, Moira Avenue, Carnegie, Glen Eira City

DETERMINATION OF THE HERITAGE COUNCIL

The Heritage Council has considered a request to review the Executive Director's decision to refuse to accept a nomination to include the Carnegie Swim Centre at Koornang Park, Moira Avenue, Carnegie, Glen Eira City in the Victorian Heritage Register. Pursuant to Section 30(5)(b) of the *Heritage Act 2017*, the Heritage Council has determined to set aside the decision under review and make another decision in substitution for it, by accepting the nomination.

Louise Honman (Chair)
Anna Foley
Justin Naylor

Decision Date – 10 August 2021

ACKNOWLEDGEMENT

As a peak heritage body, the Heritage Council is proud to acknowledge the Traditional Owners, the Kulin Nation, 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.

INTERESTED PARTIES

EXECUTIVE DIRECTOR, HERITAGE VICTORIA

Information was received from the Executive Director, Heritage Victoria ('the Executive Director') in relation to the decision to refuse to accept the Nomination.

NOMINATOR

Mr John Stehle ('the Nominator') nominated the Carnegie Swim Centre for inclusion in the Victorian Heritage Register. The Nominator provided additional information in support of the acceptance of the Nomination.

OTHER INTERESTED PARTIES

GLEN EIRA CITY COUNCIL

Glen Eira City Council ('Glen Eira') was notified of the matter as the responsible authority for the Place. No additional information was received from Glen Eira City Council.

INTRODUCTION/BACKGROUND

THE PLACE

01. Carnegie Swim Centre, located at Koornang Park, Moira Avenue, Carnegie, Glen Eira City ('the Place') is a 1966 outdoor pool complex consisting of a 50m pool, diving pool and associated diving tower, wading pool, 25m pool, a spectator/sun-bathing hill and memorial signage on the main building. The Place was also constructed to serve as a war memorial to commemorate those who served and died in the two World Wars.

NOMINATION

02. On 3 February 2021, an application to nominate the Place ('the Nomination') for inclusion in the Victorian Heritage Register ('the Register') was lodged with the Executive Director, pursuant to section 27 of the *Heritage Act 2017* ('the Act'). The Place was identified in the Nomination as meeting Criteria A, B, D, E, F, G, and H of the Heritage Council 'Criteria for Assessment of Places of Cultural Heritage Significance' (updated by the Heritage Council on 4 April 2019) [see **Attachment 1**].

DECISION OF THE EXECUTIVE DIRECTOR

03. Pursuant to section 29 of the Act, the Executive Director may refuse to accept a nomination if he considers that the nominated place or object has no reasonable prospect of inclusion in the Register. On 11 June 2021, the Executive Director notified the Nominator of his decision to refuse to accept the Nomination on the grounds that the Place has no reasonable prospect of inclusion in the Register. The Executive Director's notice of refusal stated that "there is no evidence that the place is significant to Victoria at the State level".

REQUEST FOR REVIEW

04. On 30 June 2021, the Heritage Council received a request for a review of the Executive Director's refusal to accept the Nomination, pursuant to section 30 of the Act. The Heritage Council Regulatory Committee ('the Committee') was constituted to consider the request for review, information received in response to it, and to make a determination, as delegated by the Heritage Council under sections 13 and 15 of the Act.

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

CONFLICTS OF INTEREST

05. 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 interest. The Committee members were satisfied that there were no relevant conflicts of interest and made no such declarations.

REQUEST FOR INFORMATION

06. On 2 July 2021, the Committee requested additional information from the Executive Director, the Nominator and Glen Eira to assist in determining the review. Those same parties were also afforded the opportunity to respond to the information provided to the Committee.

ISSUES

- 07.** The following section is not intended to be a complete record of information provided 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 issue.

SUMMARY OF ISSUES

- 08.** The Committee was provided with additional material in relation to whether the Place has a reasonable prospect of inclusion in the Register pursuant to section 29(1) of the Act.

REASONABLE PROSPECT OF INCLUSION

Information received

- 09.** The Executive Director's notice of his refusal to accept the Nomination stated:

“Olympic and post-war swimming pools included in the VHR have either architectural and/or historical significance which rises above the importance of the pools to their particular communities. The Carnegie Swim Centre is not considered to possess this elevated level of significance which is necessary for inclusion in the VHR and which is demonstrated by places such as:

- *Maryborough Municipal Olympic Swimming Complex (VHR H1319)*
- *Harold Holt Swim Centre, Glen Iris (VHR H0069)*
- *Olympic Swimming Stadium, Melbourne (VHR H1977)*
- *Beaurepaire Centre at the University of Melbourne (1956, VHR H1045)*
- *In 2012 a registrations hearing was held concerning the Wodonga Olympic Pool – a post-war municipal outdoor pool complex which shared characteristics with the Carnegie Swim Centre. The Heritage Council found that the Wodonga Olympic Pool did not meet the threshold for any of the criteria at a State-level but acknowledged its value to the local community.”*

- 010.** The Executive Director provided the Committee with the original nomination documentation considered in refusing to accept the Nomination.
- 011.** The Nomination included several heritage assessments and comparative analyses of post-war heritage and war memorial swimming pools across Victoria and Australia, including, but not limited to, Renee Gardiner's 2007 *Survey of Suburban Public Swimming Pools in Victoria, 1950-1960's*, the *City of Glen Eira Postwar and Hidden Gems Heritage Review 2020* prepared for the City of Glen Eira by Built Heritage Pty Ltd, and a *Comparative Analysis of Swimming Pools in Victoria* by Lisa Gervasoni.
- 012.** In requesting a review of the Executive Director's decision to refuse to accept the Nomination, the Nominator provided the Committee with a letter in support of the

acceptance of the Nomination. It was the position of the Nominator that the Place “is of outstanding architectural and heritage significance at State level”.

Discussion

- 013.** The Committee has reviewed the information and evidence provided with the Nomination, in particular Gardiner’s *Survey of Suburban Public Swimming Pools in Victoria, 1950-1960’s*, and Gervasoni’s *Comparative Analysis of Swimming Pools in Victoria*.
- 014.** On review of the Nomination, the Committee finds that it disagrees with the Executive Director’s decision that the Place has no reasonable prospect of inclusion in the Register. The Committee has therefore determined that the Nomination should be accepted.
- 015.** In making its determination, the Committee has considered the information and evidence provided by the interested parties. The Committee notes that some of the material provided by the Nominator questioned the process and fairness of the Executive Director’s decision to refuse the Nomination. The Committee has given no regard to those comments in making its determination.

CONCLUSION

- 016.** The Heritage Council has considered a request to review the Executive Director’s decision to refuse to accept a nomination for the inclusion of the Carnegie Swim Centre at Koornang Park, Moira Avenue, Carnegie, Glen Eira City in the Victorian Heritage Register. Pursuant to Section 30(5)(b) of the *Heritage Act 2017*, the Heritage Council has determined to set aside the decision under review and make another decision in substitution for it, by determining that the nomination be accepted.

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