

3 Presentation of officer reports

3.1 Amendment C341boro - 12-14 Tannock Street, Balwyn North Heritage Overlay - Outcomes of Exhibition

Abstract

On 17 August 2020, the Urban Planning Special Committee (UPSC) resolved to commence a planning scheme amendment to introduce a Heritage Overlay over the property at 12-14 Tannock Street, Balwyn North.

This resolution was made following a petition circulated within the community advocating for protection of the property.

On 7 September 2020 the Minister for Planning granted authorisation for Council to prepare and exhibit Amendment C341boro to the Boroondara Planning Scheme, subject to conditions which included updating the citation to be in accordance with new formatting guidelines. A copy of the heritage citation can be viewed in **Attachment 2**.

The amendment underwent public exhibition between 3 December 2020 and 1 February 2021. Through the exhibition period, a total of 35 submissions were received by Council.

Key issues raised in submissions include:

1. Concern about future development of the site.
2. General support for the Heritage Overlay.
3. General opposition to the Heritage Overlay.
4. Opposition to revisiting the 2015 decision to not proceed with the Balwyn and Balwyn North Heritage Study.
5. There are already enough Heritage Overlays in the area, so this is not required or justified.

Officers have reviewed all submissions received, and have provided a response to the points raised in **Attachment 1**. Officer are not recommending any changes be made to the amendment or heritage citation in response to the submissions received.

It is recommended the UPDC resolve to refer all submissions received to an independent Planning Panel appointed by the Minister for Planning for further consideration.

Officers' recommendation

That the Urban Planning Delegated Committee resolve to:

1. Receive and note the submissions to Amendment C341boro (**Attachment 1**) to the Boroondara Planning Scheme in accordance with Section 22 of the *Planning and Environment Act 1987*.
2. Endorse the officers' response to submissions and recommended changes to Amendment C341boro as shown at **Attachment 1**.
3. Request the Minister for Planning appoint a Planning Panel under Section 153 of the *Planning and Environment Act 1987* to consider all submissions to Amendment C341boro.
4. Refer the amendment and all submissions to a Planning Panel in accordance with Section 23(1) of the *Planning and Environment Act 1987*.
5. Authorise the Director Urban Living to undertake administrative changes to Amendment C341boro that do not change the intent of the amendment prior to the Panel Hearing.

Responsible director: Shiran Wickramasinghe, Director Urban Living

1. Purpose

The purpose of this report is to:

- Provide a summary of the outcomes of the exhibition process and key issues raised in submissions to Amendment C341boro.
- Respond to the key issues raised and summarise any changes made to the amendment in response to submissions.
- Seek a resolution from the Urban Planning Delegated Committee (UPDC) to write to the Minister for Planning to appoint an independent panel and to refer all submissions received to the Panel.

2. Policy implications and relevance to community plan and council plan

Council Plan 2017-2021

The identification and protection of identified heritage places through the Study and amendment is consistent with the strategic objective to 'Protect the heritage and respect the character of the City to maintain amenity and liveability whilst recognising the need for appropriate, well-designed development for future generations' under Theme 4 - Neighbourhood Character and Heritage.

Specifically, it assists in implementing Council's commitment to '*Preserve the City's history and protect heritage properties and precincts by undertaking a municipal wide heritage review and introduce heritage overlays in the Boroondara Planning Scheme*' (Strategy 4.3).

The amendment will further assist Council in fulfilling its major initiative commitment to 'protect the City's heritage by continuing a municipal wide heritage assessment of all areas not currently subject to a Heritage Overlay in the Boroondara Planning Scheme'.

Boroondara Community Plan 2017-27

The Boroondara Community Plan 2017-27 sets out the 10 year vision for Boroondara's future based on values, aspirations and priorities important to the community.

The amendment implements Strategic Objective 4 of the Plan: *Protect the heritage and respect the character of the City to maintain amenity and liveability while recognising the need for appropriate, well-designed development for future generations.*

Specifically, the amendment implements the following strategies:

- **Strategy 4.3** - Preserve the City's history and protect heritage properties and precincts by undertaking a municipal-wide heritage review and introduce heritage overlays in the Boroondara Planning Scheme.
- **Strategy 4.6** - Engage with owners and developers to achieve a balance between development and protection of neighbourhood character, heritage and amenity.

Heritage Action Plan 2016

The Heritage Action Plan was adopted by Council on 2 May 2016 and establishes the framework to guide Council's heritage work program as it relates to the identification, protection, management and promotion of Boroondara's heritage assets.

The amendment is consistent with the following action of the Heritage Action Plan 2016:

- Prepare and implement heritage controls to properties identified as 'individually significant' in the *Balwyn, Balwyn North and Deepdene Heritage Study*.

Boroondara Planning Scheme

The amendment is consistent with the objectives of the Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF). In particular it addresses the following Clauses:

- Clause 15.03-1 *Heritage Conservation* which seeks to 'ensure the conservation of places of heritage significance' by identifying, retaining and protecting places with identified heritage significance;
- Clause 21.04-5 - *Built Environment and Heritage* of the Municipal Strategic Statement which includes the objective 'to identify and protect all individual places, objects and precincts of cultural, aboriginal, urban and landscape significance'; and
- Clause 22.03-2 Heritage Policy which seeks to 'preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm'.

Both the SPPF and LPPF seek to ensure the HO is applied to protect places of heritage significance in the City of Boroondara.

Plan Melbourne 2017-2050

The identification, assessment and protection of places of local heritage significance are supported by Outcome 4 of *Plan Melbourne* which seeks to ensure that 'Melbourne is a distinctive and liveable city with quality design and amenity'. Direction 4.4 recognises the contribution heritage makes to Melbourne's distinctiveness and liveability and advocates for the protection of Melbourne's heritage places.

In particular, Policy 4.4.1 recognises the need for 'continuous identification and review of currently unprotected heritage sites and targeted assessments of heritage sites in areas identified as likely to be subject to substantial change'.

The amendment is consistent with these *Plan Melbourne* directions and initiatives.

Planning and Environment Act 1987

The amendment is consistent with the objectives of planning in Victoria, in particular the objective detailed in Section 4(1)(d) of the *Planning and Environment Act 1987* (the Act), being:

To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

This means Council has a statutory obligation to continuously identify and protect places of heritage significance through the Heritage Overlay.

3. Background

Adoption of Citation

On 17 August 2020 the UPDC resolved to adopt the heritage citation for 12-14 Tannock Street and to write to the Minister for Planning seeking authorisation to prepare and exhibit a planning scheme amendment to introduce a Heritage Overlay over the property at 12-14 Tannock Street, Balwyn North. A copy of the adopted heritage citation can be viewed in **Attachment 2**.

The UPDC also resolved to request the Minister for Planning apply an interim Heritage Overlay to the property, to ensure that it was not demolished during the amendment process.

Authorisation

Following the UPDC's decision, Strategic Planning Officers sought authorisation from the Minister for Planning to prepare and exhibit Amendment C341boro. The Minister authorised the amendment on 7 September 2020, subject to conditions.

The conditions of authorisation required Council to update the Statement of Significance contained within the heritage citation to ensure that it was in accordance with new formatting guidelines.

Interim Heritage Overlay

The Minister for Planning did not approve Council's application for an interim Heritage Overlay over the property. This decision was made on the basis the property was not subject to a threat of demolition as there had been no application to demolish the property under Section 29A of the *Building Act 1993* nor were there any active planning permit applications for the property.

The Minister's decision stated that, should there be an application made to demolish the property, Council could lodge a new request for an interim Heritage Overlay. Officers continue to monitor the property for any demolition applications.

4. Outline of key issues/options

Public exhibition outcomes

The amendment underwent public exhibition between 3 December 2020 and 1 February 2021. The exhibition included the following:

- Letters sent to all affected and adjoining property owners and occupiers.
- Letters sent to prescribed Ministers and authorities and interest groups (including the main petitioner who sought heritage protection for the property).
- Notices published in the Victorian Government Gazette and The Age newspaper.
- Information and documentation available to view on a dedicated webpage on Council's website.

As a result of the public exhibition process, Council received 35 submissions including:

- 6 opposing submissions.
- 20 supporting submissions.
- 9 submissions that support but seek changes to the amendment.

A summary of each submission and officer response is provided in the table at **Attachment 1**. In addition, the key issues raised in submissions are summarised below with a detailed response from officers.

Key issues raised

Detrimental impact on property value

Submitters noted the value of their property will reduce significantly if it is included in a Heritage Overlay.

The potential private economic impacts are not a valid consideration when determining whether a property should be included in the Heritage Overlay or not.

The purpose of the Heritage Overlay is to recognise places of identified heritage significance. Challenges to the proposed inclusion of properties within the Heritage Overlay must be based around the significance of those places.

Planning Panels for similar heritage amendments have considered private economic impacts. The Panels have consistently concluded impacts on land values or the individual financial circumstances of the land owner are outside the scope for consideration (e.g. Melbourne C207 Panel and Moreland C149 Panel). The only valid test for the application of the Heritage Overlay is whether a property has recognised heritage value which meets the State Government threshold for protection. If so, the Heritage Overlay should be applied.

Despite the above, an increasing amount of research on the impact of heritage controls on property values has been undertaken both nationally and internationally. To date the results of these studies are inconclusive and suggest that heritage controls are only one of many factors that could impact on property value.

Ultimately, it is difficult to estimate the specific effect of including a property in the Heritage Overlay since heritage controls do not prohibit development, subdivision or demolition but do require a planning approval be obtained.

The Heritage Overlay is considered to contribute positively towards social outcomes for the wider community by identifying and facilitating the preservation of buildings which provide a valuable and recognisable contribution to the area.

The introduction of heritage controls will ultimately provide greater certainty to residents, property owners, and prospective purchasers as studies are completed. All relevant parties have the opportunity to consider the recommendations through the planning scheme amendment processes and make submissions. However, officers do accept that the timing of such studies will not always align with landowner intentions for their properties and that it may influence or change those plans. The process of applying a Heritage Overlay needs to be commenced at some point and is a reality of undertaking a planning scheme amendment.

The property is not a good candidate for heritage protection/There are existing Heritage Overlays in the area

Council's heritage consultants have carried out an investigation of the property and determined that it is a property of individual significance and should be included in the Heritage Overlay. The heritage citation explains the significance of the property, including a comparative analysis against similar properties. In this case, it has been identified as an example of the early work of Robyn Boyd, an important architect in the post-war development of suburban Melbourne. There are few examples of Boyd's work protected by the Heritage Overlay.

There are errors within the prepared citation

Submitters have raised concerns there are errors within the prepared citation, including that the citation does not reflect changes that have been made to the property over time and these changes diminish the heritage significance of the property.

Council's heritage consultant has reviewed the submissions and has advised that the original 1948 house can still be readily interpreted, and that the two phases of subsequent addition, which were also designed by Boyd, are of significance in their own right for their ability to demonstrate Boyd's skills and sensitivity in the sympathetic enlargement of one of his own buildings over a period of several decades. The heritage citation already details these phases of development.

Concern with Council reinvestigating this property after resolving to not proceed with the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn) in 2015.

In 2015, the UPSC resolved to not proceed with the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn). However, it was not a resolution that the properties in the Balwyn area are not, or should never be, considered as having heritage significance. Council resolved in March 2017 to carry out a peer review of the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn).

This specific property has not been included in the previous peer review projects because they focused exclusively on properties built before 1945. That decision makes no determination regarding the heritage status of this property. It is entirely acceptable for Council to resolve to pursue a Heritage Overlay for properties that have been identified as having heritage significance, regardless of their inclusion or exclusion from previous processes.

Recommendation

As there are submissions that are requesting changes to the amendment that Council is not able to accommodate if it wishes to proceed with the amendment, it is recommended the UPDC resolve to request that the Minister for Planning appoint an independent planning panel to consider the submissions received. It is also recommended the UPDC resolve to refer all submissions received to the Planning Panel for consideration.

5. Consultation/communication

The affected and adjoining property owners and occupiers and other interested parties were notified in writing of the amendment and were invited to make a submission. The amendment was also available to view on Council's website.

All parties who lodged a submission, as well as owners and occupiers of the affected and adjoining properties were notified of this UPDC meeting.

If the UPDC resolves to refer submissions to an independent Planning Panel, submitters will have the opportunity to appear at the public hearing and address the Panel in support of their submission. Submitters that choose not to appear at the hearing will still have their written submission considered by the independent Panel.

Following the release of the Panel report, submitters and other interested parties will have a further opportunity to address the UPDC before a decision is made on whether to adopt the amendment.

6. Financial and resource implications

Costs associated with the Panel and amendment will be funded through the Strategic and Statutory Planning Department operational budget for the 2020/21 financial year.

7. Governance issues

The officers responsible for this report have no direct or indirect interests requiring disclosure.

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

8. Social and environmental issues

The inclusion of the property in the Heritage Overlay would have positive social and environmental effects by contributing to the continual protection and management of the City's heritage.

Manager: Simon Mitchell, Manager Strategic and Statutory Planning

Report officer: Nick Brennan, Senior Strategic Planner

Urban Planning Delegated Committee Agenda
 Amendment C341boro - 12-14 Tannock Street Heritage Overlay
 Summary of submissions and officer response

Table 1: Summary of submissions and officer response

Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
1	Yes	<p>Statement of support for including the property in the Heritage Overlay.</p> <p>The submitter requests that the following changes are made to the Heritage Overlay:</p> <ol style="list-style-type: none"> 1. The land surrounding the property should be included in the Heritage Overlay, and protection should be extended over the gardens. 2. No subdivision should be allowed on the site. 3. Planning applications on the site should be open to third party objections to ensure that surrounding residents are able to assess planning applications as they may be better equipped than planning officers to consider heritage matters. 4. A plaque should be installed at the house to ensure that its significance is recognised. 	<p>Statement of support is noted. In response to the further points raised in the submission:</p> <ol style="list-style-type: none"> 1. The submitter has provided no documentary evidence to support the assertion that the garden plantings formed part of Robin Boyd's design concept, either as part of the original 1948-50 dwelling or its two phases of addition in 1959 and 1971. <p>While Robin Boyd occasionally sought input from professional garden designers, he rarely did so for private residential commissions such as this. John Stevens is known to have prepared landscaping schemes for a few Boyd houses, notably the Pearce House in Vermont (1957-58) and the Myer House at Frankston (1958-59). Ellis Stones, another leading garden designer of the day, was responsible for landscaping the Stone House at Heidelberg (1953), although he was separately engaged by the owners rather than by Boyd himself.</p> <p>Extensive research by Tony Lee, founding Executive Director of the Robin Boyd Foundation, has not located any evidence (e.g. landscaping drawings, correspondence or oral testimony) that a professional landscape designer was engaged to prepare a garden scheme for the Wood House, in any of its three stages of development. Boyd's</p>	<p>No changes recommended.</p> <p>Refer submission to panel.</p>

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Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
			<p>original working drawings (1948) do not indicate any development of the site around the house. Later drawings depict hard landscaping elements, such as the new concrete driveway and paths (1959) and subsequent driveway widening, new concrete steps, extension of concrete path to the street, and new timber sleeper steps (1971). However, none of these three sets of drawings indicate any proposed garden plantings. In the heritage citation, the aforementioned hard landscaping elements are already identified as elements of Boyd's design concept that should be protected as part of the proposed heritage overlay. The garden plantings, which Boyd was not involved with, are not.</p> <p>While the garden plantings may well provide a pleasant setting for the house, this is not considered adequate basis for the garden to be specifically identified as an element worthy of protection as part of the proposed heritage overlay.</p> <p>2. Under the provisions of the Heritage Overlay, a planning permit is required for any subdivision. This would include assessment of any detrimental impact that the proposed subdivision would have on the heritage value of the property. Council does not have the power to prohibit subdivision under the provisions of the Heritage Overlay.</p> <p>3. The Heritage Overlay exempts many works from the notice and review provisions of the <i>Planning and Environment Act 1987</i>. Council does not have the power to vary this provision.</p>	

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Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
			<p>However, applications to demolish or extend the main dwelling are not exempt from notice and review. These applications would be advertised and open to objections from third parties.</p> <p>4. Applying the HO to the property is considered the most appropriate/adequate protection for the building. Installation of plaques to heritage places is not an action that is covered through the planning scheme amendment process. This can be considered as part of Council's consideration of a heritage communication strategy which will be considered through the review of Council's Heritage Action Plan in the 2021/22 financial year.</p>	
2	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
3	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
4	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
5	Yes	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted. In response to the further requirements sought:	No changes recommended.

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 Summary of submissions and officer response

Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
		1. Submitter has proposed the following changes to the Heritage Overlay: a. A requirement that the integrity of the building footprint be retained. b. A requirement that the current building façade be retained.	1. The provisions of the Heritage Overlay require a planning permit for any demolition or any buildings and works that would extend or demolish the building footprint. The permit assessment would consider whether there is any detrimental impact on the heritage significance of the property. This would include an assessment of any impacts on the façade through either demolition or development. Council does not have the power to prohibit demolition or all buildings and works under the provisions of the Heritage Overlay.	Refer submission to panel.
6	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
7	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
8	Yes	Statement of support for including the property in the Heritage Overlay. The submitter has requested that the property receive a higher level of controls with more protection.	Statement of support is noted. There are no higher levels of control available to Council within the Planning Scheme when protecting the place as a locally significant property. As an individually significant place, the property is afforded a greater level of protection through Council's local Heritage Policy guidelines (as contained at Clause 22.03 of the Boroondara Planning Scheme), than contributory places in heritage precincts, for instance.	No changes recommended. Refer submission to panel.

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Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
			The Heritage Overlay requires a planning permit for demolition and for buildings and works. This will ensure that the property is protected from inappropriate development or demolition.	
9	Yes	Statement of support for including the property in the Heritage Overlay. Submitter has proposed that the property be given protection from Demolition and/or development and that the property be maintained in a suitable manner.	Statement of support is noted. The Heritage Overlay requires a planning permit for demolition and for buildings and works. This will ensure that the property is protected from inappropriate development or demolition. Council does not have the power to require a property be maintained to any specific level, other than ensuring that the property is not hazardous to the public.	No changes recommended. Refer submission to panel.
10	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
11	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
12	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
13	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended.

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				Refer submission to panel.
14	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
15	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
16	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
17	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
18	Yes	Statement of support for including the property in the Heritage Overlay. The submitter requests that Council preserve mid-century houses and stop building 'McMansions' and allowing demolitions.	Statement of support is noted. Council is progressing numerous heritage studies across the municipality to include properties in the Heritage Overlay. In Balwyn and Balwyn North, the Balwyn Heritage Study Peer Review Stage 3 will investigate heritage protection specifically for some post-World War 2 dwellings. It is noted single dwellings on lots over 500 square metres and not	No changes recommended. Refer submission to panel.

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Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
			included in a planning overlay do not need Council permission.	
19	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
20	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
21	Yes	Statement of support for including the property in the Heritage Overlay. The submitter requests further heritage studies be carried out to protect heritage properties.	Statement of support is noted. Council is progressing heritage studies across the municipality, including the Municipal Wide Heritage Gap Study, which is expected to result in an additional 5,000 properties being protected in the Heritage Overlay. In Balwyn and Balwyn North, the Balwyn Heritage Study Peer Review Stage 3 will investigate heritage protection specifically for some post-World War 2 dwellings.	No changes recommended. Refer submission to panel.
22	Yes	Statement of support for including the property in the Heritage Overlay. Submitter requests that a conservation area or zone be introduced to protect significant architectural houses.	Statement of support is noted. There is no zone or "conservation area" within the Victorian Planning Provisions that provide protection for properties of heritage significance. The most appropriate provision available to Council to provide protection for properties of heritage significance is the Heritage Overlay.	No changes recommended. Refer submission to panel.
23	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.

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Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
24	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
25	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
26	No	Statement of support for including the property in the Heritage Overlay.	Statement of support is noted.	No changes recommended. Refer submission to panel.
27	No	Statement of no objection to including the property in the Heritage Overlay.	Statement of no objection is noted.	No changes recommended. Refer submission to panel.
28	Yes	Statement of support for including the property in the Heritage Overlay. Submitter requests that historical references be taken into account, as well as the destruction of architectural heritage. Submitter requests that Council be given powers to stop this sort of development and to safeguard the history of the suburb.	Statement of support is noted. The heritage citation has been prepared with reference to a number of relevant historical references. A list of references is available at the end of the heritage citation. Development patterns within the area and the wider suburb are not a relevant consideration when determining the heritage significance of a particular place. While demolition of dwellings may lead to particular styles or periods of development becoming rare, that is not a reason for the nomination of this property.	No changes recommended. Refer submission to panel.

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Submission no	Seeks changes to the recommendation?	Summary of submission	Officers' response	Officers' recommendation
			There is no specific development proposed at the current time. This amendment proposes to apply a Heritage Overlay to the property in order to require a planning permit for any future demolition or buildings and works at the property.	
29	Yes	<p>Submitter objects to the property being included in the Heritage Overlay.</p> <ol style="list-style-type: none"> 1. The previous owner objected to the property being included in the Heritage Overlay through the 2015 Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn). The Council respected that objection by not introducing a Heritage Overlay and the same outcome should be the result on this occasion. 2. The submitter states that the house has been repainted three times and the driveway has been changed, which has detracted from the heritage significance of the property. 3. The submitter states that properties should only be placed in the Heritage Overlay if volunteered by the property owner. 	<p>Officers acknowledge the opposition to the proposed Heritage Overlay. The following responses are made to the points of opposition raised:</p> <ol style="list-style-type: none"> 1. In 2015, the UPSC resolved to not proceed with the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn). This means that the study was not adopted and it cannot therefore be used as the basis of any of Council's decision making. However, Council did not resolve that the properties in the Balwyn area are not, or should never be, considered as having heritage significance. Council resolved in March 2017 and August 2020 to carry out a review of the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn). A review of the citation of this property is considered to justify the recommendation that the property be included in the Heritage Overlay. 2. Overpainting of a previously painted surface represents typical cyclical maintenance work for any building. In this particular case, it is not considered to be an alteration that has somehow defaced or disfigured the building, nor compromised its ability to be interpreted as an example of Boyd's work. It is noted the citation did not ascribe any significance to the colour scheme, nor recommend that external 	<p>No changes recommended.</p> <p>Refer submission to panel.</p>

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			<p>paint controls be applied as part of the heritage overlay.</p> <p>Council's heritage consultant does not agree that the driveway has been altered to the extent that it has "substantially changed the look of the house overall". When the current driveway configuration is compared to the working drawings from Boyd's 1971 works, it is apparent that very little has changed. The distinctive rock retaining walls and two flanking sets of concrete steps all remain evident. The most obvious change has been replacement of the original concrete driveway with brick paving. This, however, is not considered to be an unsympathetic or jarring alteration that that has "substantially changed the look of the house overall".</p> <p>3. Officers do not agree that properties should only be included in the Heritage Overlay when volunteered by property owners and is not the basis for which properties are justified for inclusion in the Heritage Overlay, as prescribed within the State Government Planning Practice Note 01: Applying the Heritage Overlay. This would likely result in the loss of a significant number of properties with heritage significance.</p>	
30	Yes	<p>Submitter objects to the property being included in the Heritage Overlay on the following grounds:</p> <p>1. As one of Robin Boyd's earlier works, the house has been said to be "not [Boyd's] best work" by many architects. Boyd has properties that are of State significance and which deserve protection, however</p>	<p>Officers acknowledge the opposition to the proposed Heritage Overlay. The following comments are made in response to the points raised:</p> <p>1. The submitter has not disclosed the names of the "many architects" alleged to have stated that the house is not one of Boyd's best, nor have they provided any verifiable source for</p>	<p>No changes recommended.</p> <p>Refer submission to panel.</p>

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		<p>that is not reason to list every Boyd designed place, merely due to his legacy without any regard for features specific to this house.</p> <ol style="list-style-type: none"> The house does not face any imminent threat, as there has never been a request for consent for building demolition lodged with Council. The property has been modified from the original 1948 design. This suburb (and surrounding suburbs) are already well protected by Heritage Overlays. There is no need for further restrictions on properties with only minor significance. Council previously resolved to not proceed with the 2015 heritage study following 94 objections from the community, including from the previous owners of this property. Why has Council now resolved to reverse this previous resolution? The property has been sold to new owners, and Council has resolved to pursue heritage protection again after years of previously rejecting them? Is it simply discrimination because the then-owners were an older couple and Australian-born, while the new owners are a younger family and immigrants? Being Australian citizens mean the new owners are just as Australian as the previous owners were, and just as deserving to have the Council listen to their objections and properly consider them as they did 	<p>such statements. Officers stand by the assessment contained in the citation that the house is an important example of Boyd's work, both for its early original date and for the fact that it included several well-considered phases of addition made by the same architect over the following 25 years. The house was certainly not identified as part of an attempt to recommend a heritage overlay for every building that Robin Boyd designed, simply because he was the architect. In the draft Balwyn & Balwyn North Heritage Study, only two hitherto unprotected Boyd houses in the study area were recommended for a heritage overlay, despite the fact that there were a three additional Boyd houses investigated as part of the study. This is summarised in the citation's comparative analysis, which outlines why the subject building is considered to be a superior example of Boyd's work in comparison to less intact and/or less important local examples, typified by the Pat Boyd House in Fortuna Avenue, the Latchford House in Longview Road, and the Brown House in Woodville Street. The fact that none of these three Boyd houses has been recommended for an individual HO counters any allegation that there has been a "blind scramble" to protect everything that Boyd ever designed.</p> <ol style="list-style-type: none"> A threat of demolition is not required for a property to be included in the Heritage Overlay. The basis for including places within the Heritage Overlay is prescribed in the State Government's Planning Practice Note 01: 	

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		<p>for every one of the other 94 community objectors.</p> <p>7. The proposed Heritage Overlay is excessive, and completely dismissive of the notions of property rights, individual freedom and fairness.</p> <p>8. The proposed Heritage Overlay does not align with community expectations or socioeconomic objectives.</p> <p>9. The amendment does not take into account the cost of imposing a Heritage Overlay.</p> <p>10. The bar for inclusion in a Heritage Overlay has been set too low. It is an unjustified burden on the community and landowners.</p>	<p>Applying the Heritage Overlay. The assessment of the property and preparation of the associated heritage citation has been undertaken in accordance with the Planning Practice Note.</p> <p>3. Council's heritage consultant does not agree that the house has been altered to an extent that the original 1948 dwelling can no longer be interpreted. One of the most distinctive elements of the original house, is the full-width plate glass window and slatted eaves (memorably recorded in the 1951 article in the Australian Home Beautiful), and still dominates the street frontage. The fact remains that, as the additions made in 1959 and 1971 were carefully conceived by Boyd himself, they contribute to the significance of the place rather than detract from it.</p> <p>4. The analysis of the property as described in the heritage citation has found that the property is of individual heritage significance and should be included in the Heritage Overlay. This is not a property of only minor significance. The presence of other properties in the Heritage Overlay in the suburb does not diminish the significance of this property in this case.</p> <p>5. In 2015, the UPSC resolved to not proceed with the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn). This means that the study was not adopted and it cannot therefore be used as the basis of any of Council's decision making. However, Council did not resolve that the properties in the Balwyn area are not, or</p>	

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			<p>should never be, considered as having heritage significance. Council resolved in March 2017 and August 2020 to carry out a review of the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn). A review of the citation of this property is considered to justify the recommendation that the property be included in the Heritage Overlay.</p> <p>6. Council does not take into account the place of birth of property owners when determining whether a property is of heritage significance.</p> <p>7. The Heritage Overlay introduces a requirement for a planning permit for demolition and for buildings and works. It is designed to balance property rights against the protection of properties of identified heritage significance. The Heritage Overlay is introduced through a public and consultative process that enables affected property owners and occupiers to engage in the process.</p> <p>8. Introducing Heritage Overlays to properties of identified heritage significance is in accordance with community expectations to protect the city's heritage, as reflected in the Boroondara Community Plan 2017-2027 and Council's obligations under the <i>Planning and Environment Act 1987</i>.</p> <p>9. Council cannot consider impacts on land values with respect to the application of heritage controls. Heritage controls are recommended to individual properties and precincts based on the technical assessment of a qualified heritage consultant based on the criteria set out in Practice Note 1: Applying the</p>	

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			<p>Heritage Overlay. Planning Panels for similar heritage amendments have consistently concluded that private economic effects, such as potential impacts upon land values or the individual financial circumstances of the landowner are outside the scope for consideration (e.g. Melbourne C207 Panel and Moreland C149 Panel). The <i>Planning and Environment Act 1987</i> requires the consideration of broader, community-wide economic impacts. The application of a Heritage Overlay on any single property is unlikely to have such broad negative economic impacts.</p> <p>10. The degree of justification required to place a Heritage Overlay over a property is high. Council must compile an extensive heritage citation and progress through a public planning scheme amendment process where the proposal can be challenged and critiqued. While officers acknowledges that the Heritage Overlay does impose additional burdens on property owners and occupiers, officers do not agree that the burden is unjustified.</p>	
31	Yes	<p>Submitter objects to the property being included in the Heritage Overlay on the following grounds:</p> <ol style="list-style-type: none"> 1. The process of introduction of the Heritage Overlay has been unfair to the property owners. They were not made aware of the heritage potential of the property when purchasing, and have been subjected to harassment through the public petition and Council processes. 	<p>Officers acknowledge the opposition to the proposed Heritage Overlay. The following comments are made in response to the points raised:</p> <ol style="list-style-type: none"> 1. Council endeavours to be as fair as possible in the planning scheme amendment process. Property owners are made aware of Council's intentions prior to a resolution to commence the planning scheme amendment process and are invited to provide feedback at a number of stages of the amendment process, including 	<p>No changes recommended.</p> <p>Refer submission to panel.</p>

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		<p>2. The property has been renovated numerous times following original construction, so it no longer represents a good example of that period of development, nor Boyd's original design.</p> <p>3. The imposition of the Heritage Overlay will have a detrimental impact on the value of the property. Council refuses to consider this in introducing a Heritage Overlay.</p>	<p>through preliminary consultation on the draft heritage citation, public exhibition of any associated planning scheme amendment and opportunity to participate through a public independent Planning Panel hearing process, should a hearing be called.</p> <p>2. Council's heritage consultant considers the original 1948 house can still be readily interpreted, and that the two phases of subsequent addition are of significance in their own right for their ability to demonstrate Boyd's skills and sensitivity in the sympathetic enlargement of one of his own buildings over a period of several decades.</p> <p>3. Council cannot consider impacts on land values with respect to the application of heritage controls. Heritage controls are recommended to individual properties and precincts based on the technical assessment of a qualified heritage consultant based on the criteria set out in Practice Note 1: Applying the Heritage Overlay. Planning Panels for similar heritage amendments have consistently concluded that private economic effects, such as potential impacts upon land values or the individual financial circumstances of the landowner are outside the scope for consideration (e.g. Melbourne C207 Panel and Moreland C149 Panel). The <i>Planning and Environment Act 1987</i> requires the consideration of broader, community-wide economic impacts. The application of a Heritage Overlay on any single property is unlikely to have such broad negative economic impacts.</p>	

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32	Yes	<p>Submitter objects to the property being included in the Heritage Overlay on the following grounds:</p> <ol style="list-style-type: none"> 1. The merit of Robin Boyd's earlier work is better demonstrated by other houses in Boroondara, such as 46 Fortuna Avenue and the Gillison House, and his work is not under-represented in the Balwyn area. 2. The property does not demonstrate significant heritage value on a state, regional or local basis. 3. Listing the house under the heritage overlay would have adverse social and economic effects on the local area. 4. The amendment would take opportunities away from new architects and present an "unwillingness to be committed on the level of ideas" by conflicting with the current direction of Australian architectural development, something cited by Robin Boyd as the basis of "Australian ugliness." 5. As stated in the city's community plan, Boroondara aims to "protect the heritage and respect the character of the City to maintain amenity and liveability while recognizing the need for appropriate, well-designed development for future generations." Protection of the property under the heritage overlay would prevent the development of new homes for new generations of people living in Boroondara while being of little cultural significance. 	<p>Officers acknowledge the opposition to the proposed Heritage Overlay. The following comments are made in response to the points raised:</p> <ol style="list-style-type: none"> 1. This is addressed in the comparative analysis in the citation. This outlines why the subject building is considered an excellent local example of Boyd's work, and specifically why it is superior to the Pat Boyd House in Fortuna Avenue. In establishing a case for local significance, it is not necessary to "prove" that the Wood House is superior to the Gillison House, which is an exceptionally important early example of Boyd's residential work that has been on the heritage overlay schedule since the 1990s. <p>The heritage citation does not ascribe significance to the house on the grounds that Boyd's work is underrepresented in the Balwyn area. Rather, it ascribes significance on the basis that it is a particularly outstanding example of Boyd's work, amongst at least half a dozen projects that he undertook in the Balwyn and Balwyn North area, not to mention others elsewhere in the former City of Camberwell and in the broader City of Boroondara (ie Hawthorn and Kew). When an architect has been notably active within a particular locality, this circumstance can often contribute to the significance of his work, rather than detract from it. This is especially true when, as in Boyd's case, he was himself a local resident (living in Camberwell for a decade).</p>	<p>No changes recommended.</p> <p>Refer submission to panel.</p>

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			<p>2. The heritage citation provides an adequate assessment to underpin the case for local significance. There is no proposal that the house is of regional or state significance.</p> <p>3. Officers do not agree that including the property in the Heritage Overlay will have detrimental social and economic impacts on the local area. There are a number of Heritage Overlays introduced throughout the surrounding suburb and municipality that have not resulted in adverse social or economic impacts on the area.</p> <p>4. Officers do not agree that including the property in the Heritage Overlay will have a detrimental impact on architectural innovation. There are many examples of innovative renovations to heritage listed properties that maintain the heritage significance of the property. Placing a property in the Heritage Overlay ensures that the identified significance of the property is protected and retained through any future development of the property.</p> <p>5. The proposal to include this property in the Heritage Overlay is in accordance with Council's community plan aim to "protect the heritage and respect the character of the City to maintain amenity and liveability while recognizing the need for appropriate, well-designed development for future generations." Officers do not agree that placing a Heritage Overlay over a single property has a detrimental impact on the provision of future homes within the city.</p>	

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33	Yes	<p>Submitter objects to the property being included in the Heritage Overlay on the following grounds:</p> <ol style="list-style-type: none"> 1. The property has been modified and no longer demonstrates Boyd's original design. 2. There are already many Heritage Overlays throughout Boroondara. 	<p>Officers acknowledge the opposition to the proposed Heritage Overlay. The following comments are made in response to the points raised:</p> <ol style="list-style-type: none"> 1. Council's heritage consultant does not agree that the house has been altered to an extent that the original 1948 dwelling can no longer be interpreted. One of the most distinctive elements of the original house, is the full-width plate glass window and slatted eaves (memorably recorded in the 1951 article in the Australian Home Beautiful), and still dominates the street frontage. The fact remains that, as the additions made in 1959 and 1971 were carefully conceived by Boyd himself, they contribute to the significance of the place rather than detract from it. 2. The presence of other Heritage Overlays throughout Boroondara does not diminish the identified heritage significance of this property. 	<p>No changes recommended.</p> <p>Refer submission to panel.</p>
34	Yes	<p>Submitter objects to the property being included in the Heritage Overlay on the following grounds:</p> <ol style="list-style-type: none"> 1. The building cannot be said to be of genuine State or regional significance. 2. Robin Boyd's work is well represented throughout Boroondara and the wider Melbourne area and the building cannot be said to be rare or under-represented. 3. The building has been more heavily altered than described in the citation. 4. The building represents a typical example of a building in the Modernist style, which 	<p>Officers acknowledge the opposition to the proposed Heritage Overlay. In response to the points of opposition raised:</p> <ol style="list-style-type: none"> 1. The heritage citation provides an adequate assessment to underpin the case for local significance. The property does not need to be of State or regional significance to be included in a Heritage Overlay. 2. The heritage citation does not ascribe significance to the house on the grounds that Boyd's work is underrepresented in the Balwyn area. Rather, it ascribes significance on the basis that it is a particularly outstanding example of Boyd's work, amongst at least half 	<p>No changes recommended.</p> <p>Refer submission to panel.</p>

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		<p>is not rare or under-represented in Boroondara or the wider Melbourne area.</p> <p>5. The dwelling is not locally significant by virtue of being a rare surviving example of a specific building type.</p>	<p>a dozen projects that he undertook in the Balwyn and Balwyn North area, not to mention others elsewhere in the former City of Camberwell and in the broader City of Boroondara (ie Hawthorn and Kew). When an architect has been notably active within a particular locality, this circumstance can often contribute to the significance of his work, rather than detract from it. This is especially true when, as in Boyd's case, he was himself a local resident (living in Camberwell for a decade).</p> <p>3. Council's heritage consultant does not agree that the house has been altered to an extent that the original 1948 dwelling can no longer be interpreted. One of the most distinctive elements of the original house, is the full-width plate glass window and slatted eaves (memorably recorded in the 1951 article in the Australian Home Beautiful), and still dominates the street frontage. The fact remains that, as the additions made in 1959 and 1971 were carefully conceived by Boyd himself, they contribute to the significance of the place rather than detract from it.</p> <p>4. While dwellings in the modernist style are not rare or under-represented in either a municipality-wide (ie, City of Boroondara) or metropolitan context, it is maintained that the Wood House can hardly be considered as a "typical example". The citation articulates how and why the building is considered to be exceptional, both as an early post-WW2 modernist dwelling and as an example of Robin Boyd's work.</p>	

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			<p>Balwyn and Balwyn North are two suburbs that are strongly associated with intensive residential development in the post-WW2 period (from the mid-1940s to the early 1970s). One of the aims of the draft Balwyn & Balwyn North Heritage Study was to consider the entirety of the study area's surviving stock of modernist houses, and to identify and assess those deemed to be exceptional specimens for inclusion on the heritage overlay schedule. The Wood House was one of fifteen exceptional (ie, not typical) modernist houses to be recommended for such protection.</p> <p>5. The heritage citation did not ascribe significance to the place on the basis that it was a "rare surviving example of a specific building type". Typologically speaking, the building is a single family residence, which is indisputably the most ubiquitous and well-represented building type, not only in the localised (suburban) context of Balwyn North, but also in the broader municipality-wide context (ie, City of Boroondara) and metropolitan context. Almost by definition, this particular single family residence cannot be considered as either a rare example of its type, much less as a "rare surviving example".</p>	
35	Yes	<p>Statement of support for the proposed Heritage Overlay.</p> <p>Submitter includes a request that Council commit to carrying out a review of post-war heritage in Balwyn and Balwyn North, as that</p>	<p>Statement of support is noted.</p> <p>Council has committed to carrying out a review of the of the 2015 Balwyn and Balwyn North heritage study. Some properties identified in the 2015 Study and built post-World War 2 will be investigated through stage 3 of the peer review process.</p>	<p>No changes recommended.</p> <p>Refer submission to panel.</p>

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		has been omitted from recent heritage studies in the area.		



WOOD HOUSE (FORMER)

Prepared by: Simon Reeves, Built Heritage Pty Ltd

Address: 12-14 Tannock Street, Balwyn North

Name: Wood House (former)	Survey Date: 2 November 2020
Place Type: House	Architect: Robin Boyd (1948-49) Grounds Romberg & Boyd (1959) Romberg & Boyd (1971)
Grading: Significant	Builder: H H Miles (1948-49) B V Moore (1959); Frederick M Essing (1971)
Extent of Overlay: To title boundaries	Construction Date: 1948-49; (extended in 1959 and 1971)



Historical Context

Dating back to 1948-49, this house is associated with the emergence of post-war homebuilding in Balwyn North – that is, the period from the late 1940s to the early 1950s. Large parts of that suburb had remained notably underdeveloped until 1938, when the extension of the electric tram route to Doncaster Road spurred a significant residential boom. This, however, was soon cut short by the onset of the Second World War, and it would not resume until the later 1940s. Even then, private homebuilding was still hampered by restrictions on labour and materials that had been imposed during the War. As a result, the initial burst of post-war homebuilding in Balwyn North was relatively modest compared to the massive influx that took place from the early 1950s, when these wartime restrictions were finally relaxed.



History

This house was built for pharmacist Don Wood, to the design of architect Robin Boyd. Born in Lilydale, Donald Charles Wood (1920-1987) was living in Kew with his wife, Lilian Mary "Joan" Wood (1923-2008) by September 1942, when he enlisted to serve in the Second World War. Attached to the 2/7 Field Regiment, he was discharged on 8 November 1945 with the rank of Lieutenant. Barely three weeks later, Wood (identified as a "student") acquired the consolidated title to two adjacent blocks of land in Balwyn North. Located on the west side of Tannock Street, these comprised Lots 422 and 423 of a huge subdivision. The Woods, however, did not develop the land immediately. According to electoral rolls, they lived in Morang Road, Hawthorn in 1949, by which time Wood's occupation was definitively recorded as "chemist". Directories confirm that his business premises were located at 235 High Street, Kew.

To design their new house, the Woods turned to architect Robin Boyd (1919-1971). Following a high-profile period as an architectural student in the late 1930s (during which he gained attention and notoriety as founding editor of the broadsheet *Smudges*), Boyd had enlisted with the Australian Army and served with the 3rd Field Survey Company alongside fellow architectural students including Neil Clerehan, Kevin Pethebridge and Frank Bell. After WW2, Boyd went into partnership with Pethebridge and Bell under the name Associated Designers (later, Associated Architects), undertaking mostly residential commissions in the eastern suburbs, including houses in Camberwell and Kew, and a small factory in Hawthorn. In late 1947, Boyd left the partnership due to his appointment as director of the new Small Homes Service, a joint initiative of the *Age* newspaper and the Royal Victorian Institute of Architects. While employed by the service on a full-time basis, Boyd retained the right of private practice, effectively designing a number of houses under his own name.

Already well-known in Melbourne's tightly-knit architectural fraternity, Boyd was still some years away from his more celebrated partnership of Grounds, Romberg & Boyd, and honing his craft as an astute critic and architectural writer that, within a decade, would make him a household name. According to Donald Wood's daughter, her father became aware of Boyd through a newspaper article that profiled him as a returned serviceman and up-and-coming young architect. Wood, himself an ex-serviceman, was keen to support others in a similar position and thus engaged Boyd to design his house. At the time, Boyd had only completed one other independent commission (for the White House in Mentone, 1947-48) but had a few others in progress, such as the Jope House in Bayswater and perhaps also the Nichol House in Warrandyte.

The working drawings for the Wood House, with a title block bearing Boyd's residential address in Riversdale Road, Camberwell, are dated November 1948. They depict a two-bedroomed gable-roofed brick house on a stepped L-shaped plan that stretched across the double block; the street frontage was dominated by the projecting living room with vast window wall (made up of a single sheet of plate glass) and timber-panelled tool shed integrated into the subfloor space below. A building permit was issued by the City of Camberwell in February 1949. Construction, undertaken by builder Herbert Miles of Glen Iris, was completed later that year.

In October 1950, the house was belatedly published in the *Australian Home Beautiful*. The author noted that "free planning in this unusual small house in Balwyn North takes full advantage of space and outlook and most of the work out of housework". Attention was drawn to the split-level planning (still unusual at that time), the projecting living room with huge north-facing plate glass window, and the subtle but effective colour scheme of olive yellow, amethyst grey, pale grey-blue and off-white. The interior was described in detail: raked ceilings with exposed rafters and knotty pine lining boards, a painted brick chimney, built-in furniture and a modern lighting scheme that included wall-mounted lamps in spun aluminium, and pendant lights with tulip-shaped glass shades.

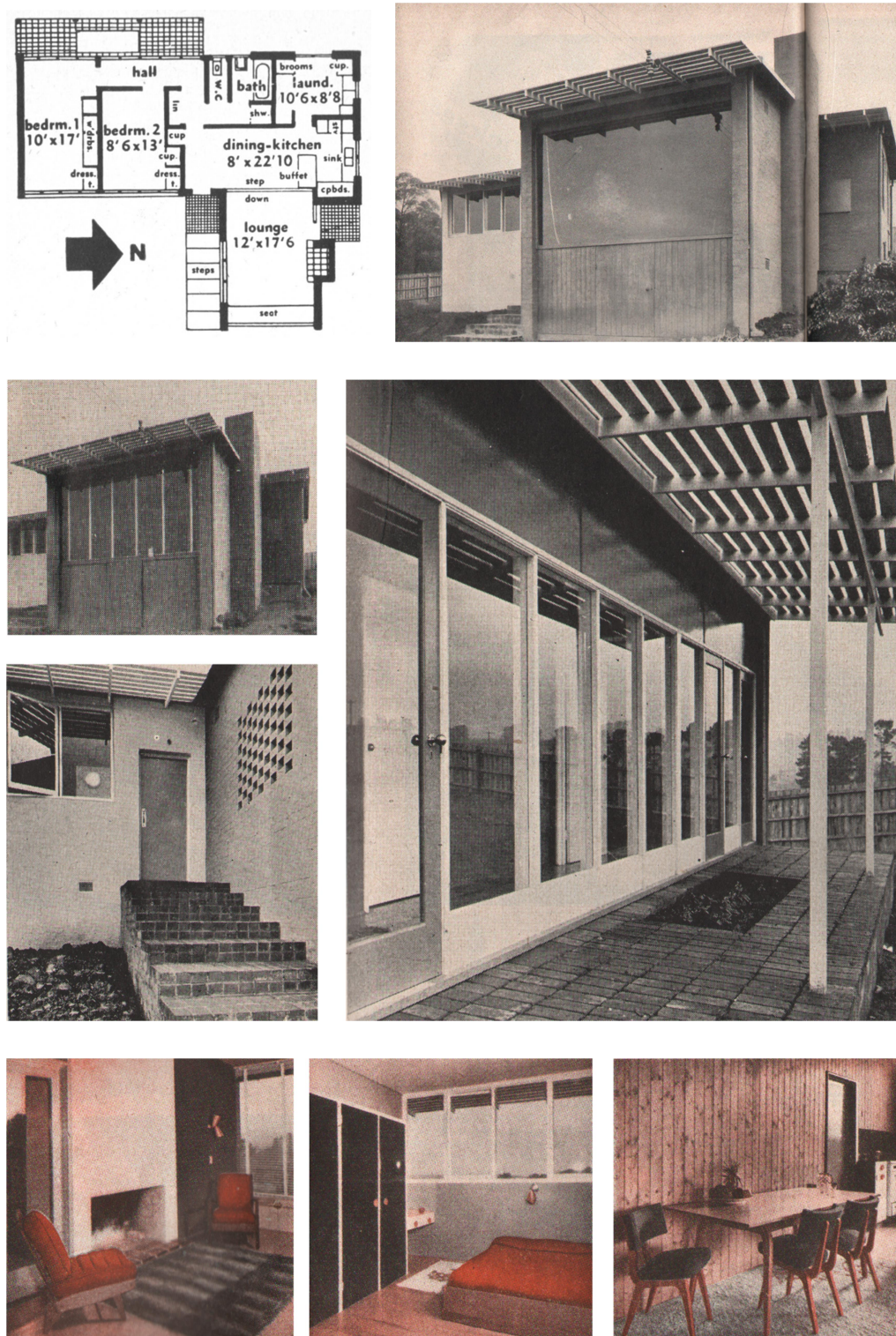


Figure 1: Indicative floorplan of original house (top left) and various early photographs
Source: Australian Home Beautiful, October 1950



The Woods were sufficiently pleased with their architect that, over the next two decades, they engaged him four more times – rendering them as Boyd's most frequently recurring private clients. In late 1953, Wood commissioned the architect (by then, newly in partnership as Grounds Romberg & Boyd) to design his new pharmacy in the developing commercial strip along Doncaster Road, at the foot of Tannock Street. With its boldly angled glazed façade and built-in fittings, the premises (also built by Herbert Miles) attracted much publicity as benchmark in modern retail design. In 1962, Wood engaged Boyd again to undertake further alterations to the shop.

In 1959, when the Woods sought to extend the Tannock Street house to accommodate their growing family, they naturally turned to Boyd. He proposed a large addition to the south end (providing two more bedrooms and a recreation room) and a new flat-roofed garage that projected from the living room, below the sill of the huge window. With the original designer at the helm, the additions were conceived in a wholly sympathetic fashion, with brickwork, fenestration and low-pitched roofs that seamlessly connected to the existing fabric. Just over a decade later, in 1971, they commissioned Boyd to further enlarge the house. This time, he proposed an addition across the street frontage (at a slightly lower level so that the original windows remained exposed), and enlarged the garage by extending its north wall. Again, these changes were carefully detailed to match the original building, forming a smooth integration between the old and the new. The working drawings for these additions are dated June 1971, and a building permit was issued in August. According to one account, Boyd gave some instructions for the project from his hospital bed on the night before he died on 19 October (*Age*, 16/12/1985:27).

Notwithstanding Boyd's death in 1971, the house would have one further and final link with his practice: four years later, when the Woods required some landscaping works, they turned to architect Berenice Harris (1925-2008). A member of Frederick Romberg's staff from 1949, Harris transferred to the new partnership of Grounds, Romberg & Boyd in 1953, and would remain associated with the firm for over two decades. A director from 1962, Harris took control of the practice after Boyd's death in 1971 and saw a number of his unfinished projects to completion. In 1975, when engaged by the Wood family, she had recently left what remained of the firm and had started her own sole practice.

When the Woods finally sold their house in late 1985, the estate agent labelled it as "timeless", noting that "when you enter the house, you find it very hard to believe that it was built 36 years ago. It is an outstanding work of contemporary design". The couple subsequently moved to Ringwood, where Don Wood died in 1987. His widow retained a soft spot for the work that Boyd had done for them, and, in 1993, donated a collection of memorabilia relating to the house and chemist's shop (including photographs, drawings, press cuttings and ephemera) to the State Library of Victoria.

Description & Integrity

The house at 12-14 Tannock Street is a split-level gable-roofed early modernist house, of brick construction with a bagged and painted finish. Occupying a double width allotment, the house has an elongated rectilinear plan that spreads out across the entire block. As originally built in 1949, the house had a slender L-shaped plan form, with a long north-south portion and a projecting east wing at the north end. Two subsequent phases of expansion in 1959 and 1971 have increased the length and width of the north-south portion, and extended the east wing by the addition of a flat-roofed double garage. Designed by the original architect, these additions are sympathetic in scale, form and materials. While they can, to some extent, be perceived as later additions (due to the stepping of floor and roof levels), they otherwise closely follow the fabric of the original house in their detailing and finishes. The overall plan form still remains generally L-shaped, albeit with some smaller projecting elements to the north and west.

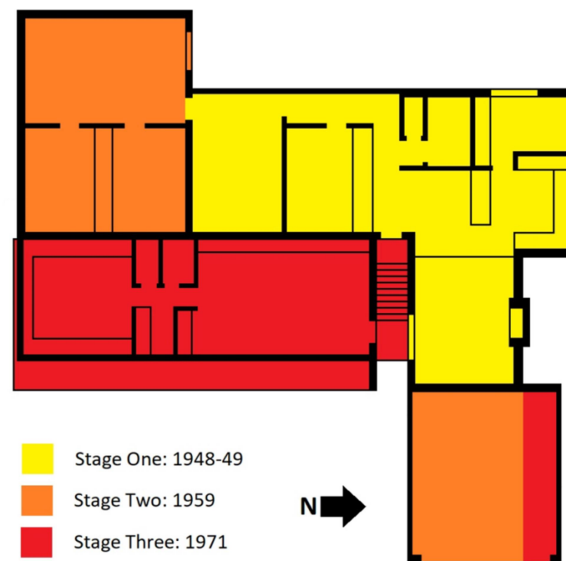


Figure 2: Diagram showing the three phases of construction of the Wood House
Source: Drawn by Built Heritage Pty Ltd, based on working drawings for each stage

Seen from the street, the house has an elongated, asymmetrical and stepped facade. To the rear, the original north-south wing (with 1959 addition at one end) is partly concealed by the 1971 addition, set down at a lower level. Both parts have continuous bays of timber-framed sash windows with slatted timber eaves. At the north end, the living room has a huge plate glass window with slatted timber eaves. To the left is the present front entrance, which formed part of the 1971 works. Set back into an alcove defined by a wing wall, it has a timber door with tall fanlight that aligns with the big living room window. The double garage, projecting forward from the sill of the living room window, is expressed with a single tilt-up panel door between brick piers, with and another slatted eave. A retaining wall of volcanic rocks extends across the front property line and up the driveway. This incorporates an angled flight of steps with timber sleepers, also dating from 1971. The concrete path and driveway shown on the 1971 plans have been replaced by brick paving.

Externally, the house remains notably intact to the extent of its original Boyd fabric – that is, the 1949 house and subsequent phases of addition in 1959 and 1971. The additions, made by the original architect, cannot be considered unsympathetic or intrusive; rather, they add an additional layer of significance for the way in which they demonstrate how Boyd, at various later stages of his career, approached the problem of extending one of his earliest houses.

Comparative Analysis

Resuming private architectural practice after the Second World War, in partnership with Kevin Pethebridge and Frank Bell, Robin Boyd undertook a number of commissions in the suburbs that now constitute the City of Boroondara. Chief amongst these was his own house at what is now 666 (formerly 158) Riversdale Road, Camberwell (1946-47). As originally built, this was a single-storey gable-roofed brick dwelling on an elongated plan, with raked window wall. The house was extended to Boyd's design in 1951-52, and he remained living there he designed and built his celebrated second residence in Walsh Street, South Yarra, in 1958. Classified by the National Trust in 1987, his former home in Camberwell was subsequently added to both the City of Camberwell's heritage overlay schedule [HO116] and the *Victorian Heritage Register* [VHR H0879].



Fig 3: Boyd's own house [HO116]
666 Riversdale Rd, Camberwell
(Associated Architects, 1946-7)
Source: VHD



Fig 4: Pettigrew House [HO337]
21 Redmond Street, Kew
(Associated Architects, 1946)
Source: Tony Lee



Fig 5: Dainty Frock factory,
114-116 Church St, Hawthorn
(Associated Architects, 1946)
Source: VHD

Associated Architects was also responsible for several houses in Kew, but only one is known to have been built: the Pettigrew House at 21 Redmond Street (Fig 2). Completed in 1946, it was enlarged in 1950 with a second storey addition by Pethebridge & Bell (ie, remaining in partnership after Boyd's departure), with further changes made in 1967 by Pethebridge (by then in sole practice). Originally given an A/B-grading in Graeme Butler's *Kew B-Graded Buildings Study* (2001), the house was reviewed and re-assessed in Lovell Chen's *Boroondara Heritage Review B Graded Buildings* (2005), which upheld a B-grading. The property, still occupied by the Pettigrew family at that time, has since changed ownership and been subject to a sympathetic refurbishment by award-winning interior designers, Flack Studio. The only other realised project by Associated Architects in what is now the City of Boroondara was the former Dainty Frock factory at 114-116 Church Street (1946; Fig 3). This was much altered in the 1980s by architect Peter McIntyre, who remodelled the street façade and added a second storey. In 2005, the building was classified by the National Trust, only to be demolished the following year.

In the few years between the end of Associated Associates in 1947 and the formation of Grounds, Romberg & Boyd in 1953, Boyd designed several houses in what is now the City of Boroondara, all located in Balwyn and Balwyn North. The Wood House at 12-14 Tannock Street, for which working drawings are dated November 1948, was one of the first of these, closely followed by a house for the architect's brother, J P "Pat" Boyd, at 46 Fortuna Avenue (December 1948; Fig 6), the Dunstan House at 17 Yandilla Street (February 1949; Fig 7), and the slightly later Bunbury House at 203 Doncaster Road (1949-50; Fig 8) [HO616] and Gillison House at 43 Kireep Road, Balwyn (1951-52; Fig 9) [HO177]. After entering into partnership with Roy Grounds and Frederick Romberg in July 1953, Boyd maintained his early connection with Balwyn North, designing the Richard Latchford House at 72 Longview Road and the Alan Brown House at 39 Woodville Street (both 1953-54) and, over a period of years, undertaking several phases of addition to three of his four earlier pre-partnership houses there.



Fig 6: Pat Boyd House,
46 Fortuna Avenue, Balwyn Nth
(Robin Boyd, 1948-49)
Source: Built Heritage Pty Ltd



Fig 7: Dunstan House,
17 Yandilla Street, Balwyn
(Robin Boyd, 1948-49)
Source: Built Heritage Pty Ltd



Fig 8: Bunbury House [HO616]
203 Doncaster Rd, Balwyn Nth
(Robin Boyd, 1949-50)
Source: Tony Lee



Fig 9: Gillison House [HO177]
 43 Kireep Road, Balwyn Nth
 (Robin Boyd, 1951-52)
 Source: Built Heritage Pty Ltd



Fig 10: Clemson House [HO251]
 24 Milfay Avenue, Kew
 (Grounds, Romberg Boyd, 1957)
 Source: Built Heritage Pty Ltd



Fig 11: Wilson House [pt HO530]
 23 Dunlop Avenue, Kew
 (Grounds, Romberg Boyd, 1955)
 Source: Built Heritage Pty Ltd

Today, these seven Boyd houses in Balwyn and Balwyn North survive in varying degrees of intactness. The Bunbury House and the Gillison House remain substantially intact and, as contrasting exemplars of Boyd's maturing approach to residential design, are both included on the City of Boroondara's heritage overlay schedule (respectively as HO616 and HO177). The Brown House has been altered virtually beyond recognition, and the Latchford House similarly subject to unsympathetic alterations. Although the latter was identified in Graeme Butler's *Camberwell Conservation Study* (1991), its heritage status was subsequently reviewed and downgraded in 2005, consequent to its poor integrity. The Pat Boyd House at 46 Fortuna Avenue has been enlarged on three occasions: twice to Boyd's design (in 1955 and 1966) and, more recently, by others. When the house is seen today from the public realm, it remains more difficult to interpret its various stages of construction.

By contrast, the Dunstan House and Wood House are both notably intact: neither has any significant post-Boyd additions, and both stand out for the clarity in which the original extant, and subsequent phases of addition, can be clearly interpreted. Although of similar date, the two houses are markedly different in composition: while the Dunstan House is was a low-cost compact brick dwelling with broad gabled roof and large multi-paned window walls, the Wood house has an elongated spreading plan with skillion roof, continuous window bays and huge single-pane picture window. Both houses (along with Boyd's own house in Camberwell) can be considered as examples of what Boyd defined as the "Victorian type" – a distinct articulation of residential design characterised by low rooflines, large windows and elongated plan forms, which recurs in many of his early commissions as well as standard plans that he prepared for the Small Homes Service. Collectively, the Dunstan House and Wood House (along with the slightly later Bunbury House and Gillison House) provide a valuable snapshot of the early solo architectural career of this eminent and influential designer prior to his more celebrated partnership with Roy Grounds and Frederick Romberg.

Boyd's later work is otherwise well represented in the City of Boroondara by numerous extant buildings from his partnerships of Grounds, Romberg & Boyd (1953-60) and Romberg & Boyd (1961-71), most of which are houses in the Kew area. These include three specimens that are individually listed on the HO schedule: the Clemson House at 24 Milfay Avenue (1957; Fig 10) [HO251 and VHR H2006], the Haughton-James House at 76 Molesworth Street (1958) [HO326] and the Lawrence House and Flats at 13 Studley Avenue (1966) [HO342]. In addition, several other post-1953 Boyd houses have been designated as significant or contributory elements within the broader *Yarra Boulevard Precinct* [HO530], namely the Wilson House at 23 Dunlop Avenue (1955; Fig 11), the Date House at 59 Molesworth Street (1957) and the Purves House at 35 Molesworth Street (1967). The Zelman Cowan House at 34 Yarravale Road (1959) still stands, but has been substantially altered and remains ungraded within the precinct.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, September 2012, modified for the local context.

CRITERION A: Importance to the course, or pattern, of the City of Boroondara's cultural or natural history (historical significance).

N/A

CRITERION B: Possession of uncommon, rare or endangered aspects of the City of Boroondara's cultural or natural history (rarity).

Rare, as one of relatively few surviving examples of Robin Boyd's brief and only period in sole practice, between his partnerships of Associated Architects (1946-48) and Grounds, Romberg & Boyd (1953-60; later Romberg & Boyd).

CRITERION C: Potential to yield information that will contribute to an understanding of the City of Boroondara's cultural or natural history (research potential).

N/A

CRITERION D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

N/A

CRITERION E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

An excellent example of early modernist residential architecture from the austere period immediately following WW2. The house expresses many characteristics associated with the emerging modernist style, such as its elongated linear plan, low gabled roofline, generous glazing and slatted eaves. These qualities also encapsulate a recurring design trope that Boyd himself described as the "Victorian type", which characterised much of his early output and manifested periodically in his later career.

CRITERION F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

The house demonstrates a high degree of creative achievement. The original dwelling was highly innovative in its design, detailing and finishes, including its split-level planning, continuous fenestration and its massive single-pane plate glass window. The fact that the house was constructed and completed in the late 1940s, when wartime restrictions on building materials, labour and resources were still in place, makes Boyd's achievement all the more remarkable. The additions, made by the same architect in two subsequent phases a decade apart, show a high degree of creative achievement in that they are sympathetic in scale, form and materials while still remaining clearly articulated as later additions.

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 (social significance).

N/A



CRITERION H: *Special association with the life or works of a person, or group of persons, of importance in the City of Boroondara's history (associative significance).*

Special association as an important early work of architect Robin Boyd, who had a long and recurring association with the suburbs that now comprise the City of Boroondara (including a twelve year stint as a local resident, living in Camberwell and designing numerous other houses in Kew, Hawthorn and Balwyn/Balwyn North)

Statement of Significance

What is Significant?

The former Wood House at 12-14 Tannock Street, Balwyn North, is a single-storey gable-roofed brick house with an elongated split-level plan that spreads across its double block. Designed by Robin Boyd for chemist Don Wood and his family, the house was realised in three stages built over more than 20 years: the original modest two-bedroom house (1948-49), expanded with garage and a bedroom/playroom wing (1959) and a further addition with *en suite* master bedroom and further living area (1971).

The significant fabric is designed as the entire exterior of the house (encapsulating all three stages designed by Robin Boyd), as well as hard landscaping to the extent of the rock retaining walls, paved pathways and timber steps as shown on Boyd's drawings.

How is it significant?

The former Wood House is of architectural, aesthetic and associative significance to the City of Boroondara.

Why is it significant?

The house is architecturally and aesthetically significant as a notable achievement in modernist residential architecture. The original house was designed and built in 1948-49, when private homebuilding was still hampered by wartime restrictions on labour and building materials. Nevertheless, the house encapsulated many of the innovative ideas associated with the burgeoning modernist movement, such as open-planning, split-level design and extensive glazing (most notably in this case, with an improbably large single-pane plate glass window). Its elongated plan form, low roofline and generous glazing also articulated a distinct housing form described by Boyd as the "Victorian" type, which prominently recurs in his early output (including plans that he prepared for the Small Homes Services) as well as in later works. The original house was extended to Boyd's design in 1959 and again in 1971, providing evidence of the architect's skill and sensitivity in making additions to his own work, simultaneously demonstrating a continuity of form, finishes and details while still being readily identifiable as later accretions.

(Criterion E; Criterion F)

The house is significant for associations with eminent architect and writer Robin Boyd. Documented in late 1948, the house was one of the first projects undertaken by Boyd after he left the partnership of Kevin Pethebridge and Frank Bell, effectively embracing sole practice whilst employed as foundation director of the Small Homes Service. The house demonstrates rarity as one of relatively few surviving examples from this brief but seminal phase of Boyd's career, prior to his celebrated partnership with Roy Grounds and Frederick Romberg. It is one of several outstanding early houses by Robin Boyd in the Balwyn and Balwyn North area, which, considered collectively, provide rare and valuable evidence of the innovation, boldness and fresh design approaches of a young architect on the cusp of an illustrious career. *(Criterion B; Criterion H).*



Grading and Recommendations

Recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as an individually significant place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Boroondara Planning Scheme:

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Built Heritage Pty Ltd, *Balwyn & Balwyn North Heritage Study* (2015)

References

Robin Boyd, "House at Tannock Street, North Balwyn, for Mr and Mrs D Wood", working drawings, dated 30 November 1948. (Held by City of Boroondara; copies courtesy Tony Lee, founder of Robin Boyd Foundation)

"Two level living", *Australian Home Beautiful*, October 1950, pp 14-17

Grounds, Romberg & Boyd, "Brick veneer additions to house at 12-14 Tannock Street, North Balwyn, for D C Wood, esq", working drawings, dated 3 July 1959. (Held by City of Boroondara; copies courtesy Tony Lee, founder of Robin Boyd Foundation)

Romberg & Boyd, "Additions to house for Mr and Mrs D C Wood, 12-14 Tannock Street, North Balwyn", working drawings, dated 3 June 1971. (Held by City of Boroondara; copies courtesy Tony Lee, founder of Robin Boyd Foundation)

"Boyd house sells for \$175,000", *Age*, 16 December 1985, p 27.

Transition, No 38 (1992) [Special Issue on Robin Boyd]; *passim*.

Other information provided by Tony Lee, founder of the Robin Boyd Foundation.

