

3 Presentation of officer reports

3.1 1 Cooloongatta Road, Camberwell - Preliminary Consultation Outcomes

Abstract

Council received a planning application (Planning Permit Application PP20/0506) to redevelop 1 Cooloongatta Road, Camberwell in June 2020 for the construction of two (2), three-storey buildings above basement car parking, comprising forty-five (45) apartments, three (3) double storey dwellings and a front fence greater than 1.5 metres in height. The property had previously been assessed but was not recommended for heritage protection at the time.

In response to information supporting heritage protection submitted by community members, officers commissioned Heritage Alliance to assess the information and heritage significance of the property. A draft heritage citation has been prepared by the heritage consultant which identifies the property as an individually significant heritage place. Council's heritage consultant has concluded that the place is of historical significance for its association with the post-war boom in flat construction (Criterion A), its representativeness of post-war flats in a garden setting (Criterion D) and its aesthetic significance as suburban-sensitive, modernist design (Criterion E).

Officers undertook preliminary consultation on the draft heritage citation from 10 May 2021 to 24 May 2021. A total of 236 submissions were received. Of these, 232 were in support of the draft citation recommendations while four (4) opposed the recommendation to include the property in a Heritage Overlay. A summary of each submission and officer response is provided in **Attachment 1**.

The draft heritage citation has been updated to reflect the changes recommended by the heritage consultant following the preliminary consultation process and is contained at **Attachment 2**.

Officers recommend the UPDC adopt the citation as provided at **Attachment 2** and seek authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to introduce a Heritage Overlay to the subject site on a permanent basis.

Officers' recommendation

That the Urban Planning Delegated Committee resolve to:

1. Receive and note the feedback received and outcomes of the preliminary consultation process undertaken on the draft citation for *Kaydon Court Flats*, 1 Cooloongatta Road, Camberwell.
2. Endorse the officers' response to the preliminary feedback received and recommended changes to the draft citation for *Kaydon Court Flats*, 1 Cooloongatta Road, Camberwell outlined in **Attachment 1** (as annexed to the minutes).

3. Adopt the heritage citation for *Kaydon Court Flats*, 1 Cooloongatta Road, Camberwell contained in **Attachment 2** (as annexed to the minutes).
4. Write to the Minister for Planning to request authorisation to prepare an amendment to the Boroondara Planning Scheme in accordance with Section 4B and 8A(4) of the *Planning and Environment Act 1987* to include *Kaydon Court Flats*, 1 Cooloongatta Road, Camberwell in the Heritage Overlay.
5. Following receipt of authorisation from the Minister for Planning, exhibit the amendment in accordance with Section 19 of the *Planning and Environment Act 1987*.
6. Authorise the Director Urban Living to undertake administrative changes to the amendment that do not change the intent of the amendment or any changes required under the Minister for Planning's Authorisation prior to the commencement of exhibition.

Responsible director: Nick Lund, Acting Director Urban Living

1. Purpose

The purpose of this report is to:

- Provide a summary of the outcomes of preliminary consultation and key issues raised in the feedback to the draft heritage citation for *Kaydon Court Flats* at 1 Cooloongatta Road, Camberwell.
- Respond to the key issues raised and summarise any changes made to the draft heritage citation as a result of the feedback.
- Seek a resolution from the Urban Planning Delegated Committee (UPDC) to request authorisation to prepare and exhibit a planning scheme amendment to implement the Heritage Overlay.

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

Council Plan 2017-2021

The identification and protection of the identified heritage place through the heritage assessment and proposed 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 project 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 heritage citation 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 heritage citation implements the following strategy:

- **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 heritage citation is consistent with the following action of the Heritage Action Plan 2016:

- Continue to use the localised version of the Heritage Council of Victoria criteria dated 7 August 2008 when assessing heritage places for protection (OAR7).
- Ensure Heritage Citations and Statements of Significance clearly identify the significant elements of the heritage place as well as the non-significant / non-contributory elements where appropriate (OAR8).

Boroondara Planning Scheme

The heritage citation 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 15.03-1S *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 PPF and LPPF seek to ensure the Heritage Overlay 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.

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 heritage citation is consistent with these *Plan Melbourne* directions and initiatives.

Planning and Environment Act 1987

The heritage citation 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 that Council has a statutory obligation to continuously identify and protect places of heritage significance through the Heritage Overlay.

3. Background

Camberwell Heritage Gap Study

On 25 July 2016, Council engaged heritage consultants, Context Pty Ltd, with support from Trethowan Architecture, to commence the Camberwell Heritage Gap Study (CHGS), the second suburb assessment to be undertaken as part of the wider Municipal Wide Heritage Gap Study.

The CHGS assessed the heritage significance of all properties in Camberwell located outside the existing Heritage Overlay, including 1 Cooloongatta Road, Camberwell. This property was not recommended for heritage protection by the CHGS. Council wrote to all residents in the suburb of Camberwell on 24 April 2017 to advise the outcome of the draft CHGS. No submissions were received during the preliminary consultation period requesting the property be protected.

Planning permit application

In October 2020, the owner of 1 Cooloongatta Road, Camberwell applied to Council for a planning permit (PP20/0506) to redevelop the site. The application sought approval for the construction of two (2) three-storey buildings above basement car parking, comprising forty-five (45) apartments; three (3) double storey dwellings and a front fence greater than 1.5 metres in height.

Council received submissions during public notice to include the property in the Heritage Overlay as an individually significant heritage place. Council engaged Trethowan Architecture to review the nomination. They advised in November 2021, that the property was not of local heritage significance in their view.

In February 2021, Council refused the Planning Permit Application (PP20/0506) for the site, citing nine reasons for refusal. Later that month, the owners applied to the Victorian Civil and Administrative Tribunal (VCAT) for a review of Council's planning decision (Application P432/2021). The case is set to be heard in November 2021.

In February 2021, Council received further requests from the community to conduct a heritage assessment of the property, accompanied by a range of supporting material. Council engaged Heritage Alliance to review the material and conduct a heritage assessment.

Heritage Alliance has conducted a full heritage assessment of the property. They have determined the site meets the threshold for inclusion in the Heritage

Overlay for its historical significance associated with the post-war boom in flat construction (Criterion A), its representativeness of post-war flats in a garden setting (Criterion D) and its aesthetic significance as suburban-sensitive, modernist design (Criterion E). Built Heritage has prepared a draft citation for the property.

Preliminary consultation process

Council officers undertook preliminary consultation on the draft citation from 10 to 24 May 2021. This consultation process involved:

- Sending letters to the affected and adjoining property owners and occupiers;
- Sending letters to the submitters responding to Planning Permit Application No. PP20/0506;
- Sending letters to the Concerned Residents of 1 Cooloongatta Road resident group and the Boroondara Heritage Group for Advocacy and Protection; and
- Including the draft heritage citation on Council's website with a link to an online submission form.

As a result of the preliminary consultation/public exhibition process, Council received 236 submissions including:

- 232 supporting submissions (including three submissions that ticked opposed but were in support)
- Four opposing submissions.

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

Interim heritage protection

On 15 June 2021, Council's Building Services received an application for full demolition of the buildings at 1 Cooloongatta Road, Camberwell under Section 29A of the *Building Act 1993*.

The application was referred to Strategic Planning in accordance with Council's adopted Section 29A Internal Process. As a draft heritage citation had already been prepared for the property, Council officers sought an interim Heritage Overlay through a planning scheme amendment (C361boro) and suspended its decision on the building permit. The Amendment request was lodged on 30 June 2021. Council is currently awaiting the Minister's decision in respect to this request.

4. Outline of key issues/options

The key issues identified in the preliminary consultation submissions, both those in support and in opposition of the inclusion of the property in the Heritage Overlay, relate to the property's architectural and aesthetic significance, historical significance, garden setting and building siting, impact of development in the area, and rental affordability.

Architectural and aesthetic value

Submitters expressed support for the Heritage Overlay based on the architectural and aesthetic value of the property. They noted that it was an example of post-war, modernist architecture, which was designed by Mussen, Mackay & Potter, Architects and Engineers of considerable repute. Some submitters identified specific architectural features, such as the brickwork, window walls, mosaics and geometric design as important architectural features. Several submitters wanted the architectural features to be better illustrated in the heritage citation, particularly with photos.

Several opposing submitters expressed the view that the post-war architecture was ugly and uninspiring and did not want the property protected. The heritage consultant has identified the place as significant for its historical significance (Criterion A), representativeness (Criterion D) and aesthetic significance (Criterion E). The place is considered aesthetically significant due to its ability to demonstrate a planned design that is contextually sensitive to acceptable levels of density for a middle-ring, suburb typified by free-standing houses, family living, gardens and privacy.

One opposing submission, made on behalf of the owners, expressed multiple concerns about the architectural and aesthetic value of the property. They noted that there is no evidence that the buildings were architecturally designed or designed by Mackay & Potter. They further argued that Mackay & Potter were not accomplished modernist architects. The owner's representative also argued the buildings were ordinary and not good representations of 1960s flat architecture. Moreover, they argued that the design of the property differs from the standard approach to unit development in the municipality during the time. Particularly, they noted it had a pitched roof, rather than a flat typical associated with modernist architecture. They also argued that intactness is not a sufficient basis for heritage significance.

Council's heritage consultant has reviewed the feedback received and maintains the position that the site is of individual heritage significance. Clear evidence exists in the form of building cards and drawings that demonstrate that the first buildings were designed by Mackay & Potter. There is also evidence in the form of an affidavit from Mackay that the pair drew up a masterplan for the development of the entire site. This affidavit shows that the owner had parted ways with the architectural firm by 1963. However, the remaining buildings appear to have been built to the Mackay & Potter design, if not their drawings, as they apply the same massing, scale, arrangement, materials and style. The consultant has updated the citation to make this clear. Moreover, the heritage consultant considers the work of Mackay & Potter to be accomplished, as their work includes sizeable commissions by corporations and government agencies in highly visible locations (e.g. the grandstand at Caulfield Racecourse, the John Curtin School of Medical Research at ANU, the Gas and Fuel Corporation offices on St Kilda Road and the State Accident and Motor car insurance office in Collins Street).

With regards to the design, Council's heritage consultation maintains Kaydon Court flats are good, representative examples of post-war flats. Moreover, the use of hipped and gabled tile roofs is not considered unusual for post-war flats. Other examples to include this type of roof include the much-lauded Parklands flats in Grattan Street, Hawthorn designed by Frederick Romberg in 1950.

The heritage consultant has included a more detailed description of the architectural features of the flats and added photos as an appendix to the citation (**see Attachment 2**). The consultant also updated the citation to highlight and protect important architectural features.

Historical significance

Submitters have expressed support for the Heritage Overlay based on historical significance of the property. They note the property was owned and developed by Stanley Gilmour MBE. Moreover, they note it was developed prior to the creation of the Strata Title Act using a cooperative model providing affordable rental housing. In addition, they have submitted it represents the beginning of an era of medium-density suburban development in Boroondara.

One of the opposing submitters has expressed the view the place was developed primarily in the late-20th century period (1960s onwards), rather than the post-war period (1945-1959). Accordingly, the property is not best understood as a post-war development.

In response to these submissions, the heritage consultant has added additional historical information in the citation detailing the ownership of Kaydon Court Flats.

With regard to the time period in question, the heritage consultant responded that the mention of the post-war period in the citation refers to the historical period, which saw unprecedented population growth in Australia after the end of the Second World War. It does not refer to the Flats as being of a post-war architectural style.

Garden setting and building siting

Submitters expressed support for the Heritage Overlay based on the garden setting and siting of the buildings. They noted that the property was designed within a garden setting and buildings clustered in a court setting along what was an old stream gully, with shared open space rather than private yards. Several submitters wanted better protection for the garden setting.

One of the opposing submitters expressed the view that the cluster-style arrangement of Kaydon Court Flats, as discussed in the comparative analysis of post-war cluster development in Victoria and mentioned in the statement of significance, is not a cluster in the true sense of the terminology. They also argued that if even it was, such an arrangement does not improve its importance to the history of flat development in the municipality.

The heritage consultant has responded that the citation does not claim the site to be a cluster arrangement or that this is a key reason for meeting Criterion A. The term 'cluster housing' is merely discussed in the context of Winter Park, Doncaster as part of the comparative analysis. Rather, Kaydon Court is discussed as a development 'which anticipates the large ambitious cluster style housing projects in the outer eastern suburbs designed and constructed by Merchant Builders from 1968'.

Council's heritage consultant has updated the citation to mention the significance of some existing trees (peppercorn, blue atlas cedar) and activate tree controls for these trees in the Schedule to the Heritage Overlay.

Impact of development

Submitters expressed support for the Heritage Overlay based on the impact of development. They expressed concern that many old buildings were being demolished and replaced with higher-density development, thereby reducing the amenity of the area. Some submitters also used this as an opportunity to object to the Planning Permit Application (PP20/0506) for the site. Several of these submitters expressed concern that the proposed development would remove long-term residents from their homes.

Planning Practice Note 1: Applying the Heritage Overlay (PPN1) sets out the criteria to be used when assessing the heritage value of a place. The impact of development on neighbourhood character and amenity is not a consideration when determining whether a site meets the threshold for inclusion in the Heritage Overlay. At this stage in the process, Council can only consider whether the site is of heritage significance or not.

Rental affordability

Submitters expressed support for the Heritage Overlay based on the retention of the existing buildings based on the affordability that the place offered for renters, both currently and historically.

PPN01 sets out the criteria to be used when assessing the heritage value of a place. Rental affordability is not a consideration when determining whether a site meets the threshold for inclusion in the Heritage Overlay.

5. Consultation/communication

The affected and adjoining property owners and occupiers to the site were notified in writing of the draft heritage citation and were invited to provide feedback. The draft heritage citation was also available on Council's website.

All residents who provided written feedback as well as owners and occupiers of the affected and adjoining properties were notified of this UPDC meeting.

If the UPDC resolves to proceed with a planning scheme amendment to implement the recommendation of draft heritage citation, residents will be able to lodge submissions as part of the formal amendment exhibition process and present their views at a future UPDC meeting. This will include formal notification to all owners and occupiers of land, as required by Section 19 of the *Planning and Environment Act 1987*.

6. Financial and resource implications

Cost associated with the preparation and implementation of the Study will be funded through the Strategic and Statutory Planning Department budget for the 2021/2022 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 recommended by the draft heritage citation 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: Cael Leskovec, Strategic Planner

Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Supporting Submissions

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
1, 6, 9, 13	Yes	<p>The submitters all made consistent submissions in support of the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place was designed by Mussen, Mackay & Potter who were important architects and engineers, who have a number of places already heritage listed and were associates of mid-century architects Roy Grounds and Robin Boyd. • The place is well-designed and a pleasant place to live. • The place is unusual for its time. • The place represent the history of the development of Camberwell's built environment. • The owner and developer of the site, Mr Gilmour, who lived on site was also a person who had a long term impact on Victoria's business and economic development at the time, as well as being a person who carried out much community work. • The place today provides highly liveable, well designed, moderate rental apartments in a pleasant garden setting, which seems to make them even more important to retain as early examples of affordable, sustainable homes. 	Officers note the supporting submission.	No change recommended.

Note: All submissions have been numbered in chronological order from the date received by Council.

Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
2, 39, 40	Yes	<p>The submitters support the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is of period/historical significance. • The place is in keeping with the street and the area. 	Officers note the supporting submission.	No change recommended.
5, 37	Yes	<p>The submitters support the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reason:</p> <ul style="list-style-type: none"> • The place is of importance to the course, or pattern, of the City of Boroondara's cultural or natural history. 	Officers note the supporting submission.	No change recommended.
7	Yes	<p>The submitter supports the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is an unusual and unique place to live. • The place was developed before the Strata Titles Act. • The place includes unique features such as tiling detail and is set in a spacious garden environment. • The place was developed by Stanley Gilmour OBE. • The place had the goal to provide affordable rental options. 	Officers note the supporting submission.	No change recommended.

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8	Yes	<p>The submitter supports the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • Current and future residents of this area have the right to benefit from the layers of history at their doorstep, it's one of the characteristics of Camberwell that make the area a pleasure to live in. • Architecture from this post-war period offers important insights to the ways people lived and aspired to live at this time. Future architects and historians may draw upon these buildings to better inform their understanding of post-war architecture and the cultural project of Australian nation building after the Second World War • The place's modernist architecture serves us as an example of how affordable, sustainable homes were then conceived, and may yet serve as a model for building with aesthetic restraint and social consciousness for future development. • It is in our community's greater interest, today and tomorrow, to preserve the past that lives on in these buildings than it does to erase them. 	Officers note the supporting submission.	No change recommended.
10	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p>	Officers note the supporting submission.	No change recommended.

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Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<ul style="list-style-type: none"> The place is certainly post war and deserves protection. The place is 70 years old and in very good order and surrounded by a large area of land. We must protect Camberwell and the whole of Boroondara from over development. 		
11	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is of post-war architectural significance, designed by architects of note. The place was designed within a garden setting The place is of historical significance. The place is designed by important architects and engineers who have a number of buildings already included on the State heritage register. 	Officers note the supporting submission.	No change recommended.
14, 18, 21, 22, 23, 27, 32, 60, 61, 67	Yes	The submitters support the recommendations to include Kaydon Court Flats in the Heritage Overlay but did not provide any further supporting information.	Officers note the supporting submission.	No change recommended.
15	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is designed within a garden setting. 	Officers note the supporting submission.	No change recommended.

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Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<ul style="list-style-type: none"> Much of the City's architecture is being replaced by 'faux Georgian/Provincial styles' with no green space. 		
16	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is of interesting historical value <p>The submitter wants to ensure that the garden setting is preserved, as it is a fine, rare example of this type of mid-century architecture.</p>	<p>Officers note the supporting submission.</p> <p>Officers referred the submission to Council's heritage consultant.</p> <p>Council's heritage consultant noted that the statement of significance already recognises the generous garden landscape surrounds. However, the heritage consultant has recommended activating tree controls to protect significant exotic trees on the site.</p>	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> Add tree controls (peppercorn, blue atlas cedar) to the Schedule to the Heritage Overlay for the place. <p>The heritage citation at Attachment 2 includes the above updates.</p>
17	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place represents a planning ideal of the time to create smaller, denser accommodation with shared green space, rather than private front and backyards. <p>The submitter wants to ensure that the garden setting is preserved. They also want the setting of the building, i.e. looking towards and alongside the old creek, to be acknowledged.</p>	<p>Officers note the supporting submission.</p> <p>Officers referred the submission to Council's heritage consultant.</p> <p>The consultant noted that the statement of significance identifies the siting of the buildings in a court setting either side of a curving concrete driveway as being significance to the place.</p> <p>The statement of significance also recognises the generous garden landscape surrounds as being significant to the place.</p> <p>Any future change to the place will need to consider the statement of significance.</p> <p>The heritage consultant has recommended activating tree controls to protect significant exotic trees on the site.</p>	<p>Update the heritage to:</p> <ul style="list-style-type: none"> Add tree controls (peppercorn, blue atlas cedar) to the Schedule to the Heritage Overlay for the place. <p>The heritage citation at Attachment 2 includes the above updates.</p>

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19, 49, 50, 58, 63	Yes	The submitters support the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reason: <ul style="list-style-type: none"> The place is of significant/important architecture. 	Officers note the supporting submission.	No change recommended.
20, 46	Yes	The submitters support the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons: <ul style="list-style-type: none"> The place is of post-war architecturally significance. The place was designed within a garden setting. 	Officers note the supporting submission.	No change recommended.
24	Yes	The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons: <ul style="list-style-type: none"> The place is of significant/important post-war architecture. The place contains lovely mosaic work. The place has a friendly and inviting layout that is very pleasant to live next to. 	Officers note the supporting submission.	No change recommended.
25	Yes	The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:	Officers note the supporting submission.	No change recommended.

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Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<ul style="list-style-type: none"> The place was designed within a garden setting The place is of post-war architectural significance. The architects are well known locally and interstate. 		
26, 31, 36	Yes	<p>The submitters support the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reason:</p> <ul style="list-style-type: none"> Old buildings are being demolished. 	Officers note the supporting submission.	No change recommended.
28	Yes	<p>The submitter support the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The flats are unique. They are set in a very attractive garden setting. They are simply not 'lego boxes'. 	Officers note the supporting submission.	No change recommended.
29	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reason:</p> <ul style="list-style-type: none"> The place was designed within a garden setting <p>The submitter wants to see more photos in the citation that focus particularly on the architectural features.</p>	Officers note the supporting submission.	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> Add additional photos as an appendix to the citation. <p>The heritage citation at Attachment 2 includes the above updates.</p>
30, 35, 65	Yes	The submitters support the recommendations to include Kaydon Court	Officers note the supporting submission.	No change recommended.

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		Flays in the Heritage Overlay for the following reason: <ul style="list-style-type: none"> They agreed with the consultant's heritage assessment 		
33	Yes	The submitter supports the recommendations to include Kaydon Court Flays in the Heritage Overlay for the following reasons: <ul style="list-style-type: none"> Old buildings are being demolished. The place is unique. The place is in excellent condition. 	Officers note the supporting submission.	No change recommended.
34	Yes	The submitter supports the recommendations to include Kaydon Court Flays in the Heritage Overlay for the following reasons: <ul style="list-style-type: none"> They do not want to see people lose their homes to a developer. The place is architecturally significant for its minimalist approach. 	Officers note the supporting submission.	No change recommended.
38, 57, 62, 70		The submitters support the recommendations to include Kaydon Court Flays in the Heritage Overlay for the following reason: <ul style="list-style-type: none"> The place is very liveable, particularly in terms of its natural light, ventilation, affordability and/or gardens. 	Officers note the supporting submission.	No change recommended.

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Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
41	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place has many interesting features that are worth saving. • Residents who are reliant on this accommodation and affordable housing may face homelessness if the site is redeveloped. • Traffic congestion will increase if the site is redeveloped. • Established and significant trees will be destroyed if the site is redeveloped. <p>The submitter wants to see more photos included in the citation.</p>	<p>Officers note the supporting submission.</p> <p>Officers referred the submission to Council's heritage consultant.</p> <p>The heritage consultant has recommended the addition of photos of the property to be included as an appendix to the citation.</p>	<p>Update the heritage citation updated to:</p> <ul style="list-style-type: none"> • Add additional photos as an appendix to the citation. <p>The heritage citation at Attachment 2 includes the above updates.</p>
42	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is in keeping with the local streetscape. • The place is a good example of 1950s modernist architecture. • The proposed development is inappropriate and will displace tenants from affordable housing options. 	<p>Officers note the supporting submission.</p>	<p>No change recommended.</p>
43	No (Yes)	<p>Despite writing no, the submitter indicates that they do support the recommendation to include Kaydon Court Flats in the</p>	<p>Officers note the supporting submission.</p>	<p>No change recommended.</p>

Note: All submissions have been numbered in chronological order from the date received by Council.

Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<p>Heritage Overlay. They provide the following reasons:</p> <ul style="list-style-type: none"> • They do not want to see the place developed. • The place is a good example of 1950s modernist architecture. • The place is a high quality example of an era of 1950's flats in a garden setting. • The place has historical and architectural value. • The proposed redevelopment of the site will remove the existing affordable housing. 		
44	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reason:</p> <ul style="list-style-type: none"> • In favour of protection of heritage and space. 	Officers note the supporting submission.	No change recommended.
45	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • Open space and low density living needs to be protected from overdevelopment. • It is important to keep affordable housing sites available that are homely open and unique. 	<p>Officers note the supporting submission.</p> <p>It is the officer's view that the impact of any resultant development is not a relevant heritage consideration according to the criteria.</p>	No change recommended.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		The submitter would like to see the planning application denied.		
47	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place has architectural significance. • The place has social value. <p>The submitter wants to see the place maintained.</p>	Officers note the supporting submission.	No change recommended.
48	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is historically significant for their association with the post war boom in architect designed flat construction. • The place demonstrates the growing demand for smaller size accommodation as opposed to the free standing house as an ideal. • The place demonstrates a planned design that is sensitive to acceptable levels of density of a middle ring suburb typified by free standing houses, family living, gardens and privacy. • The place has been designed in a community garden setting, which was a very desirable feature of leading apartment developments at that time. 	Officers note the supporting submission.	No change recommended.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<ul style="list-style-type: none"> The place is also significant for the influence of Roy Grounds, significant Australian Architect, on the practice of Mussen, McKay and Potter. 		
51	No (Yes)	<p>Despite writing no, the submitter indicates that they do support the recommendation to include Kaydon Court Flats in the Heritage Overlay. They provide the following reason:</p> <ul style="list-style-type: none"> They are against the removal of current long-term residents from their homes. 	<p>Officers note the supporting submission.</p> <p>The possible displacement of residents currently residing at the property as the result of any new development is beyond the scope of consideration of the process for protecting the property through heritage controls. Council is also guided by the provisions of the Boroondara Planning Scheme when making decisions about planning applications and is consequently unable to refuse to issue a planning permit for development on the basis of any perceived displacement of residents.</p>	No change recommended.
52, 53, 54, 55, 56, 82	Yes	<p>The submitters all lodged a pro-forma that supports the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is designed by highly regarded Modernist Architects of the 1950's. The place is very representative of well-designed Modernist garden flats of that time. 	Officers note the supporting submission.	No change recommended.
59	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p>	<p>Officers note the supporting submission.</p> <p>Officers referred the submission to Council's heritage consultant.</p> <p>The consultant noted that the statement of significance acknowledges the siting of the buildings in a court setting</p>	No change recommended.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

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		<ul style="list-style-type: none"> The place demonstrates great architectural care to provide amenity value to residents. The place reflects an aspiration to provide housing that is attractive and desirable, with space and gardens - a building typology and ethos that is no longer seen. <p>In particular, the submitter noted:</p> <ul style="list-style-type: none"> The architects took considerable care in the layout of buildings. The buildings comprising Kaydon Court are well spaced out. The Court in comprising more than one structure is itself striking and unusual. The buildings are also of a moderate size and not characterised by visual bulk. The spacing out of the buildings (well illustrated in the satellite image) allows for visual differentiation and distant line of sight from ground level. The design of the buildings is also striking in so far as their key features include setbacks, enclaves and protruding walls creating a memorable and attractive structure. Complementing this, the landscaping is a key characteristic of the site, not being merely “boundary dressing” but rather being a central feature providing Kaydon Court with continuing amenity. 	<p>either side of a curving concrete driveway as being significance to the place.</p> <p>The statement of significance also acknowledges the generous garden landscape surrounds as being significant to the place.</p> <p>Any future change to the place will need to take the statement of significance into significance into consideration.</p>	

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
64	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is a good example of post-war architecture, particularly its brickwork, window walls and geometric designed structural elements. The place utilises a unique court setting, curving drive and surrounding landscape. 	<p>Officers note the supporting submission.</p> <p>The statement of significance acknowledges the brick and timber work elements of the blocks of flats.</p> <p>The statement of significance also acknowledges the siting of the buildings in a court setting either side of a curving concrete driveway as being significance to the place.</p> <p>Any future change to the place will need to take the statement of significance into significance into consideration.</p>	No change recommended.
66	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place was designed within a garden setting The place was designed by notable mid-century modern architects. <p>The submitter wanted to see the following changes:</p> <ul style="list-style-type: none"> More photos in the citation and focus particularly on the decorative design aspects of the interior hallways and exterior mosaics. All buildings should be protected. More emphasis on protecting the garden setting. More information included on Mr Gilmour. 	<p>Officers note the supporting submission.</p> <p>Officers referred the submission to Council's heritage consultant who has reaffirmed their decision to not include the owner house (flat 13) as significant to the place, as this was built much later than the other flats.</p> <p>The consultant has recommended additional photos and written information about the decorative design features be included.</p> <p>The statement of significance already acknowledges the generous garden landscape surrounds.</p> <p>While the place is not being considered for Criterion H (associative significance) with the owner, Council's heritage consultant agrees that some additional information should be included in the citation.</p>	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> Add additional photos as an appendix to the citation. Add more detailed information on the decorative features in the Description and Integrity section of the citation. Add a sentence clarifying the significance of the buildings in the Statement of Significance section of the citation. Add further details of ownership to the citation.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

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		<ul style="list-style-type: none"> All existing exterior walls should be retained. 		The heritage citation at Attachment 2 includes the above updates.
68	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is a good example of post-war architecture. The place has been well maintained. The place is notable for its garden setting, which was incorporated into the building design. <p>The submitter wanted to see the following changes:</p> <ul style="list-style-type: none"> More photos in the citation and focus particularly on the architectural features and garden setting. 	Officers note the supporting submission.	<p>Recommended changes:</p> <p>The heritage citation has been updated to:</p> <ul style="list-style-type: none"> Add additional photos as an appendix to the citation. <p>The heritage citation at Attachment 2 includes the above updates.</p>
69	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reason:</p> <ul style="list-style-type: none"> The place is one of the few 1950s developments in Melbourne remaining in its original form. 	Officers note the supporting submission.	No change recommended.
71	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is architecturally significant. 	Officers note the supporting submission.	No change recommended.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<ul style="list-style-type: none"> The place is historically significant. The place is significant to the local community. 		
72	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place has mid-century heritage value. Camberwell has important historic architecture that contributes to the diversity of the area. The place should not be demolished for high-density development that will negatively impact the local community. 	Officers note the supporting submission.	No change recommended.
73	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is a unique example of post war flats development in Boroondara within a garden setting that contributes to neighbourhood character. The garden setting is of key importance and all trees of value should be protected. <p>The submitter wanted to see the following changes:</p> <ul style="list-style-type: none"> Minor grammatical fixes. Minor written expression clarifications. 	<p>Officers referred the submission to Council's heritage consultant.</p> <p>The consultant has recommended additional of tree controls to protect significant trees on the site.</p> <p>The consultant has recommended that changes be made to the citation to improve the language of the citation and better explain the comparative examples.</p>	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> Add tree controls (peppercorn, blue atlas cedar) to the Schedule to the Heritage Overlay for the place. Address grammar and expression issue. Add design guidelines. <p>The heritage citation at Attachment 2 includes the above updates.</p>

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

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		<ul style="list-style-type: none"> • Provide more context for the mention of the oak tree (p. 4). • Protect the English Oak and Blue Atlas Cedar trees on the site and garden setting. • Comparative analysis should be linked specifically to Kaydon Court Flats. • Inter-war and Post-war Flats sections should be better linked to Kaydon Court Flats. 		
74	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place comprises well designed, light filled flats, in a shared garden setting that is very sympathetic to the land form they are built on, which was originally an ancient creek bed used by local people until the flats were built in the 1950's. • The place's design and siting approach by the well regarded architects typifies an important era in the history and development of flats and medium density dwellings in mid-20th century Australia. This era is seen today as an important one to recognise and retain good examples of. • The heritage assessments by two highly respected heritage experts both state that the design and construction are of high quality, by architects who have been recognised by having work 	<p>Officers referred the submission to Council's heritage consultant. The consultant provided the following response:</p> <ul style="list-style-type: none"> • The citation has been edited to provide for better clarity and improvements were made to grammar and expression. • Design guidelines are needed to act as conservation guidelines for the site if it is listed on the heritage overlay. • Internal controls are not recommended for residential properties without exceptionally intact or rare interiors. This is not the case in this instance and internal controls are not justified. • The amenity of the flats is not relevant to the heritage citation. 	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> • Address grammar and expression issues. • Add design guidelines. <p>The heritage citation at Attachment 2 includes the above updates.</p>

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<p>protected on the Victorian Heritage Register and in the ACT.</p> <ul style="list-style-type: none"> Both heritage experts say they are good examples of the work of highly respected architects and engineers who were associates of some of the architects considered to be amongst the most highly regarded of the time namely Roy Grounds and Robin Boyd. So we can be confident the work is of a high quality. Both heritage experts say there are few examples of such garden flats in Camberwell and so they are perhaps are rare. These flats seem to exemplify some of the emerging desires we have today to provide more affordable yet still liveable places that are sympathetic to the local environment and aim to be more sustainable. They are a very desirable style of modernist apartments that are becoming more and more highly sought after as homes, due to their good design elements and suitability for many of us regardless of life stage and household make up. They are a great example of heritage homes that are still today as ubiquitously desirable and practical both in design and location as they were 60 years ago when they were built. <p>The submitter wanted to see the following changes:</p>		

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

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		<ul style="list-style-type: none"> The statement of significance include some kind of "conservation guidelines" and a statement that would provide stronger clarity for any future planning application situation that might arise. In particular that it should state that the garden land around and between the buildings i.e. the garden setting, are a highly important part of the significance of the site and that they should not be reduced in size, nor degraded by for example being built over, or becoming less visible as a part of the "streetscape" of the site when one is in down the site or looking at it from the street. Consider some internal planning controls to protect the internal shared hallways and staircases. These seem to have much aesthetic value and to have been very considered in their design by the architects, in order to make the places more desirable and attractive. They are reminiscent of other protected interiors in mid-century buildings. Use a set of more representative images of the buildings in its statement of significance and citation and on the VDB listing. I think it is important to use images of several of the buildings, rather than just one building as currently and to include images of the garden setting. Some hallway interiors too if possible. This will ensure that heritage and planning related decision makers have a full 		

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

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		perspective, since this place has multiple buildings and green areas. It also records them for the future.		
75	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is unique in that it is in a garden setting. • The place is unique in that it was designed by a renowned architect. <p>The submitter wanted to see the following changes:</p> <ul style="list-style-type: none"> • More photos in the citation and focus particularly on the architectural features and garden setting. 	Officers note the supporting submission.	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> • Add additional photos as an appendix to the citation. <p>The heritage citation at Attachment 2 includes the above updates.</p>
76	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is uniquely Camberwell, representing a unique insight into our historical past. • The place presents open space, gardens and a uniquely beautiful place to live but also and more importantly a place for future generations to admire. • The place was developed with input from Stanley Gilmour OBE, with one goal in mind that was to provide an affordable place for people to live within Camberwell. 	Officers note the supporting submission.	No change recommended.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

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		<ul style="list-style-type: none"> The place was very progressive, but was also in keeping with the times when built. 		
77	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is architectural important as well as significant to the community for its history and beauty. <p>The submitter also expressed support for heritage protection of 57 and 60 Berkeley Street, Hawthorn.</p>	<p>Officers note the supporting submission.</p> <p>Council is progressing a proposal to introduce heritage controls to 57 and 60 Berkeley St, Hawthorn through a separate process. The outcomes of preliminary consultation undertaken on the draft citations for these properties will be report to a future UPDC meeting.</p>	No change recommended.
78	No (Yes)	<p>Despite writing no, the submitter indicates that they do support the recommendation to include Kaydon Court Flats in the Heritage Overlay. They provide the following reasons:</p> <ul style="list-style-type: none"> The place is still very liveable and affordable homes for many. <p>The submitter wanted to see the following changes:</p> <ul style="list-style-type: none"> Stop demolition of heritage houses and flats and clear felling blocks of mature and significant trees. 	Officers note the supporting submission.	No change recommended.
79, 80	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p>	Officers note the supporting submission.	No change recommended.

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Summary of submissions and officer response

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		<ul style="list-style-type: none"> The place is still very liveable and affordable. 		
81	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> The place is unique. The garden setting is of heritage importance. 	Officers note the supporting submission.	No change recommended.
83-234	Yes	<p>The submitters all submitted a pro-forma that supports the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> Two heritage assessments confirm that place was designed by highly regarded Modernist Architects of the 1950's and that they are very representative of well-designed Modernist garden flats of that time. 	Officers note the supporting submission.	No change recommended.
236	Yes	<p>The submitter supports the recommendations to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> It is Important to keep heritage properties as they are or we risk losing key defining characteristics of our city and suburbs. The heritage of Boroondara and Melbourne as a whole is integral to the identity of the city and its people. There is no need to throw it all away 	<p>Officers note the supporting submission.</p> <p>Officers referred the submission to Council's heritage consultant. The consultant agreed that the comparative section should be clarified.</p>	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> Clarify the comparative analysis section. <p>The heritage citation at Attachment 2 includes the above updates.</p>

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

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		<p>for population growth, there are plenty of alternatives.</p> <p>The submitter wanted to see the following changes:</p> <ul style="list-style-type: none"> Clarify in the comparative analysis section whether Kaydon Court flats are considered to be of equal heritage value to each of these sites. 		

Non-Supporting Submissions

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
3	No	<p>The submitter does not support the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> 1950s orange brick flats are hardly inspiring architecture. There needs to be scope for their redevelopment or updating in an appropriate manner. <p>The submitter wants Kaydon Court Flats not to attract heritage protection, or if it does, then only to the extent that allows redevelopment of the flats whilst preserving the heritage status.</p>	<p>The citation identifies that the place is significant for its historical significance (Criterion A), representativeness (Criterion D) and aesthetic significance (Criterion E). In order for a place to qualify for inclusion in the Heritage Overlay only one criteria needs to be met. The fact that in this instance three criteria are considered to have been met, adds weight to the recommendation.</p> <p>The place is considered aesthetically significant due to its ability to demonstrate a planned design that is contextually sensitive to acceptable levels of density for a middle-ring, suburb typified by free-standing houses, family living, gardens and privacy.</p> <p>Heritage protection does not prohibit redevelopment or renovation of the site. Rather, it ensures that such redevelopment or renovation is sympathetic to and respects its heritage significance.</p>	No change recommended.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
4	No	<p>The submitter does not support the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is an eyesore. • The place is an ugly, insignificant building. • The place does not look nice. <p>The submitter wants Council to stop the heritage assessment.</p>	<p>The citation identifies that the place is significant for its historical significance (Criterion A), representativeness (Criterion D) and aesthetic significance (Criterion E). In order for a place to qualify for inclusion in the Heritage Overlay only one criteria needs to be met. The fact that in this instance three criteria are considered to have been met, adds weight to the recommendation.</p> <p>The place is considered aesthetically significant due to its ability to demonstrate a planned design that is contextually sensitive to acceptable levels of density for a middle-ring, suburb typified by free-standing houses, family living, gardens and privacy.</p>	No change recommended.
12	No	<p>The submitter does not support the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p> <ul style="list-style-type: none"> • The place is an example of the worst architecture of the 1960s. <p>There are plenty of examples of this deplorable architecture elsewhere in Camberwell.</p>	<p>The citation identifies that the place is significant for its historical significance (Criterion A), representativeness (Criterion D) and aesthetic significance (Criterion E). In order for a place to qualify for inclusion in the Heritage Overlay only one criteria needs to be met. The fact that in this instance three criteria are considered to have been met, adds weight to the recommendation.</p> <p>The place is considered aesthetically significant due to its ability to demonstrate a planned design that is contextually sensitive to acceptable levels of density for a middle-ring, suburb typified by free-standing houses, family living, gardens and privacy.</p> <p>The place is not being considered for its rarity (Criterion B).</p>	No change recommended.
235	No	<p>The submitter does not support the recommendation to include Kaydon Court Flats in the Heritage Overlay for the following reasons:</p>	<p>Officers referred the submission to Council's heritage consultant. The consultant provided the following response:</p>	<p>Update the heritage citation to:</p> <ul style="list-style-type: none"> • Clarify the issue of the Flat's designers.

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<ul style="list-style-type: none"> Architectural historians in Australia consider the 'post-war period' to span from 1945 to 1959, with the subsequent era often referred to as the late 20th-century. The flat development is dating at the tail end of that period. The complex as a whole dates to the late 20th-century period (1960 onwards). Accordingly, the Flats are not best understood as a development dating to the post-war period. The 'cluster' arrangement of the Flats do not make or allow for any better or more distinctive an understanding or recognition of the role played by this typology in the evolution of the municipality than other places of a similar ilk. It is not a 'cluster' in the true sense of that terminology. Heritage places should only satisfy Criterion D if they represent, or are a good example of, an aspect of an area's past that has been important in shaping the present. Determining whether the threshold is reached rests on identifying the 'class' a site belongs to and how well it demonstrates its characteristics. The site was developed during the late 20th century period rather than the post-war period. The Flats individually and collectively are an ordinary example and certainly are not good representative examples of 1960s flat architecture. Stylistically, their gable roof form is more indicative of the post-war 20th Century period. During the 1960s flat roofs were being widely employed by many contemporary architects for flats and the like as evidenced by the comparable 	<ul style="list-style-type: none"> The mention of the post-war period in the citation refers to the historical period, which saw unprecedented population growth in Australia after the end of the Second World War. It does not refer to the Flats as being of a post-war architectural style. The heritage citation does not argue that the site is a cluster arrangement (or that that is a reason for its significance). Instead the citation states that the design and layout is a precursor later cluster style housing developments in the late 1960s. The flats are representative of multi-unit flat developments in garden settings commonly built in the post-war period (even though the design in this instance is more mid-century). The Kaydon Court flats are good, intact representative examples of the type of flats built in the post-war period in suburbs like Hawthorn. They are similar to the Parklands flats in Grattan Street, Hawthorn with gabled tile roofs and have similar materiality in brickwork, fenestration, and metal work as Parklands, 20 Denmark Hill Road, 146 Power Street, Brookfield Court and others. No comparable examples could be found in Camberwell, of post-war multi-unit developments. The original architects, Mackay and Potter prepared a masterplan for the site and authored the drawings of the first two buildings on the site. The supporting evidence of this is clearly set out in the heritage citation. The remaining buildings appear to have been built to their design, if not their drawings. They apply the same massing, scale, arrangement, materials and style. The use of hipped and gabled tile roofs is not unusual for post-war flats and has been used by other architects such as Frederick Romberg at 	<ul style="list-style-type: none"> Clarify the comparative analysis section. <p>The heritage citation at Attachment 2 includes the above updates.</p>

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Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

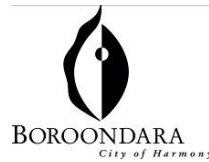
Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<p>examples in Hawthorn and Kew which are all flat tin roofs.</p> <ul style="list-style-type: none"> The pitched roof form is a likely response to the 1922 restrictive covenant which burdens the Land and requires that the main roof of the buildings to be of slate or tiles. The Flats were designed to comply with the covenant rather than adopting any innovative or contemporary architectural methods at the time or response to a particular style. Intactness is not a sufficient basis for heritage significance. The design of the Flats differs from what appears to be the standard approach to unit development in the municipality during the post-war and late 20th-century periods – that is, single or multistorey, considered, conjoined buildings as evidence in the comparative analysis. The degree to which the architecture, aesthetic, setting and overall site outcome can be linked to a considered design by an accomplished Modernist architect or even Mackay & Potter (and maintained by others) has not been substantiated in the Heritage Citation. It is clear from the building plans, that the development of the Flats was ad hoc and the later stage of the development was abandoned and replaced with a single dwelling of a contrasting form and aesthetic. The presence of the unremarkable hipped roof flats most likely arising from restrictive covenant compliance and the single-family house dilutes any purported significance. The difference in design quality in the staggered roll out of the development 	<p>the much lauded Parklands flats in Grattan Street, Hawthorn.</p> <ul style="list-style-type: none"> The comparative examples are all in Hawthorn as no comparative examples of post-war multi-unit flats could be found in Camberwell, where multi-unit development was not favoured. There is clear evidence in the form of building cards and drawings that demonstrate that the first buildings were designed by Mackay & Potter. There is also evidence in the form of an affidavit from Mackay that the pair drew up a masterplan for the development of the entire site. This affidavit shows the owner had parted ways with the architectural firm by 1963. However, the remaining buildings appear to have been built to the Mackay & Potter design, if not their drawings, as they apply the same massing, scale, arrangement, materials and style. However, the fact that Mackay & Roberts may not be directly involved in the realisation of later stages of the site's development does not diminish their significance. The planning and development of the site was staged over a number of years, and the buildings on the site evolved and changed as the site developed. The presence of a single dwelling at the rear of the site is not a sign of the plans being abandoned. The Gilmours had lived on site (at Riversdale Road) since the mid-1950s and as the site developed they moved, first from Riversdale Road, then to flats 11 and 12 and then to flat 13 (the house) where they stayed. It would appear that they had always planned to stay on the site and moved from one residence to another as the development evolved. 	

Note: All submissions have been numbered in chronological order from the date received by Council.

Attachment 1: Kaydon Court Flats Heritage Assessment
Summary of submissions and officer response

Submission Number	Support for Heritage Citation	Summary of Submission	Officer response	Officer recommendation
		<p>certainly challenges any suggestion of the draft Heritage Citation that the Flats are particularly 'considered' or 'competent'.</p> <ul style="list-style-type: none"> Comparative developments in the municipality reveal that the Flats are not unusual or particularly distinctive. In fact, the comparative examples provided in the citation highlight how ordinary and insignificant the Flats are in that company. The advertisement of the Flats referred to in the citation described the building as architect-designed while not identifying the practice. There is no evidence that the buildings were in fact architect designed or designed by Mackay & Potter. Whatever the reputation of Mackay & Potter, they are certainly not "accomplished modernist architects" and any works of note are large-scale industrial, commercial and tertiary work rather than residential projects. Indeed, if the Kaydon Court Flats were the work of Mackay & Potter (which we say it is not), it demonstrates why they were not known for their residential projects. The assertion that common design themes run between Mackay & Potter's substantial commercial developments and the Flats is totally unsubstantiated. 	<ul style="list-style-type: none"> The work of Mackay and Potter is accomplished as they were given sizeable commissions by corporations and government agencies in highly visible locations. Notable examples of their work include a grandstand at Caulfield Racecourse, the John Curtin School of Medical Research at ANU, the Gas and Fuel Corporation offices on St Kilda Road as well as the State Accident and Motor car insurance office in Collins Street. They also worked in partnership with Roy Grounds to design the Triangle House in Kew. While not all their residential works have been found, it is of interest that their commercial buildings are mostly in cream face brick with curtain walls and many do have tile roofs, similar to Kaydon Court. 	

Note: All submissions have been numbered in chronological order from the date received by Council.



Kaydon Court Flats

Assessed by: David Wixted and Michele Summerton

Address: 1 Cooalongatta Road, Camberwell

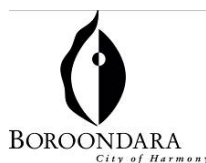
Name: Kaydon Court Flats	Survey Date: Jan-March 2021
Place Type: Residential	Architect: Mackay & Potter
Grading: Significant	Builder: J.L Drummy & others
Extent of Overlay: To title boundaries of full site	Construction Date: 1959-66



Flats 7-10 (third group of flats) 1965



Aerial view of site with flats numbered. Trees circled.



Historical Context

The 17 flats which are the subject of this heritage assessment, located at 1 Cooloongatta Road, Camberwell, were owned and built by Kaydon Court Proprietary Limited between 1959 and 1966. This private company, limited by shares was registered in 1957 around the time that Stanley and Ingrid Gilmour purchased the property with the address then listed as 196 Riversdale Road, East Camberwell (now 716 Riversdale Road, Camberwell). The site comprised an inter-war house facing Riversdale Road and behind it five en-tout-cas public tennis courts with night lighting, a kiosk and milk bar. The courts had been run as a business from at least 1939 and by the late 1940s were owned by Donald Berry and known as 'Kaydon Tennis Courts'. The Gilmours adopted the name for their company and the complex of units they developed on the site following demolition of the courts.

Stanley Milne Gilmour MBE (1906-2008) was a well-known figure in the community. He owned a successful shoe business, founded the Australia Japan Society of Victoria, served as Executive Director of both the Victorian Employers Federation and the Over 50s Association. Most notably he was one of the key figures who advocated for the decimal currency system and helped to launch the Australian Decimal Research Organisation.¹ The Gilmours lived among their tenants at 1 Cooloongatta Road and are remembered with admiration by long term tenants and the local community. He was awarded an MBE in 1979 for services to senior citizens.

The post-war apartment boom in Boroondara

The construction of the Kaydon Court flats can be seen in the context of a post-war boom in flat construction across Melbourne. The housing shortage that emerged in the early post-war period prompted amongst other things, a burgeoning demand for new flats and apartments in many parts of the city where high density developments had been rare. Within the City of Boroondara, as outlined in the Thematic Environmental History, Hawthorn was the first suburb where inter-war flats were developed, a trend which continued into the post-war period. These two and three-storey, residential flats erected from the late 1940s to the early 1960s were mainly of high quality and many were designed by leading modernist architects of the time, including Roy Simpson, Frederick Romberg, Horace Tribe, Bernard Slawik, Anatol Kagan and Gerd & Renate Bock.

When the post-war apartment boom spread to Camberwell and Kew, flats were developed on land subdivided from older, large villas with generous gardens, with Kaydon Court an example of this activity. As had been the case in Hawthorn, these new blocks of flats varied in quality; some unremarkable and others impressive. Some of the noteworthy examples in Camberwell were designed by Peter McIntyre and John & Phyllis Murphy, both contemporaries of Mackay and Potter, the architects of Kaydon Court.²

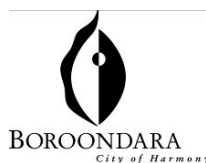
Kew's relatively undeveloped transport network hindered multi-unit development in the inter-war years, and, as pointed out by Chris McConville, Camberwell's distance from the city kept many flat-builders at bay, as did local by-laws introduced in the 1920s to control multi-unit housing.³ Camberwell's history of building regulations dates to 1889, and reflects a continuous attempt to enforce high standards and protect the residential character of the suburb. Further into the inter-war period, flats did make an appearance in Camberwell, but their introduction was modest in scale as shown by the small number lining the tramline along Riversdale Road.

Comparatively stark, simplified and functional, houses and flats of the 1950s and 1960s have been slow to gain recognition for their heritage values and contribution to the character of our suburban streetscapes.

¹ Age, 13 March 2008, <https://www.theage.com.au/national/a-business-gladiator-of-fearsome-reputation-20080313-ge6u6q.html>

² Reeves, 'City of Boroondara Thematic Environmental History', 2012, p146-7

³ McConville, p22



For many, multi-unit developments are associated with the swathes of brick veneer housing built across Melbourne's expanding middle suburbs for the more affordable end of the housing market, and are regarded as intrusive and architecturally ordinary. Brick veneer houses at least fulfilled the domestic ideal of home ownership, but flats were viewed as the opposite to this ideal, some arguing that they were detrimental to family values and a threat to suburban life. This wariness lingered through the twentieth century and as late as 1999, Miles Lewis commented that 'Even now there remains a degree of suspicion about a form of accommodation historically occupied by fast livers, welfare recipients and European refugees'.⁴

The prejudice against flats eased during WWII and the immediate post-war years, when few flats were built due to shortages of labour and materials. Housing was in short supply and rental accommodation was fast becoming a necessity, and flats once again returned as a controversial topic of discussion in the 1950s. Ernst Keas, whose views on the matter were published in the *Argus* in 1952, understood that the culture of flat-living was relatively 'new to Australians,' but urged, the 'question is not whether to build flats but how they could be built quickly and economically.'⁵ Indeed two years before this comment, the *Argus* reported that 'several architects' were already agreeing that blocks of flats were desperately needed to overtake Melbourne's housing shortage. They pointed out that in a large city like Melbourne there were many who did not want to live in a house with a garden, and a real estate agent added that thousands of people were occupying houses too big for their needs, and would gladly move into small flats.⁶

Architects seemed united on the issue, with Mr N. O'Connor chairman of the Royal Victorian Institute of Architects Town Planning and Housing Committee, declaring:

Overemphasis on the single house, and the all too well known sprawl, have imposed an appalling financial burden on this and coming generations, while those who urgently need flats are condemned to makeshift accommodation.⁷

Many architects were also blaming Melbourne's low building density for the heavy burden of suburban road making and high council rates.⁸ All agreed that the co-operative idea of group ownership of flats had special appeal, especially for older people who wanted to eliminate gardening and external maintenance, and for couples employed in business with little time for household duties.⁹

Architects and developers were quick to capitalise on the housing shortage, building multi-unit blocks of modern flats and forming syndicates to purchase large sites in upmarket areas, including land in choice locations subdivided from the grounds of some of Melbourne's historic mansions. Some of the largest developments originated from the office of entrepreneurial architect Bernard Evans. Evans' first venture was *Greyfriars* at 53 Balaclava Road, Caulfield North (City of Glen Eira). Developed between 1949 and 1951, the complex comprises two and three storey blocks of 43 units set in a U-shape arrangement around a central garden with a dramatic wall. The first in Victoria to introduce tenant-owned, 'own-your-own' accommodation, *Greyfriars* flats were the catalyst for further developments of this kind.¹⁰

The post-war boom in architect-designed flat construction resounded throughout the metropolitan area, continuing its inter-war development pattern of following tram and train lines. Within Boroondara, it again focussed on Hawthorn, particularly in the area south of Riversdale Road, where large allotments formerly associated with older housing were carved up and replaced with two and three storey walk-up flats, many

⁴ Lewis, 'Suburban Backlash', cited from 'Learnings from Australia's Post-War Apartment Building', discussion panel, University of Melbourne, 8 September 2020

⁵ *Argus*, 17 July 1952, p6

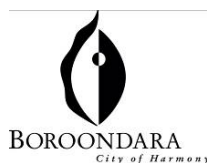
⁶ *Argus*, 28 April 1950, p5

⁷ *Argus*, 31 July 1953, p7

⁸ *Herald*, 29 May 1953, p9

⁹ *Herald*, 9 October 1953, p11

¹⁰ *Age*, 11 June 1960, classifieds. This advertisement refers to a scheme developed prior to strata title



work as complete. A block plan from 1962 shows the extent of building on the site with flats 1-4 and 5-6 and the proposed 11 and 12, and the existing Gilmour house on Riversdale Road.

The first group of four, two-bedroom flats were completed by 1960, as advertised in the *Age* newspaper in June that year. The features of the 'Exclusive architect-designed superbly built Flats' included a spacious combined lounge-dining room, 2 bedrooms with built-in robes, a well-fitted kitchen, beautiful, tiled bathroom, Venetian blinds, flywire screens and doors, and wiring for a phone and television. Ready for occupation they were priced at £6,350, and £6,500 with a lock-up garage. Prices for units had risen markedly during the 1950s as illustrated by Hawthorn's Power Court flats. Built on a portion of one of the suburb's historic homes at 146 Power Street, they were selling in 1953 from £3,250 to £5,000.¹²



This advertisement for Kaydon Court flats is for the 1st release of the initial block comprising 4 flats with garages.

They were described as 'Exclusive architect-designed superbly built Flats [with] No party walls ...'.

Age classifieds, June 11, 1960.

Note the advertisement describes these as 'Own-Your-Own Flats', a specific form of ownership which had been developed prior to the introduction of strata title ownership in 1967.

The planning and layout of the Kaydon Court flats is atypical of other contemporary multi-unit developments included on the Boroondara Heritage Overlay schedule. The small scale of the buildings, the low density of the forms across the site, the open garden arrangement which provides for shared spaces, and the single house at the rear of the site, create the sense of a private court or housing cluster, rather than a multi-unit development of single buildings commonly seen in Boroondara. Part of the reason for this is probably due to the staged development of the site, the available capital of the owner-developer and the unusual shape and topography of the site. The only other comparable multi-unit development with design and planning similarities is *Parklands* in Hawthorn, built in 1951 by the architect Frederick Romberg.

Kaydon Court Flats were developed at the beginning of a changing system of ownership that allowed for flats in multi-unit buildings to be purchased by individual share-holders. From the early 1950s it was possible to purchase part of a property using a co-operative system of members, each buying a share in a Corporation which owned the property. This came to be known as an *Own-Your-Own* purchase. It gave the purchaser a self-contained property (interior), while exteriors, service zones and yards were held by a corporation, in this case Kaydon Court Pty Ltd. Other examples of this *Own-Your-Own* system include *Parklands* and *Power Court* flats, both in Hawthorn, and in St Kilda the celebrated *Greyfriars*, designed and developed by the entrepreneurial architect Bernard Evans. *Greyfriars* was the first use of the *own-your-own* system and was lauded in the newspapers for this approach. In 1960 the *Transfer of Land Act* legislated individual ownership of property according to plans approved by Councils, and this later developed into the *Strata Titles Act* 1967, which corrected deficiencies of the previous Act. The *Strata Titles Act* effectively saw the end of the *Own-Your-Own* system although there are complexes (such as Kaydon Court) which still continue under this system.

¹² *Argus*, 29 October 1953, p12



Mackay and Potter

Eric Keith Mackay (1903-97), Charles Potter (1915-1999), Norman Henry Mussen (1909-67), and briefly Denis George Mirams, formed the firm of Mussen, Mackay & Potter in 1950.¹³ Potter and Mussen were both civil engineers and Mackay was an architect and the firm specialised in commercial, educational and industrial buildings.¹⁴ Their designs included the Oakleigh Centre for the Retarded, which they completed free of charge (1952); the 'Triangle House', Kew (1952, in association with Roy Grounds); a boiler house for Australian Paper Manufacturers (1954); a grandstand for Caulfield Racecourse (1955, in association with Albion H. Walkley); and a complex of gabled, brick buildings for the John Curtin School of Medical Research at the Australian National University (1955-56).¹⁵ The latter, a massive construction on the scale of a city hospital.

Around 1958, Mussen left the practice and moved to Canberra. Following his departure, from 1959 to circa 1967, the practice, then known as Mackay and Potter, designed a number of large office blocks for quasi-government agencies in the inner Melbourne area, including; the State Rivers & Water Supply Commission administration building, Orrong Road, Toorak (1959); the Gas & Fuel Corporation administrative offices, St Kilda Road, Melbourne (1960) and the State Accident & Motor Car Insurance Co. office building at 480 Collins Street, Melbourne (1965). These very competent and substantial constructions share certain stylistic features with the domestic scale, suburban Kaydon Court flats. There is a similar restrained use of brick pattern-work, window walls and an interest in balanced rectilinear geometry in the use of horizontal and vertical elements in the structure.

Of the above the large Canberra Medical research institute holds similarities with Kaydon Court through the use of gabled roofs, brick walls and timber framed window walls made popular by the Stegbar Company.

The construction of the flats at 1 Cooeloongatta Road was planned and built in stages, with a masterplan developed in 1959 with up to 30 flats initially proposed. The first buildings housing a block of four flats, numbers 1-4, were constructed in circa 1961. Then flats 5 and 6 in a separate building in 1962, and flats 11 and 12 in 1963. The relationship between the owner of the site and the architects had evidently soured as in 1963, Mackay and Potter launched legal action to recover fees from Gilmour. In their 1963 affidavit, the architects listed a series of completed drawings and actions that amounted to unpaid fees of some \$42,000 in 2021 value. They listed a masterplan and multiple building plans for the 30 units plus inspection of building works as being unpaid by Gilmour. The architects appear to have not continued to work on the site after 1962.¹⁶

Plans from the City of Boroondara building department indicate un-authored drawings (no title blocks) were made in 1962 for Units 11 and 12 and although they do not have the name of Mackay and Potter on them, they appear to follow the existing designs of Mackay and Potter. The drawings show brick construction split gabled roofs with tiles, window walls and vented gabled walls and the building is aligned parallel to the main path.

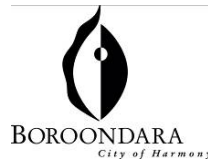
More un-authored architectural drawings were made in 1965 and 1966 for blocks containing units 7-10 and 14-17. Unit 13, which was originally constructed as flats 18 and 19 was designed by a Balwyn drafting company in 1978. It was lived in by Stanley Gilmour as a single house. Prior to this he had lived in flats 11 and 12, they were converted in 1979 back into two units.

¹³ Goad and Willis, *Encyclopaedia of Australian Architecture*, p484

¹⁴ Ibid

¹⁵ Ibid, p489

¹⁶ Mackay and Potter vs Kaydon Court Pty Ltd 1963 affidavit on costs PROV VPRS 267, P0005



Description & Integrity

The unusual planning and arrangement of the buildings on the site at 1 Coo loongatta Road, was no doubt influenced by the irregular shape of the site, its topography and the natural stream which ran through the site from east to west, but it can also be attributed to the staged development of the site and available capital in Kaydon Court Pty Ltd. From Coo loongatta Road, the driveway and the first two storey block of flats appear more like a private road than a driveway, and the arrangement within the site is more like a cul-de-sac of individual properties than a single multi-unit development.

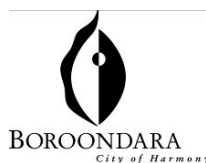
The property comprises five symmetrical, free-standing blocks of 17 flats loosely arranged in a cluster either side of a curving concrete driveway with generous garden landscape surrounds and a number of mature exotic trees. The single house at the rear (number 13) has a different arrangement to the other buildings, with an asymmetrical massing, variegated dark brick, dark tiling and metal framed windows. The unusual, angular shape of the property has influenced the layout of the site, and the long, staged development of the buildings has given rise to subtle differences in building materiality and form. Overall however, the property presents as a harmonious and pleasant cluster of low-rise flats in a shared garden setting with generous spaces provided between and around buildings.

Six free-standing brick buildings were constructed on the site, arranged to provide privacy to the occupants and views of landscaped areas. The landscape is open and flows around and between the buildings and there are no fenced or private garden areas except at Flat 13, so that it appears more as a single property. Each block of flats is two storey in height, and is constructed in sand-coloured brick with timber windows and doors. The roofs are gabled and clad with glazed Marseille tile work. Unobtrusive carports and garages are located to the rear or side of four blocks. Internally there is a high degree of intactness to the shared areas, with tiled or terrazzo floors, metal work bannisters to floating timber stairs and stained timber doors. Externally there are simple decorative features to front doors and metal work balustrades to balconies, and large window walls, all of which are featurist elements of the period.

The first block to be built, which is closest to Coo loongatta Road has flats 1 to 4, constructed in a staggered arrangement with two flats on each level. The next smaller block which is slightly downhill from the entrance, has only two flats, 5 and 6 stacked one on top of the other. These were followed by the block which has flats 11 and 12, which was lived in as one house until the owner moved into number 13. The exterior of this block is different to the others with a cantilever balcony, external stairs to the first floor and a sub-floor open carport. The metal work has a more ornate patterning to the balustrades and the use of areas of tessellated tiles to the carports.

These south side buildings were followed by the first of two buildings to be built on the north side of the property, facing into the site. Two linear blocks of flats with hipped roofs in glazed Marseille tiles, each with four flats numbers 7 to 10 and numbers 14 to 17. These have slight variations on the overall theme with greater external massing and slight changes to the windows, but the same arrangement of central entrances, metal work to balconies and generous windows like the earlier blocks. The final building to be constructed was flat 13 in 1978. These three buildings were constructed on the site after the architects had taken Gilmour to court for non-payment of fees. It is not known if the designs for three buildings had already been provided by Mackay and Potter, or a new architect submitted designs to follow the Mackay and Potter scheme.

The five blocks of flats are highly intact and retain a high degree of integrity. The degree of intactness extends to building form, fabric, colours and external details, the landscaping, landform, driveway, carports and brick garages, and brick bank of letterboxes. Mackay and Potter had created a landscape plan but without the plan it is unknown whether the state of the site is in conformity with their original idea.



The house which is now flat 13, does not contribute to the architectural significance of the site, due to its single storey nature, its broken back shape, its dark variegated brick walls, dark tiled roof and metal framed singular windows.

Comparative Analysis – Post-war Flats in Boroondara

Parklands, 4 Grattan Street, Hawthorn (City of Boroondara HO647)

Parklands is a group of ten, two-storey flats described at the time as 'maisonettes'. Commenced in 1950 and completed in 1951, they were built soon after *Greyfriars* (1949-51) as another example of own-your-own accommodation. They were designed by architect Frederick Romberg (1913-1992), a leading figure in the development of Modernism in Melbourne. High rise towers of flats were suitable for city development, but middle-ring suburbs required contextually sensitive, more homely designs of two or perhaps three stories. Romberg limited the *Parklands*' flats to ten, two-storey units in a design that was 'intended to represent an ideal compromise between individual suburban housing and multi-unit flat dwellings'.¹⁷ His L-shape plan retained a large part of the land for garden and also preserved the old trees on the site.¹⁸

The fabric is cream brick, including the party walls extending as pilasters, which visually separate each unit and provide a sense of privacy. As reported by the *Herald*, Romberg conceived this application as a modernised interpretation of Melbourne's nineteenth century terrace housing. Each flat faces the garden with wide tri-partite, timber-framed window walls, with the upper and lower fenestration separated by a panel with vertical timber strapping, somewhat suggestive of balcony railing on a terrace house. The roof is clad with concrete tiles and a driveway leads to garages to the rear and side.

Parklands was the first in a series of similar projects undertaken by LH Luscombe & Co, estate and business agents.¹⁹ The company were also the developers for the cream brick *Power Court* flats (no Heritage Overlay), erected in 1953/1954 at 146 Power Street, Hawthorn (architect unknown).

Parklands and *Kaydon Court* are examples of the *own-your-own* title scheme. Their designs are contextually sensitive to their middle-ring suburban locations and both feature cream brickwork, large timber-framed windows and hipped, tile roofs and stand in garden settings with trees. *Kaydon Court*, designed a few years later, more emphatically anticipates the cluster forms and layouts that emerged following the introduction of the *Stata Titles Act* (1967).

Yarralands Flats, 150 Power Street, Hawthorn (City of Boroondara HO792)

Designed by Frederick Romberg, and built in 1958, *Yarralands Flats* further demonstrate his consideration 'and design for the changing levels of privacy within a small community of flats'.²⁰ The cream brick set of eight joined flats with metal skillion roofs run perpendicular to the street with each north facing unit stepped down the southern site boundary. The functional and compactly designed units include two-bedrooms and an open kitchen and living space and each is provided with full length timber-framed windows overlooking a private front garden separated by opaque glass partitions. Brickwork laid in a 'breeze block' pattern provides filtered light to the rear of the units.

Yarralands Flats and *Kaydon Court* are examples of the *own-your-own* title scheme and are designed for garden settings. They demonstrate the evolving styles and forms of the post-war multi-unit/flat typology in Boroondara.

¹⁷ *Herald*, 17 November 1950, p14

¹⁸ *Ibid*

¹⁹ *Ibid*

²⁰ Trethowan in association with Context, 'City of Boroondara Municipal-Wide Heritage Gap Study', June 2019, pp582-595



Ardene Court, 11 Ardene Court, Hawthorn (City of Boroondara HO781)

The cul-de-sac, Ardene Court, resulted from the subdivision of a neighbouring property in 1960 and the two, two-storey blocks of flats were constructed at the head of the court in 1960-61. Designed by architect, Klaus (Nick) Veltjens (c.1927-) for the company, Innovation Development Pty Ltd, the 'model flats and maisonettes' with 'sun balconies and private gardens' were built in 1960-61.²¹ Constructed of cream/salmon brick, they feature a flat-roof, cantilevered balconies and an interest in pattern work, which includes metal balcony panels, contrasting wall fabric and the arrangement of large and small timber-framed windows. The siting in the court contributes to the garden setting of the blocks, with one set of flats standing parallel the street and the other at an angle. Designed without a front fence, the flats have an open front lawn, which provides a sense of space to their relatively short set-back from the public footpath.

Ardene Court and Kaydon Flats are examples of the *own-your-own* title scheme and are designed in low density forms and stand in garden settings with shared spaces. Both are of two-storey, cream brick construction and feature large timber-framed windows and balconies.

Flats, 20 Denmark Hill Road, Hawthorn East (City of Boroondara HO854)

This three-storey block by architect, Ernest Fooks is a further expression of his interest in pattern work, in this instance incorporating a rubble stone feature wall and spandrels into the street-facing façade, and ribbed glazing and textured wood, and continuing the use of decorative metal balcony panels. Like several examples of other flats of this period, they have cantilevered balconies, although in this case they extend along the side of the stepped side of the flat-roofed building, which is orientated to occupy a long narrow site. The flats were constructed in 1960 and also include a pair of garages under the building and a rear cantilevered corridor at the rear, both of which would become increasingly common features of flats throughout the 1960s. Although the landscaping is limited, the natural qualities of the stonework, other textured surfaces, stepped form of the block and side hedging relieve the concrete surfaces and bulk of the building.

The Denmark Hill flats and *Kaydon Court* are examples of the *own-your-own* title scheme. They demonstrate the evolving styles and forms of the post-war multi-unit/flat typology in Boroondara. While sharing some features in their construction, the Denmark Hill flats differ in their corridor form which extends back into the site with a stepped side elevation with limited landscaping.

Kylemore Flats, 52 Union Road, Surrey Hills (City of Boroondara HO629)

The group of seven o-y-o, split-level cream brick flats have flat skillion roofs and are stepped along one side down the allotment. Each has a private rear courtyard and sits above a garage, which is accessed by a driveway running the length of the side boundary. The concrete cantilever stairs and associated verandahs have wrought iron balustrades and grille columns, which support a pergola, features typical of brick veneers of this period. Suited to singles or couples more than families, the compact flats provided an alternative to the standard form of housing usually associated with suburban living. They were designed by Kurt Popper for the company, Glengarriff Heights P/L, registered by J & B Boumeester and constructed in c.1961.²²

Kylemore further demonstrates the evolving styles and forms of the post-war multi-unit/flat typology in Boroondara in their corridor design. A strong design feature of Kylemore flats is their pronounced corridor, villa unit form which is in marked contrast to Kaydon Park's clustered arrangement. Both feature small scale, low-density forms which create the sense of private living.

²¹ Context, 'City of Boroondara Municipal-Wide Heritage Gap Study', June 2019, p215

²² Lovell Chen, 'Surrey Hills and Canterbury Hill Estate Heritage Study', 2011, pp184-190



Comparative Post-war Cluster Development in Victoria

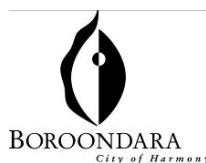
Winter Park, Doncaster, City of Manningham, (VHR1345)

The cluster-style arrangement of the *Kaydon Court* flats anticipates the designs for unit construction which emerged following the introduction of the *Strata Titles Act* in Victoria in 1960. This legislation led to a new typology characterised by low level villa unit forms in groups joined by a connective tissue of pergolas and carports in a common garden setting; today a housing form omnipresent throughout Melbourne's suburbs.

This new style reflected an approach taken to design explored and developed by the housing project firm, Merchant Builders in the 1960s. After completing six townhouse projects in Melbourne's middle-ring eastern suburbs, including Kew and Hawthorn, in 1967 and 1968, the company began focussing on housing projects in the outer-eastern suburbs, including the prototype *Winter Park* development (1970-74), which eventually comprised twenty houses representing five different designs sited around a shared landscape discreetly paved to provide access. The project aimed to pleasantly relate the designs and integrate the units with their surroundings while also enjoying privacy and sharing communal facilities.²³ The innovative, award-winning *Winter Park* - an almost archetypal "cluster" development - predated the advent of cluster housing as a policy and led to the initial formation of the Victorian Cluster Code Committee in 1971, headed by David Yencken with substantial involvement from Graeme Gunn. The *Cluster Titles Act* of 1974 resulted from the committee's work.

Importantly, *Kaydon Court* anticipates the new style of housing forms which emerged following the *Strata Titles Act*, the prototype being the *Winter Park* cluster development pioneered by Merchant Builders.

²³ O'Callaghan and Pickett, p138



Assessment Against Criteria

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

Kaydon Court flats, built between 1959 and 1966, are historically significant for their association with the post-war boom in architect designed flats built throughout the metropolitan area which continued the inter-war pattern of their development along tram and train routes. Kaydon Court Flats are significant as a relatively early illustration of the extension of the post-war boom from Hawthorn to socially conservative Camberwell, where the community was highly protective of the suburb's residential character.

Kaydon Court flats are historically important for demonstrating the growing demand for smaller-size accommodation options and the increasing attention that architects and developers paid to this issue while the ideal of the single, free-standing house continued to prevail.

Kaydon Court Flats illustrate an alternative to the standard form of housing usually associated with suburban living. They are historically important as an early example of the *Own-Your-Own* system of accommodation introduced in c.1952-53, which allowed for flats to be sold to individual owners under a co-operative system of members, each buying a share in the Corporation which owned the property.

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

Kaydon Court Flats is a representative example of a complex of compact, grouped flats, developed in the Post World War Two period, in a high amenity suburban location in a garden setting. Designed in rectilinear styles generally influenced by the Modern movement, they demonstrate the principal characteristics of the easily recognised, functional two-storey blocks of brick flats which proliferated as an evolving typology throughout Melbourne's inner and middle-ring suburbs during these years.

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

Kaydon Court Flats are aesthetically significant as an architecturally competent and intact complex of units purposefully designed for a garden setting by accomplished modernist architects, Keith Mackay and Charles Potter. Mackay and Potter are better known for larger commercial buildings that share certain stylistic features with the domestic scale, suburban Kaydon Court flats in their restrained use of brick pattern-work, window walls and an interest in balanced rectilinear geometry.

Flats 1- 4, 5 and 6 and 11 and 12 were built to designs by Mackay and Potter. The design drawings for flats 7-10 and 14-17 are not authored and so we cannot be certain if the design was done by them or another architect. They show the same materiality, massing and stylistic features and a similar scheme in terms of arrangement and landscaping.

All the flats are aesthetically important for their ability to demonstrate a planned design that is contextually sensitive to an acceptable level of density for Camberwell, which is typified by free-standing houses, family living, gardens and privacy. The design of the complex contributes to the domestic character of Camberwell as a successful compromise between the ideal of individual suburban housing (and owning a house) and multi-unit developments.

Kaydon Court Flats are aesthetically significant as a development which anticipates the pioneering cluster style housing projects in the outer eastern suburbs designed and constructed by Merchant Builders from 1968.



Statement of Significance

What is Significant?

Kaydon Court Flats, 1 Cooeloongatta Road, Camberwell, is significant to the City of Boroondara. The complex comprises five blocks of 17 flats loosely arranged in a court setting either side of a curving concrete driveway with generous garden landscape surrounds. The blocks are two-storey in height and are constructed in sand-coloured brick with timber windows and doors. The roofs are either hipped or gabled and clad with glazed Marseille tile work. The earliest block closest to Cooeloongatta Road includes flats 1 to 4, the next has flats 5 and 6. These are followed by two linear blocks with hipped roofs each with four flats – numbers 7 to 10 and numbers 14 to 17. The last block to be constructed, with flats 11 and 12, illustrates a variation of the form in their planning and materials. Unobtrusive carports and garages are located to the rear or side of the blocks.

In addition to the flats there is number 13, possibly built for the owner/developer. This is a substantially larger and later construction with darker brick walls and tiled roof. This building does not contribute to the significance of the flats and their setting.

How is it significant?

The whole of the site, excluding the free-standing house, (number 13) is of local historical, architectural (representative) and aesthetic significance to the City of Boroondara.

Why is it significant?

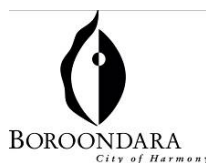
Kaydon Court Flats, substantially completed between 1960 and 1966, is historically significant for its association with the post-war boom in architect-designed flat construction throughout the metropolitan area, continuing the pattern of inter-war development along tram and train routes. The flats are important as a relatively early illustration of the extension of the post-war boom from Hawthorn to socially conservative Camberwell, where the community was highly protective of the suburb's residential character. (Criterion A)

Kaydon Court flats are historically important for demonstrating the growing demand for smaller-size accommodation options and the increasing attention that architects and developers paid to this issue while the ideal of the single, free-standing house continued to prevail. (Criterion A)

The flats are historically significant for illustrating an alternative to the standard form of housing usually associated with suburban living. They are important as an early example of the *Own-Your-Own* system of accommodation introduced in c.1952-53, which allowed for flats to be sold to individual owners under a co-operative system of members, each buying a share in the Corporation which owned the property.

Kaydon Court Flats is a representative example of a complex of compact, grouped flats, developed in the Post World War Two period, in a high amenity suburban location in a garden setting. Designed in rectilinear styles generally influenced by the Modern movement, they demonstrate the principal characteristics of the easily recognised, functional two-storey blocks of brick flats which proliferated as an evolving typology throughout Melbourne's inner and middle-ring suburbs during these years. (Criterion D)

Kaydon Court Flats are aesthetically significant as an architecturally competent and intact complex of units purposefully designed for a garden setting by accomplished modernist architects, Keith Mackay and Charles Potter. Mackay and Potter are better known for larger commercial buildings that share certain stylistic features with the domestic scale, suburban Kaydon Court flats in their restrained use of brick pattern-work, window walls and an interest in balanced rectilinear geometry. (Criterion E)



The flats are aesthetically important for their ability to demonstrate a planned design that is contextually sensitive to acceptable levels of density for a middle-ring, suburb typified by free-standing houses, family living, gardens and privacy. The design of the complex contributes to the domestic character of Camberwell as a successful compromise between the ideal of individual suburban housing (and owning a house) and multi-unit developments. (Criterion E)

Kaydon Court Flats are aesthetically significant as a development which anticipates the pioneering cluster style housing projects in the outer eastern suburbs designed and constructed by Merchant Builders from 1968. (Criterion E)

Recommendation

Recommended for inclusion in the Schedule to the Heritage Overlay of the City of Boroondara Planning Scheme.

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

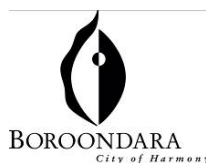
External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes [peppercorn at Units 5+6), Oak Tree at Unit 11] and Blue Atlas Cedar in central landscape area.
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>	Yes (brick garages)
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

Design Guidelines

Basis for Guidelines: The guidelines are prepared for this *individually significant* heritage site within the planning scheme.

They are prepared on the basis that the blocks of brick flats and the brick garages are of primary importance and that the rear side open garage carports and the rear west house are of lesser importance. The open space between the blocks of flats and the simple concrete drive is of primary importance including any specified trees while rear open areas are of lower importance. Low gardens cannot be controlled under the planning scheme and are not being specified.

Brick external walls	Not to be altered or painted anywhere externally, face brick is to remain the prominent material on all sides of the buildings. Minor alterations may be approved with a permit on the rear side of the buildings.
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Terracotta tile roofs	All roofs to remain as variegated terracotta tile of a Marseille pattern matching the original configuration and fabric.
Window walls	The exterior (timber) window walls and other external joinery on the frontage and ends is to be retained as part of the original expression of the buildings. Any alteration to include plain aluminium sections may only be made to minor ventilating windows on the rear side. Glazing shall remain as untinted. Apartment windows may be double glazed provided that new glazing is added on the rear side of existing glass and no changes are obvious on the frontages. On the rear side, owners should consider completing double glazing as a joint proposal to complete the work as one operation to the one consistent design.
Brick garages	Brick garages and their doors are to remain as designed as they are part of the original design of the site.
Landscape	The open landscape between the buildings is to be retained along with the identified trees. The peppercorn and blue atlas cedar may require the attention of an arborist from time to time. Other garden variety shrubs and bushes from the period are Lily Pily and Lemon Wood and should be managed for longevity The plain simple concrete driveway is to be retained. Gravel paths are to remain. Retain the concrete lampstand.
New constructions	These should be small scale single storey in matching brick, and have no visual or physical impact on the sides and frontages of the flats.
Rear west House	External alterations cannot be made that would be determined to the overall site i.e. changing the external appearance in any substantive way except for the rear side where alterations to the appearance including addition of heaters, service equipment and the like and the addition of low decks do not need a planning permit. No additions to be higher than the existing building.
Solar Panels	No panels are to be placed on forward facing roofs. Panels should result in a shared electrical supply in the case of PV cells as buildings on the south side have only limited opportunity for solar cells.

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Appendix of Images



Earliest constructed flats (flats 1 to 4) 1959-60



Flats constructed 1962. (flats 11 + 12) used as residence



Entry timber door to flats 7-10 (1965)



Tessellated tiles on exterior of Flat 11



Mosaic Tiling to upper and lower levels in common stairwells.



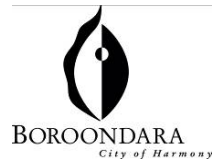
Front door with original stain finish and applied decoration. Note also the nougat terrazzo floor finish



Open treads and tiled pavement floor with simple decorative metal balustrading of the period.



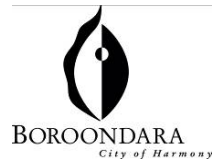
Blue Atlas Cedar, Concrete lamp-post and Lilly Pilly planting all part of the introduced landscape



First group flats constructed (Flats 1 to 4) Note the shrub landscape 1960

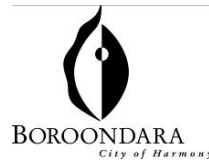


Second constructed group of flats with early surviving peppercorn tree (Flats 5 to 6) 1960-61



Fourth group constructed (Flats 7 to 10) of 1965 Note the generous open space landscape with flats 14 to 17 at rear.





Third constructed (Flats 11 + 12) of 1962 – the most featurist of the flats. Used by Gilmour as a house until 1978-79