

**Boroondara Planning Scheme Amendment C333boro
Glen Iris heritage**

Panel Report

Planning and Environment Act 1987

20 January 2022

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Boroondara Planning Scheme Amendment C333boro

20 January 2022



Con Tsotsoros, Chair



Lisa Kendal

Contents

	Page
1 Introduction.....	1
1.1 The Amendment.....	1
1.2 Background	2
1.3 Submissions received and issues	3
1.4 Changes proposed by Council since exhibition	3
1.5 Procedural issue.....	4
1.6 Limitations	4
1.7 The Panel's approach	5
2 Strategic justification.....	7
2.1 Planning context	7
2.2 Heritage Study	7
2.3 Evidence and submissions	9
2.4 Discussion	11
2.5 Conclusions.....	11
3 Common issues	12
3.1 Building condition.....	12
3.2 Development opportunity, building alterations and maintenance.....	13
3.3 Property value and financial implications.....	16
4 Precinct-wide issues	19
4.1 Precinct property categories and assessments.....	19
4.2 Non-contributory properties in a precinct.....	20
4.3 Restrictive covenant and planning provisions.....	21
5 Mont Iris Estate and Environs Precinct (HO901).....	23
5.1 Precinct assessment and properties	25
5.2 High Street road reserve	29
6 Summerhill Estate Precinct (HO905).....	30
6.1 Precinct assessment	32
6.2 Adrian Street properties	34
6.3 Audrey Crescent properties	35
6.4 Brandon Street properties.....	35
6.5 Celia Street properties	37
6.6 Florizel Street properties	39
6.7 Hortense Street properties.....	40
6.8 Montana Street properties.....	42
6.9 Summerhill Road properties	43
7 Other heritage precincts.....	45
7.1 Glen Iris Heights and Cherry's Hill Precinct (HO895)	45
7.2 Violet Farm Estate Precinct (HO908).....	49

8	Individual places	54
8.1	39 Peate Avenue, Glen Iris (HO891)	54
8.2	4 Peate Avenue, Glen Iris (HO893)	57
8.3	14 Alfred Road, Glen Iris (HO894)	59
8.4	118 Glen Iris Road, Glen Iris (HO897)	62
8.5	148 Summerhill Road, Glen Iris (HO900)	70
8.6	29 Alfred Road, Glen Iris (HO902)	73

Appendix A Planning context

Appendix B Submitters to the Amendment

Appendix C Document list

List of Tables

	Page
Table 1	Exhibited heritage places/precincts and submissions received 1
Table 2	Changes proposed by Council since exhibition 3
Table 3	Precinct designation definitions..... 19
Table 4	Mont Iris Estate and Environs Precinct review guidance 28
Table 5	State, regional and local policies..... 78

List of Figures

	Page
Figure 1	Submissions received 3
Figure 2	116 and 118 Glen Iris Road, Glen Iris aerial photo..... 63
Figure 3	Heritage Overlay (HO897) 64

Glossary and abbreviations

Boroondara Thematic History	Boroondara Thematic Environmental History (Built Heritage, 2012)
Council	Boroondara City Council
Heritage Study	City of Boroondara Municipal-Wide Heritage Gap Study Volume 7: Glen Iris
NRZ3	Neighbourhood Residential Zone Schedule 3
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Boroondara Planning Scheme

Overview

Amendment summary

The Amendment	Boroondara Planning Scheme Amendment C333boro
Common name	Glen Iris heritage
Brief description	Applies the Heritage Overlay to 15 individual heritage places and four heritage precincts
Subject land	Land in Glen Iris identified in Table 1
Planning Authority	Boroondara City Council
Authorisation	<p>7 September 2020, subject to:</p> <ul style="list-style-type: none"> - a review and update of property gradings and precinct boundaries where properties have been demolished or consent granted for demolition or where there are non-contributory properties on the periphery of the precinct - justification for the location of precinct boundaries - ensuring precinct Statements of Significance are consistent in their gradings within the statements - ensuring updated precinct boundaries are consistent with relevant guidelines, including Planning Practice Note 1
Exhibition	12 February to 12 March 2021
Submissions	166 - See Appendix B

Panel process

The Panel	Con Tsotsoros (Chair), Lisa Kendal
Directions Hearing	By video conference on 26 October 2021
Panel Hearing	By video conference on 29 and 30 November and 1 and 3 December 2021
Site inspections	Unaccompanied, 25 November 2021
Parties to the Hearing	<ul style="list-style-type: none"> - Boroondara City Council represented by John Rantino of Maddocks Lawyers, called expert evidence on heritage from Mark Stephenson of Trethowan and Natica Schmeder of Context - Alan Jane - Anthony and April von Moger represented by Peter Tesdorpf of Land Use Town Planning Service, called expert evidence on heritage from Ian Coleman of Coleman Architects - Anthony Devereux - Arthur Filopoulos - Cameron Burt and Jacinta Charlett - Chek Ming represented by Lorenzo Rigoni of Terrain Consulting Group, called expert evidence on heritage from John Briggs of John Briggs Architects - Dan Wu - Elizabeth Comeadow - Emily Porter and Pat Doyle, John and Jill Doyle, Syd and Alison Herron, Hedley Rupert Cassidy, Mark and Helen Devaraj, represented by Emily Porter - Greg Price - Hedley Cassidy - Helen Jiang - James Swift - John and Jill Doyle - Jonathan and Jenny Trytell - Marisa and Hamid Sotounzadeh - Melinda and Mark Haldane - Michael and Rachel Graces - Patty Karakostas - Peter Forbes - Robert Elston - Stephanie Chen
Citation	Boroondara PSA C333boro [2022] PPV
Date of this report	20 January 2022

Executive summary

The *Planning and Environment Act 1987*, Planning Policy Framework and *Plan Melbourne 2017-2050* seek to conserve places of heritage significance by identifying, assessing and documenting places of cultural heritage significance.

The Boroondara Heritage Action Plan 2016 guides Boroondara City Council's (Council) heritage work program by identifying, protecting, managing and promoting Boroondara's heritage assets. One of its actions is to prepare and implement a heritage study for Glen Iris as part of the municipal-wide heritage gap study.

Council engaged Context with support from Trethowan to prepare the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 7: Glen Iris* (Heritage Study).

Boroondara Planning Scheme Amendment C333boro (the Amendment) seeks to implement the findings of the Heritage Study by applying the Heritage Overlay to 15 individual places and four heritage precincts on a permanent basis and making associated changes. The Amendment was exhibited from 12 February to 12 March 2021 and received 166 submissions.

Common issues raised in submissions relate to building condition, development opportunity, building alterations, maintenance, property value and financial implications. Precinct-wide issues include whether non-contributory properties should be excluded from a precinct and whether a restrictive covenant and planning provisions are a suitable alternative for managing heritage. Many submissions objected to the Heritage Overlay being applied to part or all of a precinct or to an individual property, the extent to which the overlay should apply to a property, and to how their property was described in the heritage citation or statement of significance.

Strategic justification

The Heritage Study is sound, based on appropriate methodology and research, and provides a solid base for strategically justifying the Amendment. The Amendment appropriately considers the needs of present and future interests of all Victorians by introducing planning provisions that ensure local cultural heritage values are considered when assessing a planning permit application.

The Panel considers the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified
- should proceed subject to addressing the more specific issues raised in submissions, as discussed in this report.

Common issues

The Heritage Overlay enables an owner to:

- apply for a planning permit to develop their land, including alterations and demolition
- maintain their property without the need for a planning permit.

Building condition, development opportunity, building alterations, maintenance, property value and personal financial implications are not relevant when assessing the heritage significance of an individual place or a precinct or deciding whether to apply the Heritage Overlay.

Some of these matters may be relevant during the planning permit assessment process.

Precinct-wide issues

A non-contributory property should be generally included in a heritage precinct to ensure future development on that land responds sensitively to the heritage fabric on neighbouring contributory properties in the precinct. It may be excluded if it is at the precinct boundary and future development on that land is unlikely to impact surrounding heritage or the precinct's significance.

The restrictive covenant on property titles in the Summerhill Estate Precinct (HO905) is not relevant when assessing the heritage significance of a precinct and justifying the Heritage Overlay. The Neighbourhood Residential Zone and Neighbourhood Character Overlay are not suitable alternatives to the Heritage Overlay for protecting heritage.

Mont Iris Estate and Environs Precinct (HO901)

The area described as the Mont Iris Estate and Environs Precinct does not present as a single cohesive heritage precinct and should not progress through the Amendment.

Council should review, through a separate process, the exhibited precinct area with the intent of defining one or more cohesive heritage precincts. The precinct has areas, particularly the north-eastern part, which are cohesive enough to meet the threshold of local heritage significance, but the boundary of such areas should be determined through the review.

Any future precinct resulting from the review should:

- exclude the area comprising Bridge Street properties, 10 Fuller Avenue and 30 and 35 Allison Avenue
- exclude the area comprising Vale Street properties between Sherwood Street and Hilltop Avenue; 13A, 15 and 17 Sherwood Street; and 19, 21, 21A, 22, 24, 26 and 27 Hilltop Avenue
- exclude 1 Fuller Avenue, 1, 2, 3 and 4 Sherwood Street, 150 High Street and 1 Munro Avenue
- recategorise 33 Fuller Avenue from contributory to significant
- recategorise 7 Hilltop Street and 12 Dent Street from contributory to non-contributory if they are included in a future precinct
- include 12 Dent Street if 6-28 Dent Street remain in a future precinct
- separate properties along High Street from any precinct south of High Street
- exclude the High Street road reservation because it is not appropriate or justified to include this land.

Summerhill Estate Precinct (HO905)

The Summerhill Estate Precinct generally meets the threshold of local heritage significance to justify the Heritage Overlay (HO905), however it should exclude:

- 11, 13, 15 and 17 Adrian Street
- 1 Hortense Street and 2 and 4 Prosper Parade and 2 Montana Street
- 67 and 69 Celia Street and 70 and 72 Florizel Street
- 64 Brandon Street.

The HO905 Statement of Significance should not reference Criterion H or any content associated with it.

For the remaining part of the precinct, properties in Adrian Street, Audrey Crescent, Celia Street and Summerhill Road properties have been appropriately categorised and included in the precinct

The Brandon Street properties were appropriately categorised and included in the precinct when the Heritage Study was completed. Since then, the original houses at 38 and 40 Brandon Street have since been demolished so the properties should be recategorised from contributory to non-contributory.

Generally, Florizel Street, Hortense Street and Montana Street properties have been appropriately categorised and included in the precinct, however:

- 69 Florizel Street should be recategorised from contributory to non-contributory because the house no longer resembles its original appearance
- 56 Hortense Street and 23 Montana Street should be recategorised from contributory to non-contributory because each house has a post-war appearance; a style not identified as being significant in the HO905 Statement of Significance.

The HO905 heritage citation does not need to include more detail about 67 Summerhill Road, Glen Iris.

Other heritage precincts

The Glen Iris Heights and Cherry's Hill Precinct meets the threshold of local heritage significance to justify the Heritage Overlay (HO895). The properties at 1/162 Glen Iris Road and 5 and 26 Kerferd Road, Glen Iris have been appropriately categorised and included in the Glen Iris Heights and Cherry's Hill Precinct (HO895).

In the Violet Farm Estate Precinct (HO908):

- Parkin Street properties should be included
- 12 Harris Avenue, 31 Rix Street, and 21 and 30 Parkin Street, Glen Iris have been appropriately categorised and included in the precinct.

Individual places

The properties at 39 Peate Avenue, 4 Peate Avenue, 14 Alfred Road, 118 Glen Iris Road and 148 Summerhill Road, Glen Iris have sufficient heritage significance to justify the Heritage Overlay.

It is appropriate to apply the Heritage Overlay to the entire extent of 118 Glen Iris Road, 148 Summerhill Road, Glen Iris and 29 Alfred Road, Glen Iris.

The HO894 Statement of Significance for 14 Alfred Road, Glen Iris would benefit from clarifying that alterations after its construction date are not significant and that paint controls only apply to the original part of the render wall.

The HO902 Statement of Significance generally accurately describe 29 Alfred Road, Glen Iris but would benefit from:

- clarifying elements that are not significant
- replacing the word 'rare' with 'uncommon' under Criterion B in the *Why is it Significant?* section.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Boroondara Planning Scheme Amendment C333boro be adopted as exhibited subject to the following:

- 1. Delete the Heritage Overlay (HO901) from the Mont Iris Estate and Environs Precinct.**
- 2. Delete the Statement of Significance for the Mont Iris Estate and Environs Precinct (HO901).**

3. **Remove from the Summerhill Estate Precinct (HO905) for:**
 - a) **11, 13, 15 and 17 Adrian Street, Glen Iris**
 - b) **1 Hortense Street and 2 and 4 Prosper Parade and 2 Montana Street, Glen Iris**
 - c) **67 and 69 Celia Street and 70 and 72 Florizel Street, Glen Iris**
 - d) **64 Brandon Street, Glen Iris.**
4. **Amend the Statements of Significance for:**
 - a) **Summerhill Estate Precinct (HO905) to:**
 - **delete reference to Criterion H and associated content**
 - **recategorise 38 and 40 Brandon Street, 69 Florizel Street, 56 Hortense Street and 23 Montana Street, Glen Iris from contributory to non-contributory**
 - b) **Violet Farm Estate Precinct (HO908) to recategorise 21 Parkin Street, Glen Iris from contributory to non-contributory**
 - c) **14 Alfred Road, Glen Iris (HO894) to clarify that:**
 - **additions and alterations after 1916 are not significant**
 - **paint controls only apply to the 1916 section of the original render wall.**
 - d) **148 Summerhill Road, Glen Iris (HO900) to clarify that additions and alterations after 1945 are not significant**
 - e) **29 Alfred Road, Glen Iris (HO902) to:**
 - **confirm that the tennis court, outbuildings, additions and alterations after 1931 are not significant**
 - **replace 'a rare' with 'an uncommon' in the Why is it Significant? section.**

Further recommendation

The Panel informally recommends that Council revise heritage citations in the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 7: Glen Iris* to reflect changes in this Report.

1 Introduction

1.1 The Amendment

The Amendment proposes to implement the recommendations of the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 7: Glen Iris* (Context Pty Ltd, October 2020) (Heritage Study) to introduce the Heritage Overlay to 15 individual places and four heritage precincts on a permanent basis. Specifically, the Amendment:

- applies the Heritage Overlay to land identified in Table 1
- includes the Heritage Study in Clause 22.03 (Heritage Policy) as a Background Document
- incorporates Statements of Significance through the Clause 72.04 Schedule.

Table 1 Exhibited heritage places/precincts and submissions received

Place/precinct		Criteria*	HO Ref	Sub**
Precinct				
Glen Iris Heights and Cherry's Hill Estates precinct		A, D, E	HO895	2
145-209 and 148-2/162 Glen Iris Road; 1-31 and 2-32 Kerferd Road; 1-7 and 2-10 Muswell Hill Glen Iris				
Mont Iris Estate and Environs precinct		A, D, E	HO901	26
31-43 and 30-38 Allison Avenue; 7-9 and 10-12 Bridges Street; 6-74 Dent Street; 1-33 and 2-26 Fuller Avenue; 127-147A and 126-150 High Street; 1-37 and 2-32 Hilltop Avenue; 1/1-31 and 2-20 Mont Iris Avenue; 1-35 and 2-36 Munro Avenue; 15- 21 and 30-36 Seaton Street; 1-19 and 2-20 Sherwood Street; 152 Summerhill Road; 1-35 and 2-36 Tower Hill Road; 1-31 Vale Street				
Summerhill Estate precinct		A, D, E	HO905	105
1A-39 and 2-34 Adrian Street; 1-3 and 30-44, Audrey Crescent; 1-67 and 2-64 Brandon Street; 1-69 and 2-70 Celia Street; 1-71 and 2-72 Florizel Street; 1-53 and 2-68 Hortense Street; 1-25 and 2-46 Montana Street; 37-91 Summerhill Road				
Violet Farm Estate precinct		A, D, E	HO908	4
377-423 Burke Road; 1-35 and 2-36 (excluding 1B, 2A and 2B) Faircroft Avenue; 11 and 14 Grosvenor Road; 2-16 and 1-15 Harris Avenue; 1-15 and 6-12 Macdonald Street; 2-30 and 1-21 Parkin Street; 1-47 and 2-30 Rix Street				
Individual Glen Iris places				
39 Peate Avenue	House	D, E	HO891	1
22 Bourne Avenue	Burnlea	A, D, H	HO892	-
4 Peate Avenue	Camberwell South Primary School No. 4170	A, D, G	HO893	1
14 Alfred Road	Carinya (formerly Warrack Lodge)	D, E, H	HO894	1

Place/precinct		Criteria*	HO Ref	Sub**
170 Glen Iris Road	Glen Iris Primary School No. 1148	A, B, G	HO896	-
118 Glen Iris Road	Hirsch House and Office (former)	A, D, E, H	HO897	2
44 Denman Avenue	House	D	HO898	1
55 Bath Road	House	D, E	HO899	1
148 Summerhill Road	Langley Burrell	A, E	HO900	2
29 Alfred Road	Quamby (formerly Woongarra)	B, E, H	HO902	2
2 Allison Avenue	Romney Lodge (formerly Delloraine)	E	HO903	1
100 - 108 High Street	St. Oswald's Anglican Church Complex	A, D, E, G	HO904	-
29 Summerhill Road	Summerhill Road Methodist Church Complex (former)	A, D, E, G, H	HO906	1
26 Summerhill Road	The Fold	D, E	HO907	-
3 Valley Parade	Woorayl	A, D	HO909	-

* Model criteria specified in Planning Practice Note 1 (see Appendix A) | ** Number of submissions received

1.2 Background

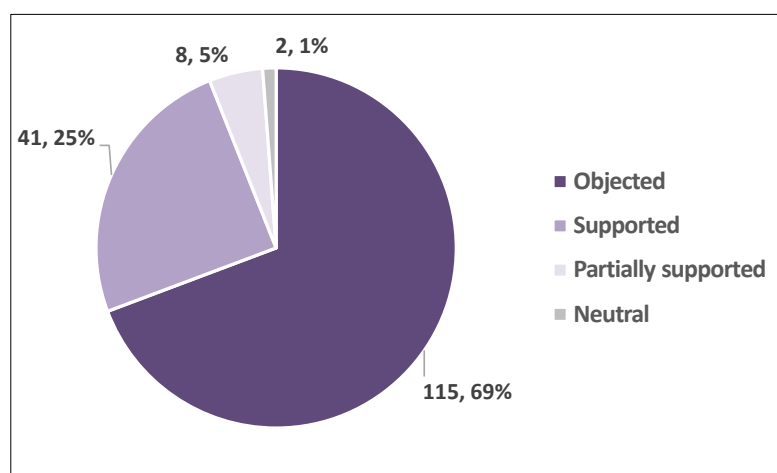
25 July 2016	Council resolved to engage Context Pty Ltd to prepare the Municipal-Wide Heritage Gap Study for the City of Boroondara
2 May – 3 June 2019	Council conducted preliminary consultation for Draft Glen Iris Heritage Gap Study
2020	
2 March	Council resolved to request authorisation for the Amendment
12 March	Council lodged Amendment C334boro for approval to implement an interim Heritage Overlay for some properties in the Summerhill Estate and Mont Iris Estate precincts
27 April	Council sought authorisation from the Minister to prepare Amendment C333boro
7 September	Minister authorised Council to prepare Amendment C333boro
15 December	Minister approved Amendment C334boro to apply the Heritage Overlay on an interim basis
2021	
12 February – 12 March	Council formally exhibited Amendment C333boro

6 September	Council considered submissions and resolved to endorse the Council officers' response to submissions and recommended changes to the Amendment and request the Minister to appoint the Panel
October – November	Council referred six late submissions to the Panel for consideration

1.3 Submissions received and issues

Boroondara City Council (Council) received 166 submissions, of which 115 objected and 49 either supported or partially supported the Amendment, as shown in Figure 1.

Figure 1 Submissions received



Source: data from Council Part B Submission

Building condition, development opportunity, building alterations, maintenance, property value and financial implications were issues raised in multiple submissions – otherwise referred to as common issues in this report.

Submissions raised precinct-wide issues including property categories and assessments (such as contributory and non-contributory), precinct cohesiveness, removing non-contributory properties, and why the Heritage Overlay is needed if restrictive covenants exist.

There were property owners who objected to the Heritage Overlay being applied to their property because they considered their property was not significant enough, was too altered and no longer presented in its original form, and for other reasons specific to that property or the associated citation.

1.4 Changes proposed by Council since exhibition

Since exhibition, Council indicated its intention to change the Amendment, as shown in Table 2.

Table 2 Changes proposed by Council since exhibition

Glen Iris precinct	Proposed change	Comments
Mont Iris Estate Precinct		
12 Dent Street	Contributory to non-contributory	Building has been legally demolished
33 Fuller Street	Contributory to significant	House is an intact and imposing example of an interwar Old English revival home, with an architectural pedigree

Glen Iris precinct	Proposed change	Comments
1 Sherwood Street	Contributory to non-contributory	Property has been altered with a large addition
7 Hilltop Street	Contributory to non-contributory	External changes to the house are clearly visible from the street
Summerhill Estate Precinct		
Statement of Significance	Delete Criterion H and address Thomas Burke's involvement as part of Criterion A	
38 Brandon Street	Contributory to non-contributory	Building has been legally demolished
69 Florizel Street	Contributory to non-contributory	House has undergone major changes
23 Montana Street	Contributory to non-contributory	The post-war property stylistically does not represent the interwar development era sought to be protected
2 and 4 Prospect Parade	Remove the properties from the precinct	
Violet Estate Precinct		
21 Parkin Street	Contributory to non-contributory	Building has been legally demolished

1.5 Procedural issue

John Molloy was scheduled to appear at the Hearing but advised prior, that he no longer sought to be a party to the Hearing.

Atis and Natalie Node and George Xydias each requested to be heard as parties at the Hearing. Neither party appeared at their allocation time.

1.6 Limitations

There were submissions which:

- nominated the Heritage Overlay for properties in and outside Boroondara which did not form part of the Heritage Study
- sought a different approach to how heritage is managed in Victoria.

(i) Properties in the City of Stonnington

A Burwood resident, Mr Navaretti, suggested the Heritage Overlay be applied to:

- Former Glen Iris Post Office, 1557 High Street, Glen Iris
- L. A. Smith's Residence, 3 Wandeen Road, Glen Iris
- St. Roch's Roman Catholic Church, 200 Burke Road, Glen Iris
- Convent of Sacred Heart and Sacre Coeur Ladies' College, 172 Burke Road, Glen Iris.

Council called evidence on heritage from Ms Schmeder of Context Pty Ltd who stated that these properties are in the City of Stonnington.

The Panel has not considered these properties because they are outside the scope of the Amendment and beyond the relevant Planning Scheme.

(ii) Properties in Boroondara which did not form part of the Heritage Study

Mr Navaretti also requested the Heritage Overlay be applied to other properties in Boroondara, which were not exhibited with the Amendment. Mr Navaretti and another submitter each referred to the mock Tudor style commercial buildings at 30-36 High Street, Glen Iris which appeared to represent the criteria applied in the Heritage Study but were not recommended for the Heritage Overlay.

Another submitter:

- noted that 55 Bath Road, Glen Iris (subject to the proposed Heritage Overlay (HO899)) and 57 Bath Road have the same brick fence
- queried whether the Heritage Overlay also applied to 57 Bath Road.

Ms Schmeder noted that a 1991 heritage study recommended that 30-36 High Street be protected as part of a small commercial heritage precinct. She recommended the heritage significance of the Tudor style shops be assessed in the future.

Ms Schmeder recommended the brick fence at 57 Bath Road be investigated for potential inclusion as part of the Heritage Overlay (HO899).

The Panel has not considered these properties because:

- they are not supported with the same assessment rigour given to properties which formed part of the Heritage Study and exhibited through the Amendment
- Council is best placed to decide whether these properties should be investigated through the appropriate process
- potentially affected property owners and tenants were not provided with natural justice through an opportunity to review the proposal or to make a submission.

(iii) Approach to managing heritage in Victoria

Several submissions requested a different approach to how heritage is protected in Victoria. The *Planning and Environment Act 1987* (PE Act) does not enable the Panel to recommend to Council changes to the Victoria Planning Provisions or associated State Government processes.

1.7 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Strategic justification
- Common issues
- Precinct-wide issues
- Mont Iris Estate and Environs Precinct (HO901)

- Summerhill Estate Precinct (HO905)
- Other heritage precincts
- Individual places.

(i) Terminology

Planning Practice Note 1 uses the term 'grade' when referring to whether a property in a heritage precinct is significant, contributory or non-contributory. Council has applied this terminology, consistent with advice in the practice note.

A precinct is a single heritage place comprising multiple properties. Each property is a piece of the overall place and is assessed to determine its role and relationship in the precinct.

Like the letter grades discouraged by Planning Practice Note 1, referring to grades can mislead people into thinking there is a hierarchy. This was demonstrated by references to 'downgrading' properties at the Hearing.

For the purposes of the report, the Panel has referred to the terms significant, contributory or non-contributory as heritage categories rather than grades.

2 Strategic justification

2.1 Planning context

The Explanatory Report and Council's submission identify the following as being relevant to the Amendment:

- Planning objective at *Planning and Environment Act 1987* (PE Act) section 4(1)(d)
- Planning Scheme policy clauses 15.01-5S and 15.03-1S
- Plan Melbourne Outcome 4, Direction 4.4, Policy 4.4.1
- Heritage Overlay
- Ministerial Directions 7(5)¹, 9 and 11 and Planning Practice Note 1.

Appendix A provides further details.

2.2 Heritage Study

The Boroondara Heritage Action Plan 2016 guides Council's heritage work program by identifying, protecting, managing and promoting Boroondara's heritage assets. One of its actions, (H3 – High priority) is to prepare and implement a heritage study for Glen Iris as part of the municipal-wide heritage gap study.

The Heritage Study was prepared by Context with support from Trethowan, with a consistent methodology.

The Heritage Study was prepared in accordance with *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (rev 2013) and Planning Practice Note 1, and with consideration of guidance from previous Planning Panel reports.

Ms Schmeder provided an overview of how the Heritage Study was prepared.

Stage 1: preliminary identification of places and precincts

- places of potential heritage significance were identified through previous sources, including:
 - Boroondara Thematic Environmental History prepared by Built Heritage in 2012 (Boroondara Thematic History)
 - previous heritages studies relating to Camberwell and Hawthorn
 - places identified by Boroondara Heritage Advisors
 - thematic and typological studies
 - the Royal Australian Institute of Architects' list of notable buildings
 - community nominations
- preliminary field survey of the entire suburb of Glen Iris to identify properties and streetscapes with heritage value
- potential precincts were identified including areas containing a high density of potential contributory and significant places in cohesive streetscapes demonstrating a shared theme

¹ Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of the PE Act)

- preliminary assessment of places, including consultant workshops and further investigation, to prepare a short list for full assessment in Stage 2
- reporting for Stage 1 included findings and recommendations of places and precincts for further assessment in Stage 2.

Stage 2: assessments and recommendations

- a locality history for Glen Iris was prepared and used as the basis for each citation
- individual histories were prepared for each place and precinct, drawing on primary and secondary sources of information including:
 - building permit index cards and associated plans
 - previous heritage studies and the Boroondara Thematic History
 - local histories
 - certificates of title
 - rate books
 - public building files (held at the Public Records Office of Victoria)
 - parish plans
 - newspaper searches
 - State Library of Victoria online collections of historic maps, plans and photos
 - City of Boroondara online collection of historic photos
 - Miles Lewis' Australian Architectural Index and Melbourne Mansions index
 - University of Melbourne archives
 - Sands & McDougall street directories
- a description of each individual place and precinct was prepared based on a more detailed site inspection and recording, including photographs
- comparative analysis was undertaken to determine if a place or precinct met the threshold for heritage significance to apply the Heritage Overlay
- as required by Planning Practice Note 1:
 - a Statement of Significance was prepared for each place or precinct found to meet the threshold of local significance for at least one criterion
 - each property in a precinct was graded as significant, contributory or non-contributory
- statutory recommendations were made relating to the extent of the Heritage Overlay (curtilage) and additional controls as allowed by the Heritage Overlay Schedule.

Preliminary consultation

Council carried out preliminary consultation on the draft Heritage Study, notifying all owners and occupiers in Glen Iris. Context and Trethowan conducted further investigations in response to submissions, including demolitions of contributory houses since original assessment. Consequently, changes were made to some recommendations, which is reflected in the 20 January 2020 version of the Heritage Study adopted by Council.

Authorisation

The 2020 version of the Heritage Study, which was exhibited with the Amendment, included changes in response to conditions of authorisation. Changes include:

- recategorised properties
- 29 Allison Avenue and 19 Bridges Street being excluded from the Mont Iris Estate and Environs Precinct (HO901)
- updated Statements of Significance to reflect the removal of properties.

Exhibition consultation

Since exhibiting the Amendment, Council proposed further changes to the Heritage Study, as outlined in Chapter 1.4 of this report.

2.3 Evidence and submissions

Council submitted the Amendment:

- meets the objectives of the PE Act by ensuring that properties with heritage significance will be considered in future development proposals
- supports the outcomes and directions sought by Plan Melbourne
- is consistent with State and Local policy, in particular:
 - Clause 15.03 (Heritage) by including properties that contribute to the heritage significance in the Heritage Overlay
 - Clause 21.04-5 (Built Environment and Heritage) which seeks to identify and protect all individual places, objects and precincts of cultural heritage, aboriginal, townscape and landscape significance
 - 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.
- complies with relevant Ministerial Directions and is consistent with Planning Practice Note 1 by:
 - adopting recognised criterion in the assessment of the heritage values of each place
 - undertaking a detailed comparative analysis to substantiate the significance of the places
 - preparing a Statement of Significance for each of heritage place, using the three-part format of 'What is significant?'; 'How is it significant?' and 'Why is it significant?'.

Council considered the Heritage Overlay to be the appropriate planning provision to protect heritage values of the precincts and individual properties because it would require a planning permit for buildings and works that may affect the heritage significance.

Ms Schmeder gave evidence that the Heritage Study strategically supports the Amendment because it:

- explains the assessment methodology
- summarises its findings and recommendations
- includes heritage citations for places and precincts recommended for the Heritage Overlay.

A number of property owners in Brandon Street (Brandon Street Submitters) supported the Amendment and submitted:

- the Heritage Study was comprehensive and meticulously researched by appropriately qualified heritage experts
- the Amendment is supported by planning policy, and does not conflict with any applicable State and local planning policy.

Other submitters raised issues with the strategic basis of the Heritage Study and questioned whether adequate research had been undertaken to justify its recommendations for applying the Heritage Overlay. Issues included:

- there is insufficient justification to applying the Heritage Overlay to large areas through a 'blanket' approach
- further research is needed to justify the Heritage Overlay
- whether meeting one HERCON criterion is sufficient to justify the Heritage Overlay
- whether the heritage significance should be assessed by a 'common person' rather than through a particular person or group with expertise.

One submitter considered the Heritage Study only addressed historical cultural and architectural aspects of planning and many other requirements had not been addressed. He raised issues relating to:

- balancing the needs of present and future interests of all Victorians
- the minimum thresholds required for heritage protection which falsely implies all and every property meeting this threshold must be protected
- full implications of the overlay should be discussed prior to its introduction, in particular restrictions regarding development
- the Explanatory Report states the Amendment is not expected to have any adverse environmental or economic effects, there is no environmental or economic impact statement or research and there are no criteria for either kind of impact.

He considered the views of residents had not been adequately considered and the process for preparing the Amendment had not complied with the requirements of the *Boroondara Community Plan*, specifically to *"engage with owners and developers to achieve a balance between development and protection of neighbourhood character, heritage and amenity"*.

Council submitted the consultants were highly experienced and had completed numerous heritage studies in Boroondara and across Melbourne. Previous Panel reports had supported the methodology in the Boroondara Municipal-Wide Heritage Gap Study.

Council considered that:

- the Heritage Study provides enough justification to justify its recommendations
- the precincts are strategically justified and through the assessment and comparative analysis detailed in the Heritage Study²
- expert opinion is necessary in assessing heritage significance
- Planning Practice Note 1 advises that a place or precinct only needs to meet one criterion to achieve the threshold for local significance
- there is no requirement for a place to be unique to apply the Heritage Overlay
- a comparative analysis is undertaken to demonstrate a place is comparable with other similar places in the suburb or Boroondara
- the Amendment is intended to benefit the broader community by protecting valued places
- its consultation process is consistent with Council's policies and the PE Act
- it is not required to prepare an environmental or economic impact assessment to progress the Amendment.

2 Urban Planning Delegated Committee Agenda, 6 September 2021

2.4 Discussion

The PE Act includes an objective which seeks to conserve buildings, areas and places of interest and balance the present and future interests of all Victorians. This is reflected in Plan Melbourne and in State and Local planning policies in the Boroondara Planning Scheme. These policies require Council to identify, protect, enhance and promote local heritage. The Amendment is supported by and implements these policy directions.

The Heritage Study identifies places and precincts with local heritage significance, and the methodology is consistent with *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (rev 2013) and Planning Practice Note 1.

The Panel considers:

- the Heritage Study is sound, based on appropriate methodology and research, and provides a solid base for strategically justifying the Amendment
- the Amendment appropriately considers the needs of present and future interests of all Victorians by introducing planning provisions that ensure local cultural heritage values are considered when assessing a planning permit application
- the Heritage Overlay is the appropriate planning provision to protect heritage precincts and individual places
- a place only needs to meet one criterion to achieve the local threshold for heritage significance.

Council has appropriately responded to the Amendment's environmental and economic effects through the Explanatory Report. No submission included information which contradicted Council's conclusion that the Amendment will not have negative environmental or economic effects.

2.5 Conclusions

For the reasons set out in the following chapters, the Panel concludes that the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified
- should proceed subject to addressing the more specific issues raised in submissions, as discussed in the following chapters.

3 Common issues

This chapter refers to issues which apply across more than one individual place or precinct. Where a submission raised only common issues, it is not referred to in subsequent chapters.

3.1 Building condition

(i) The issue

The issue is whether building condition is relevant when assessing the heritage significance of an individual place or a precinct.

(ii) Evidence and submissions

Submitters raised issues that many properties proposed for inclusion in the Heritage Overlay are in poor condition and have structural problems.

Submitters raised a range of issues relating to building condition:

- Interwar houses are approximately 100 years old, many had reached the end of their useful life expectancy and were no longer fit for purpose
- many properties were poorly built due to limited quality materials available at the time
- many houses have issues with foundations and are damaged by movement as a result of expansion and contraction of clay over many years
- dwellings are no longer structurally sound and there are safety issues.

Ms Schmeder did not comment on issues generally relating to building condition, however in response to one submission she stated:

While all buildings require cyclical maintenance and a more extensive renovation every few decades, houses constructed of traditional materials are very “repairable”, as opposed to much of modern construction that is panelised or incorporates non-repairable finishes such as acrylic render. This means that the traditional houses can be repaired repeatedly through their lifetime, making them a very sustainable built form.

In response to submissions the Council report stated:

- several submitters expressed the view their property has reached the end of its life-span and should be reconstructed to ensure modern living standards
- the structural integrity of buildings were not a valid consideration when deciding whether the Heritage Overlay should be applied, having regard to Planning Practice Note 1
- typically, an assessment of the economic life of a building is subjective and is dependent on a range of factors including a property owner’s willingness or desire to maintain or renovate the property
- many elements of a building’s structural integrity are not visible from the public realm such as foundation and condition of internal framing, which are not matters for consideration in a heritage assessment
- a heritage assessment is focussed on intactness (meaning original features) of a building as viewed from the public realm

- it has a responsibility to identify and protect places of local cultural significance. If evidence can be provided that a building is structurally unsound, this can be considered through the planning permit process once the Heritage Overlay has been applied on an interim or permanent basis.³

Council submitted:

- structural integrity is typically irrelevant to determining whether a place has heritage significance.
- property condition is a matter for heritage management and not identification and therefore is most appropriately considered at the planning permit stage.

Council drew the Panel's attention to the comments of the Advisory Committee on the *Review of the Heritage Overlay Provisions in Planning Schemes*:

... structural integrity or condition should not be a criterion in assessing heritage significance. It would be contrary to the fundamental principle in the Burra Charter that ... the consideration of significance should not be coloured by consideration of the management consequences of listing. There are also good policy reasons why condition should not affect the assessment of criteria: if it were to be a factor, it would encourage owners of heritage properties who were opposed to listing to allow them to fall into disrepair.

(iii) Discussion

The condition of a building is not directly relevant to whether a place is of heritage significance and the Heritage Overlay should be applied. Heritage significance is assessed with regard to the recognised heritage criteria in Planning Practice Note 1. A place may be in poor condition, but its heritage values are still legible and understood. Where a submission considers that poor condition impacts the intactness of a heritage place, the Panel has taken into considered whether the place achieves the necessary threshold for heritage significance, as discussed later in this report.

Structural condition may be considered during the planning permit application process when the proposal will be assessed against relevant planning policy objectives including heritage.

(iv) Conclusion

The Panel concludes that building condition is not relevant when assessing the heritage significance of an individual place or a precinct but may be relevant during the planning permit assessment process.

3.2 Development opportunity, building alterations and maintenance

(i) The issue

The issue is whether development opportunity, building alterations and maintenance are relevant when assessing the heritage significance of an individual place or a precinct.

(ii) Evidence and submissions

There were submissions which considered the Heritage Overlay would:

- restrict the ability to maintain, alter or develop their properties

³ Urban Planning Delegated Committee Agenda, 6 September 2021

- restrict development opportunities on land with growth potential
- remove ability to demolish a house and replace it with a new building
- not enable hazardous material such as asbestos to be removed
- restrict the ability to alter a house to achieve a modern living standard, achieve energy efficiency, address problems or meet owner needs
- discourage owners from maintaining and improving the interwar houses.

Council responded by submitting:

- it is proper heritage conservation practice to separate assessment of significance of heritage of a place from questions of its conservation, adaption, alteration and demolition
- it is common for Planning Scheme provisions to restrict land use and development
- the Heritage Overlay:
 - introduces another layer of planning control through additional permit triggers and considerations when assessing a planning permit application
 - is needed to recognise and appropriately manage places with identified heritage value
 - enables alterations to heritage properties
- future development proposed for land with the Heritage Overlay is guided by local heritage policy which aims to ensure any changes to a heritage place do not detrimentally affect the heritage significance of the place or adjoining contributory and significant places in a precinct.

Council cited the Planning Panel report for Boroondara Planning Scheme Amendment C266 which states:

The Heritage Overlay gives Council the ability to assess certain permit applications in response to the heritage place, including applications to demolish or remove a building.

The extent of further development will vary depending on each property's individual characteristics including positioning of the building on the lot, the design and configuration of the significant building, location of buildings abutting the property and the aspirations of each land owner.

...

Many buildings in the Amendment have been altered and modernised while retaining heritage significance, which demonstrates that heritage properties can be altered and modernised.

Referring to the *Boroondara PSA C274 [2020] PPV* Panel report, Council submitted that while the Heritage Overlay may restrict development potential of a property, this was not a reason for recommending against its application.

Council explained that Clause 22.03 (Heritage Policy) generally supports demolition of a non-contributory building, provided it does not compromise significant built fabric. It added:

While the full demolition of 'significant' or 'contributory' buildings is generally discouraged, the partial demolition of 'significant' or 'contributory' buildings may be allowed provided the partial demolition, additions or alterations will not adversely affect the cultural heritage significance of the place and will assist the long term conservation of the building.

Council explained that at the planning permit assessment stage a proposal would be assessed against a range of policy considerations.

Council submitted:

- all properties require ongoing maintenance to protect their amenity and value, and the Heritage Overlay does not require properties to be maintained to a particular standard

- routine maintenance and repairs which do not change the external appearance of the building may not require planning approval even if the Heritage Overlay applies
- heritage protection and environmental sustainability are not mutually exclusive, and application of the Heritage Overlay does not preclude owners from installing or incorporating environmentally sustainable features into a redevelopment
- it is common to have potentially competing planning objectives, such as environmental concerns and heritage protection and:
 - they should be more appropriately considered during the planning permit application process
 - this is not a reason for not applying the Heritage Overlay to an identified heritage place.

Several submitters referred to a statutory obligation for property owners to maintain the heritage building to a particular standard, stating Boroondara has a Local Law requiring a property owner or occupier to not allow a building or structure on private land to become dilapidated. Council clarified that the Amenity Local Law (Clause 42.2 - Dangerous and Unsightly Land and Nuisances) applies to all private property in the municipality and is intended to ensure buildings do not fall into disrepair to a degree they become a danger to the health, wellbeing and life of an occupant or the public.

The Brandon Street Submitters adopt Council's submissions regarding future development opportunities and property maintenance, stating:

The application of the Heritage Overlay does not prohibit redevelopment of individual properties. Rather, it introduces a new planning permit trigger, to ensure applications are consistent with planning policy. There is recent evidence in Brandon Street of existing buildings being renovated in a manner that is sympathetic to cultural heritage values.

(iii) Discussion

The Panel agrees with Council's submissions relating to development opportunity, building alterations and demolition. In determining whether the Heritage Overlay should be applied to a place, it is appropriate to separate the assessment of heritage significance from questions of development potential, conservation, adaption, alteration and demolition.

The Heritage Overlay:

- does not prohibit alterations and additions, or demolition
- allows property maintenance that does not change a property's appearance without the need for a planning permit
- ensures Council can assess the potential impact of a development proposal on properties with heritage significance.

The Panel agrees with Council that heritage protection and environmental sustainability are not mutually exclusive, and how a development proposal responds to a range of policy considerations is best dealt with through the planning permit application process.

(iv) Conclusion

The Panel concludes:

- The Heritage Overlay enables an owner to:
 - apply for a planning permit to develop their land, including alterations and demolition
 - maintain their property without the need for a planning permit.

- Development opportunity, building alterations and maintenance are not relevant when assessing the heritage significance of an individual place or a precinct.

3.3 Property value and financial implications

(i) The issue

The issue is whether property value and private financial implications are relevant when assessing heritage significance or when deciding whether to apply the Heritage Overlay.

(ii) Submissions

Numerous submissions considered the Heritage Overlay would reduce property values for reasons ranging from the inability to demolish their interwar house to nobody wanting to buy a house with major maintenance issues. One submitter stated that property valuers had identified that property values would decline by 10 to 20 per cent if the Heritage Overlay is applied.

Others disagreed and submitted:

- there is no evidence to support the assertion that the Heritage Overlay would reduce property value
- the precinct's heritage character would make it a highly desirable and valuable place to live.

The Brandon Street Submitters adopted Council's submissions on the relevance of property values, stating:

Many submissions merely assert an adverse impact on property values as a result of the application of the Heritage Overlay. There is no evidentiary basis for this assertion. The dwellings in the Summerhill Estate are affected by a single dwelling covenant and the Neighbourhood Residential Zone. The combination of these private and public controls makes the precinct an unlikely contender for significant redevelopment.

To the contrary, it is the heritage character of the Summerhill Precinct that makes it a highly desirable and valuable place to live. Application of the Heritage Overlay would ensure this heritage character is protected into the future.

Several submitters considered the Heritage Overlay would:

- increase the cost of maintaining or developing their properties through the need for planning permit fees, heritage architects and potentially costly and lengthy planning disputes
- affect the ability to repair existing and future structural defects, given each property's age and building materials
- result in derelict properties if property owners cannot afford to renovate or rebuild
- increased insurance premiums.

Numerous submitters considered it appropriate for Council to offer compensation or assistance with financial costs, including subsidising maintenance costs or reducing rates to compensate for loss of property value. They raised issues relating to wellbeing, emotional and financial distress.

One submitter stated that Council consistently ignored financial impacts, though Planning Practice Note 1 states that additional resources may be required to provide assistance and advice to affected property owners, which *"might include providing community access to a heritage adviser or other technical and financial assistance"*.

Council submitted:

- the PE Act requires places of local heritage value to be conserved and enhanced
- the purpose of the Heritage Overlay is to identify places of local heritage value and introduce the requirement to obtain a planning permit for works
- all houses require ongoing maintenance in order to protect their condition, amenity and value, regardless of whether they are in the Heritage Overlay
- private financial impact on property owners is not relevant when assessing the appropriateness of applying heritage provisions, with regard to Planning Practice Note 1
- financial impact may be relevant if it had a public economic effect, though there was no evidence of this in any submission.

Council referred to Planning Panel decisions which consistently found:

- issues relating to property value are not material to the planning scheme amendment stage of the planning process
- the key issue during the amendment stage is heritage significance
- economic issues of a personal or property specific nature are not relevant to an amendment but may be considered during the planning permit application stage
- private financial impact may be appropriate when considering an amendment if it overlaps with, or translate into, public economic effects of some kind.⁴

Council referred to the Victorian Supreme Court decision which reviewed the Planning Panel process for Melbourne Planning Scheme Amendment C207 (*Dustday Investments Pty Ltd v Minister for Planning* [2015] VSC 101). Justice Garde found no legal error by the Planning Panel which considered:

Public costs were identified as a proper consideration in relation to planning scheme amendment matters while the panel held private economic impacts fell outside the scope for consideration.

Regarding the requirement for permits and potential planning disputes, Council submitted:

- routine maintenance and repairs which do not change the external appearance generally do not require a planning permit
- heritage provisions are guided by clear policy in the Planning Scheme.

Council acknowledged the importance of wellbeing, and submitted:

- it did not negate any of Council's other legislative obligations
- the Heritage Study is intended to achieve broad community benefit.

(iii) Discussion

Property value is influenced by many complicated and dynamic variables and it would be difficult to single one out. The Panel was not presented with any information or evidence demonstrating the Amendment would impact property values. The Panel agrees that protecting the precinct's heritage character and values is likely to ensure it is a desirable and valuable place to live for certain members of the community.

⁴ Stonnington Planning Scheme Amendments C91, C101 and C103, Moreland Planning Scheme Amendments C78, C129 and C149, Frankston Planning Scheme Amendment C53, Melbourne Planning Scheme Amendment C207, Boroondara Planning Scheme Amendments C266 and C274

There may be some financial impact on individuals associated with applying for a planning permit application. However, there is no evidence that this would unreasonably impact the broader community. There would be no need for a permit and no additional planning cost if an owner simply seeks to maintain their property without altering the appearance.

Subsidies and compensation are not relevant when assessing the heritage significance of a place or under the PE Act. Planning Practice Note 1 provides guidance about to support for residents. It is Council's decision how it provides assistance and advice to affected property owners.

Consistent other Planning Panel and judicial findings, the Panel considers that it is not appropriate to consider economic effects of a personal or property specific nature during the planning scheme amendment stage. It may be relevant if it extends to a public economic effect at a broader community level. There was no information or evidence that demonstrated the Amendment would result in such an outcome.

(iv) Conclusion

The Panel concludes that property value and personal financial implications are not relevant when assessing heritage significance or when deciding whether to apply the Heritage Overlay to properties subject to the Amendment.

4 Precinct-wide issues

4.1 Precinct property categories and assessments

Each Statement of Significance for a heritage precinct categorises properties as either significant, contributory or non-contributory. The Heritage Study states that this approach is consistent with Planning Practice Note 1 and:

- refers to definitions in the Clause 22.03 (Heritage) of the Planning Scheme
- describes its approach to designating properties in a precinct.

Table 3 Precinct designation definitions

Clause 22.03	Heritage Study
Significant	
Places of State, municipal or local cultural heritage significance that are individually important in their own right. When in a precinct, they may also contribute to the cultural heritage significance of the precinct. 'Significant' graded places within a precinct are of the same cultural heritage value as places listed individually in the Schedule to the Heritage Overlay	Attributed to buildings in a precinct that exhibit particular architectural merit or other distinguishing characteristics, and which have a comparatively high level of external intactness
Contributory	
Places that contribute to the cultural heritage significance of a precinct. They are not considered to be individually important places of State, municipal or local cultural heritage significance, however when combined with other 'significant' and/or 'contributory' heritage places, they play an integral role in demonstrating the cultural heritage significance of a precinct	Attributed to buildings of any era, i.e., Victorian, Edwardian, interwar or post-war, which follow standard designs. The majority of buildings in precincts have a Contributory grade. In some instances, an altered building may still be considered 'Contributory' if its connection to the themes of the precinct can still be clearly understood. In addition, a very important building – that would otherwise be Significant – might be altered to a greater extent but still contribute to the significance of the precinct
Non-contributory	
Places within a heritage precinct that have no identifiable cultural heritage significance related to the precinct. They are included within the Heritage Overlay because any development of the place may impact on the cultural heritage significance of the precinct or adjacent 'significant' or 'contributory' heritage places	Attributed to buildings that have no association with the significance of the heritage place, or places that would otherwise be considered 'Contributory' but have been substantially altered to the point that their origins and relationship to the precinct's significance are no longer legible. Those with later additions, particularly upper storey extensions that are so large and close to the front façade that they overwhelm the presentation of the original building, have also been graded non-contributory.

No submission objected to the Heritage Study's approach to designating properties in a precinct, though there were objections to their own property's designation. Where a submission has objected, the Panel has applied the Heritage Study's approach and Clause 22.03 definitions to inform its assessment.

The Heritage Study's heritage designations and Clause 22.03 refer to a property forming part of a broader heritage precinct. The Panel has assessed each contributory and non-contributory property's relationship with the broader heritage precinct – not as an individual place.

4.2 Non-contributory properties in a precinct

(i) The issue

The issue is whether a non-contributory property should be excluded from a heritage precinct.

(ii) Evidence and submissions

There were submitters who sought to remove their non-contributory properties from a heritage precinct. Many of these properties were located within the precinct while others were along the precinct boundary.

(iii) Discussion

Each exhibited heritage precinct is a single entity comprising of different parts – significant, contributory and non-contributory properties. These are not gradings, and all properties have an important role in a precinct.

While an altered or non-original house on a non-contributory property can be replaced, it must sensitively fit in with its heritage streetscape and ensure it does not negatively impact the precinct's significance. The Panel considers a non-contributory property well within a precinct boundary should remain because future development needs to be assessed to ensure that its form and design responds to its surrounds.

A non-contributory property along the precinct's boundary should only be included if future development is likely to impact the precinct's significance. Whether this is likely depends on the property's location and orientation. For example, new development on a non-contributory property along the precinct boundary may be oriented away from contributory properties, thereby negating the need to include it in the precinct.

The Panel has assessed each precinct accordingly.

(iv) Conclusion

The Panel concludes that a non-contributory property:

- should be generally included in a heritage precinct to ensure future development on that land responds sensitively to the heritage fabric on neighbouring contributory properties in the precinct
- may be excluded if it is at the precinct boundary and future development on that land is unlikely to impact surrounding heritage and the precinct's significance.

4.3 Restrictive covenant and planning provisions

(i) The issues

The issues are:

- whether the restrictive covenant on property titles in the Summerhill Estate Precinct (HO905) is relevant when assessing the heritage significance of a precinct and justifying the Heritage Overlay
- whether Neighbourhood Residential Zone is a suitable alternative to the Heritage Overlay for protecting heritage
- whether the Neighbourhood Character Overlay should be applied rather than the Heritage Overlay.

(ii) Evidence and submissions

Submitters with properties in the Summerhill Estate Precinct referred to the restrictive covenant on their property titles which requires among other things:

- No more than one dwelling house roofed with tiles or slates; and
- The dwelling shall cost for erection not less than the sum of five hundred pounds.

Summerhill Estate Precinct property owners had differing views about the need for the Heritage Overlay on properties subject to a covenant and Neighbourhood Residential Zone Schedule 3 (NRZ3). Numerous submitters considered the Heritage Overlay to be unnecessary because:

- NRZ3 provides sufficient protection
- the Neighbourhood Character Overlay would be more appropriate
- the covenant protects the estate's character rather than have multiple building styles.

One submitter stated:

This means that further subdivision of the land is not possible, and any building must incorporate a tiled or slate roof, which typically leads to a more traditional building expression given the necessary slope required for tiled roofs.

Other submitters in the Summerhill Estate Precinct considered the covenant was not a substitute for the Heritage Overlay. At the Hearing, they presented images of relatively recent two storey dwellings which met the covenant requirements but were out of character with the surrounding heritage streetscape.

Ms Schmeder opined that the covenant and NRZ3 would not protect the precinct's original houses. She added, the Heritage Overlay:

- is the appropriate planning tool for protecting heritage places and precincts
- can control partial or full demolition of houses.

Ms Schmeder stated that the restrictive covenant:

- is acknowledged in the Heritage Study
- has probably prevented more extensive development in the estate
- has not prevented new dwellings which are not in keeping with the area's heritage character
- does not protect elements of heritage value such as contributory houses, front fences and garages
- does not control demolition of existing buildings or their replacement.

(iii) Discussion

The purpose of a restrictive covenant is generally different to that of an overlay in the Planning Scheme. For example, a developer may seek to apply a restrictive covenant to give prospective purchases greater certainty.

The Heritage Overlay seeks to conserve and enhance heritage places and ensure that new development respects existing heritage fabric.

The existing covenant has prohibited an increase in the number of houses in the estate without regulating alterations and replacement houses, other than specifying two types of roof cladding.

The parent clause to NRZ3 includes a purpose which seeks:

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristic.

However, NRZ3 exempts the need for a permit for a single dwelling on a lot greater than 500 square metres. There appears to be no overlay on properties in the Summerhill Estate Precinct. When considering the restrictive covenant only enables a single dwelling on each lot, a planning permit would not be needed for a new dwelling in the estate. NRZ3 is therefore unsuitable for protecting heritage.

The Neighbourhood Character Overlay has purposes regarding neighbourhood character – not heritage. It is unclear how this overlay would effectively manage existing heritage and new development in a precinct.

(iv) Conclusion

The Panel concludes:

- The restrictive covenant on property titles in the Summerhill Estate Precinct (HO905) is not relevant when assessing the heritage significance of a precinct and justifying the Heritage Overlay.
- The Neighbourhood Residential Zone and Neighbourhood Character Overlay are not suitable alternatives to the Heritage Overlay for protecting heritage.

5 Mont Iris Estate and Environs Precinct (HO901)

Exhibited Statement of Significance



What is significant?

The Mont Iris Estate and Environs Precinct is significant, encompassing 29-43 & 30-38 Allison Avenue; 7-17 & 10-12 Bridges Street; 6-74 Dent Street; 1-33 & 2-26 Fuller Avenue; 127-147 & 126-150 High Street; 1-37 & 2-32 Hilltop Avenue; 1-31 & 2-20 Mont Iris Avenue; 1-35 & 2-36 Munro Avenue; 15-21 & 30-36 Seaton Street; 1-19 & 2-20 Sherwood Street; 152 Summerhill Road; 1-35 & 2-36 Tower Hill Road; 1-31 Vale Street, Glen Iris and Ashburton.

The precinct comprises a number of interwar-era subdivisions stretching south from High Street and west from the Ashburton shopping strip. Some areas of bluestone kerb remain on Bridges Street, the remaining streets all have concrete kerbs as was typical of the interwar period. The houses are set back behind modest front gardens, many of which retain their original or early front fences. The houses are a mix of large and smaller single-storey dwellings with a few double storey houses. Many of the properties are enhanced by the retention of original front fences, mostly masonry, and a smaller number retain original detached or detached garages. These elements are contributory.

The precinct contains a number of individually significant houses, namely 7 Fuller Avenue of 1924-25, 133 High Street of 1937-38, 148 High Street of c1908, and 152 Summerhill Road of 1916.

The following properties are non-contributory: 30, 35 & 36 Allison Avenue; 10, 11, 12, 13 & 15 Bridges Street; 64, 70 & 72 Dent Street; 1, 6, 8, 18, 20, 21, 26 & 29 Fuller Avenue; 145 & 150 High Street; 9, 19, 21, 21A, 22, 24 & 27 Hilltop Avenue; 1/1, 2/1, 8, 12, 19, 21, 27 & 29 Mont Iris Avenue; 1, 5, 7, 9A, 12, 26, 31 & 34 Munro Avenue; 19 Seaton Street; 3, 4, 13A, 15 & 17 Sherwood Street; 5, 15, 26, 31, 32, 34 & 36 Tower Hill Road; and 1, 5, 2/9, 11, 13, 19, 29 & 31 Vale Street.

The remaining properties are contributory.

How is it significant?

The Mont Iris Estate and Environs Precinct is of local historical and architectural (representative) significance to the City of Boroondara. The individually significant houses are also of aesthetic significance.

Why is it significant?

The precinct is of historical significance as a tangible illustration of Glen Iris' principal period of development: the interwar era. While the suburb had been served by rail since the 1890s, only limited residential development took place until after World War I by which time it was well served by tram lines. Transitioning from an area of market gardens and villas on large estates such as Tower Hill, the precinct was subdivided for suburban development starting in 1912 on the north side of High Street, and to the south in 1915 and 1916 with the Mont Iris and Bonnie View Hill estates, and continued through the 1920s and 1930s with the Glen, Albion Park and Tower Hill estates. The spread of houses throughout the precinct further demonstrates the development patterns in Glen Iris, with the earliest houses (of the 1920s) found in the eastern and northern areas near the Ashburton railway station and High Street, while houses built between 1930 and the 1942 ban on non-essential construction dominate throughout the rest of the precinct, with some final infill development in the same interwar styles just after WWII. **(Criterion A)**

Tower House, at 148 High Street, is of historical, architectural and aesthetic significance. It is historically significant for its demonstration of the earliest stage of development in Ashburton and the eastern part of Glen Iris. In the late 1800s and early 1900s, after the coming of the railway, this area was home to a small number of detached houses on large blocks of land, supporting either market gardens or the estates of wealthy Melbournians. Tower Hill is one of the most substantial houses in the eastern part of Boroondara, and one of a small number of pre-interwar houses to survive in Ashburton. It is of architectural significance as a substantial and highly intact example of the conservative early 1900s houses that illustrate the transition between the standard Victorian Italianate style and the new Queen Anne. The Italianate elements include its massing with a low-line M-hipped roof, rendered and corniced chimneys, smooth rendered walls, and a separate roof form to the verandah. The Queen Anne aspects are the gables to the projecting bays filled with half-timbering (unusually created with smooth and roughcast render here), turned-timber verandah posts with decorative timber fretwork, and terracotta roof tiles. While this transitional house type was popular in the first years of the twentieth century, Tower House is unusual for its Italianate lookout tower, which gives the house a landmark quality. **(Criteria A, D & E)**

The precinct is of architectural significance for its representation of domestic styles popular during the interwar and early post-war eras, beginning with timber and brick California Bungalows in the 1920s and early 1930s, and a multitude of styles in the 1930s until 1942. The precinct is particularly rich in examples of the Old English style, the majority built of rendered or face brick but some of timber with a masonry porch adding a more prestigious touch. There are also many Moderne and Art Deco houses in the precinct, both brick and timber plus a masonry porch, as well as examples of the Georgian Revival. Some late interwar houses were simple hipped or gabled bungalows with decorative elements limited to curved porch hoods, corner windows, and slab or stepped chimneys. Cream brick began to appear among the more common clinker brick. Early post-war houses continue the same architectural forms and decorative elements of Old English, Moderne and Georgian Revival houses, as well as the simple bungalows. A large number of houses are enhanced by the retention of an original front fence, most of them of brick, with a smaller number retaining detached or attached garages built to match the house. The fences and regular front and side setbacks demonstrate common characteristics of interwar suburban development. Views within the precinct are enhanced by the views created by the sloping north-south streets. **(Criterion D)**

Three individually significant houses in the precinct are of aesthetic significance for their accomplished designs. These include the earliest house in the precinct, Ellesmere at 152 Summerhill Road of 1915-16. It is substantial cross-gabled attic-storey bungalow which retains a high level of decoration, both in its render and face brick cladding, and in its varied window forms and leadlighting. The triple-fronted brick California Bungalow of 1924-25 at 7 Fuller Avenue is also a substantial house on a larger than average block, which is notable for its intact range of cladding materials and textures, and unusual details such as the semi-circular bay window which intersects with and covers a front gable with a shingled cap. The influence of the Streamlined Moderne is elegantly embodied in the 1937-38 two-storey house at 133 High Street, constructed by builder Hector M Keast of Weavell & Keast as his own home, which combines the standard hipped roof form with stylish details such as steel corner windows and a double-curved balcony over the entrance. The mature English Oak and Pin Oak street trees forming a tunnel-like avenue along Fuller Avenue are a distinctive trait of this street, and enhances its aesthetic significance. **(Criterion E)**

5.1 Precinct assessment and properties

(i) The issue

The issue is whether the Mont Iris Estate and Environs Precinct meets the threshold of local heritage significance to justify the Heritage Overlay (HO901).

(ii) Evidence and submissions

The owners of 39 Allison Street, 54 and 74 Dent Street, 142 High Street, 30 Seaton Street, 12 and 19 Sherwood Street, and 17 and 19 Vale Street objected to the Amendment for the reasons set out in Chapters 3 and 4.

Regarding the overall precinct, there were submissions which considered:

- the entire precinct should not proceed because:
 - it lacks integrity due to the extent of demolition, alterations and disparate housing mix
 - Dent Street lacks architectural cohesion, consistency and integrity
- Dent Street and the western end of the precinct, including Allison Avenue, Bridges Street and Fuller Avenue should be excluded from the precinct because the properties have been substantially altered and no longer meet Criteria A and D
- properties forming the Albion Park and Bonnie View estates do not form an intact streetscape and can no longer be recognised or identified as interwar development
- the area between Dent and Vale Streets should be excluded because it does not contribute to the precinct
- the area comprising 11-19 Vale Street, 15-19 Sherwood Street and 16-20 Mont Iris Avenue should be excluded from the precinct because many of the properties do not contribute to the precinct's significance and their removal would not affect the precinct's integrity
- the comparative analysis refers to numerous disparate precincts in the Heritage Overlay to justify the Mont Iris Estate and Environs Precinct
- not all interwar houses are worth preserving because they were poorly constructed due to social and economic circumstances during that time.

There were submissions which requested that:

- 9 Bridges Street be excluded from the precinct because:
 - the first floor is an alteration designed to look like part of the original house
 - the house no longer resembles its original single storey form
 - there is no apparent two storey original 1930s original house within 1 kilometre of the property
- 54 Dent Street be excluded from the precinct because:
 - the Dent Street streetscape lacks coherence, consistency and integrity
 - the house has little historical or architectural significance to contribute to the precinct
 - 70 and 72 Dent Street have been categorised as non-contributory but have more architectural detail and aesthetic appeal
- 56 Dent Street be excluded from the precinct because it has been extensively altered including:
 - rear extensions which block the original driveway
 - modern window at the front left façade blocking original laundry door
 - modern front door replacing the original door

- two large water tanks and roof solar panels visible from the street
- picket fence replacing the original front fence
- 74 Dent Street be recategorised from contributory to non-contributory because:
 - the original garage has been substantially altered
 - the front entry steps to the porch and the front fence are unsafe
- 7 Hilltop Avenue be recategorised from contributory to non-contributory
- 30 Seaton Street be excluded from the precinct because it does not meet Criteria A, D and E and does not contribute to the precinct
- 1 Sherwood Street be excluded from the precinct because it:
 - has been extensively altered from an Art Deco style house to a reproduction Californian Bungalow
 - no longer retains its original features, as compared in photos and plans included in the submission
- 12 Sherwood Street be excluded from the precinct because it is a simple weatherboard without any standout period features, it is not a Californian Bungalow and has been altered
- 19 Sherwood Street be excluded from the precinct or recategorised as non-contributory because the house has been altered, including a new carport
- 17 Vale Street be excluded from the precinct or recategorised as non-contributory because:
 - at its 2 March 2020 meeting, Council resolved to withdraw its request for the interim Heritage Overlay for 17 Vale Street
 - Council has given consent under section 29B of the *Building Act 1993* to demolish the house
 - the property is not individually significant and does not contribute to the precinct
 - about half the houses on Vale Street are non-contributory
- the precinct boundary be moved to the boundary of 5 Sherwood Street because Nos 3 and 4 are non-contributory properties.

Council advised that the original house at 12 Dent Street had been demolished since the Heritage Study was completed and that it had resolved to exclude the property from the precinct. At the Hearing, the owner requested the Panel support Council's resolved intention to exclude the property. Ms Schmeder considered that 12 Dent Street should remain as a non-contributory property.

Responding to submissions, Ms Schmeder stated:

- the Heritage Study's two-stage comparative analysis:
 - demonstrates the precinct is of local heritage significance
 - adequately justifies the proposed area of Sherwood Street, Vale Street and Mont Iris Avenue
- the original houses at 1 Sherwood Street and 12 Dent Street have since been demolished and should be recategorised from contributory to non-contributory
- 33 Fuller Avenue should be recategorised from contributory to significant
- 7 Hilltop Street has been extensively altered and should be recategorised from contributory to non-contributory

- all other properties, despite their alterations, have been correctly categorised because their architectural style, typical of that during the interwar period, contributes to the precinct's significance.

At the Hearing, the Panel asked Ms Schmeder questions about the precinct's cohesiveness, particular around the Bridge Street area. She responded that there would need to be further assessment to understand if the exhibited precinct could be split into two or more smaller precincts and whether Fuller Avenue properties would form a precinct on their own.

(iii) Discussion

The Mont Iris Estate and Environs Precinct has serious issues. Its proposed scale has challenged its cohesion, through the concentration and location of non-contributory properties. The irregularly shaped precinct is the least cohesive of all precincts proposed by the Amendment. It appears to be multiple precincts separated by areas of non-contributory properties rather than a single cohesive precinct.

A heritage precinct is not apparent:

- in the area comprising Bridge Street properties, 10 Fuller Avenue and 30 and 35 Allison Avenue
- in the area comprising Vale Street properties between Sherwood Street and Hilltop Avenue; 13A, 15 and 17 Sherwood Street; and 19, 21, 21A, 22, 24, 26 and 27 Hilltop Avenue
- between properties along High Street with the remaining precinct area south of High Street.

The scale and location of these non-contributory areas restrict the ability to understand that surrounding properties are interrelated within one precinct.

The Panel does not support the non-contiguous, 'Swiss cheese' approach applied in the interim Heritage Overlay (HO901). Excluding non-contributory properties which are located well within the precinct:

- would create a non-contiguous area which would not be understood from the street
- not enable Council to assess how future development on that land will impact the surrounding heritage streetscape
- is not considered good practice.

The precinct, as exhibited, is not intact enough to achieve local significance, and should not progress through the Amendment. However, there are areas, particularly the north-eastern part, which are cohesive enough to meet the threshold of local heritage significance, but the boundary of such areas needed to be determined through further review. It agrees with Ms Schmeder that further work is needed to define these areas after reviewing their cohesiveness.

When reviewed against the HO901 Statement of Significance, the Panel agrees with Ms Schmeder that 33 Fuller Avenue is a significant property and 1 Sherwood Street, 7 Hilltop Street and 12 Dent Street are non-contributory properties. The heritage fabric for the latter three properties has been either significantly altered or removed entirely.

The Panel provides guidance, should Council agree to review the precinct.

Table 4 Mont Iris Estate and Environs Precinct review guidance

Precinct review guidance	Comments?
Exclude the area comprising Bridge Street properties, 10 Fuller Avenue and 30 and 35 Allison Avenue	The concentration of non-contributory properties separates Fuller Avenue properties from the remaining precinct area, restricting the ability to view a single precinct
Exclude the area comprising Vale Street properties between Sherwood Street and Hilltop Avenue; 13A, 15 and 17 Sherwood Street; and 19, 21, 21A, 22, 24, 26 and 27 Hilltop Avenue	The concentration of non-contributory properties separates areas to its west, north and east, restricting the ability to view a single precinct
Exclude 1 Fuller Avenue, 1, 2, 3 and 4 Sherwood Street, 150 High Street and 1 Munro Avenue	Any future development on these properties would not affect the precinct. Recategorising 1 Sherwood Street means that No 2 will be surrounded by three non-contributory properties and no longer have an apparent relationship with other properties in the street. Aligning the precinct boundary to properties on only one side of the street is consistent with the approach for the Glen Iris Heights and Cherry's Hill Estates Precinct (HO895) and Summerhill Estate (HO905).
Recategorise 33 Fuller Avenue from contributory to significant	Ms Schmeder's evidence and the post-exhibition version of the HO901 heritage citation support the property being categorised as significant. The property is individually important in its own right. If Fuller Avenue is excluded from a future precinct, apply the Heritage Overlay to the property as an individual place subject to undertaking further work to enable this.
Recategorise 7 Hilltop Street and 12 Dent Street from contributory to non-contributory if they are included in a future precinct.	The properties no longer contribute to the precinct because at 7 Hilltop Street has been extensively altered and the original house at 12 Dent Street has been demolished.
Include 12 Dent Street if 6-28 Dent Street remain in a future precinct	Any future development on the property may impact this highly intact section of the streetscape.
Any future precinct should separate properties along High Street from any precinct south of High Street.	There is no apparent association between them.

(iv) Conclusion

The Panel concludes:

- The area described as the Mont Iris Estate and Environs Precinct does not present as a single cohesive heritage precinct and should not progress through the Amendment.
- Council should review, through a separate process, the exhibited Mont Iris Estate and Environs Precinct area with the intent of defining one or more cohesive heritage precincts.

- The Mont Iris Estate and Environs Precinct has areas, particularly the north-eastern part, which are cohesive enough to meet the threshold of local heritage significance, but the boundary of such areas should be determined through the review.
- Any future precinct resulting from the review should follow the guidance set out in Table 4 of this report.

The Panel recommends:

Delete the Heritage Overlay (HO901) for the Mont Iris Estate and Environs Precinct.

Delete the Statement of Significance for the Mont Iris Estate and Environs Precinct (HO901).

5.2 High Street road reserve

(i) The issue

The issue is whether it is appropriate and justified to apply the Heritage Overlay to the High Street road reserve.

(ii) Evidence and submissions

Head, Transport for Victoria submitted that the Heritage Study did not identify any heritage significance to the road fabric of arterial roads. It requested the Heritage Overlay not apply to any arterial road and the reference to High Street and the reserve in the HO901 heritage citation be amended accordingly.

Ms Schmeder agreed the High Street road reserve is not recognised as having specific heritage significance. She added:

It does, however, retain bluestone pitched kerbs to most of the section within the Heritage Overlay precinct, as well as nature strips on both sides. Removal of these elements would have an impact on the heritage significance of the precinct.

Ms Schmeder recommended the High Street road reserve be mapped as part of the precinct to assess any future roadwork impacts.

(iii) Discussion

The Heritage Study does not assess or identify High Street as having heritage significance. As concluded earlier, there is no apparent relationship between the properties north and south of High Street. Unlike the local streets within the precinct, High Street, a State managed road reserve, lacks the relatively dense tree canopies and wider nature strips. The Panel agrees with Ms Schmeder that High Street has sections of bluestone kerbs, however:

- there is no supporting evidence to justify the Heritage Overlay to the entire road reserve for this reason
- there is no explanation why not applying the Heritage Overlay would impact the precinct's significance.

(iv) Conclusion

The Panel concludes that it is not appropriate or justified to apply the Heritage Overlay to the High Street road reservation.

6 Summerhill Estate Precinct (HO905)

Exhibited Statement of Significance



What is significant?

Summerhill Estate Precinct is significant, comprising 1A-39 & 2-34 Adrian Street; 1-3 & 30-44 Audrey Crescent; 1-67 & 2-64 Brandon Street; 1-69 & 2-70 Celia Street; 1-71 & 2-72 Florizel Street; 1-53 & 2-68 Hortense Street; 1-25 & 2-46 Montana Street; 2-4 Prosper Parade; 37-91 Summerhill Road, Glen Iris.

The original front fences and original garages are contributory elements of the precinct.

No change is proposed to the following places which are already on the heritage overlay and are individually significant: 32 Hortense Street (HO386) and 1 Montana Street (HO393).

The following properties are non-contributory: 10, 11, 12, 13, 15, 17, 18, 22, 28, 31 & 35 Adrian Street; 3 Audrey Crescent; 6, 7, 8, 14, 18, 22, 24, 26, 34, 42, 59 & 64 Brandon Street; 2, 7, 9, 16, 18, 20, 26, 29, 46, 47, 49, 55, 57, 58, 59, 64, 67 & 69 Celia Street; 1, 3, 10, 31, 39, 41, 43, 52, 54, 59, 60, 65, 66, 70 & 72 Florizel Street; 1, 5, 13, 14, 18, 24, 29, 35, 39, 44, 54, 62 & 64 Hortense Street; 2, 7, 16, 18, 19, 25 & 44 Montana Street; 2 Prosper Parade; and 51, 55 & 77 Summerhill Road.

The remaining properties are contributory.

How is it significant?

The Summerhill Estate Precinct is of local historical, architectural and aesthetic significance to the City of Boroondara.

Why is it significant?

The Summerhill Estate precinct is a tangible illustration of the rapid transformation of Glen Iris during the interwar period from an area of market gardens to a dense suburb. Subdivided in 1925, it was one of Boroondara's major interwar residential subdivisions. There was a small amount of infill development in the early post-war period, continuing the same styles and a similar palette of materials, creating a very cohesive area of development. **(Criterion A)**

It is closely linked with the nationally known estate agent, businessman and philanthropist, Thomas Burke, whose mark on the interwar suburbanisation of Boroondara and metropolitan Melbourne is exemplified by this subdivision. In Boroondara he is also remembered as a major benefactor of the Catholic Church and its institutions, gifting Burke Hall to the Jesuits as a preparatory school for Xavier College in 1920.

(Criteria A & H)

The Summerhill Estate precinct contains many examples representing the principal domestic architectural styles of the late interwar and early post-war periods. Apart from a small number of California Bungalows from the late 1920s, there are many examples of the Interwar Mediterranean style, the Old English style and the Moderne/Art Deco style. These two later styles continued to be built just after the war in nearly identical forms and materials. Nearly all of them are built of masonry, some rendered or of stone, but the large majority built of face brick in colours ranging from red and clinker, to brown manganese and cream bricks. In keeping with the estate's covenant, house roofs were normally tiled. A large number of houses are enhanced by the retention of an original front fence, most of them of brick (face brick or rendered), with a smaller number retaining detached or attached garages built to match the house. The fences and regular front and side setbacks demonstrate the importance of the suburban garden setting for interwar development. **(Criterion D)**

32 Hortense Street (HO386) of 1938 is aesthetically significant as a distinctive example of the application of eclectic Tudor styling to a standard size two-storey 1930s Melbourne residence. Designed by experienced residential practitioner, architect Leslie Reed, it is a confident composition which is distinguished by a combination of Medieval and Tudor references and its varied and richly applied external materials. Though altered through the construction of rear additions, the principal street presentation of the building remains generally unaltered and the property retains its original fence and a sympathetic garden setting.

(Criterion E)

1 Montana Street (HO393) of 1941 is architecturally and aesthetically significant as is a fine and relatively intact example of the glazed brick, parapet-roofed and conspicuously modern houses which appeared in Boroondara after c. 1937. The house is an assured and successful composition, using its corner siting well and incorporating a series of interesting building forms and materials. It is distinctive for the extensive use of glazed manganese brick to all facades. It is also of some significance for its planning, specifically in its articulation of a bi-nuclear plan. **(Criteria D & E)**

6.1 Precinct assessment

(i) The issue

The issue is whether the Summerhill Estate Precinct meets the threshold of local heritage significance to justify the Heritage Overlay (HO905).

(ii) Evidence and submissions

Several property owners questioned the significance of the Summerhill Estate Precinct. They submitted:

- the precinct does not meet any of the criteria set out in its Statement of Significance
- the association with Thomas Burke in insufficient justification to apply Criterion H
- the neighbourhood's original character has significantly changed through loss of older dwellings and the precinct is not sufficiently intact
- the houses are not remarkable or examples of a particular style or architecture
- 82 of the 385 houses, or almost one quarter, no longer contribute to the precinct
- the Amendment relied on too many experts and the threshold for including properties has been set too low
- including so many properties in the precinct is not a proportional response
- the precinct compares poorly with other better and more intact heritage precincts in Boroondara.

Numerous submitters noted that almost a quarter of the houses in the precinct have been demolished or heavily altered since the 1991 heritage study by the City of Camberwell.

Ms Schmeder considered the precinct:

- retains a strong interwar character through large group of interwar and early post-war houses
- is an excellent example of an interwar suburban development in Glen Iris and Boroondara that should be protected.

She added that contributory properties in the precinct only need to be representative. Individually significant properties need to be remarkable.

Ms Schmeder recommended that Criterion H be deleted from the HO905 Statement of Significance, noting that Thomas Burke's involvement is addressed through Criterion A.

Property owners requested that 2 and 4 Prospect Parade be excluded from the precinct. They submitted the two properties are at the precinct's boundary, face outwards and are surrounded by non-contributory modern dwellings.

After reinspecting 2 and 4 Prosper Parade in response to a submission, Ms Schmeder recommended that they be removed from the precinct. She explained:

- No 4 was the only contributory property facing Prosper Parade
- No 4 has a tenuous visual connection to other contributory/significant properties in the precinct
- Removing 2 and 4 Prosper Parade would not impact any other streetscape or contributory/significant property in the precinct.

Council advocated to remove 2 and 4 Prosper Parade from the precinct.

(iii) Discussion

The Summerhill Estate Precinct is the most cohesive of the larger precincts proposed through the Amendment, but it is not without its challenges. Its relatively large area includes pockets where its cohesiveness is notably eroded. This includes areas of consecutive non-contributory properties such as:

- 22, 24 and 26 Brandon Street in a section where seven out of the 11 properties (between 6 and 26) are non-contributory
- 38, 40 and 42 Brandon Street after the contributory houses at 38 and 40 were demolished following the Amendment's exhibition
- 16, 18 and 20 Celia Street
- 55, 57 and 59 Celia Street in a section where five out of seven properties (between 47 and 59) are non-contributory
- 39, 41 and 43 Florizel Street.

A person standing in the precinct cannot see the entire precinct area. The extent of view will depend on where they are positioned. This is relevant because someone may find it difficult to see a cohesive precinct when seven out of 11 properties in one section of Brandon Street are non-contributory. This relatively poor presentation is partly offset by the almost entirely contributory properties on the east side of Brandon Street, directly opposite.

The consecutive non-contributory properties affect the ability to appreciate the precinct, however not to the point where the precinct is no longer sufficiently intact to be significant.

The precinct, even with its non-contributory properties throughout, is comparable with other heritage precincts in Boroondara.

There are consecutive non-contributory properties at the precinct's boundary which should be excluded because they do not appear to be part of the precinct, and any future development on that land would not affect the precinct's significance.

These include:

- 11, 13, 15 and 17 Adrian Street, which are opposite two other non-contributory properties
- 1 Hortsense Street and 2 and 4 Prosper Parade (since the house at 4 Prosper Parade was demolished after exhibition) and 2 Montana Street, which are generally outward facing
- 67 and 69 Celia Street and 70 and 72 Florizel Street
- 64 Brandon Street.

The Panel agrees with Ms Schmeder's recommendation to not reference Criterion H in the Statement of Significance, but to reference Thomas Burke under Criteria A. Mr Burke should be identified for his role in developing one of Boroondara's major interwar residential subdivisions because it is of historical significance.

Council should consider referencing Mr Burke's role in the Boroondara Thematic History.

(iv) Conclusions and recommendation

The Panel concludes:

- The Summerhill Estate Precinct generally meets the threshold of local heritage significance to justify the Heritage Overlay (HO905).

- The HO905 Statement of Significance should not reference Criterion H or any content associated with it.
- The following properties should be removed from the Summerhill Estate Precinct (HO905):
 - 11, 13, 15 and 17 Adrian Street
 - 1 Hortense Street and 2 and 4 Prosper Parade and 2 Montana Street
 - 67 and 69 Celia Street and 70 and 72 Florizel Street
 - 64 Brandon Street.

The Panel recommends:

Remove from the Summerhill Estate Precinct (HO905):

- a) 11, 13, 15 and 17 Adrian Street, Glen Iris
- b) 1 Hortense Street and 2 and 4 Prosper Parade and 2 Montana Street, Glen Iris
- c) 67 and 69 Celia Street and 70 and 72 Florizel Street, Glen Iris
- d) 64 Brandon Street, Glen Iris.

Amend the Statement of Significance for:

- a) Summerhill Estate Precinct (HO905) to delete reference to Criterion H and associated content.

6.2 Adrian Street properties

(i) The issues

The issues are whether the Adrian Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

(ii) Evidence and submissions

There were submissions which considered the Heritage Overlay should not be applied to:

- the non-contributory property at 22 Adrian Street
- all properties for reasons set out in Chapter 6.1 of this report.

Ms Schmeder recommended no changes to properties in Adrian Street in response to submissions. Council accepted Ms Schmeder's evidence.

(iii) Discussion

The Panel has previously concluded that 11, 13, 15 and 17 Adrian Street should be excluded from the precinct.

The Panel considers the Amendment has appropriately categorised properties in Adrian Street. This includes the contributory category for 4 Adrian Street. The non-contributory property at 22 Adrian Street should remain for reasons set out in Chapter 4.2.

(iv) Conclusion

The Panel concludes that Adrian Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

6.3 Audrey Crescent properties

(i) The issue

The issue is whether 30-44 Audrey Crescent properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

(ii) Evidence and submissions

There were submissions which considered:

- the individually significant properties are “*stand out examples of their time*” and should be retained
- nearly all of 30-44 Audrey Crescent have had extensive alterations which reduce any relevance to their construction period
- 42 Audrey Crescent:
 - has lost its steel framed windows and fascia-concealed gutters, and has had its original front porch, façade colour, front fence and landscape altered
 - should be recategorised to non-contributory
- 30 Audrey Crescent:
 - have reduced its appearance due to the two new houses at Nos 26 and 28
 - does not have a building façade worth preserving.

Ms Schmeder considered that 30-44 Audrey Crescent had been correctly categorised and did not recommend any changes in responses to submissions. She did not agree that nearly all of 30-44 Audrey Crescent have had extensive alteration. She explained:

- three of the eight contributory houses have had minor external alterations
- 34, 40 and 42 Audrey Crescent remain intact, irrespective of their alterations
- the window openings at Nos 34 and 42 have not been altered, though their windows have been replaced
- the carport at No 40 and solar panels at No 42 are reversible changes
- the rear extension at No 44 sits behind the entire main roof.

Council accepted Ms Schmeder’s evidence.

(iii) Discussion

The Panel considers the Amendment has appropriately categorised properties in Audrey Crescent. The non-contributory properties should remain for reasons set out in Chapter 4.2.

(iv) Conclusion

The Panel concludes that Audrey Crescent properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

6.4 Brandon Street properties

(i) The issues

The issues are whether the Brandon Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

(ii) Evidence and submissions

The owners of 7, 8, 13, 18, 34, 41 and 54 Brandon Street objected to the Amendment for reasons set out in Chapters 3, 4 and 6.1.

The owners of 41 Brandon Street considered that their property is not intact enough to contribute to the precinct because it has been significantly altered, including:

- a new central front entrance, porch and steps enclosed by a steel framed glass door to replace the original side steps
- extensive coloured rendering over the clinker and red brick
- a modern rendered front fence to replace the original fence and a pebble wash concrete driveway.

Ms Schmeder did not recommend any change to the Amendment in response to submissions regarding Brandon Street properties.

Regarding 41 Brandon Street, Ms Schmeder stated:

- the brick balustrade in the front porch has been removed to create access from the front rather than the sides and that the steps had been relocated from the side to the front
- the original front porch is legible
- the house appears to have been always rendered because of the texture of the render and its relationship with the exposed clinker brick plinth and decorative elements on the gable
- the owners did not provide evidence to support claims that it was rendered later
- if rendered later, the rendering would have protruded beyond the exposed brickwork
- even if some or all of the current rendering is an alteration, the house is intact enough to contribute to the precinct
- the current fence and driveway paving are not in keeping with the front gardens in the interwar period but these are not requirements for a contributory property
- the rear extension is single storey and does not impact views from the street.

Ms Schmeder explained the houses at 38 and 40 Brandon Street had been demolished since the Heritage Study and should be recategorised from contributory to non-contributory. She noted there were no submissions for these properties.

Council accepted Ms Schmeder's evidence regarding Brandon Street properties.

(iii) Discussion

The Panel has previously concluded that the non-contributory property at 64 Brandon Street should be excluded from the precinct. Almost all submissions for Brandon Street raised common and precinct-wide issues discussed earlier in this report and are not repeated here.

Regarding 42 Brandon Street, the Panel acknowledges the front porch and steps alterations. The original front porch remains sufficiently intact to understand the house's original design. For reasons given by Ms Schmeder, it is unlikely that the house was rendered at a later stage. The Panel may have been persuaded otherwise if the owners presented a historic photo showing the house with unrendered bricks.

The new porch glass and front fence respond sensitively to the original house through their colours and materials. There is sufficient front garden area to indicate what may have existed before the driveway was widened.

The Panel considers that 42 Brandon Street is intact enough to contribute to the precinct's significance.

The heritage fabric no longer exists at 38 and 40 Brandon Street, therefore they are unable to contribute to the precinct and should be recategorised accordingly.

(iv) Conclusions and recommendation

The Panel concludes:

- The Brandon Street properties were appropriately categorised and included in the Summerhill Estate Precinct (HO905) when the Heritage Study was completed.
- The properties at 38 and 40 Brandon Street should be recategorised from contributory to non-contributory to recognise that the original houses have since been demolished.

The Panel recommends:

Amend the Statement of Significance for:

- a) **Summerhill Estate Precinct (HO905) to recategorise 38 and 40 Brandon Street from contributory to non-contributory.**

6.5 Celia Street properties

(i) The issue

The issue is whether the Celia Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

(ii) Evidence and submissions

The owner of 9 Celia Street objected to the Amendment for reasons set out in Chapters 3 and 6.1.

The owners of 23 Celia Street:

- supported the protection of heritage in the precinct but objected to applying the Heritage Overlay, as exhibited, to achieve this outcome
- referred to 5 Celia Street as a failed example of a double storey rear extension which retains the original building façade.

The owner of 55 Celia Street considered:

- future development on non-contributory properties at 55, 57 and 59 Celia Street would have limited impact on the precinct's contributory elements
- the intactness of the east side of Celia Street is significantly compromised because a significant proportion of these properties have been categorised as non-contributory.

The owners of 60 Celia Street considered that their property had insufficient significance to justify the precinct-based Heritage Overlay. They explained that their house:

- does not demonstrate the original interwar and early post-war character which dominates the precinct
- does not fall into the group of houses that demonstrate the continuation of late interwar forms and details
- is not of the same style or similar palette of materials of other properties in the street or precinct.

Ms Schmeder did not recommend any change to the Amendment in response to submissions regarding Celia Street properties. She stated:

- Celia Street is sufficiently intact, even with the seven non-contributory properties on the east side of Celia Street between Ariel Avenue and Audrey Crescent
- new development on non-contributory properties at 55, 57 and 59 Celia Street could impact surrounding contributory properties, therefore they should remain in the precinct
- the 1955 house at 60 Celia Street is highly intact, an excellent example of a post-war housing which adopted an interwar style, and should be categorised as contributory
- the rear extension at 5 Celia Street was approved before the interim Heritage Overlay was introduced, but is recessed with a large setback.

Council accepted Ms Schmeder's evidence.

(iii) Discussion

The Panel has reviewed Celia Street properties based on the Panel's earlier conclusions that:

- the Heritage Overlay is the appropriate planning provision for managing heritage
- a non-contributory property should generally be included in a precinct, if needed to manage heritage significance
- the non-contributory properties at 67 and 69 Celia Street should be excluded from the precinct.

Like the west side of Brandon Street (north of Ariel Avenue), the intactness of the east side of Celia Street (south of Ariel Avenue) is challenged by the relatively higher concentration of non-contributory properties. It would be reasonable for an observer to question whether they were in a heritage precinct if they stood in front of the new houses at 55, 57 and 59 Celia Street, directly opposite the new house at No 58.

After considerable deliberation, the Panel finds the southern section of Celia Street from No 55 to Audrey Crescent to be sufficiently intact – but only just. What persuaded this view was:

- the relatively intact west side of the street which illustrates what could have existed on the east side if it was more intact
- the adjacent properties further north along Celia Street and in Brandon Street (between Ariel Avenue and Audrey Crescent) which provide further context of a more cohesive heritage streetscape as an observer travels through the precinct.

An architectural style may not necessarily align with a development era. The style may continue to be applied several years later or be revived decades later. The HO905 Statement of Significance identifies the "*small amount of infill in the early post-war period*" which continued to adopt an interwar architectural style as being significant. The highly intact 1955 house at 60 Celia Street meets this parameter and should be categorised as contributory.

The Panel agrees with the contributory and non-contributory categories proposed for properties in Celia Street.

(iv) Conclusion

The Panel concludes that Celia Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

6.6 Florizel Street properties

(i) The issue

The issue is whether the Florizel Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

(ii) Evidence and submissions

The owners of 56 Florizel Street requested that their property be recategorised from contributory to non-contributory. They submitted:

- the house's original brickwork, including its façade, has been cladded
- window reveals are new and the porch has been enclosed
- the alterations cannot be reversed
- the contributory category is inconsistent with the non-contributory category for 20 Celia Street which they considered appears more like its original form.

The owner of 63 Florizel Street objected to the Heritage Overlay being applied to his property. He compared his property with the individually significant property at 13-15 Kerferd Road, Glen Iris and submitted that his house does not have any significant or unusual featured windows, decorative screens, curved porch or featured bricks. He noted his house had been altered.

The owner of 69 Florizel Street requested that his property be recategorised to non-contributory. He submitted:

- the house's original features do not contribute to the precinct's heritage character
- the house has been altered with an extension which replaced the steel framed windows with timber windows.

Ms Schmeder considered that 56 and 63 Florizel Street should be categorised as contributory. She explained that:

- 56 Florizel Street:
 - had cladding added in 2019, shortly after the Heritage Study's preliminary community consultation
 - has its front façade brick walls concealed but the brickwork of most side elevations are still visible
 - retains its original double-hung sash windows
 - was built in 1940, shares its massing and materials with other Moderne-influenced interwar houses in the precinct, and is still intact enough to contribute to the precinct
- 63 Florizel Street can be clearly recognised as a 1930s dwelling and is intact enough to contribute to the precinct.

Ms Schmeder recommended that 69 Florizel Street be recategorised from contributory to non-contributory. She explained the house's original Old English appearance no longer existed.

Council accepted Ms Schmeder's evidence.

(iii) Discussion

The Panel agrees with Ms Schmeder that:

- 56 and 63 Florizel Street are intact enough to contribute to the precinct's significance and should be categorised as contributory

- 69 Florizel Street has been altered, where it no longer appears in its original style and does not contribute to the precinct's significance.

Alterations to No 56 have modernised its appearance, however its form and materials continue to present its original construction era. If the original bricks remain under the cladding, it is unclear why the cladding is not reversible.

(iv) Conclusions and recommendation

The Panel concludes:

- Generally, the Florizel Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).
- 69 Florizel Street, Glen Iris should be recategorised from contributory to non-contributory because the house no longer resembles its original appearance.

The Panel recommends:

Amend the Statement of Significance for:

- Summerhill Estate Precinct (HO905) to recategorise 69 Florizel Street, Glen Iris from contributory to non-contributory.**

6.7 Hortense Street properties

(i) The issues

The issues are whether the Hortense Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

(ii) Evidence and submissions

The owners of 16, 23, 39, 40, 41, 43, 54, 56 and 58 Hortense Street objected to the Amendment for reasons set out in Chapters 3, 4 and 6.1.

Submissions regarding Hortense Street properties included:

- there are multi-storey modern houses on either side of 16 Hortense Street
- 23 Hortense Street has no original features or style because:
 - all external doors and windows have been replaced
 - all front walls have been replaced and new front and side brick walls added
 - the garage has been replaced with a double garage
 - there has been extensive front and rear yard landscaping
 - the security system is visible from the street
- 40 Hortense Street has no heritage significance and does not contribute to the precinct
- 41 Hortense Street should be excluded from the precinct because the house façade is no longer original
- 43 Hortense Street should be excluded from the precinct because the house's appearance does not have significant aesthetic appeal
- the Heritage Overlay should not apply to the non-contributory property at 54 Hortense Street, consistent with how 19 Bridges Street, Glen Iris was removed from the Mont Iris Estate and Environs precinct
- 56 Hortense Street should be categorised non-contributory because the house is in poor condition and No 54 appears more significant

- 60 Hortense Street should be categorised non-contributory because:
 - the first floor addition is not sufficiently set back from the façade and dominates the original house
 - the carport and garage which replaced the original garage is not a reversible change
 - the original plan confirms the sunporch is different to the original porch
 - the chimney has been rebricked.

Ms Schmeder considered that all Hortense Street properties have been appropriately categorised as either contributory or non-contributory. She recommended no change to the Amendment in response to relevant submissions and stated:

- 23 Hortense Street:
 - was constructed as a two storey house, as confirmed by historic permit plans
 - is intact enough to contribute to the precinct
 - has had sympathetic alterations, some of which are reversible
- 41 Hortense Street is highly intact, when compared with a historic building elevation, and its rear alterations are not visible from the street
- 54 Hortense Street should remain as a non-contributory property because future development could negatively affect the precinct
- 56 Hortense Street:
 - was granted a building permit in April 1953, appears highly intact and has overpainted bricks which can be reversed
 - is one of numerous early post-war houses in the precinct that continued the late interwar hipped-roof bungalow house form
 - has cream bricks which began in the late interwar period with other examples at 62 Dent Street and 20 Munro Avenue, Glen Iris
- 60 Hortense Street is intact enough to contribute to the precinct and:
 - has 1940 permit elevations and 1945 aerial photo which show the first floor and the use of a concrete slab over the front porch
 - the addition to the first floor is sufficiently set back from the house's front facade and is legible as a later change
 - other alterations are minor and reversible.

(iii) Discussion

The Panel has previously concluded that the non-contributory property at 1 Hortense Street should be excluded from the precinct.

Like other streets in the precinct, the Panel considered each of the Hortense Street properties to understand their relationship with the precinct's significance and broader streetscape. After careful consideration, it could not fault the Heritage Study's assessment of each property. For example, 40 and 41 Hortense Street are clearly intact interwar houses which contribute to the heritage.

The house at 56 Hortense Street:

- had its permit approved well after the interwar period
- has a hybrid of interwar and post-war architecture, dominated by a post-war form
- does not have sufficient form or features to represent interwar architecture
- should be recategorised from contributory to non-contributory.

Cream coloured bricks may have been used in the late interwar period, however the two examples which Ms Schmeder referred to had strong interwar architectural form and features. The house at 56 Hortense Street does not.

The Panel gave particular attention to the first floor extension at 60 Hortense Street. The addition's colours and materials are almost competing with the original first floor. However, the modest setback from the original first floor façade enables an observer to understand the first floor's original southern alignment. Overall, 60 Hortense Street is intact enough to contribute to the precinct.

(iv) Conclusion and recommendation

The Panel concludes:

- Generally, the Hortense Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).
- 56 Hortense Street should be recategorised from contributory to non-contributory.

The Panel recommends:

Amend the Statement of Significance for:

- a) **Summerhill Estate Precinct (HO905) to recategorise 56 Hortense Street, Glen Iris from contributory to non-contributory.**

6.8 Montana Street properties

(i) The issues

The issues are whether the Montana Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).

(ii) Evidence and submissions

The owners of 10, 15 and 36 Montana Street each objected to the Amendment for reasons set out in Chapters 3 and 6.1.

The owners of 23 Montana Street objected to the Heritage Overlay being applied to their property and to the property being categorised as contributory. They submitted:

- the mid-1950s brick veneer house does not have an architectural style consistent with the styles referred to in the HO905 Statement of Significance
- the property does not contribute to the precinct's aesthetic, social or historical importance.

Ms Schmeder did not recommend any change to the Amendment in response to submissions from the owners of 10, 15 and 36 Montana Street. She considered 36 Montana Street to be a highly intact example of a simple Moderne style which retained its matching clinker brick front fence.

Ms Schmeder recommended that 23 Montana Street be recategorised from contributory to non-contributory. She explained that after her reinspection, she found the 1954 house had a distinctly post-war appearance rather than the inter-war style houses built during the inter-war and early post-war era.

Council accepted Ms Schmeder's evidence.

(iii) Discussion

The Panel agrees with Ms Schmeder's evidence regarding Montana Street properties. The owners of 10, 15 and 36 Montana Street did not provide information which disputed the Heritage Study's assessment or categorisation of their respective property.

The 23 Montana Street house is not consistent with what is sought through the HO905 Statement of Significance. The Statement identifies architectural styles from the interwar period as well as early post-war houses which continued to apply those styles. The 23 Montana Street house has a post-war appearance and therefore does not meet the threshold for contributing to the precinct's significance.

(iv) Conclusions and recommendation

The Panel concludes:

- Generally, the Montana Street properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).
- 23 Montana Street, Glen Iris should be recategorised from contributory to non-contributory because the house has a post-war appearance, which is not identified as being significant in the HO905 Statement of Significance.

The Panel recommends:

Amend the Statement of Significance for:

- a) **Summerhill Estate Precinct (HO905) to recategorise 23 Montana Street, Glen Iris from contributory to non-contributory.**

6.9 Summerhill Road properties**(i) The issues**

The issues are:

- whether the Summerhill Road properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905)
- whether the HO905 heritage citation should include more details about 67 Summerhill Road, Glen Iris.

(ii) Evidence and submissions

The owners of 47, 51, 53, 65, 67, 71 and 79 Summerhill Road objected to the Amendment for reasons set out in Chapters 3 and 6.1.

Through two separate submissions, the 67 Summerhill Road owners:

- requested that the following alterations regarding their property be referenced in the Heritage Study:
 - original gates and fence demolished and replaced with a new fence in 2018
 - new carport constructed in 1995
 - remodelled garage roofline
 - original garage doors removed and replaced with iron cladding
 - new door and window installed to the garage
- submitted that 41-99 Summerhill Road has evolved through alterations and demolitions which they listed for each property.

The 79 Summerhill Road owner requested that his property be recategorised from contributory to non-contributory because the original 1930s façade no longer existed. He explained the property had been altered through:

- the original house being extensively renovated, including a second storey extension
- the original garage being replaced with a new double garage
- the original front cottage garden and driveway being replaced, including paving stones in the front yard
- the original fence has been replaced.

Ms Schmeder described 37-91 Summerhill Road as a “*natural inclusion*” which strengthens the precinct’s significance. She did not directly respond to the 67 Summerhill Road owner’s request to include further details regarding his property. She stated the alterations were done in a sympathetic manner and the house is still highly intact.

Regarding 79 Summerhill Road, Ms Schmeder stated:

- the two storey addition is set behind the original hipped roof so is very recessed
- there is no apparent alteration to the original house visible from the street
- the front fence is in the same materials as the house
- despite the alterations, including the front pavers, the property is intact and contributes to the precinct.

(iii) Discussion

The Panel considers the properties along Summerhill Road have been appropriately categorised. All but three houses along the street present with architectural styles common during the interwar period. The properties collectively provide a cohesive streetscape that can be associated with other parts of the precinct. Nos 67 and 79 have been visibly altered, however they are intact enough to present as interwar houses. The Panel agrees with Ms Schmeder’s evidence regarding Summerhill Road properties.

The HO905 heritage citation needs to describe the significant elements of the precinct but does not have to provide specific details for each individual property. In some circumstances, alterations should be described if they cannot be distinguished from the original heritage fabric. However, the alterations raised by submitters clearly present themselves as not forming part of the original house or property and do not have to be referenced in the precinct’s citation.

(iv) Conclusion

The Panel concludes:

- The Summerhill Road properties have been appropriately categorised and included in the Summerhill Estate Precinct (HO905).
- The HO905 heritage citation does not need to include more details about 67 Summerhill Road, Glen Iris.

7 Other heritage precincts

7.1 Glen Iris Heights and Cherry's Hill Precinct (HO895)

Exhibited Statement of Significance



What is significant?

The Glen Iris Heights and Cherry's Hill Estates Precinct is significant, comprising 1-31 & 2-32 Kerferd Road; 1-7 & 2-10 Muswell Hill; and 145-209 & 148-162 Glen Iris Road, Glen Iris.

The precinct comprises parts of a number of subdivisions grouped around the Township of Glen Iris. The earliest of them is the original Glen Iris Heights Estate, created in 1888, with Cherry's Hill Estate of 1920 to the south and the Glen Iris Park Estate (1919) and the second Glen Iris Heights Estate (1912 & 1916) along the east side of Glen Iris Road. A small number of Victorian houses survive on Kerferd Road, surrounded by interwar suburban development of the 1920s up to the imposition of bans on non-essential construction in 1942, with a few early post-war examples in the same interwar styles.

The bluestone kerbs to Kerferd Road and Glen Iris Road (on the west side, to the north of Kerferd Road) are contributory. Original fences and garages to the interwar houses are also contributory.

The following place is already included in the heritage overlay and is individually significant:
177 Glen Iris Road (HO385). No change is proposed to this place.

The Victorian house at 13-15 Kerferd Road is individually significant, while later buildings and structures on the same site are considered non-contributory.

The following properties are non-contributory:

- 2/152, 158, 2/162, 2/165, 2/169, 175 & 189 Glen Iris Road;
- 12, 14, 16, 23, 25 & 28 Kerferd Road; and
- 1 & 4 Muswell Hill.

The remaining properties are contributory.

How is it significant?

The Glen Iris Heights and Cherry's Hill Estates precinct is of local historical and architectural significance to the City of Boroondara, and 177 Glen Iris Road is also of aesthetic significance.

Why is it significant?

The precinct is of historical significance as a tangible illustration of the two periods in which suburban residential development in Glen Iris began and when it truly flourished: the Victorian and interwar eras. The Glen Iris Township was surveyed in 1879 (Cherry's Hill Estate was subdivided from part of it in 1920). Until the 1880s, there was little residential development beyond the occasional villa. During the land boom of the 1880s a number of residential estates were subdivided, encouraged in part by the opening of the Burnley to Oakleigh rail line. While house construction began at this time, the economic downturn of the 1890s meant that only a limited number of houses, most of them modest, were built. The three Victorian houses at 13-15, 19 and 27 Kerferd Road and the bluestone kerbs along this street and the adjoining part of Glen Iris Road illustrate this period. The subsequent infill development in the interwar era illustrates the rapid transformation of Glen Iris at this time into a densely populated suburb. **(Criterion A)**

The precinct is of architectural significance for its representation of domestic styles popular during the interwar era, beginning with timber and brick California Bungalows in the 1920s, and masonry Old English and Moderne/Art Deco houses of the 1930s and 1940s. These two later styles continued to be built just after the war in nearly identical forms and materials. Some houses are enhanced by the retention of an original front fence, most of them of brick, with a smaller number retaining detached or attached garages built to match the house. The low fences and regular front and side setbacks demonstrate the importance of the suburban garden setting for interwar development. **(Criterion D)**

The Victorian Queen Anne residence at 13-15 Kerferd Road is historically significant as one of three houses built to market the original Glen Iris Heights Estate. Owned by the Australian Alliance Investment Company, the estate offered blocks for sale from 1888 in the land between Glen Iris Road, Gardiner Parade, Howard Street and Kerferd Road. It is one of three 'show' houses, along with 22 Bourne Road and 30 Howard Street, used in an attempt to attract others to buy and build on the estate. It is architecturally significant as one of three houses in Glen Iris representing the work of Walter Richmond Butler (1864-1949) and Beverley Ussher (1868-1908) during their practice together from 1889-1893. All three houses share characteristics of tall two-storey proportions, the use of polychrome face brick, asymmetrical form with projecting bay or box windows, hipped and gabled roofs of slate and timber verandah fretwork. The size and grandeur of the houses is uncommon for the suburb, having been designed to showcase the potential of Glen Iris area. The early use of the Queen Anne style indicates how up to date they were stylistically. **(Criteria A & D)**

The Roy Newton House, 177 Glen Iris Road, is of historical and aesthetically significance at a municipal level as a two-storey prototype for what is now known as the 'Postwar Vernacular' housing that dominated Australian suburbs after World War II. It is one of the earliest and key examples within Boroondara which demonstrate the adoption of this new direction in suburban housing style. Its design is skilled in balancing the inherent weight of tile and brick cavity wall construction with a series of robust details and solid scaling. The design shows a sense for the richness of its contemporary materials and exploits this in a vivid manner. **(Criterion E)**

(i) The issues

The issues are:

- whether the Glen Iris Heights and Cherry's Hill Precinct meets the threshold of local heritage significance to justify the Heritage Overlay (HO895)
- whether 1/162 Glen Iris Road and 5 and 26 Kerferd Road, Glen Iris have been appropriately categorised and included in the Glen Iris Heights and Cherry's Hill Precinct (HO895).

(ii) Evidence and submissions

The owners of 26 Kerferd Road and 1/162 Glen Iris objected to the Amendment for the reasons set out in Chapters 3 and 4.

The 26 Kerferd Road owner requested the property be excluded from the precinct because:

- there are other older houses in the precinct
- Kerferd Road is not a homogenous streetscape
- the Heritage Overlay has been applied inconsistently to only part of Kerferd Road.

The owner of 1/162 Glen Iris Road considered the property not intact enough to contribute to the precinct because it has been significantly altered, including:

- external alterations to the house including to the windows, tiles and porch
- the front fence built in 1970
- subdivision of the lot, subsequent construction of a unit at the rear, and a new carport.

The 5 Kerferd Road owner considered the property not intact enough to contribute to the precinct or meet the threshold because it has been significantly altered, including:

- the house had been substantially altered inside and outside, with the only remaining original aspects the front façade and sides at the front of the house
- fences have been replaced.

Ms Schmeder did not recommend any change to the Amendment in response to submissions regarding properties in the precinct.

Regarding issues raised by the 26 Kerferd Road owner, Ms Schmeder stated that:

- the precinct boundary was aligned to include the densest area of contributory houses that form the dominant character
- some interwar houses have been excluded from the precinct at the west end of Kerferd Road as there is a greater number of potentially non-contributory dwellings
- properties that do not contribute to the significance of the precinct have been categorised as non-contributory
- the two principal periods of development in the precinct (Victorian and interwar houses) is an excellent illustration of Glen Iris' early development and the lack of homogeneity is an important and positive feature of the precinct.

Regarding 1/162 Glen Iris Road, Ms Schmeder stated:

- the minor reversible changes have little impact on the house's appearance
- the fence was not original but was reasonably sympathetic in appearance
- there is no requirement for the house to retain its original front fence to be contributory
- the subdivision retains enough visual separation between the original house and rear unit

- the original house is diminished by no longer having a large backyard, but there are still clear views to it from Glen Iris and Kerferd Roads
- the rear carport has little or no impact on the heritage value
- it is a fine house which contributes to the precinct.

Regarding 5 Kerferd Road, she stated:

- building interior alterations are not relevant because only the exterior is protected
- the fence does not need to be retained to contribute to the heritage precinct
- the property contributes to:
 - the historical and architectural significance of the precinct as part of a larger group of houses
 - an understanding of interwar residential development of this area
- it is a highly intact house which contributes to the precinct.

Council accepted Ms Schmeder's evidence for the precinct.

(iii) Discussion

The Glen Iris Heights and Cherry's Hill Precinct is a relatively cohesive linear T-shaped precinct that reflects the Victorian and interwar eras. Its cohesiveness relates to various architectural styles which were dominant during these eras. The precinct does not need to have a homogenous style. The interwar period is known for its diverse range of housing styles and its departure from relatively more consistent styles during previous eras. The mix of Victorian and interwar era housing demonstrates the evolution of the precinct from the late nineteenth century through to the early part of the twentieth century.

The precinct meets the threshold of local significance to justify the Heritage Overlay (HO895). The non-contributory properties should be included in the precinct so that future development can be assessed to understand its impact on surrounding heritage values.

The precinct boundary is appropriately aligned to the densest area of contributory houses that form the dominant character. This has resulted in the Heritage Overlay being applied to properties along part but not all of Kerferd Road.

The properties at 1/162 Glen Iris Road and 5 and 26 Kerferd Road have been appropriately categorised as contributory. They are intact enough to present as interwar houses within the heritage streetscape.

(iv) Conclusions

The Panel concludes:

- The Glen Iris Heights and Cherry's Hill Precinct meets the threshold of local heritage significance to justify the Heritage Overlay (HO895).
- 1/162 Glen Iris Road and 5 and 26 Kerferd Road have been appropriately categorised and included in the Glen Iris Heights and Cherry's Hill Precinct (HO895).

7.2 Violet Farm Estate Precinct (HO908)

Exhibited Statement of Significance



What is significant?

The Violet Farm Estate Precinct is significant, comprising 377-423 Burke Road; 1-35 & 2-36 Faircroft Avenue; 11 & 14 Grosvenor Road; 2-16 & 1-15 Harris Avenue; 1-15 & 6-12 Macdonald Street; 2-30 & 1-21 Parkin Street; and 1-47 & 2-30 Rix Street, Glen Iris.

The precinct comprises two 1920s subdivisions situated just north of Gardener's Creek, bounded by Burke Road to the east and Toorak Road to the north. The majority of the houses were built in the late 1920s until the ban on non-essential construction in 1942, as well as one house identical to pre-1942 examples that was built just after the war.

The concrete roadbeds of Rix Street and Faircroft Avenue, original fences and original garages are

contributory elements of the precinct.

The following places are individually significant: 395, 397, and 399 Burke Road (within the existing HO154); 10 Faircroft Avenue (existing HO43); 8 Macdonald Street; 12 Macdonald Street (existing HO91); and 35, 37, 39, 41, 43 and 45 Rix Street.

The following properties are non-contributory: 381-383A Burke Road; 19, 20 & 32 Faircroft Avenue; 1 & 7 Harris Avenue; 5 Macdonald Street; 3, 2/18 & 26 Parkin Street; 3, 7 & 19 Rix Street. The remaining properties are contributory.

How is it significant?

The Violet Farm Estate Precinct is of local historical, architectural and aesthetic significance to the City of Boroondara.

Why is it significant?

The Violet Farm Estate Precinct, comprising the Violet Farm Estate subdivision of 1925 and the Great Violet Farm Estate subdivision of 1928, is a tangible illustration of the rapid transformation of Glen Iris during the interwar period from an area of market gardens to a dense suburb. As indicated by the name of the subdivisions, it was the site of a violet farm owned by A Rix from 1905. Its owner is commemorated by the name of Rix Street.

The houses along Burke Road illustrate how higher quality development was traditionally located along major roads, with a strong sense of public address. **(Criterion A)**

The precinct is of architectural significance for its representation of domestic styles popular during the interwar era, beginning with timber and brick California Bungalows in the 1920s and early 1930s, and a multitude of styles in the 1930s which were built until just after World War II. The common later styles are Spanish Mission, Mediterranean Revival, Old English, Moderne/Art Deco, eclectic mixtures that defy stylistic definition, as well as the very simple hipped roof bungalows built around 1940 and when construction recommenced after 1945. The houses of this period were executed in rendered or face brick with tiled roofs, and many of them were built as semi-detached pairs with the two dwellings comprising a cohesive design.

A large number of houses are enhanced by the retention of an original front fence, most of them of brick, with a smaller number retaining detached or attached garages built to match the house. The fences and regular front and side setbacks demonstrate the importance of the suburban garden setting for interwar development. The concrete roadbeds on Rix Street and Faircroft Avenue demonstrate the short-lived popularity of this material for roads in the 1920s. **(Criterion D)**

395, 397, and 399 Burke Road (HO154) are architecturally significant as the most substantial of the houses along Burke Road, which are distinguished by their elevated siting, intact setting, and their high-quality renditions of interwar styles.

10 Faircroft Avenue (HO43) is architecturally significant for the illustration of the connection between the Moderne movement of the 1930s and the brick veneer houses which dominated post World War II Melbourne. It is unusually intact.

8 Macdonald Street is architecturally significant as a particularly finely detailed and picturesquely massed example of the Old English Revival that retains its original exterior finishes and setting to a high degree.

12 Macdonald Street (HO91) is architecturally significant as an excellent illustration of the 1930s and 1940s in the development of the vernacular garden villa from the 1880s to the present day.

(Criterion D)

The subject precinct is distinguished in Glen Iris and Boroondara by the outstanding collection of houses along Burke Road (most of which were previously protected as precinct HO154), the distinctive groups of single-builder 1920s and 1930s houses which are atypical variations on common styles, and the general high quality of design of houses. **(Criterion E)**

The row of two-storey flats at 35 & 37, 39 & 41 and 43 & 45 Rix Street of 1937-38 are aesthetically significant as striking and unusual compositions which adopt elements from a number of interwar styles. While each displays different details, executed in face brick on a render ground, they have been designed as a cohesive complex, a parapeted building flanked by those with hipped roofs. The three are highly intact and retain their front fences, though the shared fence of Nos. 39 & 41 has been raised in height.

(Criterion E)

(i) The issues

The issues are:

- whether the Parkin Street properties should be included in the Violet Farm Estate Precinct (HO908)
- whether 12 Harris Avenue, 31 Rix Street, and 21 and 30 Parkin Street, Glen Iris have been appropriately categorised and included in the Violet Farm Estate Precinct (HO908).

(ii) Evidence and submissions

One submitter objected to the Amendment for the reasons set out in Chapters 2 and 3. They considered Parkin Street should be excluded from the precinct because:

- unlike Rix Street and Faircroft Avenue, Parkin Street has inconsistent architectural styles, no sense of a heritage streetscape and no significant individual houses
- circa 15 per cent of homes on the street are non-contributory to the proposed heritage overlay
- the style of homes on Parkin Street are not uncommon in older suburbs. They have no heritage value apart from being old and have limited features which are typically associated with heritage homes or precincts.

The submitter stated that the heritage evidence of Mr Briggs of John Briggs Architects supported the view that Parkin Street lacked heritage features and streetscape, did not meet the criteria for heritage significance and should not be included in the precinct.

The owner of 12 Harris Avenue considered the property not intact enough to contribute to the precinct because it has been significantly altered, including:

- changes to the façade and front porch which had been raised and covered with concrete
- a new carport and brick wall to the sides of the house, and fly screens
- replacement of front fence, front screen doors and roof tiles
- overpainted stucco masonry, side and rear walls and brick chimney
- damaged tuck pointing
- raised ground level around the house.

The owner of 31 Rix Street objected to the Amendment for the reasons set out in Chapter 3, and considered the property not intact or significant enough to include in the Heritage Overlay (HO908). Changes included alterations and modern additions to the façade, colour palette, lighting, cladding and front door. The original property had been subdivided, and a carport had been added and the form of the frontage of the rear dwelling had been changed. It was submitted that while the dwelling has some period features it was not worthy of inclusion.

The owner of 30 Parkin Street objected to the Amendment for the reasons set out in Chapter 4, and considered:

- the Statement of Significance did not identify what is of heritage significance at the subject property
- all of the features identified can be seen across many houses in Boroondara
- it does not retain an original garage
- the property is not contributory.

Ms Schmeder did not recommend any change to the Amendment in response to submissions regarding properties in the precinct.

Ms Schmeder considered Parkin Street exhibited a high level of intactness, containing interwar houses that are related in style and era to the rest of the precinct, and should be retained in the precinct. She added:

- the precinct has a number of building styles and this is characteristic of the interwar period
- housing on Parkin Street is closely stylistically related with the rest of the precinct and in other suburbs
- the proportion of contributory buildings (24 out of 27) is relatively high, is the same or better than other precincts, and illustrates an interwar residential development
- the precinct boundary had been carefully considered to leave out less intact areas.

Regarding 12 Harris Avenue, Ms Schmeder stated:

- there have been external changes, and most are reversible or repairable
- overpainting of roughcast render is more difficult to remove, however few interwar houses retain unpainted render, and the average contributory house has painted render
- the fence appears to be partially original, is sympathetic and does not need to be retained for the property to be contributory
- overall the house is intact enough to contribute to the precinct.

Regarding 31 Rix Street, she stated:

- the plan of the house has not changed since it was constructed in 1941
- it is a simple house but is typical of what was being built at the end of the interwar period
- it is highly intact and contributes to illustrating interwar residential architecture.

Regarding 30 Parkin Street, she stated:

- it is one of a number of Art Deco duplexes designed with distinctive details and materiality by a single builder
- the elements identified by the submitter contribute to the precinct
- the property illustrates interwar development and domestic architecture which was characteristic of the designer-builder work distinctive in the precinct
- there is no requirement for original garages or for the house to have extensive decorative features to be contributory
- the house is highly intact and sufficient to be contributory.

Ms Schmeder recommended that 21 Parkin Street be recategorised from contributory to non-contributory. She explained that the contributory house had been demolished since the Heritage Study.

Council accepted Ms Schmeder's evidence for this precinct.

(iii) Discussion

The Violet Farm Estate Precinct is significant for representing interwar architecture, which typically reflects a range of styles during that era. Parkin Street has a high proportion of these contributory properties.

The Panel was not provided with information which persuaded it that properties along Parkin Street should be excluded from the precinct. The Panel agrees with Ms Schmeder that the mix of housing styles does not diminish the heritage significance of Parkin Street. Rather, it closely relates

to the property styles reflected across and representative of the broader Violet Farm Estate Precinct.

The Amendment has appropriately categorised 12 Harris Avenue, 31 Rix Street and 30 Parkin Street. The Panel acknowledges the alterations described by submitters, but agrees with Ms Schmeder that:

- the changes are mostly reversible or repairable
- the removal of original fences or garages do not affect the ability for a property to contribute to the precinct
- the properties remain sufficiently intact with distinctive architectural characteristics and features, consistent with the precinct's heritage significance.

The Panel agrees with Ms Schmeder's recommendation to recategorise 21 Parkin Street from contributory to non-contributory because the original dwelling has been demolished.

(iv) Conclusions and recommendation

The Panel concludes:

- Parkin Street properties should be included in the Violet Farm Estate Precinct (HO908).
- 12 Harris Avenue, 31 Rix Street, and 21 and 30 Parkin Street, Glen Iris have been appropriately categorised and included in the Violet Farm Estate Precinct (HO908).

The Panel recommends:

Amend the Statement of Significance for:

- a) Violet Farm Estate Precinct (HO908) to recategorise 21 Parkin Street, Glen Iris from contributory to non-contributory.**

8 Individual places

8.1 39 Peate Avenue, Glen Iris (HO891)

Exhibited Statement of Significance



What is significant?

39 Peate Avenue, Glen Iris, an Edwardian house built in 1916 is significant. The brick front fence with clinker brick pillars, decorative rendered capping and metal gate is also significant. The extension on the south side is not significant.

How is it significant?

39 Peate Avenue, Glen Iris is of local architectural and aesthetic significance to the City of Boroondara.

Why is it significant?

39 Peate Avenue Glen Iris is a fine example of an Edwardian house with a built form featuring projecting and opposing gables framing a return verandah. It demonstrates typical characteristics of a picturesque and tall roofscape intersected by the ridge line of the lower gables. The built form is reinforced by the corner bay window that introduces a diagonal component to its planning.

(Criterion D)

Aesthetically 39 Peate Avenue is distinguished by an unusually rich level of architectural detail. Collectively this is evident in the turned timber verandah posts, verandah fretwork, including the frieze and large, curvilinear brackets. The weatherboard cladding is embellished by scalloped edged weatherboards and a band of roughcast render finish. A particular unusual feature is the double-curved pressed metal panel above the window where the joinery features a cricket bat design. The picturesque roofscape is enhanced by brick and render chimneys and terra cotta ridge decoration. Aesthetically the red brick fence with rendered cappings makes a fine contribution to the setting of the house and garden. **(Criterion E)**

(i) The issue

The issue is whether 39 Peate Avenue, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO891).

(ii) Evidence and submissions

The property owner objected to the Heritage Overlay being applied to the property and submitted:

- the house is substantially altered, no longer intact, the original façade no longer exists and it is unknown how the house originally presented to the street
- the property does not meet the threshold to justify the Heritage Overlay and does not meet either Criterion D or Criterion E
- Edwardian era dwellings are common in Boroondara, and the property includes a general typical building type.

Ms Schmeder stated that:

- the submitter did not provide further information to explain the changes to the façade, and did not allow a site inspection
- the side addition is clearly visible from the street and this is described as a non-original element in the HO891 heritage citation
- she examined historic building permit plans and could find no evidence of changes to the façade
- the current detail of the house is in keeping with an Edwardian Queen Anne villa, and it is appropriate to assume the front façade is in its original form
- the comparative analysis in the Heritage Study demonstrates the property is of a similar quality as other houses in its design and detail
- consistent with guidance in Planning Practice Note 1, it is considered the property meets the threshold of local significance for Criteria D and E
- there are other Edwardian houses in Boroondara, and a small number in Glen Iris
- the house is distinguished by its decorative detail which compares well to other houses already recognised as individually significant in the Heritage Overlay.

Council relied on the evidence of Ms Schmeder for this property.

(iii) Discussion

39 Peate Avenue, Glen Iris is a fine example of an Edwardian house, as described in the HO891 Statement of Significance. It includes a high level of architectural detail and elements that contribute to its Queen Anne style, including steep pyramidal roof form with intersecting perpendicular gabled wings with decorative ridge capping, paired terracotta chimney pots, terracotta finial at the roof apex, decorative timber brackets at each end of a projecting front gable and a return verandah with turned timber posts with a deep decorative frieze and complex curvilinear brackets.

The comparative analysis in the HO891 heritage citation demonstrates 39 Peate Avenue, Glen Iris is a good example of an Edwardian house of the projecting gable sub-type with return verandah. It is distinguished by an unusually rich level of architectural detail which is evident in the turned timber verandah posts, verandah fretwork, scalloped edge weatherboards and bank of roughcast

render finish, amongst other features. A particularly unusual feature is the double curved pressed metal panel above the window where the joinery features a cricket bat design.

The Panel considers that 39 Peate Avenue meets the threshold of significance for Criteria D and E.

The HO891 Statement of Significance appropriately identifies the extension on the south side as not significant.

The Panel agrees with Ms Schmeder that 39 Peate Avenue meets the threshold of local significance, and its heritage significance justifies the Heritage Overlay (HO891).

(iv) Conclusion

The Panel concludes that 39 Peate Avenue, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO891).

8.2 4 Peate Avenue, Glen Iris (HO893)

Exhibited Statement of Significance



What is significant?

Camberwell South Primary School No. 4170 at 4 Peate Avenue, Glen Iris, is significant. The school was built in 1925 to a 1924 design by Victorian Public Works Department (PWD) Chief Architect E Evan Smith (1870-1965). The foundations were designed to carry an upper storey, which was added in 1937, overseen by then PWD Chief Architect Percy E Everett (1888-1967).

Later school buildings within the school site and post-1937 additions and alterations to the building are not significant.

How is it significant?

Camberwell South Primary School No. 4170 is of local historic, architectural (representative) and social significance to the City of Boroondara.

Why is it significant?

Established in 1925 and enlarged in 1937, Camberwell South Primary School No. 4170 was built in direct response to the rapid suburban growth during the interwar period of the northern portion of Glen Iris, near the southern border of Camberwell. Glen Iris had largely remained a semi-rural landscape up until the beginning of the 20th century. Accompanied by the expansion of sewerage services and improved public transportation, it became a desirable location for middle class suburban residences, and the landscape changed through an intensive boom of residential development between the 1910s and 1940s. During the 1920s, new schools such as Camberwell South were built to serve this growing population, and extended during the consecutive decades to house a growing school population. The school is an expression of the local community through their agitation for its initial construction following overcrowding at neighbouring schools. **(Criterion A)**

Camberwell South Primary School No. 4170 is architecturally significant as a representative example of the Georgian Revival school buildings favoured in the 1920s under Public Works Department Chief Architect E Evan Smith. It shares with them a common materiality of red face brick walls, often with smooth or roughcast rendered accents, hipped roofs clad in terracotta tiles, tall multi-paned windows, the use of projecting or receding pavilions often to create a symmetrical composition, and feature entrance porches or porticos. It is notable that the formal Palladian massing with lower flanking pavilions creating a symmetrical composition was retained as were the stripped Georgian details in the 1937 addition of an upper storey. **(Criterion D)**

Camberwell South Primary School as a whole is of social significance due to its long tenure at this site since 1925 as a centre of the local community. Its many alumni hold strong associations with the school. **(Criterion G)**

(i) The issue

The issue is whether 4 Peate Avenue, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO893).

(ii) Evidence and submissions

Mr Navaretti submitted the school buildings at 4 Peate Avenue were not significant enough to apply the Heritage Overlay. No further information was provided to explain this view.

Ms Schmeder considered the school building compares well in its design and intactness to other interwar school buildings in the Heritage Overlay in Boroondara and other Melbourne municipalities.

Council accepted Ms Schmeder's evidence and did not propose any change to the Amendment in response to the submission.

(iii) Discussion

The Amendment proposes to apply the Heritage Overlay (HO893) to part of 4 Peate Avenue, with a 10 metre curtilage to the north and south of the historic school building, a five metre curtilage to the west and to the eastern property boundary. The Heritage Overlay is not proposed for other school buildings on the site. For reasons set out in the HO893 Statement of Significance, the Panel considers the 1925 building to be locally significant. The Panel was not provided with information to conclude otherwise.

The Panel agrees with Ms Schmeder that it is appropriate and justified to apply Heritage Overlay (HO893) to 4 Peate Avenue.

(iv) Conclusion

The Panel concludes that 4 Peate Avenue, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO893).

8.3 14 Alfred Road, Glen Iris (HO894)

Exhibited Statement of Significance



What is significant?

The dwelling at 14 Alfred Road, Glen Iris, 'Carinya' (formerly 'Warrack Lodge') is significant to the City of Boroondara. Built in 1916, this early Japanese inspired Californian Bungalow was built for Herbert Hurrey, a local estate agent and home builder, and was published in architectural journals of the time.

How is it significant?

'Carinya' (formerly 'Warrack Lodge') at 14 Alfred Road, Glen Iris is of local architectural, aesthetic and associational significance to the City of Boroondara.

Why is it significant?

'Carinya' (formerly 'Warrack Lodge') is an early and excellent example of a Japanese inspired Californian bungalow. Designed by Marcus R Barlow, the dwelling embodies the principal characteristics of the style through its gabled form and strong horizontal emphasis, a nod to American architects Greene and Greene. The dwelling is an outstanding representative example of the style as developed in the first decade of the twentieth century in the United States, that was designed and constructed for its climate, and for owners who had the means to adopt emerging styles and thus create a home that reflected their ideals.

The property also demonstrates the ongoing development of Glen Iris during WW1 and the continued desire to name such properties to impose oneself on the area. **(Criterion D)**

The aesthetic significance of 'Carinya' derives from its horizontality, robust materiality and timber detailing, inspired by Californian bungalows with Japanese overtones, however applied in an Australian Setting and marketed as such. Japanese inspired timber detailing such as the grouped columns sitting atop bold piers, the raked and slotted brackets of the porch and paired brackets to the eaves are of note. Its horizontality is strongly expressed through the low-slung gable roof, and the flat roof to porch. The mature trees, particularly the large cypress, provide an appropriate setting to the houses and provides evidence of the early garden planting.

'Carinya' is one of the truest local interpretations of the work of American architects Greene and Greene, whose most notable work, Gamble House in Pasadena (1908), was heavily publicised internationally. **(Criterion E)**

'Carinya' is also significant for its association with architect Marcus R Barlow, responsible for the design of both this residence and as the only known architect for Hurrey and Hill, local auctioneers and home builders. Barlow was one of Melbourne's most prolific and accomplished architects of the Interwar period. He was an early proponent of Californian Bungalows, both through published articles and his own residences. Most noted as the architect of the Manchester Unity Building (1932, H0411), Barlow also designed the Century Building (1938-40, H2250), the Victoria Car Park (1938, H2001) and within the Municipality, the former Colinton Residence (1926, H1399 & HO178) and the former Arnold Residence ('Wynniv') (1924, HO605). **(Criterion H)**

(i) The issue

The issue is whether 14 Alfred Road, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO894).

(ii) Evidence and submissions

The property owner objected to the Heritage Overlay (HO894) being applied to 14 Alfred Road for the reasons set out in Chapter 4, and on the basis the individual listing is not justified under Criteria D, E and H. The submitter questioned what had changed since the 1991 Camberwell Urban Conservation Study graded the property as contributory.

The owner noted:

- the Neighbourhood Residential Zone applies to the property
- no other properties in the street, other than 29 Alfred Road, are proposed for the Heritage Overlay as an individual place
- the house does not have the architectural, aesthetic or associative significance to justify the Heritage Overlay
- previous matters before Planning Panels Victoria have demonstrated that the degree of detail and substantiation is greater for a property proposed for individual listing compared with that of a precinct.

The owner added:

In the event that a heritage overlay is applied to the Land in future, the statement of significance should clarify what is significant in terms of the dwelling, outbuildings (and the like) and what is not significant. Justification for external paint controls has not been explained in the statement of significance and in any event should not be included as a permit requirement under the proposed schedule to the overlay.

Mr Stephenson of Trethowan providing heritage evidence for Council stated that:

- the 1991 Study was prepared 30 years ago, the current Heritage Study is looking at gaps in the Heritage Overlay and from previous studies which may have focused on particular themes and applied different approaches to studies
- the property has been assessed as individually significant and the intactness of properties in the street is not relevant in this instance
- the property has been appropriately assessed and determined to have met the threshold when compared with other important and equally graded houses in the Heritage Overlay
- comparative analysis has adequately demonstrated the house's distinctive architectural value and identified its architectural pedigree, being designed by Marcus Barlow
- the HO894 Statement of Significance outlines what is significant, but it should clarify that additions and alterations after 1916 (build date) are not significant
- tree and outbuilding controls are not proposed
- he had recommended changes to the Statement of Significance which clarify that the paint control only applies to original render wall.

Mr Stephenson provided an updated HO894 Statement of Significance as an attachment to his Expert Witness Statement reflecting the proposed changes.

Council relied on the evidence of Mr Stephenson for 14 Alfred Road and supported the recommended changes to the HO894 Statement of Significance.

(iii) Discussion

The property at 14 Alfred Road is a fine example of the Japanese-influenced Californian Bungalow style. Japanese aesthetic elements are represented in the use of expressed timber details including paired columns on bold piers and brackets at the porch and eaves. Other features include a horizontal low-slung gable roof form and panelled windows reminiscent of shoji screens.

The Panel agrees with Mr Stephenson that the property compares well to other significant properties of the type. Specifically, the house:

- is an outstanding representative example of the style as modified for the Australian context, with its particularly low-pitched roofs, flat roofed porch, and Japanese inspired timber rafter beams and brackets, and slender timber columns atop solid, more rustic piers (Criterion D)
- derives its aesthetic significance from its horizontality, robust materiality and timber detailing, inspired by Californian bungalows with Japanese overtones applied in an Australian Setting, and it is one of the truest local interpretations of the style (Criterion E)
- is designed by architect Marcus Barlow, one of Melbourne's most prolific and accomplished architects of the Interwar period, and an early proponent of Californian Bungalows who designed significant buildings within and outside the municipality (Criterion H).

The 1991 Camberwell Urban Conservation Study assessment and findings are not relevant because it assessed the property using a redundant grading system and different approach. How a community values heritage also evolves over time. The Panel has relied on the assessment in the current Heritage Study, which applied the methodology set out in Chapter 2.2 of this report, consistent with Planning Practice Note 1.

The Panel could not find any reason to question the property's significance as presented in the HO894 Statement of Significance.

The Panel supports Mr Stephenson's recommended changes to the HO894 Statement of Significance which clarify elements that are not significant and where external paint controls should apply.

(iv) Conclusion and recommendations

The Panel concludes:

- 14 Alfred Road, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO894).
- The HO894 Statement of Significance would benefit from clarifying that alterations after its construction date are not significant and that paint controls only apply to the original part of the render wall.

The Panel recommends:

Amend the Statement of Significance for:

- a) 14 Alfred Road, Glen Iris (HO894) to clarify that:**
- **additions and alterations after 1916 are not significant**
 - **paint controls only apply to the 1916 section of the original render wall.**

8.4 118 Glen Iris Road, Glen Iris (HO897)

Exhibited Statement of Significance



What is significant?

The former Hirsch House and Office at 118 Glen Iris Road, Glen Iris is significant to the City of Boroondara. The residence was designed by émigré architect Grigore Hirsch as his own house and architectural studio in 1954-55 and was occupied by the Hirsch family until the 1980s. The house at 116 Glen Iris Road is not significant.

How is it significant?

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

Why is it significant?

The former Hirsch House and Office is of historical importance as an example of a well-regarded mid-century architect building his own home in Glen Iris. Completed in 1954-55, it is a relatively early example of the willingness of architects to embrace the challenges posed by sloping sites and awkward lot shapes. The house also illustrates the European émigré influence on the City of Boroondara. **(Criterion A)**

The residence is an intact example of a post-war Émigré architect's house and office and illustrates European Modernism as it was translated into a Melbourne context. The building and its response to the landscape and climate demonstrates the contemporary approach to local conditions favouring good orientation and functionalist planning. **(Criterion D)**

The double-storey dwelling of the 1950s illustrates the Post-War Melbourne Regional style, demonstrating key characteristics of the style in the simplicity of the forms, low-pitch butterfly roof, textured clinker brick cladding and large areas of glass to the north. The bold forms are further expressed through the delineation of materials across the upper (clinker brick) and lower (concrete tile) levels and exposed steel structure. The entrance is one of few embellished areas, with mosaic tiles leading to the main door and visible through the modular glazing adjacent is a suspended timber staircase. Other elements of note include the stained-glass panels and the slender columns to the undercroft. More broadly, the use of steel frame construction throughout, further allows the illusion of the upper level to dominate the architectural composition. **(Criterion E)**

The House and Office is significant for its association with the life and works of well-regarded émigré architect, Grigore Hirsch and his architectural practice CONARG (Contemporary Architecture Group). As a house designed for himself, it can be considered a true expression of architectural pursuits and places of the practice at the forefront of Melbourne's regional brand of modernism. Local examples of their work include St Anthony's Shrine in Hawthorn (1961) and 47 Mountain View Road, Balwyn (1966). **(Criterion H)**

(i) The issues

The issues are whether:

- 118 Glen Iris Road, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO897)
- the extent of the Heritage Overlay is appropriate.

(ii) Evidence and submissions

The owner of 118 Glen Iris Road objected to the Amendment for the reasons set out in Chapter 3. The owner also objected to the Heritage Overlay (HO897) being applied to the property because they considered:

- the thresholds for individual heritage significance have not been clearly demonstrated
- there are other houses of similar modernist expression and interest in Boroondara which have not been proposed or included in the Heritage Overlay
- it has not been demonstrated that Grigore Hirsch and his practice, CONARG (Contemporary Architecture Group), are important or influential in Boroondara
- it would affect the ability to improve or redevelop 116 and 118 Glen Iris Road
- the house does not contribute to the public realm.

The owner submitted an aerial photo of 116 and 118 Glen Iris Road (Figure 2) and a map of the Heritage Overlay (HO897) (Figure 3).

Figure 2 116 and 118 Glen Iris Road, Glen Iris aerial photo



Figure 3 Heritage Overlay (HO897)

The property owner called heritage evidence from Mr Briggs.

The owner relied on Mr Briggs' evidence and considered that, while the property is an example of an architect's own house, the comparative analysis was inadequate. Specifically:

Criterion A

The Heritage Study outlines that the subject site meets Criterion A as it is a relatively early example of the architectural response to the challenges posed by sloping sites and awkward lot shapes and of the European émigré influence.

...

How the subject site differs and stand outs from those similar modernist dwellings that are not included in the Heritage Overlay has not been explained and when consideration is given to the importance of Grigore Hirsch and his practice CONARG (Contemporary Architecture Group) within Boroondara which is discussed in the response to Criterion H, the inclusion of the subject site in the Heritage Overlay as an individually significant place is not justified.

Criterion D

As the individual significance of the subject site is disputed and the site is not located in a street within a modernist heritage precinct comprising of a collection of similar houses of modern expression such as the Yarra Boulevard Precinct (HO530) that is referenced in the comparative analysis, the Criterion D (representativeness) citation is not justified.

Criterion E

Given the above assessments, the site is not worthy of the Criterion E (aesthetic) citation.

Criterion H

It is proposed that the site has significance under Criterion H for its association with Grigore Hirsch and his practice CONARG (Contemporary Architecture Group) within the City of Boroondara.

However, as described by John Briggs on paragraph 16 of his evidence, the significance that Grigore Hirsch and his architecture practice within the municipality has not been demonstrated.

- That Hirsch is an important or influential figure in Boroondara has not been demonstrated, and recognition of the importance of CONARG against a comparative history of building design within Boroondara is also lacking.

Mr Briggs considered the comparative analysis had not demonstrated that the house and its typology was of a level of importance to justify the Heritage Overlay, and that the threshold for heritage significance had not been met.

He opined that as an isolated house, it must not only be representative but also be an important exemplar of an important and recognised type against comparators inside and outside heritage precincts. He considered that to satisfy the test set out in Planning Practice Note 1, the

comparative assessment must consider better exemplars of importance to Boroondara and examples that are similar but have failed to meet the thresholds.

Mr Briggs considered the comparative assessment for 118 Glen Iris Road had not adequately illustrated comparisons or explained the assessment in an understandable manner. His evidence included details of properties he considered should have been included in a comparative assessment for 118 Glen Iris Road.

Mr Briggs did not view Hirsch as a progenitor or influential architect. He cited research and documentation of significant architects of the twentieth century that did not reference Grigore Hirsch, such as *Melbourne Architecture* by Philip Goad. Mr Briggs considered the property may have been identified because of a key area of interest of the heritage consultant who prepared the Boroondara Thematic History.

Mr Briggs clarified that heritage significance is not a cumulative exercise, and consistent with Planning Practice Note 1 one or more of the heritage criterion must be met.

He considered if the house was in a modernist heritage precinct, with a collection of similar houses it would be reasonable to include the subject property in the Heritage Overlay as a contributory place (Criteria A and D). Further, the aesthetic and associative significance of the building had not been adequately demonstrated (Criteria E and H).

In response to a question from Council at the Hearing, Mr Briggs agreed the citation contains comparators relating to Criterion D and E, and while he has not challenged these, he considers the property less interesting.

The resident at 118 Glen Iris Road supported the Heritage Overlay (HO897), stating it is an incredibly unique property designed by Grigore Hirsch, and with the property's timeless design that one can tell it has been designed by a prolific architect. The house still includes some well-liked features, including positioning of windows to capture the sun all day round, the upstairs living and downstairs office space and the original fixtures and fittings. They considered *"a building like this should absolutely under no circumstances be allowed to be demolished"*.

Mr Stephenson stated:

- the property's visibility was not an important consideration for the individual heritage place, as the significance relates to the building itself not its contribution to the streetscape
- there are many modernist houses in Boroondara, but the Heritage Overlay is only applied to those that meet the threshold for individual significance
- 118 Glen Iris Road meets the threshold when compared with other important and equally graded houses
- the comparative analysis has adequately demonstrated the house's distinctive architectural value and architectural pedigree
- the Heritage Overlay does not impose significant constraints on the property and:
 - works that are proposed to respect and sympathetically work within the identified heritage values of a place often yield the best outcomes and adequately provide for the future use of the place.
- the Heritage Overlay does not apply to 116 Glen Iris Road and would not impact any future development on that land (other than works to the shared driveway which are unlikely to impact on the potential use and development of the site).

In response to questions at the Hearing, Mr Stephenson did not agree with Mr Brigg's approach to the comparative analysis. He considered that properties in the Heritage Overlay set the benchmark, and it would not be helpful to explain why a property is more significant than one not in the Heritage Overlay. He questioned how you would identify them and where you would draw the line.

Regarding each criterion, Mr Stephenson considered:

- Criterion A – the property meets this theme with regard to the Boroondara Thematic History and it is considered of equal or greater significance benchmarked against other properties
- Criterion D – the property represents European modernism responding to local climate conditions and meets the threshold
- Criterion E – the property has well preserved features worthy of protection
- Criterion H – Grigore Hirsch is becoming known for his design of local ecclesiastical architecture that is being considered for the Heritage Overlay, and is recognised in the Dictionary of Unsung Architects.

Council accepted Mr Stephenson's evidence for 118 Glen Iris Road and supported his recommended changes to the HO897 heritage citation.

Council asked the Panel to prefer Mr Stephenson's evidence because *"he was more impartial, more transparent and more familiar with the background and had done more work than Mr Briggs. Mr Briggs displayed many of the traits of an advocate"*.

Council submitted that even if the Panel considered the property did not meet the threshold for its association with the life and work of Grigore Hirsch (Criterion H), the work undertaken by the Heritage Study and Mr Stephenson's evidence supports a finding of heritage significance through Criteria A, D and E.

Regarding how the Heritage Overlay should be mapped, Council sought to include the entire property title area. It noted that any development of the 'island' part of the property located between the building and road has the potential to impact negatively on the ability to appreciate the building.

(iii) Discussion

The Panel has assessed 118 Glen Iris Road against the heritage criteria outlined in the HO897 Statement of Significance to determine whether it has enough local significance to justify the Heritage Overlay (HO897).

Criterion A (historical significance)

The Statement of Significance in the Boroondara Thematic History makes reference to the number of architects in the area, stating:

Architecturally, the City of Boroondara is significant for containing examples of the work of virtually every leading architect to have practised in Victoria from the 1850s to the 1980s. A significantly high number of prominent Melbourne architects settled in the study area and not only built houses for themselves but also designed some of their most celebrated and best-known projects therein.

Grigore Hirsch is recognised as a local émigré architect, noted post-war architect and principal of CONARG (Contemporary Architecture Group) in the Boroondara Thematic History relating to:

- Migrating and Making a Home (Chapter 2.5)

- Designing Fine Buildings (Chapter 9.3.2).

‘Architects making homes for themselves’ is identified as a strong historical theme in the *Boroondara Thematic History* (Chapter 6.7.5). The HO897 heritage citation explains that Grigore Hirsch was principal architect at CONARG which undertook commissions in the municipality, some of which are recommended for the Heritage Overlay.

Planning Practice Note 1 does not specify a methodology for comparative assessment, but states:

To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay. Places identified to be of potential state significance should undergo analysis on a broader (statewide) comparative basis.

The HO897 heritage citation refers to three comparable properties of architects’ own homes and offices in Boroondara:

- 666 Riversdale Road, Camberwell (included on the Victorian Heritage Register)
- 6 Carrigal Street, Balwyn (not included in the Heritage Overlay)
- 6 Reeves Court, Kew (Heritage Overlay HO822).

The citation states the property is not at the same level of significance to the State significant Robin Boyd house at 666 Riversdale Road, but *“the design approach and expression of structure, whilst solving the problems of another difficult site, is executed boldly and stands as a true representation of Hirsch as an architect”*.

The comparative assessment for 118 Glen Iris Road is considered adequate. However, the Panel agrees with Mr Briggs that it would have been helpful to consider a broader range of properties, and to present points of comparison and articulation of the thresholds of significance more clearly.

The Heritage Overlay does not have to apply to a property for it to be included in a comparative analysis. The comparison is against the quality of other similar properties in the municipality. Though a property with the Heritage Overlay provides more certainty, the absence of the overlay may be simply because that property is yet to be nominated or identified.

The property at 118 Glen Iris Road is historically important as an example of a well-regarded architect building his own home and primary place of business, supported by the Boroondara Thematic History. The Panel considers that 118 Glen Iris Road achieves the local significance threshold for Criterion A.

Criterion D (representativeness)

Experts agreed the property is representative, however Mr Briggs considered it must also be an important exemplar of an important and recognised type inside and outside heritage precincts. In accordance with Planning Practice Note 1, it has to be important to a particular community or locality, and it is not required to meet the additional specifications suggested by Mr Briggs.

The property demonstrates the principal characteristics of post-war domestic architecture and is a fine example of European modernism as translated into the Melbourne context and responding to local climate conditions. The Panel considers that 118 Glen Iris Road is a comparable property which meets the local significance threshold for Criterion D.

Criterion E (aesthetic significance)

The Panel agrees with the HO897 Statement of Significance that the property is an *“intact example of a double-storey dwelling of the 1950s in the Post-War Melbourne Regional style, demonstrating*

key characteristics of the style in the simplicity of the forms, low-pitch butterfly roof, textured clinker brick cladding and large areas of glass to the north". The house is aesthetically significant for its intact notable characteristics of the architectural form and distinctive style.

The Panel agrees with Mr Stephenson and the submitter who is resident at the property that it exhibits a range of aesthetic characteristics and intact elements distinctive of the style. The Panel considers that 118 Glen Iris Road is a comparable property which meets the local significance threshold for Criterion E.

Criterion H (associative significance)

Mr Briggs and Ms Stephenson disagreed about whether Grigore Hirsch is notable enough for 118 Glen Iris Road to have a significant association with him.

The HO897 Statement of Significances states that Criterion H relates to a special association with the life or works of a person, or group of persons, of importance in the City of Boroondara's history. The HO897 heritage citation references residential and civic buildings design by Grigore Hirsch in and around Boroondara. He designed a number of important ecclesiastical buildings, some of which are under consideration for the Heritage Overlay including St. Anthony's Shrine, Power Street, Hawthorn and St. Michael's Roman Catholic Church, High Street, Ashburton.

The property at 118 Glen Iris Road represents a special association with the life and works of Grigore Hirsch. The house demonstrates:

- like other architects in Boroondara, particularly in Kew, he chose to design his own home on a challenging site
- the type of home that a local noted architect would design for themselves to reside and work.

Grigore Hirsch is noted for some important buildings he designed in Boroondara, as evident in the Boroondara Thematic History. He does not need to be notable beyond Boroondara to achieve Criterion H.

The Panel considers that 118 Glen Iris Road is a comparable example that achieves the local significance threshold for Criterion H.

Development potential of 116 Glen Iris Road

The Heritage Overlay (HO897) does not apply to 116 Glen Iris Road and would not impact assessment of any proposed development of the property (other than works to the shared driveway which are unlikely to impact on the potential use and development of the site).

Mapping of the overlay

The Heritage Overlay should apply to all of 118 Glen Iris Road, consistent with advice in Planning Practice Note 1. The property is an unusual shape due to the access arrangements / shared driveway with 116 Glen Iris Road, and any development of the 'island' area that sits between the house and the road has the potential to negatively impact on the heritage significance of the main building.

(iv) Conclusions

The Panel concludes:

- 118 Glen Iris Road, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO897).
- It is appropriate to apply the Heritage Overlay (HO897) to all of 118 Glen Iris Road, Glen Iris.

8.5 148 Summerhill Road, Glen Iris (HO900)

Exhibited Statement of Significance



What is significant?

'Langley Burrell', 148 Summerhill Road, Glen Iris, a single storey dwelling constructed in 1927-28 and converted into flats in 1944-45 by architects RM & MH King, including original garage, fence, and upper addition by RM & MH King, is significant.

How is it significant?

'Langley Burrell' is of historical and aesthetic significance to the City of Boroondara.

Why is it significant?

148 Summerhill Road is of historical significance as evidence of the changing patterns of living in Boroondara that saw single family homes adapted to accommodate multiple residences in the 1930s and 40s, before being returned to single dwellings in the later years of the twentieth century.

(Criterion A)

148 Summerhill Road is of aesthetic significance as a substantially intact example of an interwar single storey dwelling in a transitional style between the Bungalow and the Colonial Revival. The bungalow characteristics, including materials such as shingles, bay windows, and a dominant, low-pitch roof form, while the house draws on the Colonial Revival for its use of classical orders, semi-circular windows, curved fanlights and elaborate entry treatment. The unusual chimneys are outside both Bungalow and Colonial Revival traditions, illustrating the ways in which multiple styles were beginning to influence designers after the long dominance of the Bungalow style.

(Criterion E)

(i) The issue

The issue is whether 148 Summerhill Road, Glen Iris has sufficient heritage significance to justify the Heritage Overlay (HO900).

(ii) Evidence and submissions

The owner of 148 Summerhill Road, Glen Iris objected to the Heritage Overlay (HO900) for reasons discussed in Chapters 2 and 3. The owner submitted:

- the rear of the property is not original so the Heritage Overlay should not apply to the whole property
- the garage and the back external wall of the property need to be demolished because they have asbestos
- the house has internal damage
- there must be a reason the property does not have significant heritage because the State government 'rejected' the Heritage Overlay in 2018.

At its meeting of 6 September 2021 which Council referred to in its submission, Council reported that it is standard practice to apply the Heritage Overlay to the whole property. Any proposal to replace non-significant elements on the site should consider potential impact on significant elements of the place. It suggested the HO900 Statement of Significance be revised to clarify that alterations and additions after 1945 are not significant.

Council advised the property had not previously been assessed as an individual place, and in 2020, the State government approved Council's request for an interim Heritage Overlay on all of 148 Summerhill Road while the Amendment progressed.

Mr Stephenson stated:

- the HO900 heritage citation appropriately recognises that the rear of the property is altered
- as the front portion of the house remains intact, the Heritage Overlay (HO900) is proposed to be applied to the entire property, consistent with Planning Practice Note 1
- the HO900 Statement of Significance should be revised to note that alterations and additions after 1945 are not significant
- removal of hazardous materials such as asbestos is generally permitted through the planning process and requires notification of what fabric is to be removed and what the new details are regarding the replacement material
- simple replacement of one material for another in these circumstances is generally supportable
- internal heritage controls are not proposed.

Mr Stephenson provided a revised HO900 Statement of Significance as an attachment to his evidence, reflecting his proposed change.

He advised he could find no evidence of the Heritage Overlay being rejected by the State Government in 2018.

Council accepted the evidence of Mr Stephenson for this property.

(iii) Discussion

The question of whether the front of the dwelling had sufficient heritage significance to justify the Heritage Overlay (HO900) was not in dispute.

The Panel was not provided with good reason to depart from the advice in Planning Practice Note 1 to apply the Heritage Overlay to the entire extent of 148 Summerhill Road (an urban property). This proposed extent is considered appropriate and necessary to ensure that future development sensitively responds to the heritage fabric of the property.

Internal heritage controls are not proposed so there is no issue with making internal changes to the dwelling.

Whether the Heritage Overlay was previously not accepted is not relevant to the current assessment of the property.

There is benefit in revising the HO900 Statement of Significance to clarify that additions and alterations after 1945 are not significant. This will increase clarity and reduce the likelihood of potential delays during the permit application stage.

(iv) Conclusion and recommendation

The Panel concludes that 148 Summerhill Road has sufficient heritage significance to justify the Heritage Overlay (HO900).

The Panel recommends:

Amend the Statement of Significance for:

- a) 148 Summerhill Road, Glen Iris (HO900) to clarify that additions and alterations after 1945 are not significant.**

8.6 29 Alfred Road, Glen Iris (HO902)

Exhibited Statement of Significance



What is significant?

'Quamby', formerly 'Woongarra', designed by George A. Moore for Reginald Thwaites and constructed over 1923-24 at 29 Alfred Road, Glen Iris, is significant to the City of Boroondara. The tennis court, outbuildings and additions after 1931 are not significant.

How is it significant?

29 Alfred Road, Glen Iris, is architecturally and aesthetically significant to the City of Boroondara.

Why is it significant?

The house is a rare and unusual example of a homestead-character weatherboard Colonial Revival style residence constructed in the mid-1920s, when the suburban Californian Bungalow was the dominant domestic architecture style within the City of Boroondara.

(Criterion B)

The house is significant as a Colonial Revival homestead-character residence within the City of Boroondara. The house exhibits a hipped roof with gable over entry, an encircling veranda supported by timber posts, recessed entrance and double-hung sash windows with multi-pane upper sashes and French doors, and a hipped corrugated iron roof featuring gables above each entrance and a shallow pitch over the veranda. The California Bungalow influence is evident through the slightly asymmetric composition, Japanese style door frames and timber box window frames. Although slightly altered, the residence still retains its homestead-like presence as viewed from street.

(Criterion E)

(i) The issues

The issues are:

- whether the HO902 heritage citation and Statement of Significance accurately describe 29 Alfred Road, Glen Iris
- whether applying the Heritage Overlay (HO902) to all of 29 Alfred Road, Glen Iris is appropriate.

(ii) Evidence and submissions

The owners of 29 Alfred Road, Glen Iris accepted the house exhibits characteristics that justify the Heritage Overlay. They considered the HO902 heritage citation misrepresents the house's architectural character and will potentially lead to confusion. They also considered it unnecessary to apply the Heritage Overlay to all of the land.

The property owners called evidence on heritage from Mr Coleman of Coleman Architects who also assisted the owners in preparing their original submission to the Amendment.

Mr Coleman agreed the property exhibited architectural characteristics that justified the Heritage Overlay, but considered the HO902 heritage citation and Statement of Significance need to be revised. He stated:

- the comparative analysis in the citation is confusing, contains irrelevant examples and assumptions and does not adequately determine the significance of the building
- the house is not properly classified as a Colonial Revival style but is more of a Californian Bungalow style
- the section on Michael Black AC QC, is irrelevant to an assessment of the significance of the house
- the HO902 Statement of Significance and its criteria assessment should:
 - define the extent of significant fabric more accurately and clarify the extent of the later additions to the sides and rear
 - refer to the property as an unusual example of the Californian Bungalow style in Boroondara rather than a rare example (Criterion B)
 - Criterion E should reflect the building style and its stylistic influences more accurately
 - it is unnecessary to reference the association with Michael Black AC QC because it is irrelevant to the City of Boroondara (Criterion H).

Mr Coleman found the description of the house as Colonial Revival in style to be the most confusing aspect of the heritage citation's discussion. He stated that this descriptor is not commonly used. He considered that the property is an unusual design of the 1920s in Boroondara, and that the comparative examples supporting the definition of Colonial Revival style were not appropriate or helpful.

Mr Coleman added that there are many elements of the property that draw from the Californian Bungalow style and the Arts and Craft style and the property:

could perhaps be more accurately described as an Arts and Crafts, or possibly a Californian Bungalow style building with Colonial Revival characteristics with respect to its form, but not the reverse.

Mr Stephenson considered the use of Colonial Revival style was appropriate, given the house's key architectural components. He referred to the Encyclopedia of Australian Architecture to demonstrate the term Colonial Revival is commonly used and accepted. He stated the HO902

heritage citation appropriately investigated both styles and included a thorough comparative analysis. He confirmed the property is an unusual hybrid with a combination of interwar elements from the Colonial Revival style, and to a lesser extent Californian Bungalow.

Mr Coleman noted Council had included the reference to Michael Black AC QC to demonstrate his association with the property. He believed Michael Black AC QC had no influence over the design or construction of the house, had not lived there during his legal career and he was not important to the City of Boroondara's history. While he considered it would be appropriate to mention Michael Black AC QC had spent his teenage years at the property, it was not necessary to include the details of his life and career.

Mr Stephenson was of the view that it is appropriate to include the information about Michael Black AC QC as it forms part of the history and understanding of the place, and it is typical to include people of note where they are associated with a place.

In response to the owners' submission, Mr Stephenson recommended a number of changes and provided a revised HO902 heritage citation as an attachment to his evidence. Specific changes to the HO902 Statement of Significance included:

- amending What is Significant? to state "*The tennis court, outbuildings, additions and alterations after 1931 are not significant.*"
- amending Why is it Significant? to replace 'a rare' with 'an uncommon'.

Council supported Mr Stephenson's recommended changes to the HO902 heritage citation.

Council suggested options for the Panel to consider for resolving issues raised in Mr Coleman's evidence:

- One option is not to attempt to describe the style of the property (as Mr Coleman said "if a style needs to be described at all");
- The comparative analysis contained in the citation assists in understanding the basis upon which the property was attributed heritage overlay status but it is not really used when decisions are made at the statutory planning stage [Council suggests that one option is to delete the comparative analysis from the citation]; and
- For the purpose of Criterion B the measure is whether the property possesses "*uncommon, rare or endangered aspects ...*" and that his use of the term "unusual" was commensurate with "uncommon" [Noting that Mr Stephenson has recommended replacing "uncommon" for "rare"].

At the Hearing, the owners expanded on their suggestion relating to the extent of the Heritage Overlay. They explained that they had lodged a planning permit application to subdivide the land. They requested the Heritage Overlay be limited in area regardless of whether the subdivision proceeds, however the proposed subdivision provided clear and logical boundaries for defining the Heritage Overlay area.

Mr Coleman considered there is a strong argument for reducing the proposed extent of the Heritage Overlay proposed for the property.

The owners submitted:

Should the Panel accept the evidence presented - that subdivision and development of land by creating a second lot at the rear can occur without compromising the intactness of the heritage place - we would ask that this be documented clearly in the Panel's report, for future reference when a development application is lodged.

Should the Panel conclude that it is impractical to apply the Heritage Overlay to only part of the existing lot, a suitable arrangement (perhaps a Section 173 agreement on title) should be put in place to trigger removal of the Overlay from the rear lot upon either sealing of the plan

of subdivision, issuing of the Statement of Compliance or issuing of the new titles by the Titles Office.

The Overlay could be then removed from the rear lot by a simple administrative planning scheme amendment in which the Council requests the Minister under Section 20(1) of the Act to exempt the amendment from the usual notification, submissions and panel process.

Mr Stephenson considered the best option was to apply the Heritage Overlay to the entire property, consistent with Planning Practice Note 1, and to note in the Statement of Significance what is and what is not significant. He considered it unusual to draw the curtilage according to a proposed subdivision.

Council supported Mr Stephenson's approach. Council noted there are practical difficulties in drawing a curtilage while the land remains unsubdivided.

(iii) Discussion

Nobody disputed whether 29 Alfred Road, Glen Iris had sufficient heritage significance to justify the Heritage Overlay (HO902).

The house is a blend of styles, and an uncommon example in Glen Iris, though Mr Coleman and Mr Stephenson disagree over which style dominates. The Panel accepts Mr Stephenson's evidence that the house is a Colonial Revival with a Californian Bungalow influence. It does not resemble a typical Californian Bungalow. Although it is an unusual blend of styles which makes it challenging to describe, it is important to describe the architectural style to inform future permit applicants and members of the community.

The Panel supports Mr Stephenson's recommendation to note in the HO902 Statement of Significance what is not significant, stating "*The tennis court, outbuildings, additions and alterations after 1931 are not significant*". The note will increase clarity and reduce the likelihood of potential delays during the permit application stage.

The Panel agrees with Council that the comparative analysis included in the HO902 heritage citation is not used for statutory decision making. The purpose of the citation, as described by Mr Coleman is to provide an accurate and well-informed document that clearly articulates why it was included in the Heritage Overlay and guides future development of the property.

To achieve this purpose the HO902 heritage citation must include an informative comparative analysis. The Panel does not support Council's submission that it may be appropriate to delete the comparative analysis from the citation. Council may wish to expand on the comparative assessment with some of the relevant examples suggested by Mr Coleman.

Experts agreed that for Criterion B the word 'rare' should be replaced with 'uncommon'. Planning Practice Note 1 differentiates between the two terms, rare and uncommon. The Panel was not provided with sufficient information to demonstrate the property is rare and considers the appropriate descriptor is uncommon.

The citation includes an assessment of associative significance with Michael Black AC QC, and determines the place is unlikely to meet the threshold of individual significance on that basis. Accordingly Criterion H is not included in the Statement of Significance.

The citation appropriately assesses the known information and clearly explains that while Michael Black AC QC is a notable figure the property does not have associative significance as he did not shape the significant form of the place. It is important that this assessment is included in the citation to ensure the information is documented for community understanding.

The Panel supports Mr Stephenson's revisions to the HO902 Statement of Significance, as attached to his evidence.

The Panel agrees with Mr Stephenson that the Heritage Overlay should be applied to the entire property, consistent with Planning Practice Note 1. This would ensure that any development, including subdivision, does not adversely affect the place's setting, context or significance.

It would be inappropriate for the Panel to comment on how a hypothetical subdivision or development would impact on the heritage fabric of a place. This is a matter for a permit application with Council.

(iv) Conclusions and recommendation

The Panel concludes:

- The HO902 heritage citation and Statement of Significance generally accurately describe 29 Alfred Road, Glen Iris but would benefit from:
 - clarifying elements that are not significant
 - replacing the word 'rare' with 'uncommon' under Criterion B in the *Why is it Significant?* Section
- The Heritage Overlay (HO902) should be applied to all of 29 Alfred Road, Glen Iris, as exhibited.

The Panel recommends:

Amend the Statement of Significance for:

a) 29 Alfred Road, Glen Iris (HO902) to:

- confirm that the tennis court, outbuildings, additions and alterations after 1931 are not significant
- replace 'a rare' with 'uncommon' in the *Why is it Significant?* section.

Appendix A Planning context

A1 Planning objectives

PE Act

Section 4(1)(d) seeks 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.

Planning Scheme

Table 5 summarises the Planning Policy Framework clauses relevant to the Amendment, as set out in the Explanatory Report and Council's Part A submission.

Table 5 State, regional and local policies

Relevant clauses
15 (Built environment and heritage)
15.01 (Built environment)
15.01-5S (Neighbourhood character) To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
15.03 (Heritage)
15.03-1S (Heritage conservation) To ensure the conservation of places of heritage significance. Relevant strategies: <ul style="list-style-type: none"> - Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the Planning Scheme. - Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity. - Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance. - Encourage appropriate development that respects places with identified heritage values. - Retain those elements that contribute to the importance of the heritage place. Encourage the conservation and restoration of contributory elements. - Ensure an appropriate setting and context for heritage places is maintained or enhanced.
21 (Municipal Strategic Statement)
21.04 (Built Environment and Heritage)
21.04-5 (Heritage conservation) To identify and protect all individual places, objects and precincts of cultural, aboriginal, urban and landscape significance.
22 (Local planning policies)
22.03 (Heritage)

Relevant clauses

Clause 22.03-2 (Objectives)

- To preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm.
- To ensure buildings and works to 'non-contributory' properties are sympathetic to the heritage values of the precinct and complement the precinct's heritage built fabric by being respectful of the scale, massing, rhythm and detailing.

A2 Other relevant planning strategies and policies

Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050 to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. The following are relevant to the Amendment:

- **Outcome 4:** Melbourne is a distinctive and liveable city with quality design and amenity
 - **Direction 4.4:** Respect Melbourne's heritage as we build for the future
 - **Policy 4.4.1:** Recognise the value of heritage when managing growth and change.

A3 Planning scheme provisions

The Heritage Overlay purposes are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The Heritage Overlay requires a planning permit to demolish, subdivide, build or carry out works. The Heritage Overlay enables its Schedule to specify additional controls for specific trees, painting previously unpainted surfaces, internal alterations and an incorporated plan (which may exempt buildings and works and other changes from requiring a planning permit). The Schedule may also identify if a place can be considered for uses that are otherwise prohibited, subject to a planning permit.

A4 Ministerial Directions and Practice Notes

Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction 9 (Metropolitan Planning Strategy)

- Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of The PE Act).

That discussion is not repeated here.

Planning Practice Note 1 – Applying the Heritage Overlay (August 2018)

Planning Practice Note 1 provides guidance about using the Heritage Overlay. It states that the Heritage Overlay should be applied to, among other places:

Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Planning Practice Note 1 specifies that documentation for each heritage place needs to include a Statement of Significance that clearly establishes the importance of the place and addresses the heritage criteria. It recognises the following model criteria (the HERCON criteria) that have been adopted for assessing the value of a heritage place:

- Criterion A:** Importance to the course or pattern of our cultural or natural history (historical significance).
- Criterion B:** Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).
- Criterion C:** Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- Criterion D:** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- Criterion E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- Criterion F:** Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- Criterion G:** Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- Criterion H:** Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

Appendix B Submitters to the Amendment

No	Submitter	No	Submitter
1	Antal Szeleczky	31	Patrick Armitage
2	Dr James Baxter	32	Reg Murray
3	Axel Ackermann	33	Andrew Gibson
4	Jasmine and Chamoun Malki	34	John Evans
5	Vicki Stevens	35	Wolfgang Born
6	Max Fink	36	Ke Feng
7	Mark & Helen Devaraj	37	Francis Tovenati
8	Helen Jiang	38	Lauren Unger
9	Dan Wu	39	Christina Branagan
10	John Molloy	40	Preeti Braganza
11	Syd and Alison Herron	41	Rhod Clayton
12	N Casey	42	DR and SL Christie
13	Bill Healy	43	Trevor Smith
14	Wei Hao	44	Dimitra Soulemezis
15	Lisa Kelly	45	Qian Wang
16	Elizabeth Comeadow	46	Simon Collis
17	Michael and Rachel Graves	47	Carl Turner
18	Jianying Xu	48	Rosemary Bonwick
19	Ronald Manshell	49	Peter Navaretti
20	Marcello Zuglian	50	Jessica and Yihua Liu
21	Michael Stonehouse	51	Connie Wu
22	Gillian Turnbull	52	Trevor Unger
23	Anna Thang	53	Strella Farrugia
24	David Risby	54	Stephen Lardner
25	Pamela Brown	55	Allison Frattaroli
26	James Davis	56	Alfred Kaan
27	Feng Zuo	57	Norieul Bond
28	Hamid Sotounzadeh	58	Jacinda Griffin
29	Geoffrey Healy	59	Rebecca James
30	Ren Kebao	60	Bentotage Fernando

No	Submitter	No	Submitter
61	Judith Whitely	91	John Percey
62	Fiona Sanders	92	Jonathan and Jenny Trytell
63	Harry and Sandra Greaves	93	Andreea and Andrew Morrison
64	Valerie McLean	94	Chek Ming
65	Duane Wolowiec	95	Melinda and Mark Haldane
66	Jeff Gooden	96	Pamela Dalrymple
67	Roger Clarke	97	Bo Yao
68	Michael Gould	98	Peter Fairlie
69	Janet Woodgate	99	Louie Vayenas
70	Anthony Moore	100	Pam Visser
71	Yihua Liu	101	Stuart Nicoll
72	Ruth Drohan	102	George Visser
73	William Rhodes	103	Peter Cleaver
74	Harvey Wilson	104	Sandra Nicoll
75	Carlo and Daniela Borzillo	105	Dianne Bidese
76	Steven Lu and Ida Huang	106	Richard Rowe-Roberts
17	MA Park	107	Rob Elston
18	George and Hariklia Xydias	108	Matthew Qi
79	James and AM Swift	109	Kathleen Gray
80	Ronald Robertson	110	Imeshi Indigahawela
81	Peter Forbes	111	Enoch Wong and Stephanie Chen
82	Beverly Taylor	112	Alison Wright
83	Katrina Branigan	113	Jacqui Waters
84	Rohan Dixon	114	Alan Jane
85	Haihong Jiang	115	Brian Waters
86	Barbara Duncan	116	Atis and Natalie Lode
87	Sarah Duncan	117	Fook Hoe and Padmini Lee
88	Samuel Smith	118	Kathryn Lewis
89	Maureen Donegan	119	Augarette and Ray Nasser
90	Georgina Gekas	120	Greg Manning

No	Submitter	No	Submitter
121	Kuma and Mala Sivakumaran	144	Greg Price
122	Anonymous	145	Department of Transport
123	George and Geraldine Kidson	146	Rachel Cox
124	Anthony and April von Moger	147	Catherine Diggins
125	Emily Porter & Pat Doyle	148	Jenny Diggins
126	Ann Marie Apostoli	149	Ross Diggins
127	Anthony and Debra Devereux	150	Catherine Diggins
128	Antonio Garcia	151	Sophie Paterson
129	Paul James	152	Monica Massimini
130	Kenneth Young	153	Bron Desmond-Phillips
131	Angela Young	154	Jane Cameron
132	Elizabeth Comeadow	155	Victoria [surname not provided]
133	Patty Karakostas	156	Wendy Brown
134	Nicola Tempone	157	Wendy Brown
135	Jocelyn Brady	158	Shauna-Marie Wilson
136	Edward Butler	159	Jim Kirkas
137	Stephen Cocks and Glennys Jones	160	Stephanie Andriopoulous
138	David Haigh	161	George Kakridas
139	Pam Visser	162	Anne Haritos
140	John Ubert	163	Rupert Cassidy
141	Kim Ubert	164	Arthur Filopolous
142	Brent De Jong	165	John and Jill Doyle
143	Michelle Boden	166	Cameron Burt

Appendix C Document list

No.	Date	Description	Provided by
2021			
1	29 Oct	Panel Directions and Hearing Timetable v1	Planning Panels Victoria (PPV)
2	10 Nov	Letter – withdrawal from Hearing process	Anthony Devereux
3	15 Nov	Submission (late) – 60 Celia Street owner	Boroondara City Council (Council)
4	15 Nov	Map – properties in the existing and exhibited Heritage Overlay	Council
5	16 Nov	Submission (late) – 52 Brandon Street owner	Council
6	19 Nov	Panel Directions and Hearing Timetable v2	PPV
7	22 Nov	Part A Submission	Council
8	22 Nov	Expert evidence – Natica Schmeder	Council
9	22 Nov	Expert evidence – Mark Stephenson	Council
10	22 Nov	Expert evidence – John Briggs	Chek Ming
11a	22 Nov	Expert evidence – Ian Coleman	April and Anthony von Moger
11b	22 Nov	Hearing submission	George Xydias
12a	26 Nov	Part B Submission	Council
12b	29 Nov	Panel Directions and Hearing Timetable v3	PPV
13	29 Nov	Hearing submission	Dan Wu
14	29 Nov	Hearing submission	Emily Porter
15	29 Nov	Hearing presentation	Emily Porter
16	29 Nov	Hearing submission	Helen Jiang
17	29 Nov	Hearing submission	Arthur Filopoulos
18a	29 Nov	Hearing Submission 1	Peter Forbes
18b	29 Nov	Hearing submission 2	Peter Forbes
19	29 Nov	Boroondara Amendment C299 Background	Greg Price
20	29 Nov	Heritage Overlay maps	Greg Price
21	29 Nov	Photos	Greg Price
22	29 Nov	Boroondara Urban Planning Delegated Committee Minutes, 6 September 2021	Greg Price
23	29 Nov	Hearing submission	Chek Ming
24a	29 Nov	Submission attachments	Chek Ming
24b	30 Nov	Hearing submission	Greg Price

No.	Date	Description	Provided by
25	30 Nov	Hearing submission	Elizabeth Comeadow
26	30 Nov	Hearing presentation	Robert Elston
27	30 Nov	Hearing submission	Patty Karakostas
28	30 Nov	Hearing presentation	Alan Jane
29	30 Nov	Hearing submission with attachments: - A: Proposed Plan of Subdivision - B: Proposed Site Layout and Works Plan	April and Anthony von Moger
30	2 Dec	Closing submission	Council
31	2 Dec	Email – Response to Panel suggested drafting process	April and Anthony von Moger