

3.2 Amendment C368boro - 32 Corby Street, Balwyn North - Outcomes of exhibition and request for Panel

Executive Summary

Purpose

The purpose of this report is to inform the Urban Planning Delegated Committee (UPDC) of the outcomes of the exhibition of Amendment C368boro, the officers' response to the submissions and recommended change to the citation. The report seeks a resolution to request the appointment of an independent Panel from the Minister for Planning and to refer all submissions to the Panel for consideration.

Background

On 18 October 2021 the UPDC resolved to adopt a heritage citation for the site and to write to the Minister for Planning seeking authorisation to prepare and exhibit a planning scheme amendment to introduce the Heritage Overlay on a permanent basis.

Authorisation for Amendment C368boro was granted on 22 March 2022.

On 8 April 2022, an interim Heritage Overlay was applied to the site by Amendment C357boro, until 12 January 2023.

A planning application was submitted to Council on 18 January 2022 seeking full demolition of the existing dwelling on the site and construction of a new dwelling. This application is still being assessed and public notification will be commencing in the near future.

Key Issues

Exhibition of Amendment C368boro was carried out between 5 May 2022 and 6 June 2022. A total of nine submissions were received. Of these, five were in support of the proposed Heritage Overlay and four were opposed.

The key concerns raised in opposing submissions were:

- Issues with the existing building, including liveability and the structural condition.
- Limitations on the future redevelopment of the site.
- Negative personal impacts, including financial and emotional costs.
- Disagreement with the assessment against Criterion E, arguing that the house is unremarkable and not of aesthetic significance.
- Disagreement with the assessment against Criterion H, arguing the dwelling is not representative of architect Alistair Knox's style, and disputing the importance of Knox to the municipality.

Officers have reviewed all submissions received and have provided a response in **Attachment 1** based on advice from Council's heritage consultant. Only minor changes to the heritage citation are recommended in response to the submissions received, following the discovery of plans of outbuildings from 1963 and 1964. Changes are highlighted yellow at **Attachment 2**.

Next Steps

The UPDC must now decide whether to accept the officers' response to the submissions and the changes to the citation, request the appointment of a Panel and refer all submissions to the Panel. If so, the Panel will hold a public hearing at which all submitters can make further presentations in support of their submission. The Panel will then prepare a report with recommendations on how to proceed with the amendment. Officers will consider the Panel's recommendations and prepare a report for consideration by the UPDC in due course.

Officers' recommendation

That the Urban Planning Delegated Committee resolve to:

1. Receive and note the submissions to Amendment C368boro (**Attachment 1**) to the Boroondara Planning Scheme in accordance with Section 22 of the *Planning and Environment Act 1987*.
2. Endorse the officers' response to submissions and recommended changes to Amendment C368boro as shown at **Attachments 1 and 2**.
3. Request that the Minister for Planning appoint a Planning Panel under Section 153 of the *Planning and Environment Act 1987* to consider all submissions to Amendment C368boro.
4. Refer the amendment and all submissions to a Planning Panel in accordance with Section 23(1) of the *Planning and Environment Act 1987*.
5. Authorise the Director Urban Living to undertake administrative changes to Amendment C368boro that do not change the intent of the amendment prior to a Panel Hearing.

Responsible director: **Scott Walker, Director Urban Living**

1. Purpose

The purpose of this report is to:

- Provide a summary of the outcomes of the exhibition process and key issues raised in the submissions to Amendment C368boro.
- Respond to the key issues raised in submissions and recommend minor changes to the citation.
- Seek a resolution from the Urban Planning Delegated Committee (UPDC) to write to the Minister for Planning to appoint an independent Planning Panel and refer all submissions to the Panel for consideration.

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

Boroondara Community Plan 2021-31

The *Boroondara Community Plan 2021-31* sets out the 10-year vision for Boroondara's future based on values, aspirations and priorities important to the community, and includes the *Council Plan 2021-25*.

The amendment implements the Strategic Objective of the Theme 4 of the Plan, to "Protect the heritage and respect the character of Boroondara, while facilitating appropriate, well-designed development".

Specifically, the amendment implements Strategy 4.1 - "Boroondara's heritage places are protected through ongoing implementation of heritage protection controls in the Boroondara Planning Scheme."

Heritage Action Plan 2016

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

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

- Knowing - which seeks to identify, assess and document heritage places.
- Protecting - which seeks to provide statutory protection for identified heritage places.

Boroondara Planning Scheme

The amendment is consistent with the objectives of the Planning Policy Framework, addressing the following:

- Clause 2.03-4 Built environment and heritage of the Municipal Planning Strategy - which includes the strategic direction to 'protect all individual places, objects and precincts of cultural, aboriginal, urban and landscape significance'.

- Clause 15.03-1S Heritage conservation - which seeks to 'ensure the conservation of places of heritage significance' and to 'identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme'.
- Clause 15.03-1L – Heritage in Boroondara - which seeks to 'preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm'.

The Planning Policy Framework seeks to ensure the Heritage Overlay is applied to protect places of heritage significance in the City of Boroondara.

Plan Melbourne 2017-2050

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

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

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

Planning and Environment Act 1987

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

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

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

3. Background

Balwyn and Balwyn North (including Deepdene and Greythorn) Heritage Study

In 2012, Council engaged Built Heritage Pty Ltd to undertake the Balwyn and Balwyn North Heritage Study (including Deepdene and Greythorn) (the Study). The Study sought to identify places and precincts of local cultural heritage significance in the suburbs of Balwyn, Balwyn North and Deepdene.

In June 2014, a draft of the Study was completed identifying a master list of 370 properties for investigation. The property at 32 Corby Street, Balwyn North was included on this list.

While the Study identified a list of more than 300 places of potential heritage significance, budget constraints required strict prioritisation of assessments of those places deemed most likely to be of individual heritage significance. As a result only 26 individual properties and four precincts were recommended for inclusion in the Heritage Overlay, including 18 post-World War 2 properties. A further 40 properties were identified for further investigation. The property at 32 Corby Street was not identified for immediate protection or further investigation despite having received a preliminary score of 16 which meant it was identified as a possible place of individual heritage significance but required further research.

On 9 September 2015, Council's then Urban Planning Special Committee (UPSC) resolved to not adopt the Study and not progress with a planning scheme amendment.

Peer review process

On 20 March 2017, the UPSC resolved to undertake a peer review of the draft Study. This would involve engaging a new heritage consultant to review the assessments and citations prepared as part of the draft Study. This peer review specifically excluded properties demolished, properties already within the Heritage Overlay and any post-World War 2 properties.

Following a procurement process, Council officers were unable to appoint a suitable heritage consultant to undertake the review at the time.

Peer Review Stage 1 and 2

Following the unsuccessful procurement process, the UPSC resolved on 18 September 2017 for Context (now GML Heritage) to undertake the peer review as part of their ongoing heritage consultancy work.

The UPSC also resolved to commence preliminary consultation on twelve individual properties and two precincts for which heritage citations had already been prepared as part of the Draft Study (Stage 1). Stage 1 of the Peer Review was completed in July 2019 with the approval of Amendment C276 to the Boroondara Planning Scheme.

Concurrently, Council's heritage consultants completed their review of the Draft Study's master list to identify properties warranting a detailed assessment as part of Stage 2 of the Peer Review (excluding post-war places). Stage 2 comprised 15 individual properties and one precinct and was completed in December 2020 with the approval of Amendment C318 to the Boroondara Planning Scheme.

Peer Review Stage 3

On 17 August 2020, the UPSC resolved to add 18 individually significant post-World War 2 properties identified in the Draft Study to the 'Possible Heritage Place' layer on Council's GIS program, to identify them until a further investigation could be completed to confirm their heritage significance.

In accordance with the 18 September 2017 resolution, Council officers engaged Context in February 2021 to undertake the Peer Review Stage 3, which comprised a review of 16 post-World War 2 properties (originally 18 but two were found to have been demolished) for which draft heritage citations had already been prepared as part of the Draft Study.

Context also proposed that the Peer Review Stage 3 include a heritage assessment of four additional properties identified in the Draft Study master list for which a heritage citation had not yet been prepared. 32 Corby Street, Balwyn North is one of those properties.

To ensure consistency with the other properties included in Stage 3, the four properties were added to the 'Possible Heritage Place' layer on Council's GIS program.

Property owners were notified in August 2021 (prior to the commencement of the fieldwork) their property had been identified and would be investigated for its heritage significance and suitability for inclusion in the Heritage Overlay. The letter outlined the assessment process and the potential implications including explaining Council's Section 29A demolition application process should an owner try to demolish their house.

Section 29A demolition application and interim heritage protection

On 28 April 2021, Council's Building Services Department received a Report and Consent application for full demolition of the house at 32 Corby Street, Balwyn North under Section 29A of the *Building Act 1993*. The application was referred to Strategic Planning in accordance with Council's adopted Section 29A Internal Process given the site was identified on Council's 'Possible Heritage Place' GIS layer. In response to the application, Context undertook a priority heritage assessment of the property.

Context identified that the property met the threshold for local heritage significance under Criterion D (representativeness) and Criterion E (aesthetic significance) and prepared a draft heritage citation.

Given the heritage assessment and recommendation to include the property in the Heritage Overlay as an individually significant property, Council officers requested the introduction of an interim Heritage Overlay under Section 20(4) of the *Planning and Environment Act 1987* from the Minister for Planning (Amendment C357boro).

As required under Section 29B of the *Building Act 1993*, Council's Building Department suspended consideration of the Report and Consent demolition application following the interim Heritage Overlay request. The suspension ensured no building permit could be issued for demolition while the Minister considered the interim Heritage Overlay request.

Bryce Raworth assessment

In May 2021, in response to the interim Heritage Overlay request, the (previous) owner of the property commissioned Bryce Raworth Pty Ltd to prepare a memo assessing the heritage significance of the property. The assessment argued the property does not meet the threshold for local heritage significance and does not warrant heritage protection.

Context reviewed Bryce Raworth's assessment to determine whether it changes their assessment and recommendation to protect the place. Following their review, Context did not agree with the key arguments presented by Bryce Raworth and confirmed their initial assessment and recommendation.

Built Heritage peer review and assessment

In June 2021, following a request from the previous owner, Built Heritage was engaged to peer review the Context draft heritage citation and the Bryce Raworth assessment given their expertise in post-war heritage.

Built Heritage formed the view Bryce Raworth did not provide a compelling argument for a Heritage Overlay not to be applied. While Built Heritage identified some issues with the heritage citation prepared by Context, they agreed with the overall assessment and confirmed Context's conclusion that the site warrants protection as an individually significant place.

Built Heritage recommended undertaking a further heritage assessment and preparation of a heritage citation to address the issues identified in the Context draft heritage citation. Accordingly, Built Heritage carried out a full assessment and determined the property met the threshold for local heritage significance under Criterion E (aesthetic significance) and Criterion H (associative significance).

This new draft citation was provided to the Department of Environment, Land, Water and Planning (DELWP) on 13 July 2021 to support the interim Heritage Overlay request and replace the Context citation submitted originally.

Preliminary consultation and adoption of Study

Preliminary consultation was undertaken on the draft heritage citation prepared by Built Heritage from 16 August 2021 to 13 September 2021. A total of ten submissions were received. Of these, three were in support, while seven opposed the recommendation to include the property in a Heritage Overlay.

On 18 October 2021, the UPDC considered a report on the outcomes of the preliminary consultation process including the officers' response to the issues raised in the feedback. The UPDC resolved to adopt the heritage citation subject to some changes to address feedback received during the preliminary consultation, and to write to the Minister for Planning to seek authorisation to prepare and exhibit a planning scheme amendment.

Authorisation

Following the UPDC Meeting authorisation was sought from the Minister for Planning to prepare and exhibit Amendment C368boro.

The Minister authorised the amendment on 22 March 2022.

Interim Heritage Overlay

On 8 April 2022, the Minister for Planning applied an interim Heritage Overlay to the site (gazetting Amendment C357boro). The interim Heritage Overlay is scheduled to expire on 12 January 2023. Should the amendment not be finalised by then, officers will seek an extension of the interim Heritage Overlay until a final decision is made by the Minister for Planning.

Current Statutory Planning Application

A planning application was submitted to Council on 18 January 2022 seeking full demolition of the existing dwelling on the site and construction of a new dwelling. Preliminary assessment of the proposal has been undertaken and further information to assist in processing the application was requested. The applicant has provided the additional information requested and the application documents and plans have been referred to Council's Heritage Advisor and Councils Building Services for review.

The proposal is expected to commence a 14 day public notification period soon, comprising a sign on the subject site and letters to adjoining owners and occupants. Final assessment of the proposal will commence following completion of the public notification period and will include review of any objections received and expert referral comments in conjunction with an assessment against Councils Heritage Policy.

Despite the current process to amend the Planning Scheme to include permanent heritage controls, the landowners have the ability to lodge a planning application in accordance with the relevant planning scheme triggers established by the interim controls. Both the Planning Scheme Amendment and Planning Application processes can run concurrently. The outcome of the planning application process however, could ultimately influence the Amendment process depending on the outcome of the application.

4. Outline of key issues/options

Exhibition outcomes

Public exhibition of Amendment C368boro was carried out between 5 May 2022 and 6 June 2022, in accordance with the requirements of Section 19 of the *Planning and Environment Act 1987*.

As a result of the exhibition process, Council received nine submissions including five supporting and four opposing submissions.

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

Supporting submissions

Supporting submissions generally recognise the importance of Alistair Knox, modernist architecture and the need to protect heritage places for future generations to enjoy.

No changes were sought to the amendment by any of the supporting submitters.

Opposing submissions

In response to the opposing submissions, it is noted that the Heritage Overlay has been developed to implement the objectives of the *Planning and Environment Act 1987*, to “conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or other special cultural value”, and to “balance the present and future interests of all Victorians”. Together with Section 6(1) of the Act, these objectives place an obligation on Council to identify and protect sites of heritage significance.

For Council to apply a Heritage Overlay to a particular property or area, an assessment against set criteria must be undertaken by an experienced heritage consultant. These Criteria are outlined in the State Government’s *Planning Practice Note 1: Applying the Heritage Overlay* (DELWP 2018), known as PPN01 or the Practice Note. An assessment against these Criteria is made in each heritage citation, and the Criteria that are found to be met are detailed in the Statement of Significance for a heritage place.

This context is helpful in understanding what Council’s heritage consultant and officers use to determine whether a place holds heritage value and should be protected by the Heritage Overlay.

There are several key issues that have been raised throughout the opposing submissions. These will be discussed in detail below.

Liveability

Opposing submitters identified multiple issues they considered affected the liveability of the existing house, including that the dwelling is mouldy, and of a poor design that does not suit their family or cultural needs.

The perceived liveability of a place does not have any bearing on the assessment of the heritage value of the place according to the Practice Note.

There are multiple options available to update or maintain the home, even following the introduction of a Heritage Overlay. No internal alteration controls are proposed as part of the amendment which means no planning permit would be required for internal alterations such as mould removal or remediation, or to update the internal layout of the building. Similarly, works external to the building that do not change the appearance and replace like-for-like do not require planning approval from Council.

Future redevelopment opportunities for the site and how these may be considered are discussed further below.

Structural condition

Opposing submitters expressed the view that the house is in poor condition due to structural weaknesses and has reached the end of its useful life.

The structural condition of a building is not relevant to an assessment of the heritage value of the place according to the Practice Note.

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 and are not normally matters for consideration in a heritage assessment.

Fundamentally, Council has a responsibility to identify and protect places of local cultural significance. Independent planning panels have repeatedly found that being in poor condition does not of itself disqualify a place from being listed on the Heritage Overlay, and building condition is not relevant when assessing the heritage significance of an individual place or a precinct. These considerations may be relevant during the planning permit assessment process (Boroondara PSA C333boro [2022] PPV). To this end, the concurrent planning permit application will examine the structural issues and form a view on whether the demolition of the building is warranted.

Limitations on the redevelopment of the site

Four submitters have objected to the application of a Heritage Overlay to their property on the basis that this will prevent the redevelopment of the property. The owners have lodged a planning permit application for full demolition and construction of a new replacement dwelling.

While it is acknowledged that the application of the Heritage Overlay may restrict the development potential of a property, this is not a justification for recommending against the application of the Heritage Overlay. The potential impact on any redevelopment plans are not identified as a recognised Criteria in the Practice Note.

It is important to note that the Heritage Overlay does not prohibit alterations or additions but triggers the requirement for a planning permit for such development and associated works. The planning permit process is necessary to ensure that any proposed works do not detrimentally impact the significant features of heritage places.

The most restrictive control (and most relevant in this case) is the demolition of an identified heritage place, which Council's Local Heritage Policy discourages for individually significant places. The policy provides guidelines under what circumstances demolition of significant and contributory places would be considered by Council.

This demolition control is an essential component of the Heritage Overlay to prevent the loss of identified heritage places. It is one of the fundamental objectives of the overlay and Council's Local Heritage Policy.

Independent planning panels have consistently found that any potential constraints on development are most appropriately considered at the next stage of the planning process - during any planning permit application (Boroondara PSA C284 [2019] PPV, Boroondara PSA C274 [2018] PPV, Latrobe PSA C14 [2010] PPV).

As an interim Heritage Overlay already applies to the site, a planning permit application for demolition can be sought (as the owners have already done). Council's Statutory Planning team will assess any application on its merits. Council's local heritage policy at Clause 15.03-1L of the Boroondara Planning Scheme is to "retain significant built fabric and not normally allow demolition".

Financial costs

One of the personal matters raised by opposing submitters is the financial cost imposed on the family by the heritage assessment process.

The process to apply the Heritage Overlay on a permanent basis is considered reasonable, as it allows for significant public consultation, through exhibition, multiple public meetings of Council and the independent planning panel process. This process affords opportunities for public participation and results in an open and transparent process. It is acknowledged that there may be financial and time costs associated with the process, but personal economic circumstance such as these are not relevant considerations in the planning scheme amendment process.

Independent planning panels have consistently found that personal financial impact is most appropriately considered during any planning permit application (Boroondara PSA C284 [2019] PPV, Boroondara PSA C274 [2018] PPV, Latrobe PSA C14 [2010] PPV).

Emotional costs

One of the personal matters raised by opposing submitters is the emotional stress caused by the heritage assessment process to their family.

In its function as the planning authority, Council must balance a broad range of responsibilities and legislative obligations. Just as Council is bound by the *Charter of Human Rights and Responsibilities Act 2006*, or the *Public Health and Wellbeing Act 2008*, Council is equally subject to the provisions of the *Planning and Environment Act 1987*.

Officers are mindful of the importance of mental health and wellbeing, however this does not negate any of Council's other legislative obligations, including, relevantly, those under the *Planning and Environment Act 1987*.

Individual rights

Opposing submitters claim the heritage assessment process is undemocratic, and an unfair restriction on their right to design a new home that meets their cultural and family needs. They claim the process does not consider those living in these properties, is racist and does not accommodate non-Anglo-Saxon and intergenerational families.

The notion that the process of heritage protection is undemocratic or racist is refuted. It is incumbent on Council to protect places of identified heritage significance in its role as the planning authority.

The submitter is correct in that the amendment process does not consider the personal circumstances of people who live in these properties. The race, cultural identity or other personal characteristics of the current owners of the site are not relevant considerations in determining if the place is of heritage significance, according to the Practice Note. However, the claim that applying the Heritage Overlay in accordance with established practice in Victoria has racist or anti-migration motivations is refuted in the strongest terms.

As previously discussed, the Heritage Overlay does not in itself prohibit development, but will apply policy for Council's Statutory Planning team to consider any redevelopment application on its merits.

Criterion E (aesthetic significance)

Opposing submitters argue that the house is unremarkable, does not represent anything and was cheaply built by an architect and owner under financial stress. They contend that experts disagree on the style, which highlights that the house is not a good example of its type, but a bad experiment by Knox.

Officers acknowledge the use of different terminology describing the house's architectural style. Specifically, Context (now GML Heritage) referred to the property as 'Melbourne Regional style' which is a much broader label most typically applied to the structurally and geometrically adventurous houses of the early and mid-1950s. In contrast, Built Heritage maintains the building is more accurately described as 'Mature Modern' which is a distinct sub-style of the early 1960s.

Built Heritage go on to explain that "aesthetically, the house is significant as an excellent example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. [...] With its stark walls of beige-coloured modular concrete brickwork (at the time, a fairly new material), exposed timber beams and asymmetrical facade hovering over an atypically large sub-floor triple garage, it is a particularly sophisticated expression of this idiom." Ultimately, the differing style names are just that – labels - and due to Built Heritage's expertise in postwar architecture, the terminology used by them is preferred.

The fact that a house may have been cheaply built, or that the owner or architect may have been in financial stress does not have any relevance to the heritage significance of the dwelling in this instance.

Council's heritage consultant Built Heritage also disagrees with the submitter's claim that this house is a bad example of Knox's work. Council's heritage consultant considers the house to be a fine, intact and excellent example of Knox's work from his middle-phase (later 1950s and early 1960s). In the opinion of Council's heritage expert, the submitter has not provided any substantive argument or evidence to change their recommendation.

The detailed reasoning of why Built Heritage find the threshold for local aesthetic significance to be met is explained in the heritage citation at the Statement of Significance for this place.

Criterion H (associative significance)

Opposing submitters claim that Knox would not associate himself proudly with the style, materials or suburban location of the building at 32 Corby Street to satisfy Criterion H. They also argue that Knox is of no significance to the City of Boroondara, being more commonly associated with mud-brick housing in other areas such as the Shire of Nillumbik. They are of the opinion Knox's lifestyle was morally questionable and he is not someone to be celebrated.

Council's heritage consultant acknowledges that Alistair Knox is best known for his work in an 'idiosyncratic style based on the use of mud brick, stone, rough timber and second-hand brick'. However, in their view this does not mean other examples of his work are not indicative of this approach and cannot be considered significant in their own right. It is not uncommon for architects to adopt varied styles during their careers. This does not mean only places of one particular approach are worthy of consideration for heritage protection.

In this instance, the subject building falls neatly within Knox's middle phase, from the mid-1950s to the early 1960s, when his work was expressive of the prevailing modernist sensibilities of modular planning, low-pitched or flat roofs, large windows and stark planar walls. While the building may not be indicative of the work for which Knox is best known, it is still an excellent and highly intact example of his residential output from this middle period, which is demonstrably under-represented in the City of Boroondara.

Knox's personal choices and lifestyle are not relevant considerations whether the site has heritage value or not. Aspects of an architect's personal or private life, whether known or merely speculated, are not relevant factors in assessing the heritage significance of examples of their work unless, perhaps, these aspects have, in some way, influenced the form or planning of the building. This is not the case with the subject site. Similarly, the purported opinion of Knox on the dwelling or municipality has no bearing on the merit of the application of the Heritage Overlay.

The detailed reasoning of why the threshold for local associative significance has been met is explained in the heritage citation and the Statement of Significance for this place.

Recommended change to the heritage citation

Council's heritage consultant Built Heritage maintains the property meets the threshold for both Criterion E and H, and no significant change is required to the heritage citation.

However, a minor change to the citation is recommended by Built Heritage and officers, clarifying the existence of plans of outbuildings drawn by Knox in 1963 and 1964.

An opposing submission raised the point that no evidence of these outbuildings existed. Built Heritage previously relied on details found on the former City of Camberwell building permit index card, which lists the above works with Knox's details.

Built Heritage had previously noted during the preliminary consultation process that as the drawings relating to these works had not been located, it had not been possible to confirm the extent of additions or even to verify if they still remain extant. Officers have now been able to locate the old plans for these outbuildings confirming that Knox was the architect of the plans. It remains unclear whether these outbuildings still exist. Aerial imagery from January 2022 does appear to show an outbuilding in the south-western corner of the site, approximately the same footprint as the 1964 plan. Accordingly, this has been clarified in the updated citation found at **Attachment 2**, along with other minor consequential changes including numbering of figures. All changes have been highlighted yellow to assist in determining the changes from the exhibited version.

Ultimately, whether the outbuilding/s have survived, or the degree to which they may or may be able to be interpreted, has no impact on the heritage consultant's assessment and the significance ascribed to the property. These outbuildings are not ascribed any significance in their own right. They are only mentioned to demonstrate that (a) Knox was engaged by the original owners for some follow-up work and (b) that there have been no major alterations to the building since that time.

Next steps

Sections 22 and 23 of the *Planning and Environment Act 1987* state that Council must consider submissions received during an amendment exhibition period and sets out Council's options for action in response to submissions.

These options are to:

- Change the amendment in the manner requested; or
- Refer the submission to an independent panel; or
- Abandon the amendment or part of the amendment.

It is recommended the UPDC resolve to refer all submissions received to an independent planning panel for consideration.

5. Consultation/communication

Notice of the preparation of the amendment (public exhibition) was given in accordance with Section 19 of the *Planning and Environment Act 1987*, including to affected and adjoining property owners and occupiers, previous submitters and other interested parties, who were notified in writing of the amendment and invited to make submissions. The amendment was also available on Council's website, and the notice was published in the Age and the Victorian Government Gazette on 5 May 2022.

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

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

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

6. Financial and resource implications

Costs associated with the preparation and implementation of the amendment will be funded through the Strategic and Statutory Planning Department operational budget for the 2022/23 financial year.

7. Governance issues

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

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

8. Social and environmental issues

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

Manager: David Cowan, Manager Strategic and Statutory Planning

Report officer: Mikaela Carter, Senior Strategic Planner

Attachment 1: Amendment C368boro - Former Withers House, 32 Corby Street, Balwyn North
Summary of submissions and officer response

Submission No.	Summary of submission	Officers' response to submission	Officers' recommendation
1.	<p><u>Supporting (no change sought)</u></p> <p>The submitter represents the Department of Transport.</p> <p>The submitter does not object to the inclusion of 32 Corby Street, Balwyn North in the Heritage Overlay without specifying any reason.</p>	The submitter's comments are noted.	<p>No change recommended to Amendment C368boro.</p> <p>Refer submission to Panel.</p>
2.	<p><u>Supporting (no change sought)</u></p> <p>The submitter represents a historical society.</p> <p>The submitter supports the amendment for the following reasons:</p> <ol style="list-style-type: none"> 1. No major changes or additions have been made to the property since Knox's follow-up works in 1963-64. 2. It is a rare surviving example of its period and type of building in North Balwyn built by Alistair Knox, who designed 11 homes in Balwyn and North Balwyn. Built Heritage believes it is the most significant of his Boroondara buildings. 3. There is a precedent for providing heritage listings for Alistair Knox houses. 4. The Balwyn & Balwyn North Heritage Study provided a list of 8 houses dating from the 1960s recommended for further assessment. All of these houses have characteristics in common with the Withers House. 5. The Withers House was one of the designer's 	The submitter's support and comments are noted.	<p>No change recommended to Amendment C368boro.</p> <p>Refer submission to Panel.</p>

Attachment 1: Amendment C368boro - Former Withers House, 32 Corby Street, Balwyn North
Summary of submissions and officer response

	<p>more distinguished residential projects of that period.</p> <p>6. The Built Heritage report concludes “The former Withers House is of aesthetic and associative significance to the City of Boroondara”.</p> <p>7. It is one of only a handful of places in North Balwyn that tell the story of our suburbs’ development.</p>		
3.	<p><u>Opposing (change sought)</u> The submitter opposes the amendment for the following reasons:</p> <ol style="list-style-type: none"> 1. The heritage process is an extremely important, sensitive and emotional matter. The process has torn apart the submitter’s life and has denied their human right to enjoy and live in the house as per their needs and cultural beliefs. They are being denied natural justice. 2. Council should only apply the heritage process to public rather than private property, as it directly affects life of the owner. 3. The submitter is not a developer but a family man who wants to demolish the unsafe, mouldy house to build a new mid-century modern theme house with abundant greenery, protecting the existing oak tree in the front yard. 4. The process does not consider the plight of people who live in these properties, but benefits those who wish to remain in the (racist) past. Anti-migration pressure groups align closely with heritage pressure groups in such thinking and action. 5. The process of going to panel is time consuming, slow, costly and one of anguish for owners. 6. Council uses heritage experts that are known for their activism rather than for unbiased expertise 	<p>Officers note the opposing submission, and provide the following response:</p> <ol style="list-style-type: none"> 1. It is agreed and acknowledged that the heritage process is extremely important, and can be sensitive and emotional for those affected, particularly property owners and members of the community. However, this does not mean that Council should not pursue the application of a Heritage Overlay to properties that are identified as having sufficient heritage value to warrant protection. As noted in Section 4 of the report, personal impacts are not relevant considerations in determining whether a property has heritage value and should be included in the Heritage Overlay or not. These matters are most appropriately addressed during the planning permit application process. 2. The <i>Planning and Environment Act 1987</i> does not limit Council’s obligation to identify and protect places of heritage significance to public buildings only. The overwhelming majority of heritage places are in private ownership. Otherwise, only a narrow type of building would be protected (often grand public buildings) rather than housing that reflects the history of a place and the work of particular architects. 3. The identity of the current owner, be they 	<p>No change recommended to Amendment C368boro.</p> <p>Refer submission to Panel.</p>

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	<p>that should form the core of professionalism which is missing in the conduct of council heritage experts.</p> <p>7. Questions the financial motive of Council's heritage experts. No satisfactory or specific response has been provided previously.</p> <p>8. In 2015 the property did not reach the high bar for an individual Heritage Overlay, being an 'average example as per council own expert'. Nothing has changed since 2015 to turn it suddenly from 'average' into 'excellent'.</p> <p>9. Council is using heritage protection to distract from a failure to properly plan for development and growth, e.g. multi-developments that are approved without controls for external features, car parking or green spaces and single houses without controls to align new developments to the theme and character of the neighbourhood.</p> <p>10. Ratepayer money is wasted by the Heritage Overlay process. Council should spend money on other services (such as school traffic inspectors, more parks and amenities, more regular bin collection) as that is why residents elected the Council.</p> <p>11. Unhappy with the process and outcome of the previous UPDC meeting in August 2021, as most UPDC members did not read or comment on the materials that the submitter sent. The UPDC failed to make their decision in a judicious and unbiased manner and most did not acknowledge the hardship and financial drain for the owner. Fundamental bias exists in the UPDC, egged on by pressure groups with common links between some of the UPDC members. Council has ignored the feedback of people who live in the street and neighbouring streets, who have supported the owners and opposed council's heritage process.</p>	<p>developer or otherwise, is not relevant in considering whether the property is of heritage value. When determining heritage value, Council's heritage consultant uses the recognised criteria set out in the Practice Note. The purpose of the Heritage Overlay is to 'conserve and enhance places of identified heritage significance' and is intended to implement objective (d) of Section 4 (1) of the <i>Planning and Environment Act 1987</i>. In accordance with the obligation placed on it, Council is therefore looking to protect valued heritage properties and precincts by applying the Heritage Overlay. This may affect built form design and development potential of individual land parcels in ways which were unexpected by landowner. However, Council has a responsibility to protect valued heritage places and remains committed to doing so through carrying out heritage studies and planning scheme amendments. As the Heritage Overlay already applies to the site on an interim basis, a planning permit application for demolition can be sought (and has already been lodged). Council's Statutory Planning team will assess the application on its merits. Council's local heritage policy at Clause 15.03-1L of the Boroondara Planning Scheme is to "retain significant built fabric and not normally allow demolition". No internal alteration controls, nor tree controls are proposed as part of the amendment. Consequently, no planning permit is required to undertake internal alterations such as mould removal or remediation. It is noted that Council's Tree Protection Local Law 2016 will continue to apply to the site despite there being no specific heritage-related tree controls.</p>	
		<p>4. The submitter is correct in that the amendment</p>	

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	<p>Council has interpreted and used the heritage process in an undemocratic way, as they have ignored the smallest unit of our democratic society being an individual and their family.</p> <p>12. The citation contains crucial mistruths and factual inaccuracies previously outlined.</p> <p><u>Changes sought:</u> Permanently remove the property from the proposed Heritage Overlay and allow demolition and new build.</p> <p>Undertake the heritage process for public domain not private domain.</p>	<p>process does not consider the personal circumstances of people who live in these properties. However, the claim that applying the Heritage Overlay in accordance with established practice and statutory processes in Victoria has racist or anti-migration motivations is refuted in the strongest terms.</p> <p>5. The process to apply the Heritage Overlay on a permanent basis is considered reasonable, as it allows for significant public consultation, through exhibition, multiple public meetings of Council and the important independent planning panel process. This process affords opportunities for public participation and results in an open and transparent process. Officers acknowledge there may be financial and time costs associated with the process, but personal matters such as these are not relevant considerations in the planning scheme amendment stage, as set out in the Practice Note. A further discussion of this is in the body of the officer report under Section 4 - Key Issues.</p> <p>6. The consultants engaged by Boroondara Council are highly respected heritage experts with extensive experience and knowledge of heritage matters, often in similar circumstances and in relation to similar types of properties. This is not a conflict of interest, but rather a desirable quality for the expert in such a specialised field. No evidence has been provided to substantiate any bias or a conflict of interest by Council's heritage consultant in relation to this property.</p> <p>7. No evidence has been provided to substantiate any financial interests by Council's heritage consultant that would call into question Council's reliance on their expertise in this matter. Officers also reject the assertion that no response has</p>	
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		<p>been provided, as the Director, Urban Living has previously corresponded with the submitter addressing this matter on 14 October 2021, 20 October 2021, 12 November 2021 and 29 January 2022 (our reference: CMR-1393).</p> <p>8. The house was identified in the master list of places as a place of possible individual heritage significance in the Draft Balwyn and Balwyn North Heritage Study. While a detailed assessment of 32 Corby Street was not undertaken at the time this was due to budget constraints which did not allow for all properties identified in the master list to be investigated. Ultimately, the consultant prioritised assessment of some places and identified further properties for investigation. The fact 32 Corby Street was not one of these, did not and does not mean the place was not considered to be of heritage significance. Only a detailed assessment can determine whether a place is of heritage significance or not. The assessment now undertaken by Built Heritage argues the place is of significance and should be protected. The earlier comments in the 2015 study are not of relevance as they were not based on a detailed analysis and assessment.</p> <p>9. The identification and protection of heritage places is not being used in the manner claimed by the submitter. Heritage protection is one of the many roles Council has as the planning authority. Prior to commencing the Municipal Wide Heritage Gap Study, Council undertook extensive work to guide residential development outcomes through its Neighbourhood Character Study and the implementation of the new residential zones. Without any specific examples, officers cannot comment on development outcomes on other sites. Generally speaking, where a planning permit is</p>	
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		<p>not required for development (for example a single dwelling on a lot over 500 square metres and there are no overlays, as is common in Balwyn North) a private building surveyor is normally responsible for ensuring the proposal complies with Victorian Government building regulations, not Council. When issuing a building permit, a building surveyor is not required to assess issues of neighbourhood character. If the lot is less than 500 square metres, or more than one house is being proposed, a planning permit is normally required, and the application will be assessed by Council against the controls of the Boroondara Planning Scheme. This assessment considers garden area, orientation, setbacks and overlooking amongst other things, and is commonly known as ResCode. This is different to the controls proposed by the Heritage Overlay, which aim to protect valued cultural heritage. The Heritage Overlay is the only planning control that allows Council to prevent the demolition of houses.</p> <p>10. Council must balance a range of functions, including its role as the Planning Authority responsible for managing the Boroondara Planning Scheme. The Boroondara Community Plan is the key document that drives Council's work program, setting the strategic direction for the City and showing how we will deliver our community's aspirations. The amendment implements Strategy 4.1 of the <i>Boroondara Community Plan 2021-31</i>, which is that "Boroondara's heritage places are protected through ongoing implementation of heritage protection controls in the Boroondara Planning Scheme". Other Council Departments are responsible for the delivery of services such as parks and gardens and waste collection.</p>	
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		<p>11. Officers note that the previous UPDC meeting was held in October, rather than August 2021. Officers refute the notion that the UPDC failed to make their decision in a judicious and unbiased manner. No evidence has been provided to support this claim.</p> <p>12. The submitter fails to provide examples of these inaccuracies or factual errors. Accordingly, officers are unable to clarify or undertake any changes to the citation, as they have not been able to confirm any errors.</p>	
4.	<p><u>Opposing (change sought)</u> The submitter opposes the amendment for the following reasons:</p> <p>1. Disagree with the assessment against Criterion H. While Knox is considered a notable designer, his primary architectural contributions were mud-brick dwellings in the Eltham area of Melbourne. The dwelling at the subject site is not representative of this style of architecture. Knox did design other houses of differing styles. However, it was not what he was known for. He had contempt for suburbia and suburban design. He engaged in such design for financial reasons only. He chronicled much of his life and his work, but never referred to the house at 32 Corby Street. The design was atypical of his work and lacked the connection between dwelling and garden that he generally sought. It is evident the client's brief determined the final design. Knox has no historical association with Boroondara and has made no well-known public contribution to the city. Knox did not associate with the style of the subject property and preferred areas like Eltham.</p>	<p>Officers note the opposing submission, and provide the following response:</p> <p>1. Council's heritage consultant disagrees and finds the property does hold local associative significance for its associations with Knox under Criterion H, as outlined in the Statement of Significance and heritage citation. While the building may not be indicative of the work for which Knox is best known, it is still an excellent and highly intact example of his residential output from his middle period (1955-1964), which is demonstrably under-represented in the City of Boroondara. It is acknowledged that Knox is better known for his mud brick houses. However, this does not mean his earlier houses, expressive of varied architectural styles and approaches, cannot be considered as candidates for potential heritage protection. The purported opinion of Knox on the dwelling or municipality has no bearing on the merit of the application of the Heritage Overlay. Knox's personal choices and lifestyle are not relevant heritage considerations. Aspects of an architect's personal or private life, whether known or merely speculated, are not relevant factors in assessing the heritage significance of examples of their work unless,</p>	<p>Minor change recommended.</p> <p>Update heritage citation in relation to the existence of the outbuilding plans from 1963 and 1964 (Attachment 2), and make minor related changes to numbering of figures etc.</p> <p>Refer submission to Panel.</p>

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	<p>Knox was not an architect, but a bank clerk for 26 years who dropped out of technical school after a year and then experimented with house builds, became involved in 'sexual madhouse Montsalvat' and mostly worked in Eltham creating mud brick experiments.</p> <p>Knox is not included or acknowledged by any established architect society or book or website apart from his own family run website.</p> <p>Knox's lifestyle choices and his quest for mud brick style housing has no significance for Boroondara.</p> <p>2. Disagree with the assessment against Criterion E.</p> <p>It is a stretch to submit that the dwelling has aesthetic significance. It is an unremarkable '60s dwelling of masonry construction and with undercroft car parking. It has no more aesthetic significance than the many post-War dwellings being regularly demolished as Balwyn and Balwyn North are renewed.</p> <p>3. The term 'Withers House' seeks to ascribe some importance to the first owners of the house. The Withers owned and managed a bus depot; however, that ceased by the time they occupied the dwelling. There was no ongoing relationship between Knox and the Withers. The Withers occupied the dwelling for just 6 years. Built Heritage is over glorifying the purchase of the property by Withers. Withers purchased off an individual who had purchased it from the person subdividing the land. The citation tries to talk this up by saying that this was the last lot. But it was already in the hands of a private individual and not the developer. The submitter has spoken to the family of person who sold this block to Withers.</p> <p>There is no special ongoing association between Withers and Knox.</p>	<p>perhaps, these aspects have, in some way, influenced the form or planning of the building. This is not the case with the subject site. A further discussion on this is provided in the body of the officer report at Section 4 - Key Issues.</p> <p>2. Council's heritage consultant disagrees and finds the property does hold local aesthetic significance under Criterion E as outlined in the Statement of Significance and heritage citation. Further, Council's heritage consultant does not agree with the submitter's argument that the house is "evocative more of the generic, volume built, standard, triple fronted dwellings". No 32 is a standout example compared to other houses along the south side of Corby Street, such as the ubiquitous hip-roofed brick villas at No 12, 20, 22 and 28.</p> <p>Council's heritage consultant acknowledges that there are other post-WW2 modernist houses in Boroondara that demonstrate the broad characteristics of the subject building, such as the broad-eaved flat roof, planar masonry walls and fenestration with full-height and horizontal sashes. However, 32 Corby Street represents a more sophisticated and confident consolidation of these characteristics. A further discussion on this is provided in the body of the officer report at Section 4 - Key Issues.</p> <p>3. Council's heritage consultant does not claim that any significance associated with the Withers family despite the fact the house is called 'Withers House'. No claims are made that the Withers are locally significant to meet the threshold for Criterion H. While the history of the Withers family is discussed in the citation, there is no reference to the Withers family in the Statement of Significance at the "Why is it significant" section.</p>	
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	<p>4. Current and past owners sought opinions on this matter from the offices of Bryce Raworth and Bruce Trethowan, noted heritage architects. Their written opinions find the dwelling does not 'meet the bar' for inclusion in a site specific heritage overlay.</p> <p>5. Council's own reports have been contradictory in their findings.</p> <p>6. Immediate neighbours have provided letters supporting the demolition of the dwelling and the development of the site with a new family home in the mid century style.</p> <p>7. There is no proof that further additions were done to the house.</p> <p>8. Council's heritage adviser is active online as a heritage activist, which is unacceptable for a Council expert. The bias is manifest, and as such the reports are not objective or reliable.</p> <p><u>Change sought:</u> That the amendment be abandoned.</p>	<p>Instead, the assessment against Criterion H finds that it is the association with Knox that is locally significant. A further discussion on this is provided in the body of the officer report at Section 4 - Key Issues.</p> <p>4. While copies of the opposing heritage advice were not provided as part of the submission, they were previously provided to Council's heritage consultant Built Heritage for consideration.</p> <p>In June 2021, following a request from the previous owner, Council officers engaged Built Heritage to peer review the Context draft heritage citation and the Bryce Raworth assessment given their expertise in post-war heritage. Built Heritage formed the view Bryce Raworth did not provide a compelling argument for a Heritage Overlay not to be applied. While Built Heritage identified some issues with the heritage citation prepared by Context, they agreed with the overall assessment and confirmed Context's conclusion that the site warrants protection as an individually significant place.</p> <p>Council's heritage consultant also reviewed the Trethowan advice dated 15 October 2021 and did not find that anything raised in this memo merited a change to the amendment, maintaining Criteria E and H are met as detailed in the citation. The Trethowan memo asserts the threshold for local significance has not been met because the citation does not adequately demonstrate that the place is equal to or better than other examples on the HO schedule. However, the comparative analysis in the citation compares and contrasts the subject property against numerous local comparators on several different levels. This includes other post-war houses in general, with separate</p>	
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		<p>discussions for examples that are already included on the HO, other that have been fully assessed and recommended for inclusion, and even those that have not yet been fully assessed but have been identified as potential candidates for the Heritage Overlay. The citation then considers the context of more specific comparators: other examples of houses in the so-called "Mature Modern" style in the City of Boroondara, and other examples of the work of Alistair Knox, encapsulating examples within the municipality as well as more pertinent stylistic comparators from elsewhere. This is a particularly detailed example of a comparative analysis for a heritage citation for a single property.</p> <p>5. The matter of the differing opinions between Context and Built Heritage, as well as the history of the site's inclusion in earlier studies, is dealt with in detail in the body of the officer report at Section 3 - Background. Ultimately, both consultants agreed that the place was worthy of protection. Council now relies on the Built Heritage citation to justify the inclusion of the property in the Heritage Overlay. Additionally, the fact a full heritage assessment had not been undertaken until a Section 29A Report and Consent application for demolition was lodged does not mean the house is not of heritage significance. While the submitter is correct that 32 Corby Street was not specifically identified in the August 2017 UPDC report, it was identified in the earlier 2015 Draft Study as having potential heritage significance (even if a detailed assessment was not undertaken at the time). Council has the statutory power and ability to investigate places of potential heritage significance whether the place had previously</p>	
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		<p>been identified or not.</p> <p>6. Supporting letters from neighbours were not attached as part of this submission, and as such are not able to be considered as a part of the amendment process (unless lodged as separate submissions by the relevant parties). Regardless, the heritage assessment relies of the assessment against accepted heritage criteria, as set out in the Practice Note. Submissions are considered on a merits basis rather than simply because someone is a resident or a neighbouring property owner. As noted in Section 4 in the report, the potential impacts of a Heritage Overlay on the redevelopment potential are not a relevant consideration at this stage in the process.</p> <p>7. Please see the body of the report at Section 4 - Key Issues for a detailed description of this matter and the recommended change to the citation, in light of the discovery of the outbuilding plans.</p> <p>8. Council's heritage consultant are respected heritage experts who have extensive experience and knowledge of heritage matters, often in similar circumstances and in relation to similar types of properties. This fact, including any online presence, is not a conflict of interest, but rather a desirable quality for the expert in such a specialised field. No evidence has been provided to substantiate any bias or a conflict of interest by Council's heritage consultant in relation to this property.</p>	
5.	<p><u>Opposing (changes sought)</u> The submitter opposes the amendment for the following reasons:</p> <p>1. Council are diluting their own heritage process by keeping such a badly designed and poorly functioning dwelling. It is a one-off bad</p>	<p>Officers note the opposing submission, and provide the following response:</p> <p>1. The owner's opinion of the functionality or liveability of the existing dwelling is not a consideration when determining whether the place has heritage value.</p>	<p>No change recommended to Amendment C368boro.</p> <p>Refer submission to Panel.</p>

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	<p>experiment that Knox never repeated.</p> <p>It was built by Knox when he was going broke and made for Percy Withers who was also going broke, resulting in a poor construction. Knox was out of his depth in terms of design and structural expertise.</p> <p>The house is on a concrete slab which has been badly constructed and compromised. Restumping and a back extension is not suitable. The house is in the style of a dark, un-environmentally English cottage with no relationship to the landscape. These flaws cannot be rectified.</p> <p>The views are gone because of the way the area has developed. The property has neither looks, form nor function.</p> <p>2. If we are going to remember Knox we should remember him for what he would want to be known, his use of mud brick, recycled materials and buildings integrated into the earth. This property is none of these things.</p> <p>3. It is highly significant that none of Knox's landscapers were involved in this job. Knox's landscapers were part of his team and vision. The garden is the opposite of authentic and emerging Australian Landscape architecture that Knox's team would have favoured. English pin oaks and having the residents on show for the whole street would not be something they would be proud of. Neither should we celebrate it by preserving this bad experiment.</p> <p>4. The real heritage at the property is the large pin oak in the front yard. It will live for around</p>	<p>Council's heritage consultant disagrees with the submitter's claim that this house is a bad example of Knox's work. It is demonstrably a fine, intact and excellent example of this work from his middle-phase of the later 1950s and early 1960s. A further discussion on this is provided in the body of the officer report at Section 4 - Key Issues.</p> <p>2. Council's heritage consultant disagrees and finds the property does hold local associative significance for its associations with Knox under Criterion H, as outlined in the Statement of Significance and heritage citation. While the building may not be indicative of the work for which Knox is best known, it is still an excellent and highly intact example of his residential output from his middle period (1955-1964), which is demonstrably under-represented in the City of Boroondara. It is acknowledged that Knox is better known for his mud brick houses. However, this does not mean his earlier houses, expressive of varied architectural styles and approaches, cannot be considered as candidates for potential heritage protection.</p> <p>3. The origins and status of the landscaping are discussed in the citation, and it has been acknowledged that the current landscaping is not entirely in accordance with the surviving documentation from Knox's office. However, this does not mean that the hard landscaping elements, which are clearly sympathetic to the style and period of the house, cannot be considered elements contributing to the house's setting. Council's heritage consultant maintains their position that these elements should be retained for that reason, regardless of who may have designed them.</p> <p>4. The pin oak referred to is assumed to be the mature deciduous tree on the eastern side of</p>	
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	<p>another 120 years. The tree is planted close to the dwelling.</p> <p>The front yard is currently a thoroughfare rather than an outside room. The new proposed new development would better provide for the existing tree as well as new landscaping, allowing residents to enjoy the landscaped front yard. Forward thinking and innovative environmentally friendly designs should be encouraged. -The proposed new development would pay respect to mid-century design and give the locality an example of a mid-century modern rarely seen in Australia.</p> <p>5. The property was built in the early 1960's but it is not representative of anything. It is not a good example of mid century modern and does not do what mid century modern houses were meant to.</p> <p>6. The stress this whole matter has caused the family has been immense and has been documented by health care professionals. Owners have been gagged, undermined, insulted, tricked etc. It is appalling, discriminatory, undemocratic and more.</p> <p>7. People from non Anglo-Saxon backgrounds pay particular and specific attention to the placement of the dwelling on the block. Geomagnetic forces are importantly observed. The submitter is unable to practice their culture or religion because of the orientation of this property.</p> <p>Not everyone is building a dwelling for an Anglo-Saxon style nuclear family made up of mum, dad and two kids. Inter-generational living and smart design which allows for people to live</p>	<p>the front lawn, as noted in the heritage citation. This tree does not appear on the original planting scheme shown in Figure 3 in the heritage citation. The tree therefore is not considered to be of heritage significance. Accordingly, no tree controls are recommended as part of the Heritage Overlay. Officers also note that Boroondara's Tree Protection Local Law 2016 applies to all residential property in the municipality, to protect defined significant and canopy trees for amenity and environmental reasons irrespective of the Heritage Overlay.</p> <p>The proposed redevelopment is discussed in the body of the officer report at Section 4 - Key Issues.</p> <p>5. Council's heritage consultant does not agree that the house is not representative of mid-century modern architecture. In fact, they consider the house to be a textbook example of what has been defined as the "Mature Modern" idiom of the early 1960. The heritage citation presents this view in a comprehensive assessment carried out by a highly experienced heritage expert with particular expertise in post-war architecture. Officers also note that Council's heritage consultant does not claim that Criterion D has been met for representative value. Instead, Criterion E (aesthetic significance) is deemed to have been met for the house's importance in exhibiting particular aesthetic characteristics. A further discussion of this is provided in the body of the officer report under Section 4 - Key Issues.</p> <p>6. Officers acknowledge the process can be stressful for those affected, particularly property owners and occupiers. However, as noted in Section 4 of the report</p>	
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	<p>separate and apart should be accepted as part of future design. Architectural design should be allowed to evolve rather than stagnate.</p> <p>Keeping people in the past just for the sake of it and forging anti-migration and racist agendas should not be something that Council identifies with.</p> <p>8. Knox built over 1000 homes across Victoria. Knox is not a significant designer to the area of Boroondara. Whilst Knox identified with Nillumbik, he did not identify with Boroondara. Knox hated suburbia and made that abundantly clear in his writing.</p> <p><u>Change sought:</u> 32 Corby Street should not be part of the Heritage Overlay.</p>	<p>personal impacts such as these are not matters for consideration in the planning scheme amendment stage, as set out in the Practice Note.</p> <p>Officers refute any notion that correct process has not been followed in implementing the recommendations of the heritage assessment to date.</p> <p>7. The assessment of whether a place has heritage significance and should be protected does not take into consideration any cultural requirements of the building's occupants. No internal controls are proposed for the property and no planning permit would be required for internal changes and alterations.</p> <p>Officers agree that architectural design should be allowed to evolve rather than stagnate. There are many sites within the City where new development can occur without any planning restrictions. Even on sites with planning controls such as the Heritage Overlay there are many examples of innovative architectural redevelopments.</p> <p>Council can only attempt to apply the Heritage Overlay to a property where it can be justified through a heritage assessment. Council has an obligation to protect its heritage places, and Council's heritage consultant has determined that the State-recognised Criteria outlined in the Practice Note have been met. See a further discussion of this matter under Section 4 - Key Issues.</p> <p>8. The purported opinion of Knox on the dwelling or municipality or his personal identification with the Shire of Nillumbik are not relevant considerations when assessing the merits of the application of the Heritage Overlay.</p> <p>Council's heritage consultant maintains that Criterion H has been satisfied for the property's</p>	
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		association with Alistair Knox. The citation demonstrates that it is an important early work in the City of Boroondara by someone who later went on to do numerous other commissions within the municipality. There is clear evidence that Knox completed at least eleven new residences and eight residential renovations. These nineteen projects, moreover, span a considerable period in Knox's mature career, from the early 1960s to the early 1980s. There can be no doubt, then, that he has left a significant mark on the City of Boroondara. As noted in the citation, the Withers House has a special resonance as Knox's first project in the municipality.	
6.	<u>Supporting (no change sought)</u> The submitter supports the amendment as the whole of Boroondara should be made heritage and protected against awful new developments that do not fit in with our area.	The submitter's support and comments are noted.	No change recommended to Amendment C368boro. Refer submission to Panel.
7.	<u>Supporting (no change sought)</u> The submitter supports the amendment as the house meets the heritage threshold and should be protected by council for future generations.	The submitter's support and comments are noted.	No change recommended to Amendment C368boro. Refer submission to Panel.
8.	<u>Supporting (no change sought)</u> The submitter supports the amendment for the following reasons: 1. This Alistair Knox house (Withers House) 32 Corby Street, Balwyn Nth. should be protected by a heritage overlay because it is significant as an excellent example of the modern style housing that emerged in Melbourne in the early 1960's. 2. Knox also undertook follow-up work in 1963-64.	The submitter's support and comments are noted. Officers clarify that despite their being notified of the amendment, to date no submission has been received by the Alistair Knox Foundation. Council can only consider submissions made by individuals or organisations and cannot rely on hearsay.	No change recommended to Amendment C368boro. Refer submission to Panel.

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Summary of submissions and officer response

	<p>The house is significant for its associations with Knox for whom it represented his first individual residential commission in Boroondara.</p> <p>3. Having spoken recently to the son of Alistair Knox personally, the submitter believes he is of the opinion that Withers House designed by his late father is a very important house and should be protected for future generations to enjoy.</p>		
9.	<p><u>Opposing (no change sought)</u></p> <p>The submitter opposes the amendment for the following reasons:</p> <ol style="list-style-type: none"> 1. The property is bad to live in and residents are visible to the street. It is a dark house with low ceilings and serious amounts of mould. The underbelly of the house is a mess. The backyard is not useable. The submitter wants to build a beautiful functioning house with big steel square window walls so they can play again. 2. This has been a nasty time for the family. It has caused a lot of unhappiness and cost a lot of money. It is not fair or right. 	<p>Officers note the opposing submission, and provide the following response:</p> <ol style="list-style-type: none"> 1. It is acknowledged that the introduction of the Heritage Overlay may impact redevelopment opportunities at the site particularly where complete demolition of the house is intended. However, neither this nor the condition of the property are criteria for considering the merits of applying the Heritage Overlay, as set out in State Government's <i>Planning Practice Note 1: 'Applying the Heritage Overlay'</i> (DELWP 2018, "the Practice Note"). Mould remediation and many changes to the backyard such as planting or soft landscaping will not be restricted by the Heritage Overlay. See the body of the officer report for a further discussion under Section 4 - Key Issues. 2. Officers acknowledge the process can be sensitive and emotional for those affected, particularly property owners and occupiers. However, personal impacts such as financial or emotional costs are not matters for consideration in the planning scheme amendment stage, as set out in the Practice Note. A further discussion of these issues are provided in the body of the officer report under 	<p>No change recommended to Amendment C368boro.</p> <p>Refer submission to Panel.</p>

Attachment 1: Amendment C368boro - Former Withers House, 32 Corby Street, Balwyn North
Summary of submissions and officer response

		Section 4 - Key Issues.	
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CITY OF BOROONDARA

[FORMER] WITHERS HOUSE

32 CORBY STREET, BALWYN NORTH

HERITAGE ASSESSMENT

Prepared for
City of Boroondara

6 July 2022



HERITAGE PTY LTD
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1.0 INTRODUCTION

1.1 BACKGROUND & BRIEF

This report was commissioned by the City of Boroondara on 25 June 2021 to provide a detailed heritage assessment of the former Withers House at 32 Corby Street, Balwyn North, designed by Alistair Knox in 1962. This follows a preliminary assessment commissioned on 11 June, which took into account the content and findings of two previous assessments: one prepared by Context Pty Ltd on behalf of the City of Boroondara, and another prepared by Bryce Raworth Pty Ltd on behalf of the property's owners. The former concluded that the subject building was of heritage significance at the local level, while the latter maintained an opposing viewpoint.

In reviewing these two reports, and undertaking further assessment as deemed necessary, the preliminary assessment by Built Heritage Pty Ltd concluded that the house did indeed reach the for inclusion on the heritage overlay schedule. As such, it was considered appropriate for the preliminary assessment to be expanded into a detailed assessment.

1.2 METHODOLOGY

In expanding the preliminary assessment into a detailed assessment, the following tasks were undertaken:

- (a) A brief site visit, to inspect and photograph the exterior of the house from the street;
- (b) Additional research into the history of the place, examining sources that had not been consulted for the two reports prepared by others (including contact with the Withers family), in order correct minor factual errors and to fill any gaps in the story;
- (c) Investigation of the archive of landscape designer Peter Glass, in order to confirm whether or not he was responsible for preparing the unattributed garden layout plan;
- (d) Preparing a written description of the building and its landscaped context;
- (e) Additional comparative analysis, expanding on material that had previously consolidated for the preliminary assessment;
- (f) Completing the other standard components of a heritage citation, namely the Assessment by Criteria, Statement of Significance,

Comparative analysis would be informed by reference to the extensive documentation of Alistair Knox's work contained in the website www.alistairknox.org, and by my own extensive knowledge of the study area, derived principally from the prior involvement of Built Heritage Pty Ltd as author of the *Balwyn & Balwyn North Heritage Study* (2015).

1.3 CONCLUSIONS

The case for heritage significance at the local level, which was already considered to be compelling following the preliminary assessment, was considerably bolstered on completion of the present detailed assessment. As such, it is recommended that former Withers House be added to the heritage overlay schedule as an individually significant heritage place.

1.4 AUTHORSHIP

The peer review was completed by Simon Reeves, director and principal of Built Heritage Pty Ltd.



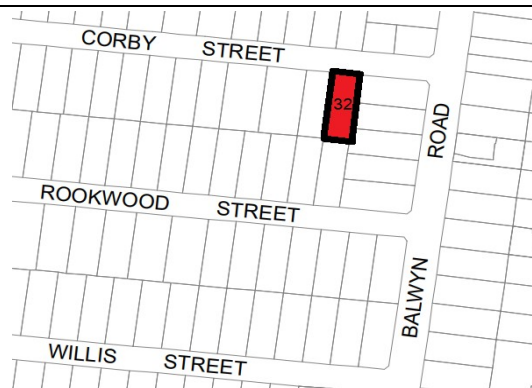


2.0 DETAILED HERITAGE ASSESSMENT

IDENTIFIER	HOUSE	Citation No	N/A
Other name/s	Withers House	Melway ref	46 E2
Address	32 Corby Street BALWYN NORTH	Date/s	1962 (house) 1963, 1964 (minor additions)
Designer/s	Alistair Knox Pty Ltd (house) Unknown (garden)	Builder/s	Alistair Knox Pty Ltd



Photograph by Built Heritage Pty Ltd, 30 June 2021



Location map and proposed extent of HO

Heritage Group	Residential building (private)	Condition	Excellent
Heritage Category	House	Intactness	Excellent

Thematic context	6.7 Making homes for Victorians
-------------------------	---------------------------------

Recommendation	Include on heritage overlay schedule as an individual heritage place		
Controls	<input type="checkbox"/> External Paint	<input type="checkbox"/> Interior Alteration	<input type="checkbox"/> Trees

2.1 HISTORICAL CONTEXT

The area comprising the present-day suburb of Balwyn North, bounded by Burke Road, Belmore Road, Winfield Road and the Koonung Creek, originally formed part of the vast land holding that was reserved in 1841 as Elgar's Special Survey. Initially settled by viticulturists and wood-carters, the Balwyn North area was served by the nearby Village of Balwyn from the 1870s. While Balwyn proper underwent more intensive residential expansion consequent to the connection of mains water (1880) and the opening of the Outer Circle railway line (1891), Balwyn North would remain sparsely settled into the early twentieth century. Although suburban sprawl burgeoned during the inter-war years, it was not until 1938, after the electric tramway and sewerage mains both reached Balwyn North, that the area became more desirable to prospective homebuilders. Further expansion was hampered by WW2, but a major boom was to commence soon afterwards.

With wartime restrictions on labour and building material relaxed by the early 1950s, Balwyn North became one of Melbourne's most sought-after and swiftly developed post-WW2 suburbs. One of the last remaining expanses of undeveloped land close to the city, it attracted crowds of enthusiastic homebuilders, many of whom engaged leading architects of the day as well as others who turned to builders and burgeoning project house companies. As the suburb rapidly filled out, the residential building boom in Balwyn North gradually abated during the 1960s.



2.2 PLACE HISTORY

2.2.1 The Clients: Percy and Gwen Withers

The house at 32 Corby Street was erected in 1962 for Percy Withers (1898-1981), proprietor of a leading Melbourne transport company, and his wife Gwen (1915-1993). Born in Elmore, near Bendigo, (Alfred) Percy Withers was the youngest son of Arthur Albert Withers (1861-1929), once described as 'the pioneer of motor coach tours in Victoria' (*Herald* 17/07/1929:1). From the late 1880s, the elder Withers had worked in Bairnsdale (and later Bendigo) as a horse coach proprietor, storekeeper and farmer before settling in Melbourne and organizing Victoria's first motor coach tour in 1905. The business thrived and, formalized in 1913 as Withers & Son, began to secure contracts for local bus services, including a short-lived route in Warrandyte. By WW1, four of Withers' five sons were involved in the venture: the two eldest, Arthur and Edward, as mechanics and the younger Sydney and Percy as drivers.

After WW1, the firm was rebadged as the Pioneer Motor Company, which was duly absorbed in June 1923 by a new entity, Pioneer Tourist Coaches Pty Ltd, under the control of brothers Edward, Sydney and Percy (*Herald* 22/06/1923:14). During the 1920s, the business boomed as its tourist coach trade spread interstate. In February 1929, Percy married Clare Josephine Dalley (1902-1977), daughter of Melbourne's well-known female scrap-metal dealer, Marie 'Ma' Dalley, and the newlyweds settled in Kew. That year saw the birth of Percy and Clare's only child, daughter Joan Mignonette Withers (died 2006), as well as the death of Percy's father, Albert. By the early 1940s, Percy and Clare had separated and he was residing alone in a flat in Parkville. After their divorce was finalized in late 1948, Percy married again, to Gwendoline Marion McLean. The couple took up residence in Balwyn North, at 30 Longview Road.

The early post-WW2 era saw Percy Withers form a new company, Withers Transport Pty Ltd, to exploit the rapidly rising demand for local bus services. Initially based in South Melbourne, the firm duly expanded with a bus depot in Nicholson Street, Fitzroy, and then another on Doncaster Road, Doncaster East, to serve Box Hill and Warrandyte. To oversee the latter, Percy moved his family (by then, expanded by son David and daughters Jillian and Margaret) from Balwyn to Doncaster East in the early 1950s, taking up residence in a modest cream brick dwelling at 175 Blackburn Road. It was towards the end of that decade that Withers, with an eye on upgrading the facilities of his bus depot, became acquainted with designer Alistair Knox.

2.2.2 The Designer: Alistair Knox

Alistair Knox (1912-1986) started his career as a bank clerk and, returning from WW2, enrolled in the architecture course at Melbourne Technical College (now RMIT) only to drop out after two years. From 1948, he began experimenting with mud-brick as a solution to the post-WW2 housing shortage, and was responsible for the design and erection of several high-profile houses for brave clients, mostly artists and academics in the Eltham area, characterised not only by their bold articulation of natural building materials but also by their innovative planning, passive solar design and sensitive integration of the landscaped context.

From 1955, Knox turned his attention to the development of a modular construction system based on more conventional forms, details and materials, designing brick and timber houses on compact rectilinear plans with flat or low-pitched roofs. In 1958, while still embracing this mode, Knox was engaged by Withers to prepare plans for expansion of the bus depot on Doncaster Road, in a rare foray beyond the residential work that largely defined Knox's output at the time. The designer's involvement with the depot site commenced with plans for a four-lot subdivision and a small shop with rear residential flat (June 1958), followed by evolving schemes for a gable-roofed bus garage and repair workshop with attached offices (January to April 1959), and two subsequent phases of addition (July and September 1959). Historic aerial photographs confirm that these works were realised in accordance with Knox's proposal.



After the Credit Squeeze of the early 1960s, Knox reverted to his earlier approach and developed an idiosyncratic environmental style that was based on the use of mud brick, stone, rough timber and second-hand brick. From the mid-1960s, his residential work was invariably characterised by this trademark use of natural materials as well as open planning, irregular skillion rooflines with clerestory windows, and a careful consideration of landscaped context (often, in collaboration with garden designers such as Ellis Stones, Gordon Ford and Peter Glass). Knox's reputation rose sharply during the self-building movement of the 1970s, and he remained keenly sought-after until his death in 1986. Simultaneously active in local affairs (serving as an Eltham Shire councillor), he wrote several books and many articles, and also lectured. Two years before his death, Knox received an honorary Doctorate of Architecture for his unique contribution to design.

2.2.3 The House

Percy Withers' desire for a new house in Balwyn North can be traced back to early July 1961, when the Box Hill and Warrandyte bus routes operated by Withers Transport Industries were acquired by the Melbourne & Metropolitan Tramways Board 'for an undisclosed sum' (Age, 14/04/1961:5). The takeover included the bus depot on Doncaster Road, which was retained by the MMTB for a few years before it was superseded around 1965 by new and larger counterpart on the other side of the street (now 868-870 Doncaster Road). The former depot site, with its Knox buildings, was duly sold and redeveloped with a row of commercial premises (now 861 Doncaster Road).

While Withers retained his interest in Pioneer Tourist Services, the sale of his suburban bus lines ushered in an era of semi-retirement that prompted the family's relocation back to Balwyn North. On 26 July 1961, barely three weeks after the MMTB takeover, Percy and Gwen acquired the title to a block of land on the south side of Corby Street (Certificate of Title, 6891/051). This formed Lot 101 of the *Rockwood Estate*, a subdivision of 66 allotments created in 1927 from a vast property held for more than four decades by farmer William Patterson Vettler, who had died the previous year (*Weekly Times*, 27 November 1926:88). While the *Rookwood Estate* underwent limited development prior to WW2, residential settlement boomed in the 1950s. By the time that Percy and Gwen Withers purchased Lot 101 in 1961, it was one of the last vacant sites remaining in Corby Street.

Following Knox's involvement with Withers' bus depot, spanning at least fifteen months, it is no surprise that his services were retained for the new house at Balwyn North. To accommodate their family of three children, Percy and Gwen required a four bedroom house with generous living space. Knox proposed a single-storey flat-roofed brick building on a stepped rectilinear plan with separate areas for 'formal living' and 'general living' (the latter, unusually for the time, integrated with an open-planned kitchen). The master bedroom (to the front) and three smaller bedrooms (to the rear) were separated by a service core with two bathrooms flanking a laundry. In Knox's initial proposal, the street frontage incorporated a small entry porch to the west (left) corner and a flat-roofed carport to the right (east). This was subsequently revised, with a second set of drawings showing substantial reconfiguration of the northern part of the house: the formal living room was rotated by ninety degrees, the entry porch relocated, a wide balcony added, and the attached carport replaced with a capacious sub-floor parking area with space for three cars.

A building permit for the new house, to be erected in accordance with the second scheme, was issued by the City of Camberwell in August 1962. On the permit card, the builder was listed as Alistair Knox Pty Ltd of York Street, Eltham, and the project referred to as '6RBV' (ie, six-roomed brick veneer) worth £7,500. Although not specifically noted on the drawings, the house was to be erected of so-called modular concrete bricks, which had then only recently been introduced into Victoria after several years of successful use interstate (Age, 06/07/1959:8). Marketed by the Besser company under the trade name of Beslite, these concrete bricks were manufactured in the firm's factory in Dandenong and were available in ninety different sizes (all based on a standard four-inch module) and a range of colours that included 'terra cotta, desert buff, dawn pink, golden sand, sage green charcoal and natural grey' (Age, 01/07/1960:13).

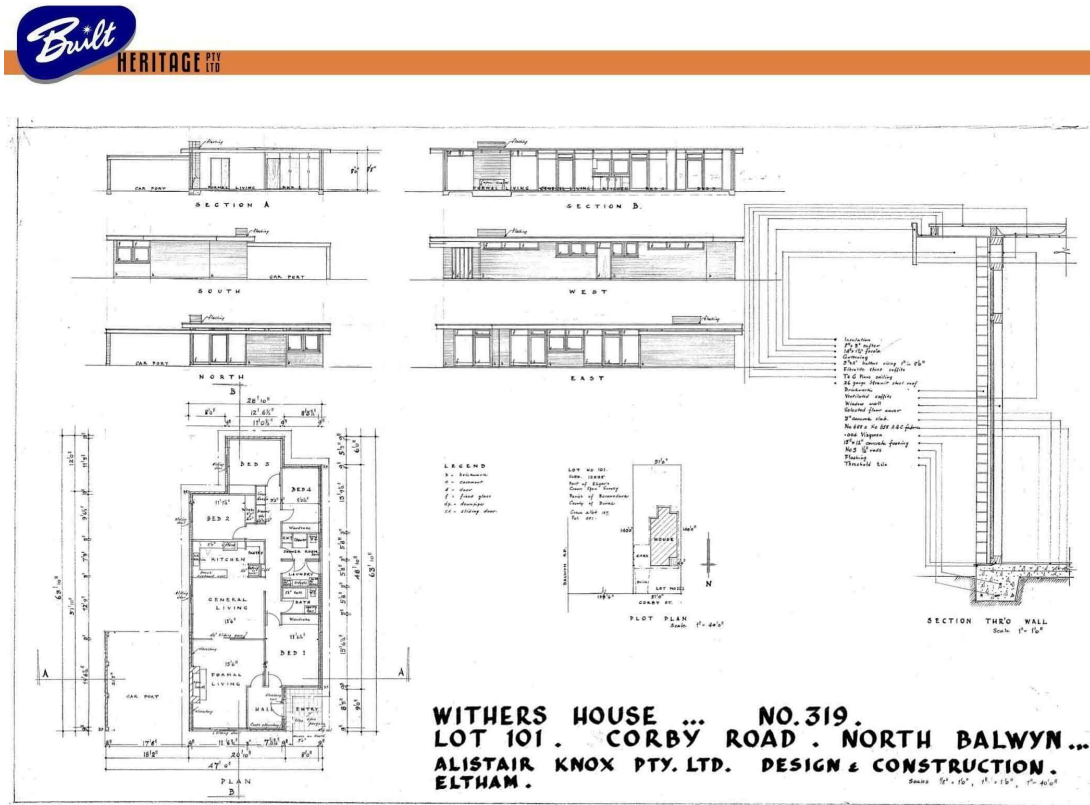


Figure 1: Undated working drawings for initial scheme with attached carport to east side
source: www.alistairknox.org

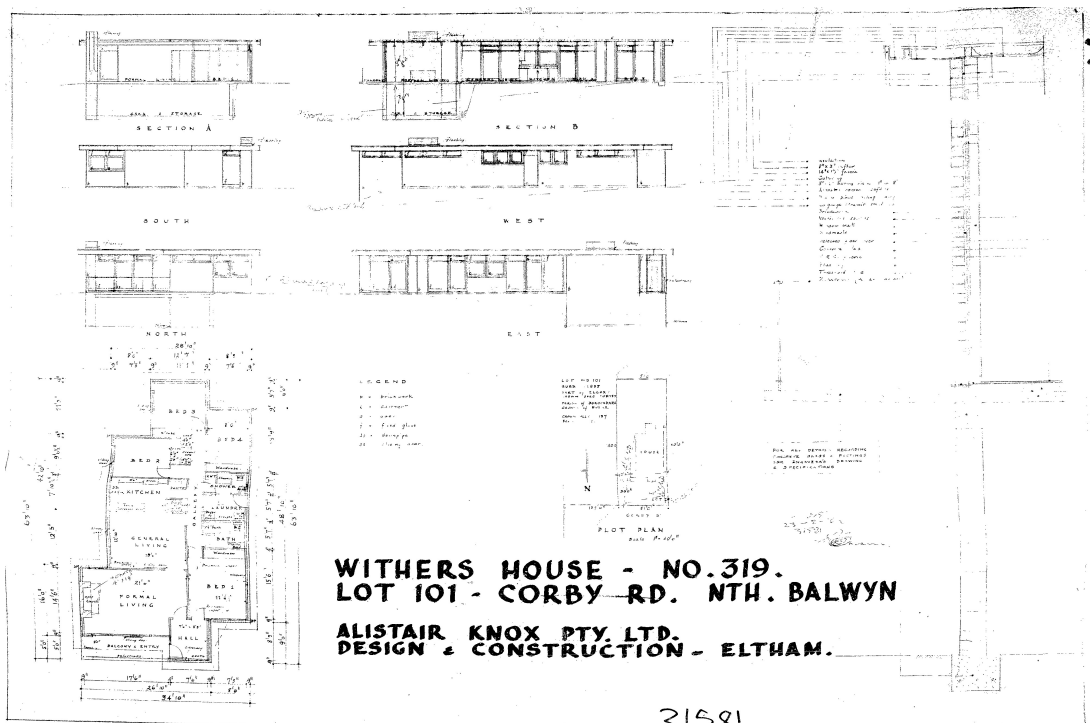


Figure 2: Undated working drawings for revised scheme with sub-floor garage
source: City of Camberwell Building Permit No 31,581, copy held by City of Boroondara



Percy and Gwen's son David moved to Sydney around the time that the house was completed, but the family continued to live there for the rest of the decade. During the early years of their tenure, schemes were prepared for a small outbuilding in the back yard, and for garden landscaping.

In February 1963, a building permit was issued for a 'workshop', worth £210. The accompanying drawings, prepared by Alistair Knox Pty Ltd, show a skillion-roofed brick shed of utilitarian form, located in the south-west corner of the property (figure 3). In October 1964, a separate permit was issued for a 'fowl shed' in the same location, with drawings (again prepared by Knox) showing a similar but longer skillion-roofed brick shed, containing a workshop, store and fowl area.

Drawings survive in the Knox archive for a 'path and garden layout' (Figure 4). While undated, this scheme evidently post-dates completion of the house, as it references both proposed and existing paths. The plan shows a bottleneck driveway with 'toppings' (ie crushed rock), stone retaining walls and various plantings that include two prunus trees, a liquidambar, and 'selected Australian native shrubs' to the front garden. The designer of the landscaping scheme is unknown, as the plan lacks a title block. Suggestion that it may have been the work of Peter Glass (1917-1997), a one-time Knox employee and later a noted landscape designer in his own right, is disproven by reference to Glass's archive, now held by the State Library of Victoria, which contains no documentation pertaining to this project.¹

An aerial photograph of the property from the late 1960s (Figure 5) confirms that a shed was indeed built in the location proposed on Knox's drawings and that the landscaping was at least partially realised in accordance with the undated 'path and garden layout'.

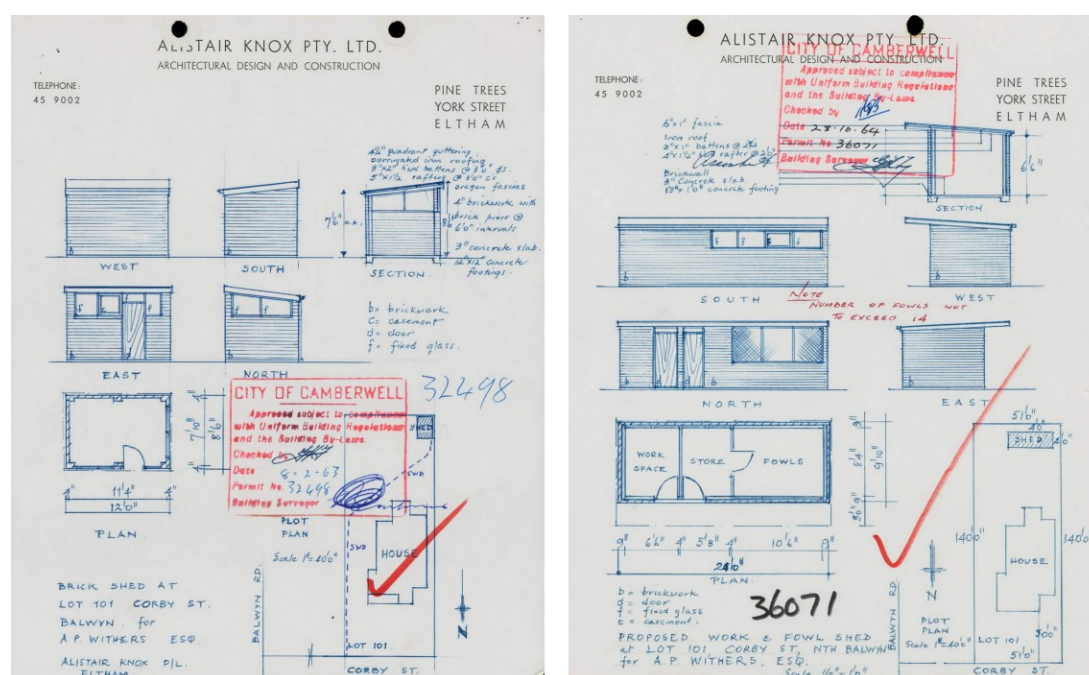


Figure 3: Drawings for Alistair Knox's two proposals for a backyard outbuilding, dated 1963 and 1964
source: City of Camberwell Building Permit No 32,498 & 36,071, City of Boroondara

- 1 Peter Glass, Collection of Landscape Designs, LTAD131, State Library of Victoria. The collection, spanning three decades from 1960, includes drawing for four other residential landscaping projects in the Balwyn area: the Cooke House, Barnsbury Road (1970), the Barden House, 48 Yerrin Street (1978), the Gibson House, 12 Duggan Street (undated) and the Wail House, 41 Inverness Way (undated). Glass also undertook at least 17 commissions elsewhere in the municipality, at Burwood, Camberwell, Canterbury, Glen Iris, Hawthorn, Kew and Kew East.

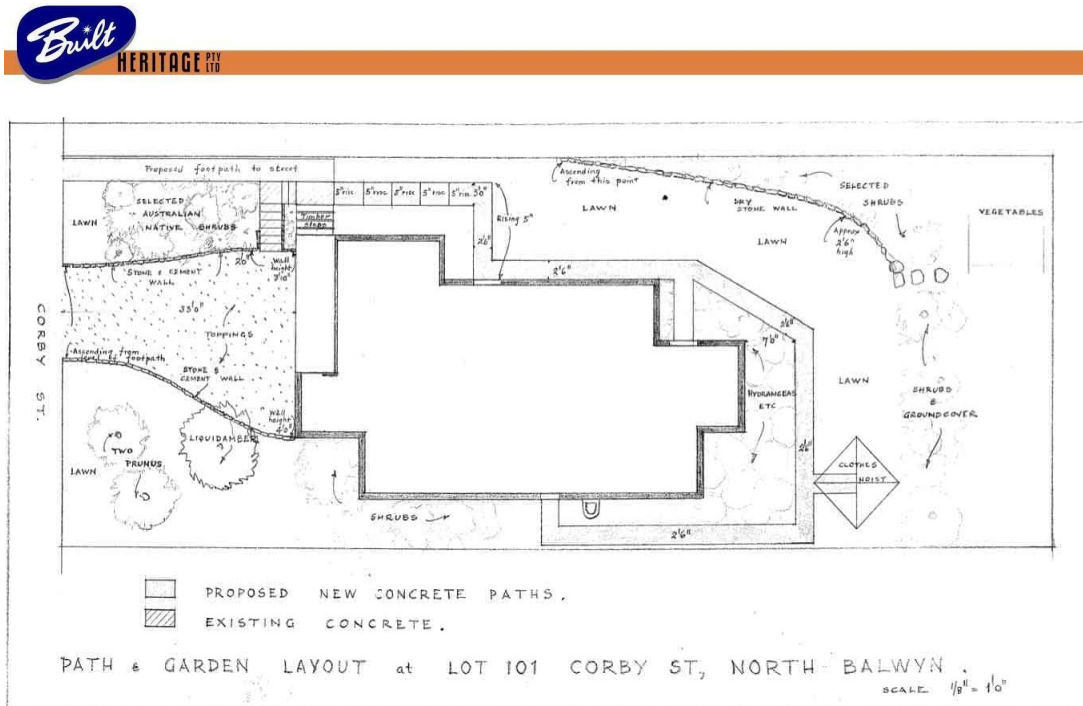


Figure 4: Undated and unattributed plan showing development of hard and soft landscaping
source: www.alistairknox.org



Figure 5: Detail of aerial photograph from January 1969, showing outbuilding and landscape development
source: Frame 216, Run 5, Eastern Freeway Project, Central Plan Office

In May 1970, the house was offered for sale by auction as 'an elevated contemporary brick veneer home' with 'superb views from front terrace across Yarra Valley' (Age 02/05/1970:27). Another advertisement underscored the fact that the house was 'designed and built by ALISTAIR KNOX' [emphasis original], drawing attention to its well-appointed interior with 'exposed beams and parquet floors' and its atypically grand family-oriented layout, with four bedrooms, three-car garage and 'family room' – the latter still a relatively new term at the time (Age, 14/11/1970:36). In 1971, the house was acquired by barrister Paul Wilkie and his wife Barbara, who lived there until 2006, and there have been two owners since then. Council records confirm that no major changes or additions have been made to the property since Knox's follow-up works in 1963-64.



2.3 DESCRIPTION

2.3.1 House

The former Withers House (Figure 6) is a single-storey flat-roofed modernist house of concrete brick veneer construction. Occupying a site that slopes upwards from the street, the house is partially elevated to incorporate a generous three-bay parking area below. External walls are of beige-coloured modular concrete brickwork, laid in stretcher bond, and the flat roof is clad in metal tray decking, and has broad unlined eaves with exposed rafters, matching timber fascias and concealed guttering. The street facade is triple-fronted and asymmetrical. The left side is dominated by the wide recessed bay of the formal living room, which has sliding glass doors, large fixed windows and narrow highlights, opening onto a concrete slab balcony with simple metal balustrade. To the right of the balcony is a projecting off-centre bay, containing the entry porch, with a long horizontal window below the eaves lines. Further to the right, and recessed further back, is the exposed front wall of the master bedroom, which has a large picture window.

At the far left end of the balcony is a metal framed staircase with matching balustrade, which connects to a right-angled flight of concrete steps leading down to the driveway level, alongside stepping planter boxes. The carport area, which extends almost the full width of the house, is framed by brick walls, with a row of black-painted metal poles below the front door. The carport includes a doorway to the rear and a workshop area off the west side, enclosed by a timber infill wall. A garden wall, in matching concrete brick, extends further west, forming a raised bed.

2.3.2 Garden

The front garden comprises two irregular lawn areas flanking a bottleneck driveway with textured concrete finish (inset with slate panels) and slate-clad kerbing. To the left (east) side, the lawn contains a mature deciduous tree, behind which is a low retaining wall of coursed river stone, running north-south from the concrete steps to the letterbox on the street (Figure 7). The letterbox itself is a freestanding pier-like structure, erected of matching modular concrete brickwork.

The current garden layout does not wholly correspond with either the undated landscape plan (Figure 4) or the aerial photograph from 1969 (Figure 5). The driveway is slightly different in form and its paving and kerbs are not original, having replaced the crushed stone toppings shown on the plan and seemingly evident on the aerial photograph. The stone wall is set slightly further east than shown on the drawing, while the proposed concrete path from the house to the street is not evident. The trees planted to the west of the driveway have been removed.



Figure 6: General view of the street frontage
Photograph by Built Heritage Pty Ltd, 2021



Figure 7: Oblique view, showing landscaping
Photograph by Built Heritage Pty Ltd, 2021



The status of the landscaping in the backyard has not been confirmed, as it cannot be seen from the street or recent aerial photographs. The 1969 photograph shows a slightly different configuration of concrete paths than indicated on the plan. Photographs of the rear of the house, taken at the time of its last sale in 2020, confirm the existence of a curving stone retaining wall that appears to correspond to the c1963 plan, as well as areas of crazy paving that are not shown on the plan.

Recent aerial photographs also confirm a small brick shed in the south-west corner of the property.

Based on this evidence, it would appear that the original landscaping scheme was only partially implemented, and has since been reconfigured. The concrete entry steps, stone retaining wall and brick letterbox appear to constitute the surviving fabric from the 1960s hard landscaping. The brick shed in the backyard, even if designed by Knox, is not considered to be significant.

2.4 COMPARATIVE ANALYSIS

2.4.1 Post-WW2 Houses in Balwyn & Balwyn North

Examples already on HO Schedule

The following is a list of the relatively few post-WW2 houses in Balwyn and Balwyn North that are currently included on the City of Boroondara HO schedule (as of June 2021)

- Cameron House, 6 Bulleen Road, Balwyn North (C S Cameron, 1951) [HO170]
- Sanders House, 3 Kalonga Road, Balwyn North (F J Sanders, 1948-55) [HO176]
- Gillison House, 43 Kireep Road, Balwyn (Robin Boyd, 1951) [HO177]
- Castle House (*Stargazer*), 1/2 Taurus Street, Balwyn North (Peter McIntyre, 1953) [HO189]
- Bunbury House, 300 Balwyn Road, Balwyn North (Robin Boyd, 1949) [HO616]

All of these examples were built in the early post-WW2 period, with the most recent one dating from 1955 (representing a belated date of completion for the Sanders House in Kalonga Road). Both chronologically and aesthetically, none of these houses is directly comparable to the subject building. The examples on Bulleen Road and Kalonga Road (both designed by owners who were not qualified architects) are in a *retardataire* mode, far more evocative of pre-WW2 Streamlined Moderne style than post-WW2 modernism. The houses on Kireep Road and Taurus Street, both dating from the early 1950s, are exceptional manifestations of the emerging Melbourne Regional style, and were designed by two of its leading exponents. The Bunbury House, a hitherto unknown Boyd project that was only rediscovered in 2014, is a seminal example of the architect's maturing approach to residential work, dating from his brief period in solo practice before entering into his celebrated partnership with Roy Grounds and Frederick Romberg in 1953.



Figure 8: Lipton House, Hill Road (1964-66)
Photograph by Built Heritage Pty Ltd, 2012



Figure 9: Plotkin House, Mountainview Rd (1966)
Photograph by Built Heritage Pty Ltd, 2012



Examples recommended for addition to HO Schedule

While the current heritage overlay schedule includes no houses in Balwyn or Balwyn North dating from the 1960s, the four examples were recommended for inclusion in the *Balwyn & Balwyn North Heritage Review*. These are as follows:

- Lipton House, 67 Hill Road, Balwyn North (Kevin O'Neill & Raymond Tung, 1964-66)
- Plotkin House, 47 Mountain View Road, Balwyn North (Conarg Architects, 1966)
- Mitchell House, 2 Salford Avenue, Balwyn (Tad Karasinski, 1962-63)
- Raftopolous House, 69 Sylvander Street, Balwyn North (designer unknown, 1962)

The second two comparators have very little commonality with the subject building. The Mitchell House, designed by a European-trained architect for a German-born client, is an idiosyncratic hybrid design that merges a flat-roofed dwelling in the orthodox European Modernist style with a quirkier A-framed wing, intended to evoke the owner's fondness for traditional alpine dwellings. The Raftopolous House, which does not appear to have been architect-designed, was not deemed to be important as an outstanding specimen of modernist design in its own right but, rather as a rare intact surviving example of the so-called 'Immigrant Nostalgic' style associated with the post-WW2 influx of southern European migrants.

The Lipton House (Figure 8) and the Plotkin House (Figure 9) both have broad characteristics in common with the subject building, namely the use of broad-eaved flat roofs, plain brick walls, horizontal strip windows and stepped volumetric massing influenced by the sloping sites. The Plotkin House is even more directly comparable because, like the Withers House, it was erected of modular concrete bricks (unusual at that time) rather than conventional clay bricks. Notably, the Withers House predates both of these comparators by several years. Aesthetically, all three houses are manifestations of a specific sub-style of post-WW2 modernism that has been described by Dr Philip Goad as 'mature modern' (see discussion under 2.4.2).²

Examples flagged for potential significance

In addition to the places for which individual citations were prepared, the *Balwyn & Balwyn North Heritage Study* also provided a list of an additional forty places that were recommended for further assessment. At that time, individual citations were not prepared for these properties merely due to budget limitations, which had necessarily restricted the number of citations to be prepared. Of these forty places, eight were houses dating from the 1960s:

- Heenan House, 41 Campbell Road, Balwyn (Neil Clerehan & Guilford Bell, 1962)
- Montalto House, 101 Cityview Road, Balwyn North (Dr Ernest Fooks, c1962)
- Karakostas House, 9 Earls Court, Balwyn North (Robert H Denny, 1969)
- Inge House, 30 Ferdinand Avenue, Balwyn North (Drayton & Coleman, 1964)
- McBride House, 72 Greythorn Road, Balwyn North (David Godsell, 1961)
- Henning House, 9 Penn Street, Balwyn North (Norman Brendel, 1962)
- Schuster House, 27 Tuxen Street, Balwyn North (Holgar & Holgar, 1964)
- Dr Leong House and clinic, 46 Walnut Road, Balwyn North (John F Tipping, 1965)

All of these houses have characteristics in common with the Withers House, notably the use of face brickwork, broad-eaved flat roofs and strategically-placed windows of varying form. Occupying sloping sites typical for the Balwyn area, most of the houses are expressed as stepped volumes with garages or carports underneath, as with the Withers House.

² Philip Goad, 'The Modern House in Melbourne', Ph D Thesis, University of Melbourne, September 1992, p 6.56.



Figure 10: Montalto House, Cityview Road (c1962)
Photography Built Heritage Pty Ltd, 2012



Figure 11: Henning House, Penn Street (1962)
Photograph by Built Heritage Pty Ltd, 2012



Figure 12: Heenan House, Campbell Road (1962)
Photograph by Built Heritage Pty Ltd, 2012



Figure 13: Dr W Adam House, Millah Road (1967)
Photograph by Built Heritage Pty Ltd, 2012

Despite these commonalities, the houses exhibit a range of aesthetic sub-styles associated with post-WW2 Melbourne architecture: the ones by Ernest Fooks and Holgar & Holgar are typical of the academic modernist style associated with European-trained migrant architects, while the McBride House in Greythorn Road evokes the Prairie School mode that imbues much of Godsell's work. Of the eight examples listed above, those more directly comparable to the Withers House are the three precisely contemporaneous houses at 101 Cityview Road (**Figure 10**), 9 Penn Street (**Figure 11**) and, particularly 41 Campbell Road (**Figure 12**). The last is by far the most pertinent comparator, being similarly articulated with stark face brick walls in projecting and recessing planes, and similarly evocative of the sub-style referred to by Philip Goad as 'mature modern'.

2.4.2 Houses in the 'Mature Modern' mode

Within the City of Boroondara

In his post-graduate thesis on modern residential architecture in Melbourne, Dr Philip Goad coined the term 'mature modern' to describe an aesthetic sub-style that emerged in the early 1960s. In contrast to the so-called Melbourne Regional style of the 1950s, defined by bold experimentation of geometric forms, structural expression and lively colour schemes, the 'mature modern' was a more sedate and monumental style, characterised by 'efficient structural means, a reduced palette of materials, generous amounts of glass and elegantly simple details'. Houses in the 'mature modern' mode were typically expressed with carefully considered rectilinear planning, broad-eaved flat roofs and stark planar walls in face brick or concrete block.



In his thesis, Goad identified several leading Melbourne architects as the key practitioners of the 'mature modern' idiom, namely Neil Clerehan, Guilford Bell, Bernard Joyce, David McGlashan and John Adam. In his discussion of specific manifestations, Goad drew attention to two houses that are located in what is now the City of Boroondara: the Guss House at 18 Yarra Street, Kew (McGlashan & Everist, 1963) and an architect's own home at 16b Waterloo Road, Camberwell (A R van Rompaey, 1966). Occupying a sloping site, the former is a split-level house articulated as two floating glass-walled volumes, while the latter is a flat-roofed dwelling with plain brick walls and full-height windows that define a sprawling C-shaped courtyard plan. While of aesthetic interest in their own right, neither of these two houses is directly comparable with the Withers House.

Research has identified several other examples of the 'mature modern' in the City of Boroondara, including four houses in Balwyn by John Adam. Of these, the two earliest, at 7 Lydia Court (1960) at 51 Dempster Avenue (1962), have both been demolished. A later house still standing at 7a Millah Road (1967; **Figure 13**), commissioned by the architect's father Dr William Adam, expressed the 'mature modern' style in the quirkier medium of roughly textured brickwork with a white-painted finish. Adam's Pleasance House at 2 Shrimpton Court (c1971), with its stark expression of planar beige brick walls, is more reminiscent of the Withers House, albeit a decade later in date.

The Balwyn houses previously mentioned in section 2.4.1, comprising the Lipton House in Hill Road, the Plotkin House in Mountainview Road and the Heenan House in Campbell Road, stand out as the best local examples of the 'mature modern' style, and thus constitute the most pertinent comparators to the Withers House. However, it is not a question of which one is superior to any of the others. All four houses are considered to be of aesthetic significance in their own right, and worthy candidates for individual heritage overlays.

2.4.3 Houses by Alistair Knox

Within the City of Boroondara

As mentioned in section 2.1, the assertion that Alistair Knox designed only three houses in the City of Boroondara is incorrect. Rather, he is confirmed to have received at least nineteen commissions, comprising eleven new dwellings and eight residential renovations. The individual houses are as follows (client names and dates are as recorded in the website, www.alistairknox.org):

- Withers House, 32 Corby Street, Balwyn (1962)
- Yorston House, 1 Georgian Court, Balwyn (1966)
- Ray House, 84 Wattle Valley Road, Camberwell (1967)
- Drake House, 105 Greythorn Road, Balwyn North (1967) – *demolished c.2020*
- Raynor House, 11 Kembla Street, Hawthorn (1969)
- Cooke House, 2 Barnsbury Court, Balwyn (1970) – *demolished c.2015*
- Coulter House, 12 Barbara Avenue, Camberwell (1971)
- Elms House, 105 Yarrbat Avenue, Balwyn (1972) – *demolished c.2008*
- Grieve House, 44 Hartington Street, Kew (1975) – *demolished c.2013*
- Golias House, 6 Stirling Street, Kew (1975)
- Bell House, 21 Yarrbat Avenue, Balwyn (1978)
- Kennedy House, 4 Norbert Street, Balwyn (1983)³

3 Curiously, this late Knox project is not documented on the website www.alistairknox.org. Rather, it was identified by Built Heritage Pty Ltd during fieldwork for the 2012 heritage study, and its attribution confirmed by drawings sourced from the City of Boroondara's building permit archive.



Thus tabulated, a number of pertinent observations can be made from this data. Of eleven houses that Knox is (so far) known to have designed in what is now the City of Boroondara, more than half were in the Balwyn and Balwyn North area. Dating from 1962, the subject building not only represents the designer's earliest known residential commission in Balwyn, but also in the broader City of Boroondara. As such, it occupies a significant place in the chronology of Knox's work across the entire municipality. In parallel, it represents a sharp contrast to Knox's later houses in the City of Boroondara, in that it was conceived in the more mainstream modernist style, with modular planning, planar brick walls and low rooflines with broad eaves, which characterised his output from c.1955 until c.1964. Subsequently, Knox resumed designing in the environmental approach for which he is best known, adopting more idiosyncratic planning, irregular rooflines, and more overtly organic materials such as mud brick, stone and rough timber.

All of Knox's subsequent houses in the City of Boroondara were conceived in this environmental mode, albeit with some variation in the extent to which the aesthetic was embraced. One example from 1966, the Ray House in Camberwell (Figure 14), is an otherwise conventional two-storey hip-roofed house on a rectilinear plan, with Knox's earthy approach demonstrated only by the use of rough brickwork and diagonal timber-lined ceilings. Three other single-storey examples from the 1960s (the Yorston House, Drake House and Raynor House) were consistently expressed in clinker brick with low gabled roofs, broad eaves and full-height window bays. The Raynor House has since been altered by a large two-storey gable-roofed front addition, in white painted brick, which effectively conceals the original single-storey brick house from the street (Figure 15).



Figure 14: Ray House, 84 Wattle Valley Road (1966)
Source: www.realestate.com.au
(photograph by Jellis Craig)



Figure 15: Raynor House, 11 Kembla Street (1969)
Source: www.alistairknox.org
(photograph by Tony Knox)



Figure 16: Coulter House, 12 Barbara Avenue (1971)
Source: www.realestate.com.au



Figure 17: Golias House, 6 Stirling Street (1975)
Source: www.realestate.com.au



Figure 18: Kennedy House, 4 Norbert Street (1983)
Photograph by Built Heritage Pty Ltd, 2012



Figure 19: Burnside House addition (1962)
Source: www.realestate.com.au



Figure 20: Trivett House, Syndal (1962)
Source: www.realestate.com.au
(Photograph by Jellis Craig)



Figure 21: Chandler House, Doncaster (1963)
Source: Picture Collection, State Library of Victoria
(Photograph by Peter Wille)

Outside the City of Boroondara

It was not until the early 1970s that Knox's local output began to more boldly reflect his organic approach: this commenced with the two-storey Cooke House in Balwyn (1970), which adopted the designer's trademark expression of exposed trabeation in rough timber with mud brick infill and stone paving. The Coulter House in Glen Iris (1971; **Figure 16**), Elms House in Balwyn (1972) and Grieve House in Kew (1975) were houses of similar expression and comparable scale, albeit in clinker brick rather than mud brick, while the more modest single-storey Golias House in Kew (1975; **Figure 17**), also in clinker brick, had a tighter plan and flat roof with pop-up clerestory and broad timber fascias. For the later Bell House (1978) and Kennedy House (1983), both in Balwyn, Knox returned to his trademark style, with mud brick and exposed timber structure (**Figure 18**).

Clearly, none of the other houses that Knox designed in the City of Boroondara are directly comparable to the subject building. While the other houses are all demonstrative, to a greater or lesser degree, of Knox's characteristic environmental style, the Withers House stands out as a rare local example of his work in the modern mainstream modernist style that defined his work in the later 1950s and early 1960s. The fact that it is not demonstrative of his trademark 'Eltham style', however, does not mean that the house cannot be considered significant in its own right.



Ultimately, the subject building can only be pertinently compared to one other example of Knox's work in the City of Boroondara: a two-storey addition to the rear of an existing single-storey house at 4a Rubens Grove, Canterbury (1962; [Figure 19](#)). Designed for the Burnside family, this addition is precisely contemporaneous with the subject building and is similarly expressed with flat roof, planar brick walls and full-height windows. However, as it is merely an addition to an existing house (and, in any case, is not even visible from the street), it can hardly be considered in the same league that the subject building as a candidate for an individual heritage overlay.

While it is not necessary to consider Knox's work outside the City of Boroondara to establish a case for significance at a local level, it might be noted that a cursory overview of his contemporaneous houses suggests that the Withers House was one of the designer's more distinguished residential projects of that period. The bulk of Knox's houses from the early 1960s were far more modestly expressed as single-storey dwellings on relatively flat sites, with simpler rectangular plans, low gabled roofs, verandahs, and conventional fenestration. This is evident in such examples as the Armitage House in Doncaster (1960), the Brown House in Watsonia (1960), the Eastman-Nagle House in Eltham (1960), the Munro House in Lower Plenty (1960), the Pitt House in Lorne (1960), the Smith House in Carrum (1960), the Hensle House in Eltham (1961), the Mitchell House in Eltham (1961), and the double-storeyed Crook House in Ivanhoe (1962).

A more refined expression, with broad-eaved flat roofs and windows as horizontal strips and full-height bays, appears to have emerged with the Pain House in Eltham (1960) and then recurred in the Harvey House in Geelong (1962), the Trivett House in Syndal (1962; [Figure 20](#)), the Bell House in Doncaster (1962), the Bellamy House in Frankston (1963), the Bryant House in Highton (1963), the Neish House in Doncaster (1963), the Nixon House in Kangaroo Ground (1963) and the Van Raalte House in Eltham North (1963). All of these, however, were single-storey dwellings on relatively flat sites, with relatively compact plans. The more expansive and elevated Withers House, built into a slope with a vast sub-floor garage, represents a far more sophisticated architectural composition. In the context of Knox's houses of the early 1960s, its nearest counterpart would be the split-level Chandler House at Doncaster (1963; [Figure 21](#)), although that house was built into a site that slopes down from the street, rather than up from the street.

2.5 ASSESSMENT OF SIGNIFICANCE

2.5.1 Assessment against Criteria

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

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

Not applicable

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

Not applicable

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

Not applicable

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

Not applicable



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

The Withers House is an excellent and virtually unaltered example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork, exposed timber beams and asymmetrical facade hovering above a capacious sub-floor triple carport, it is a particularly sophisticated expression of this idiom.

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

Not applicable

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 continuing and developing cultural traditions (social significance).*

Not applicable

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

The Withers House has special associations with celebrated designer Alistair Knox, representing the first of many residential commissions that he undertook in what is now the City of Boroondara, and the only one associated with a phase in his career (from c.1955 to c.1964) in which he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design.

2.5.2 Statement of Significance

What is significant?

The former Withers House at 32 Corby Street, Balwyn North, is an elevated single-storey modernist house of beige-coloured modular concrete brick, with a flat roof, broad eaves with exposed beams and an asymmetrical triple-fronted street façade that incorporates a concrete slab balcony with full-height windows and metal balustrade, and a large sub-floor parking area with space for three vehicles. Commissioned in 1962 by transport company proprietor Percy Withers and his wife Gwen, the house was designed and built by Alistair Knox Pty Ltd (who was retained to undertake two minor phases of follow-up work in 1963-64).

The significant fabric is defined at the exterior of the entire house, including the matching concrete brick retaining walls and planter boxes, metal balcony stairs, the concrete steps to the driveway, the low stone retaining wall running north-south to the street, and the matching brick letterbox.

How is it significant?

The former Withers House is of aesthetic and associative significance to the City of Boroondara.

Why is it significant?

Aesthetically, the house is significant as an excellent example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork (at the time, a fairly new material), exposed timber beams and asymmetrical facade hovering over an atypically



large sub-floor triple garage, it is a particularly sophisticated expression of this idiom. Virtually unaltered since the designer undertook further works in 1963-64, this uncommonly intact house remains potently evocative of its era, enhanced by the retention of some contemporaneous hard landscaping elements such as steps, retaining walls, and a matching letterbox (*Criterion E*)

The house is significant for associations with the eminent and prolific designer Alistair Knox, for whom it represented his first individual residential commission in what is now the City of Boroondara. While Knox went on to design more than a dozen other houses in the municipality over the next two decades (most of which were also located in Balwyn and Balwyn North), the former Withers House stands out as the only one associated with the middle phase of his career, from c.1955 to c.1964, when he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design. (*Criterion H*)

2.5.3 Recommendations

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

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01):

External Paint Controls	No
Internal Alteration Controls	No
Tree Controls	No
Victorian Heritage Register	No
Incorporated plan	No
Exemptions for outbuildings and fences	No
Prohibited uses may be permitted	No
Aboriginal Heritage Place	No

2.6 SOURCES

2.6.1 References

Primary Sources

‘Mr A A Withers dies: tourist coach pioneer’, *Herald*, 17 July 1929, p 1.⁴

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Alistair Knox Pty Ltd, ‘Withers Subdivision Proposal No 228/1’, working drawings, 14 June 1958, www.alistairknox.org.

Alistair Knox Pty Ltd, ‘Withers No 228/2: Resite shop and dwelling’, working drawings, 1 July 1958, www.alistairknox.org.

Alistair Knox Pty Ltd, ‘Withers Transport Industry Pty Ltd Bus Repair Depot & Offices No 227/2’, working drawings, 26 January 1959, www.alistairknox.org.

Alistair Knox Pty Ltd, ‘Withers Transport Industry Pty Ltd, Bus Depot, No 227/3’, working drawings, 14 February 1959, www.alistairknox.org.

Alistair Knox Pty Ltd, ‘Withers Transport Industry Pty Ltd, 227/4’, working drawings, 1 April 1959, www.alistairknox.org.

⁴ Another obituary for Alfred Withers, which appeared in the *Age*, 18 August 1929, p 9, was found to contain a great deal of inaccurate information, stating that he only had three sons, and that their firm was established in 1907.



Alistair Knox Pty Ltd, 'Withers Transport Industry Office Block No 227', working drawings, 1 July 1959, www.alistairknox.org.

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Alistair Knox Pty Ltd, 'Withers House No 319, Lot 101 Corby Road, North Balwyn', working drawings, undated [initial scheme], www.alistairknox.org.

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Alistair Knox Pty Ltd, 'Brick shed at Lot 101 Corby Street, Balwyn, for A P Withers, esq' working drawings, undated, copy held by City of Boroondara (City of Camberwell Building Permit No 32,498, issued 8 February 1963).

Alistair Knox Pty Ltd, 'Proposed work and fowl shed at Lot 101 Corby Street, North Balwyn, for A Withers, esq', working drawings, undated, copy held by City of Boroondara (City of Camberwell Building Permit No 36,071, issued 28 October 1964).

'Path and garden layout at Lot 101 Corby Street, North Balwyn', landscaping plan, undated. www.alistairknox.org.

City of Camberwell Building Permit Card for 32 Corby Street, Balwyn North, held by City of Boroondara.

David Withers, emails to Simon Reeves, 17 June and 1 July 2021.⁵

Secondary Sources

Fay Woodhouse, 'Knox, Alistair Samuel (1912-1986)', in Diane Langmore (ed), *Australian Dictionary of Biography*, Volume 17 1981-90 (Melbourne: Melbourne University Press, 2007).

Richard Peterson & Bohdan Kusk 2014, 'Alistair Knox (1912-1986): Modernism, Environment and the Spirit of Place', *RMIT Design Archives Journal*, Volume 4, Number 3 (2014), pp 5-23.

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

2.6.2 Identified by

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

- designated as 'Priority 2' in master-list of places of potential significance, p 223.

⁵ David Withers, now living in Sydney, is the sole survivor of Percy and Clare Withers' three children.