

URBAN PLANNING DELEGATED COMMITTEE AGENDA



(Open to the public)

6.30pm, Monday 19 February 2024
Council Chamber, 8 Inglesby Road, Camberwell

Date of Issue: 9 February 2024

Please note: No audio, video, photographic or any other recording of proceedings at Council or Delegated Committee meetings is permitted without written authority from Council.

Order of Business

- 1 Adoption and confirmation of the minutes of the Urban Planning Delegated Committee meeting held on 5 February 2024**
- 2 Declaration of conflict of interest of any councillor or council officer**
- 3 Presentation of officer reports**
 - 3.1 Balwyn and Balwyn North Heritage Study Peer Review Stage 3 - Outcomes of public exhibition and request for panel - Amendment C398boro
 - 3.2 Mont Iris Estate and Environs Heritage Review - Consideration of Panel Report - Amendment C394boro
 - 3.3 12 Hawthorn Grove, Hawthorn - Dwelling extension in a Heritage Overlay - PP23/0325
 - 3.4 7 Mangarra Road, Canterbury - Presentation of Draft SCO Incorporated Document - Amendment C408boro
- 4 General business**
- 5 Urgent business**
- 6 Confidential business**
- 7 Close of meeting**

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3 Presentation of officer reports

3.1 Balwyn and Balwyn North Heritage Study Peer Review Stage 3 - Outcomes of public exhibition and request for panel - Amendment C398boro

Executive Summary

Purpose

The purpose of this report is to inform the Urban Planning Delegated Committee (UPDC) of the outcomes of public exhibition of Amendment C398boro relating to the Balwyn and Balwyn North Heritage Peer Review Stage 3. The report also seeks a resolution to request the Minister for Planning to appoint an independent Planning Panel, and to refer all submissions to an independent planning panel for consideration.

Amendment C398boro seeks to implement the recommendations of the Balwyn and Balwyn North Heritage Peer Review Stage 3 report prepared by GML Heritage (March 2023), and the place citation for Sanders House (former), 25 Burroughs Road, Balwyn prepared by Built Heritage (July 2023), by including eighteen individual heritage places in the Heritage Overlay on a permanent basis.

Background

Officers engaged heritage consultants GML Heritage (formerly Context) to investigate the heritage significance of 18 post-war properties within Balwyn and Balwyn North. Following completion of a detailed assessment, GML Heritage found that 17 properties warranted inclusion in the Heritage Overlay.

Preliminary consultation on the draft heritage citations was undertaken from 4 November to 5 December 2022. Owners and occupiers of affected and adjoining properties, as well as community and historical societies were notified in writing of the consultation period and invited to provide feedback.

Fourteen (14) submissions were received, including ten (10) objecting and four (4) supporting submissions.

On 3 April 2023, the UPDC resolved to adopt the Balwyn and Balwyn North Heritage Peer Review Stage 3 report and seek authorisation to prepare a planning scheme amendment to include the recommended properties in the Heritage Overlay on a permanent basis. On 24 August 2023, authorisation was granted to prepare and exhibit Amendment C398boro by officers of the Department of Transport and Planning (DTP) under delegation from the Minister for Planning.

25 Burroughs Road, Balwyn

On 3 July 2023, the UPDC resolved to adopt the place citation for Sanders House (former), 25 Burroughs Road, Balwyn (Built Heritage, July 2023), and submit an updated request for authorisation to the Minister for Planning to prepare Amendment C398boro to include 25 Burroughs Road, Balwyn in the Heritage Overlay, on a permanent basis. The revised amendment, including the 17 properties identified by GML Heritage plus the additional property identified by Built Heritage, was authorised by officers of DTP under delegation from the Minister for Planning on 24 August 2023.

Key Issues

Amendment C398boro was publicly exhibited from 9 October to 14 November 2023. Twelve (12) submissions were received including five (5) supporting submissions and seven (7) opposing submissions. The following key issues were raised:

- Private financial and property impacts
- Lack of justification for the Peer Review and Heritage Study
- The value of post-war architecture in Boroondara
- Strategic justification for the recommendations

All submissions have been considered by Council officers, and input provided by Council's heritage consultant where required. A summary of all submissions received, and the officers' response is provided at **Attachment 1**. No changes are recommended to the amendment from the submissions.

Next Steps

In accordance with Section 23 of the *Planning and Environment Act 1987*, Council as the planning authority must consider whether to change the amendment in response to submissions, refer the amendment to an independent Planning Panel, or abandon the amendment in full or part.

It is recommended the amendment be referred to an independent Planning Panel to consider all submissions.

Officers' recommendation

That the Urban Planning Delegated Committee resolve to:

1. Receive and note the submissions to Amendment C398boro (**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 to Amendment C398boro as shown at **Attachment 1**.
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 C398boro.
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 minor administrative changes to Amendment C398boro and associated planning controls that do not change the intent of the controls.

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 C398boro.
- Respond to the key issues raised in submissions (**Attachment 1**).
- 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 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."

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

The identification, assessment, and protection of places of local heritage significance are supported by Outcome 4 of *Plan Melbourne 2017-2050*, 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, particularly the objective detailed in Section 4(1)(d) of the *Planning and Environment Act 1987* (the Act), being:

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

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

3. Background

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

The draft Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn) (the draft Study) was completed in June 2014 identifying 26 properties and four precincts to be included in the Heritage Overlay and recommending a further 40 properties for further investigation.

Preliminary consultation was undertaken in February/March 2015 with 137 responses received. Of these, 94 responses were opposed to the recommendations, 22 were in support and 21 were neither in favour nor opposed, making comments on other matters such as the process of identifying properties or querying the heritage status of other buildings.

On 7 September 2015, the Urban Planning Special Committee (UPSC) resolved to not proceed with adopting the draft Study. A planning scheme amendment to implement the recommendations of the Study therefore did not commence.

Peer Review Stage 1 and 2

In March 2017, the UPSC resolved to review the draft Study, which initially excluded post-war properties. Stage 1 and 2 of the peer review were implemented through Amendments C276 (gazetted July 2019) and C318 (gazetted December 2020).

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 such time as further investigation could be completed to confirm their heritage significance. Draft heritage citations had been prepared for these places as part of the preparation of the Balwyn Heritage Study.

In February 2021, Council engaged GML Heritage (formerly Context) to undertake the Peer Review Stage 3, comprising the review of the identified post-World War 2 properties. Following completion of a detailed assessment, GML Heritage found 17 properties warranted inclusion in the Heritage Overlay:

- 1 Caravan Street, Balwyn
- 2 Salford Avenue, Balwyn
- 17 Yandilla Road, Balwyn
- 116 Bulleen Road, Balwyn North
- 32 Hill Road, Balwyn North
- 67 Hill Road, Balwyn North
- 39 Inverness Way, Balwyn North
- 26 Kyora Parade, Balwyn North
- 94 Maud Street, Balwyn North
- 7 Milfay Court, Balwyn North
- 47 Mountain View Road, Balwyn North
- 24 Orion Street, Balwyn North
- 44 Panoramic Road, Balwyn North
- 22 Riverview Road, Balwyn North
- 9 Tormey Street, Balwyn North
- 17 Trentwood Avenue, Balwyn North
- 32 Ursa Street, Balwyn North

69 Sylvander Street, Balwyn North was also assessed but did not meet the threshold for inclusion in the Heritage Overlay.

25 Burroughs Road, Balwyn

The draft Study recommended 25 Burroughs Road, Balwyn for further investigation. The property at 25 Burroughs Road, Balwyn was recommended for heritage protection through the Stage 1 Peer Review process before being removed from Amendment C276boro due to having a build date of later than 1945. However, the recommendation to include the property in the Heritage Overlay was retained.

On 23 May 2023, an application for report and consent to demolish the property was lodged under Section 29A of the *Building Act 1993*. In response, the application for demolition was suspended and a request was lodged with the Minister for Planning to apply an interim Heritage Overlay to the property, in

accordance with Council's adopted Section 29A decision-making process. To date, the Minister has not made a decision on the request however the approval is under consideration.

On 3 July 2023, the UPDC resolved to adopt the place citation for Sanders House (former), 25 Burroughs Road, Balwyn (Built Heritage, July 2023) and submit an updated request for authorisation to prepare Amendment C398boro to include 25 Burroughs Road, Balwyn in the amendment, along with the 17 properties identified by GML Heritage.

4. Outline of key issues/options

Public Exhibition

Public exhibition of the amendment was undertaken between 9 October and 14 November 2023. The public exhibition process involved:

- Written notification to all owners and occupiers of directly affected and adjoining properties and the Boroondara Residents' Action Group, Boroondara Heritage Group for Advocacy and Protection, Robin Boyd Foundation, Australian Institute of Architecture - Victorian Chapter, and Heritage Victoria.
- Email notification to previous submitters to preliminary consultation and interested parties.

Council received 12 submissions during public exhibition including seven (7) opposing submissions and five (5) supporting submissions. A summary of feedback received, and officers' response is provided in the table at **Attachment 1**.

Key issues raised by submitters

Private financial and property impacts

Some submitters expressed concerns about increased costs associated with maintaining a property in the Heritage Overlay and increased regulatory burden on property owners to maintain buildings. All buildings require on-going maintenance to protect their condition, amenity, and value, whether in the Heritage Overlay or not. A planning permit requirement is being proposed due to identified heritage values of the recommended properties.

The Heritage Overlay does not prohibit external alterations or additions to buildings, or subdivision. A planning permit would be required for external alterations, extensions, and demolition once the Heritage Overlay is applied to ensure identified heritage features are appropriately considered as part of the planning process. Internal controls are not proposed, and a planning permit is not required to carry out works, repairs or routine maintenance which do not change the external appearance of a heritage place, or which are undertaken to the same details, specifications, and materials. Council's Heritage Policy in the Boroondara Planning Scheme discourages full demolition of individually significant heritage places.

The structural condition of a house (or the preference of landowners for restoration or demolition) is not directly relevant to whether a recommendation can be made to include a property in a Heritage Overlay under the *Planning*

Practice Note 1: 'Applying the Heritage Overlay'. Alterations and additions to a property can be undertaken subject to a planning permit, which has assessed the work against the objectives of Council's heritage provisions in the Boroondara Planning Scheme.

The potential impacts on property value or future sales campaigns are not related to heritage significance and therefore cannot be considered when identifying and recommending places for the Heritage Overlay. Given the Heritage Overlay recognises places with identified heritage value, any submissions made in response to the application of heritage controls must be based on the heritage significance of the place. Planning Panels for similar heritage amendments have consistently found private economic effects, e.g. impacts upon land values or the individual financial circumstances of the landowner, are outside the scope for consideration (Planning Panel Victoria Reports for Melbourne C207, Moreland C149, Boroondara C266 and Boroondara C274 Pt 2).

Private financial circumstances of property owners are also not a relevant consideration as to whether a recommendation can be made to include a property in a Heritage Overlay under the *Planning Practice Note 1: 'Applying the Heritage Overlay'*.

Lack of justification for the Peer Review and Heritage Study

Submitters have questioned how the study contributes net community benefit when the Heritage Overlay will apply to individually significant properties.

The draft Balwyn and Balwyn North Heritage Study (including Deepdene and Greythorn) (the Balwyn Study) was completed in 2015 by Built Heritage Pty Ltd and sought to identify places and precincts of local cultural heritage significance in the suburbs of Balwyn, Balwyn North and Deepdene. The identification of places involved desktop research, fieldwork survey and consultation with local historical societies, and resulted in a master-list of places. The master list comprised 350 individual places and 9 precincts.

In September 2015, Council resolved not to proceed with the implementation of the Balwyn Study. The recommendations were not implemented through a planning scheme amendment at the time; however, recommendations have subsequently been reviewed through three separate peer reviews. This amendment is based on the third peer review and focusses on individual post-war heritage places. No heritage precincts have been identified or recommended in this peer review given the distribution of the individual houses across both Balwyn and Balwyn North.

In relation to community values, Council is required under Section 4 (1)(d) of the *Planning and Environment Act 1987* to identify and protect places of architectural and historical interest. Section 12(2) (c) of *the Act* states a planning authority may carry out studies, commission reports, and do all things necessary to encourage and promote the protection of land. Council has carried out the assessment on this basis.

The loss of heritage places is a key concern for residents of Boroondara and the Heritage Overlay is a recognised mechanism in the Victorian planning system for protecting valued heritage places. The amendment implements Strategy 4.1 of the Boroondara Community Plan 2021-31, which states "Boroondara's heritage

places are protected through ongoing implementation of heritage protection controls in the Boroondara Planning Scheme”.

The value of post-war architecture in Boroondara

The retention of tangible examples of Modernist designed houses in Boroondara provides important evidence of an important historical theme identified in Boroondara’s Thematic Environmental History. To understand Balwyn and Balwyn North’s origins into the future, the best-preserved examples of different building typologies that evidence the areas development should be preserved.

The recommended properties are important to Boroondara as a whole and provide tangible evidence of Balwyn and Balwyn North being a key location of postwar architect designed houses. As articulated in the statement of significance of Boroondara in the Thematic Environmental History; *architecturally, the City of Boroondara is significant for containing significant examples of the work of virtually every leading architect to have practiced in Victoria from the 1850s to the 1980s.*

The amendment seeks to protect a further 18 individually significant heritage places constructed in the post-war era.

Strategic justification for the recommendations

Several submitters have questioned the strategic justification for recommending specific properties for inclusion in the Heritage Overlay. Officers have relied on the professional advice of GML Heritage as evidenced in the citations prepared through the peer review.

Officers provided several submissions to GML Heritage for review and response, particularly in cases where technical matters relating to heritage and strategic justification are raised. At this point, GML Heritage have not found any new information or insights through the submissions to warrant any changes in the recommendations.

Officers are therefore recommending the amendment proceed to an independent planning panel for consideration. This will provide property owners and other interested parties with the opportunity to present submissions and other evidence for consideration and review at a public hearing. Council’s heritage consultant will also present expert evidence at a future panel hearing and be available for questions and cross-examination on the recommendations.

5. Consultation/communication

The owners and occupiers of the affected and adjoining properties were notified in writing of the public exhibition process. The notification included the exhibition notice inviting submissions, and instructions for the process. The amendment documentation (including the adopted citations) was also made available on Council’s website and at the planning counter.

All affected and adjoining property owners/occupiers and submitters to the amendment were notified of this UPDC meeting and provided with the opportunity to address the UPDC.

If the UPDC resolves to refer all 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 who do not appear at the hearing will still have their written submission considered by the independent panel.

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

6. Financial and resource implications

Costs associated with the amendment will be funded through the City Futures operational budget for the 2023/24 financial year.

7. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

8. Social and environmental issues

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

Manager: David Cowan, Manager City Futures

Report officer: Rachel Brien, Strategic Planner

Attachment 1: Balwyn and Balwyn North Heritage Peer Review - Stage 3 - Exhibition
Summary of submissions and officer response

Submission No.	In support of recommendation?	Summary of feedback	Officers' response to feedback	Officers' recommendation
1	No	<p>The submitter opposes the inclusion of the property at 24 Orion Street, Balwyn North in the Heritage Overlay on the following grounds:</p> <ul style="list-style-type: none"> The proposal will create difficulty in maintaining substandard property infrastructure. Council have failed to review and make comments on hazardous construction materials. The building has exceeded the life expectancy of materials. The building faces continued water damage, in addition to brick and earth movement issues. An inspection of the property should be made prior to making a decision. Decision will cause financial and physical strain to the occupant and surrounding community. 	<p>The heritage citation prepared by Council's heritage consultant, GML Heritage, provides an assessment against the recognised heritage criteria. The recommendation for 24 Orion Street, Balwyn North satisfies Criterion A (historical significance), and Criterion E (aesthetic significance). The merits of the heritage expert's recommendations can be further tested through an independent planning panel process.</p> <p>The issues raised in the submission are not generally considered as part of the heritage assessment process. All houses require on-going maintenance to protect their condition, amenity, and value, whether in the Heritage Overlay or not.</p> <p>The structural condition of the house (or the preference of landowners for restoration or demolition) is not directly relevant to whether a recommendation can be made to include the property in a Heritage Overlay under the Planning Practice Note 1: 'Applying the Heritage Overlay'. Alterations and additions to the property may be undertaken subject to an approved planning permit, which has assessed the work against the objectives of Council's Heritage Policy. Routine maintenance and repairs that do not change the external appearance of the building may not require planning approval, even if the property is affected by a Heritage Overlay. Issues relating to hazardous construction materials can be considered at the planning or building permit stage.</p> <p>Any potential personal financial implications are not relevant considerations in the assessment of appropriate heritage controls. Planning Practice Note 1: 'Applying the Heritage Overlay' identifies the criteria for assessing the heritage significance of a heritage place and refers to only matters of a heritage nature. Given that the Heritage Overlay recognises places with identified heritage value, any challenges to the application of the Heritage Overlay must be based on the heritage significance of the place. Planning Practice Note 1: 'Applying the Heritage Overlay' identifies the criteria for assessing the heritage significance of a heritage place and refers to only matters of a heritage nature. Planning Panels for similar heritage amendments have consistently found that private economic effects, e.g., impacts upon land values or the individual financial circumstances of the landowner, are outside the scope for</p>	No change recommended.

Attachment 1: Balwyn and Balwyn North Heritage Peer Review - Stage 3 - Exhibition
Summary of submissions and officer response

Submission No.	In support of recommendation?	Summary of feedback	Officers' response to feedback	Officers' recommendation
			consideration (PPV Reports for Melbourne C207, Moreland C149, Boroondara C266 and C274 Pt 2). 2015	
2	Yes	The submitter supports the amendment as the buildings/houses represent a significant moment in Australian architecture. Houses within Heritage Overlays are also more sustainable than the McMansions that are replacing them.	Officers note the supportive submission and comments.	No change recommended.
3	Yes	The submitter supports the amendment as Balwyn has already lost many heritage places, and there is very little left. Council has a responsibility by law to protect places once identified and via its role as joint guardian of heritage places with the community. Due process should be followed, and a planning panel will identify any issues and provide council and owners with more guidance if required. Council and resident funds and resources have been used, and the officer recommendations seem highly valid and so should be followed.	Officers note the supportive submission and comments.	No change recommended.
4	Yes	The submitter supports the amendment as Balwyn and North Balwyn are facing rapid change as current homes are demolished. It is important to protect good examples of architecture from all eras and particularly mid-Century architecture. North Balwyn was a centre of innovative housing-built post WW2, and it is important to retain significant examples of this housing stock.	Officers note the supportive submission and comments.	No change recommended.
5	No	The submitter is opposed to the amendment on the following grounds: <ul style="list-style-type: none"> Imposing a heritage overlay diminishes the value of the properties included. The amendment constitutes a taking of property, which is immoral and illegal. If Council wants to preserve any of the properties, then Council should enter into agreements with willing owners or purchase the properties at market value and then record covenants over the properties. Some of the properties are not worth preserving at all. 	Any potential personal financial implications such as impacts on property value are not relevant considerations in the assessment of appropriate heritage controls. Planning Practice Note 1: 'Applying the Heritage Overlay' identifies the criteria for assessing the heritage significance of a heritage place and refers to only matters of a heritage nature. Planning Panels for similar heritage amendments have consistently found that private economic effects, e.g., impacts upon land values or the individual financial circumstances of the landowner, are outside the scope for consideration (PPV Reports for Melbourne C207, Moreland C149, Boroondara C266 and C274 Pt 2). The impact of	No change recommended.

Attachment 1: Balwyn and Balwyn North Heritage Peer Review - Stage 3 - Exhibition
Summary of submissions and officer response

Submission No.	In support of recommendation?	Summary of feedback	Officers' response to feedback	Officers' recommendation
			<p>heritage controls on property values is inconclusive as in some instances it may have a positive impact. The Heritage Overlay would be only one of many factors with influence on a property's value.</p> <p>The amendment does not constitute Council taking private property. The amendment is seeking to apply heritage controls to properties identified by Council's heritage consultant as worthy of protection under the Practice Note. Council has no need to purchase the land, rather is seeking to manage any future development proposals through the application of heritage controls. This would have the effect of requiring a planning permit for any buildings and works to the land. Landowner agreement is not required in determining whether a particular property has heritage significance and should be included the Heritage Overlay.</p> <p>Council's heritage consultant has determined the individually significant properties have sufficient intactness and significance to warrant inclusion in the Heritage Overlay. The merits of the heritage expert's recommendations can be further tested through review by an independent planning panel.</p>	
6	Yes	The submitter supports the amendment as people are building houses in the area that are horrible. The amendment allows some homes to be saved to protect the heritage of the area.	Officers note the supportive submission and comments.	No change recommended.
7	No	<p>The submitter is opposed to the inclusion of the property at 25 Burroughs Road, Balwyn in the Heritage Overlay on the following grounds:</p> <ul style="list-style-type: none"> The decision to include the property in Amendment C398boro to have an individually significant Heritage Overlay on the property has damaged family relations and plans to sell the home, downsize and use any excess funds as required. Attempted to sell the property without being informed by Council of the process. After three months of the house on the market, the property owner has been unable to sell the property because of the proposed overlay. Home has become de-valued and unable to be sold. The understanding is the property has been devalued by between \$500,000 and \$1,000,000. Would like to understand the process by which a claim can be made for damages in lost money. 	<p>The heritage citation prepared by Council's heritage consultant provides an assessment against the recognised heritage criteria. The recommendation for 25 Burroughs Road, Balwyn satisfies Criterion E (aesthetic significance).</p> <p>Council has an obligation to identify and protect heritage properties under the Planning and Environment Act 1987. While officers appreciate this may affect the priorities of property owners, personal financial and other circumstances of property owners are not relevant considerations in the assessment of appropriate heritage controls. <i>Planning Practice Note 1: 'Applying the Heritage Overlay'</i> identifies the criteria for assessing the heritage significance of a heritage place and refers to only matters of a heritage nature.</p> <p>The potential impact on property value is not related to heritage significance and therefore cannot be taken into</p>	No change recommended.

Attachment 1: Balwyn and Balwyn North Heritage Peer Review - Stage 3 - Exhibition
Summary of submissions and officer response

Submission No.	In support of recommendation?	Summary of feedback	Officers' response to feedback	Officers' recommendation
		<ul style="list-style-type: none"> Other properties in Boroondara should have a Heritage Overlay as a priority before this one. 	<p>account when identifying and recommending places for the Heritage Overlay. Planning Panels for similar heritage amendments have consistently found that private economic effects, e.g., impacts upon land values or the individual financial circumstances of the landowner, are outside the scope for consideration (PPV Reports for Melbourne C207, Moreland C149, Boroondara C266 and C274 Pt 2). The impact of heritage controls on property values is inconclusive as in some instances it may have a positive impact. The Heritage Overlay would be only one of many factors with influence on a property's value.</p> <p>The inclusion of a property in the Heritage Overlay does not qualify for financial compensation.</p> <p>The merits of the heritage expert's recommendations can be further tested through an independent planning panel.</p>	
8	Yes	The submitter supports the amendment as a resident of Balwyn North as the recommendations have come about after many years of hard work and preserve important examples of the local history.	Officers note the supportive submission and comments.	No change recommended.
9	No	<p>The submitter opposes the recommendation to include 32 Ursa Street, Balwyn North in the Heritage Overlay on the following grounds:</p> <ul style="list-style-type: none"> Does not want to have to seek approval to renovate own property. Having a Heritage Overlay is an added expense and time that would require compensation. Heritage Overlay is being forced upon owners against their will. The roof has asbestos, the bricks are of a compressed sand that has eroded. The property needs renovation before it can be sold. 	<p>The heritage citation prepared by Council's heritage consultant provides an assessment against the recognised heritage criteria in Planning Practice Note 1: Applying the Heritage Overlay. The recommendation for 32 Ursa Street, Balwyn North satisfies Criterion A (historical significance) and Criterion E (aesthetic significance).</p> <p>Should the property be included in the Heritage Overlay, alterations and additions to the property may be undertaken subject to a planning permit, which has assessed the work against the objectives of Council's Heritage Policy. Routine maintenance and repairs that do not change the external appearance of the building may not require planning approval, even if the property is affected by a Heritage Overlay. No internal renovations to the property would require a planning permit as no internal controls are proposed. No compensation is payable for including a property in the Heritage Overlay. Council has an obligation to identify and protect heritage properties under the Planning Scheme.</p> <p>In relation to the heritage control against the will of the property owner, landowner agreement is not required in determining whether a particular property has heritage</p>	No change recommended.

Attachment 1: Balwyn and Balwyn North Heritage Peer Review - Stage 3 - Exhibition
Summary of submissions and officer response

Submission No.	In support of recommendation?	Summary of feedback	Officers' response to feedback	Officers' recommendation
			<p>significance and should be included the Heritage Overlay. As the Planning Authority under the Planning and Environment Act 1987 Council is responsible for managing the Boroondara Planning Scheme. Specifically, Section 4 1(d) of the Act places an obligation on Council as the Planning Authority to identify and protect places of cultural heritage significance. Further, the identification and protection of heritage places is a key concern for residents of Boroondara and the Heritage Overlay is the statutory mechanism for protecting valued heritage places and precincts.</p> <p>Planning Panels Victoria have previously confirmed that an owner's permission is not required to place a property under the Heritage Overlay, saying "The Panel confirms that an owner's permission is not required to place a property under the Heritage Overlay. Nor is there any basis for property owners to claim compensation" (Boroondara PSA C266 [2018] PPV, p. 23).</p>	
10	No	<p>The submitter is opposed to the heritage study having been undertaken and the process, and the inclusion of the property at 67 Hill Road, Balwyn North on the following grounds:</p> <ul style="list-style-type: none"> Questions whether the Balwyn and Balwyn North Heritage Study is really that important to the community. Boroondara Council resolved not to proceed with the implementation of the Balwyn and Balwyn North Heritage study in September 2015 as a result of strong community opposition to the recommendations of this draft study, particularly in relation to the protection of post-war properties (94 of the 137 responses were opposed i.e., 68.6%). Despite this community opposition, on 17 August 2020 the UPDC (Urban Planning Delegated Committee) resolved to add 18 individually significant post World War 2 properties identified in this draft study to the 'Possible Heritage Place', and this has led to the Balwyn Heritage Peer Review Stage 3. During the preliminary consultation of the Balwyn Heritage Peer Review Stage 3, there was an overwhelming community opposition (11 of the 15 responses were opposed i.e., 73.3%). Questions why Council seeks community feedback if Council doesn't listen to or follow the majority of it. According to the Heritage Victoria website, Local Government Heritage Overlays exist to protect places that 	<p>The recommendation for 67 Hill Road, Balwyn North satisfies Criterion A (historical significance), and Criterion E (aesthetic significance).</p> <p>The draft Balwyn and Balwyn North Heritage Study (including Deepdene and Greythorn) (the Balwyn Study) was completed in 2015 by Built Heritage Pty Ltd and sought to identify places and precincts of local cultural heritage significance in the suburbs of Balwyn, Balwyn North and Deepdene. The identification of places involved desktop research, fieldwork survey and consultation with local historical societies, and resulted in a master-list of places. The master list comprised 350 individual places and 9 precincts.</p> <p>In relation to community values and the rights of residents, Council is required under Section 4 (1)(d) the Planning and Environment Act 1987 to identify and protect places of architectural and historical interest. It is on this basis that Council is carrying out this assessment. The loss of heritage places is a key concern for residents of Boroondara and the Heritage Overlay is a recognised mechanism in the Victorian planning system for protecting valued heritage places and precincts.</p>	No change recommended.

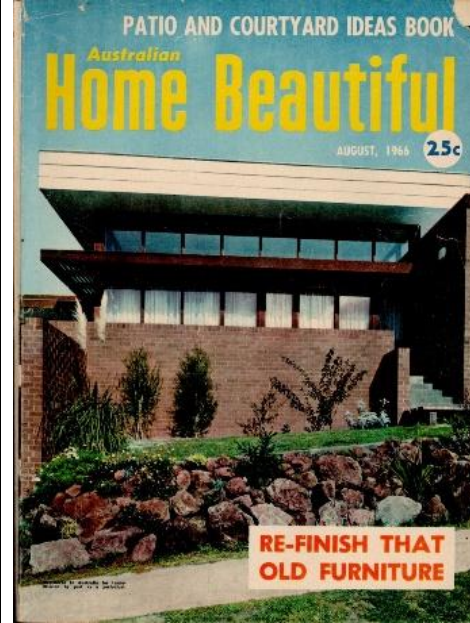
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		<p>are of high value within local communities. Given the lack of community appetite, as highlighted by the strong community opposition and indeed the overall small number of community responses, these properties cannot be deemed of high value within the local community and thus don't warrant protection.</p> <ul style="list-style-type: none"> • Most of the community would have no idea about the houses Council are seeking to protect, so it is hard to argue that Council is protecting something significant for the community. • The 2021 Census revealed 167,900 residents in Boroondara, during preliminary consultation only 15 of those residents responded. If this was so important to the community, there would be a greater response from the residents. • The recent decision (June 2023) by the City of Maribyrnong to abandon the implementation of heritage overlays to protect inter war and post war properties in the inner west is a precedent where the Council weighed up its recommendation to protect inter-war and post-war architecture against community interest. • The house has been flagged for Heritage Overlay by the GML report because it meets 2 of the 8 subjective criterion, namely criterion A & E. Criterion A pertains to historical significance through post war suburban infill with Fine Buildings designed by prominent Melbourne Architects. The GML report states that the design of the house is by Kevin O'Neil and Raymond Tung of the office of Bogle and Banfield. This implies the involvement of Bogle and Banfield in the design however the title block on the original working drawing states that the house is designed by O'Neil and Tung - Architects and Planners with no mention of Bogle and Banfield. In fact, a prior study by Built Heritage found that O'Neil and Tung happened to work at Bogle and Banfield and that 67 Hill Road was a onetime collaboration between 2 architects as a private "bootleg" commission. No other works by O'Neil and Tung could be found. The GML report's implication of Bogle and Banfield including the firm's historical brief is a misleading attempt to add architectural merit to the house in order to satisfy Criterion A. Portraying O'Neil and Tung as prominent architects comparing the project to those produced by the likes of Robin Boyd, Grigiore Hirsch and Ernest Milston is dishonouring those architectural greats. 67 Hill Road is 	<p>In accordance with Section 12 of the Planning and Environment Act 1987, a planning authority (Council) must implement the objectives of planning in Victoria, review regularly the provisions of the planning scheme and prepare amendments to a planning scheme. Section 12(2) (c) of the Act states a planning authority may carry out studies and commission reports and do all things necessary to encourage and promote the protection of land. Council undertakes heritage studies and other strategic work on this basis.</p> <p>The amendment implements Strategy 4.1 of the Boroondara Community Plan 2021-31, which is that "Boroondara's heritage places are protected through ongoing implementation of heritage protection controls in the Boroondara Planning Scheme".</p> <p>Whilst officers consider each submission on its merits, the overall quantum of objections received is not a relevant matter. This issue is also not relevant to the technical merits of whether a precinct or individual property should be included in the Heritage Overlay. The merits of the heritage expert's recommendations can be further tested by an independent planning panel.</p> <p>Officers understand the decision taken by the City of Maribyrnong in relation to a recent heritage study. Officers consider each submission on its merits in relation to the professional recommendations made by the heritage consultant. Officers need to consider matters of strategic justification when it comes to pursuing recommendations and considering submissions.</p> <p>Criterion A - Connection to Bogle and Banfield</p> <p>GML's citation clearly acknowledges that the architects of 67 Hill Road are O'Neil and Tung who, at the time of designing the house, worked for the architectural practice of Bogle and Banfield. It is acknowledged that their names are on the drawings. The address and phone number on the drawings is for the offices of Bogle and Banfield (S & Mc 1965:353). This confirms that O'Neil and Tang worked for Bogle and Banfield at the time and that the commission was done with some knowledge of the practice.</p>	

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		<p>simply a well-designed house by 2 unacclaimed architects that has been well maintained over the years.</p> <ul style="list-style-type: none"> • Criterion E pertains to aesthetic significance. According to the GML report, the house is classified as Post-War. While Built Heritage refers to it as the latter end of Post-War because of the elements involved and year of construction. According to the classifications of elements on the Heritage Victoria website, a flat tray roof is considered an element of modern era with modern era being from 1965 and up, the same year the house was constructed. There is but one striking characteristic to this house and it is the lantern roof with the clerestory windows. The lantern roof is not a signature trait of North Balwyn. The Built Heritage report notes only 2 other examples of lantern roofs in the area designed by local architect John Tipping and ironically, they are not listed for Heritage assessment. What truly makes this house stand out is the unique orientation and slope of the site. Being an elevated, sloping corner site with clear horizon views from ground level, many design responses would have been equally as striking as the current lantern. • Heritage is warranted with a collective combination of elements that clearly define an era as a signature piece. This is not the case for this house and therefore it doesn't meet Criterion E. • The process has been very stressful for the owner of the affected property, and they feel they are not being listened to. The community is mostly indifferent to this matter; however, owners are forced to endure the process and its lasting ramifications all under the guise that it's for the benefit of the community. 	<p>As a profession, architecture was and continues to be taught as a form of apprenticeship. A graduate architect's design skills are developed on the job, and it is widely accepted that these early placements frequently influence their work. As noted in the biographies provided in the Encyclopedia of Australian architecture by Goad and Willis, it is usual to cite the earlier offices an architect worked (and trained) in as these play a significant role in the development of the architects' skills and influence their work. It seems reasonable to assume that O'Neil and Tung would have been influenced by the creative output of the Bogle and Banfield office at the time of designing 67 Hill Road. Notwithstanding this, the assured and sophisticated design of the house, on a difficult sloping block, remains as testament to the skill of its designing architects irrespective of their connection to the office of Bogle and Banfield. The quality of the house design is acknowledged by the article in the Australian Home Beautiful in August 1966.</p>	

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			 <p>Comparative analysis</p> <p>The guidance of Planning Practice Note 1: Applying the Heritage Overlay is to primarily investigate examples in the study area:</p> <p><i>To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay.</i></p> <p>The comparative analysis looks at other postwar houses in the City of Boroondara currently in the Heritage Overlay. As require by the Practice Note, GML Heritage looked first to the immediate study area of Balwyn and Balwyn North. As there are few places to draw on in that area, GML Heritage</p>	

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			<p>then looked further afield within the broader Boroondara context. There are no houses in Boroondara by either O'Neil and Tung, or Bogle and Banfield to provide comparative analysis. The selected examples were chosen for their similar use of volumetric massing, flat roofs and full-height glazing. 67 Hill Road was found to compare well to these examples utilising the key elements of postwar residential modernist design in a way that is better than most, resulting in a sculptural design that provides a skilled response to a difficult site. The fact that the house compares well against the work of other prominent architects attests to the skill of its designers rather than dishonouring the others.</p> <p>Criterion E - The Modern period</p> <p>The Heritage Council of Victoria's guide to Victoria's housing styles dates the Modern period as 1945-1970. It defines modernism as:</p> <p><i>Modernism in architecture is broadly characterised by open planning and simplicity with bold geometric shapes and little or no ornamentation. Walls are opened to the light with large floor-to-ceiling windows. The design of the buildings often expresses innovative use of materials and structure.</i></p> <p>67 Hill Road, designed in 1965, falls within the postwar period and demonstrates the design qualities of modernism.</p> <p>Criterion E</p> <p>The assessment of aesthetic quality can be subjective. GML's assessment has referred to the definition of Aesthetic provided in <i>The Victorian Heritage Register Criteria and Threshold Guidelines</i> (revised 2022). It has also referenced the Burra Charter Practice Note 'Understanding and assessing cultural significance', Version 1, November 2013 which notes:</p> <p>In considering aesthetic value, ask:</p> <ul style="list-style-type: none"> • <u>Does the place have special compositional or uncommonly attractive qualities involving combinations of colour, textures, spaces, massing, detail, movement, unity, sounds, scents?</u> • <u>Is the place distinctive within the setting or a prominent visual landmark?</u> 	

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			<ul style="list-style-type: none"> Does the place have qualities which are inspirational, or which evoke strong feelings or special meanings? Is the place symbolic for its aesthetic qualities: for example, does it inspire artistic or cultural response, is it represented in art, photography, literature, folk art, folk lore, mythology or other imagery or cultural arts? <u>Does the place display particular aesthetic characteristics of an identified style or fashion?</u> <u>Does the place show a high degree of creative or technical achievement?</u> <p>67 Hill Road demonstrates several of the above traits (underlined). Responding to a difficult sloping site with two primary elevations, the resultant sculptural design of interlock cubes is enhanced by the inclusion of the lantern roof which appears to float above the house. While the use of lantern roofs can be seen in other modernist buildings it is not a commonly used element. Its inclusion here adds to the sophisticated design response enhancing the aesthetic quality of the building in its suburban setting.</p> <p>67 Hill Road demonstrates the principal design features of modernism including a bold rectilinear form, sheer unadorned wall planes, flat roofs, large expanses of glazing and an open plan that integrates indoor with outdoor. Expressed as a series of stepped interlocking rectilinear volumes the house combines these design elements in a way that its composition provides a striking sculptural form in its suburban setting. It is GML Heritage's opinion that Criterion E is met.</p> <p>Planning Panels Victoria have previously confirmed that an property owner's permission is not required to include a property in the Heritage Overlay, saying "The Panel confirms that an owner's permission is not required to place a property under the Heritage Overlay. Nor is there any basis for property owners to claim compensation" (Boroondara PSA C266 [2018] PPV, p. 23).</p> <p>The personal circumstances of a property owner are not relevant considerations in the assessment of applying heritage controls. Planning Practice Note 1: 'Applying the Heritage Overlay' identifies the criteria for assessing the heritage significance of a heritage place and refers to only matters of a heritage nature.</p>	

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11	No	<p>The submitter is opposed to the inclusion of 9 Tormey Street, Balwyn North on the following grounds:</p> <ul style="list-style-type: none"> The heritage study and material relied upon by the Council have not established that the application of a Heritage Overlay to 9 Tormey Street, Balwyn North is merited. The criteria for determining that application of a Heritage Overlay is warranted, including the criteria set out in Practice Note PPN01 'Applying the Heritage Overlay', do not support the application of such a control to 9 Tormey Street. The heritage study takes the view that the house is important because it was designed by a renowned architect. The property at 9 Tormey Street is not noted as one of Peter McIntyre's key achievements. Simply because a house was designed by a famous architect does not mean it necessarily warrants special protection. The submitter believes Mr McIntyre views the modernist style in which he designed the house at 9 Tormey Street, Balwyn North as redundant. It is an objective of the planning system under the Planning and Environment Act 1987 to conserve buildings of architectural interest. There is no benefit to applying the heritage overlay to this house when the architect who designed it acknowledges the failure of the style and has 'moved on.' As a matter of orderly planning, it serves limited benefit to cherry-pick a group of houses across a suburb for heritage protection. What this means in practice is that, as the ongoing trend of renewing the older housing stock in North Balwyn continues, these houses will be left out - and stand out. The submitter recommends that, if the Council were concerned about protecting the heritage values in a neighbourhood or suburb, once those values are identified, a heritage overlay be applied over a broader area - as it is in numerous neighbourhoods across Melbourne. This would preserve the heritage look and feel of a neighbourhood that a person experiences. Creating a permit requirement through the Heritage Overlay means that it is more likely than not that a permit to demolish the house would not be granted. This means that it is much less likely that the approximately 950 square metre lot at 9 Tormey Street, Balwyn Street will ever be subdivided as long as the heritage overlay is in 	<p>The property at 9 Tormey Street, Balwyn North has been found to satisfy Criterion A (historical significance), Criterion E (aesthetic significance), and Criterion F (technical significance).</p> <p>It is of historic significance for the evidence it provides of prevalence of fine buildings designed by leading architects throughout Boroondara from the 1850s through to the postwar era. It exemplifies the high concentration of architect designed modernist houses built in Balwyn and North Balwyn during the 1950s and 1960s. In this instance, the architect is Peter McIntyre.</p> <p>The property is of aesthetic significance as a striking architect-designed postwar Modernist house that combines a number of modernist design elements to produce an unusual and distinctive form that is unexpected and eye catching in its suburban setting.</p> <p>The property is technically significant for its unusual design—not only for its early use in residential architecture of a modular construction system but predominantly for its use of pre-cast concrete cladding.</p> <p>In the article in the Sydney Morning Herald, Peter McIntyre is quoted as describing modernism's sometimes crazy-brave approach as a necessary stage in Australia's architectural maturity, but one from which he and others moved on. This suggests that modernism was a brave departure from traditional architecture and a necessary stage in Australia's architectural maturity. It is not dismissive of the style but rather highlights its importance in the evolution of architecture which continually changes through all eras. The retention of tangible examples of Modernist designed houses in Boroondara provides important evidence of this historical development. To understand Balwyn North's origins into the future, the best-preserved examples of different building typologies that evidence the areas development needs to be preserved.</p> <p>The draft Balwyn and Balwyn North Heritage Study (including Deepdene and Greythorn) (the Balwyn Study) was completed in 2015 by Built Heritage Pty Ltd and sought to identify places and precincts of local cultural heritage significance in the suburbs of Balwyn, Balwyn North and</p>	No change recommended.


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		<p>place. This in opposition to what is likely to be the long-term intensification of development in North Balwyn and the direction of state planning policy in support of the intensification of residential development in inner eastern municipalities such as Boroondara. The lot-size is typical for the area, and it would be expected that over the long-term there will be an increase in subdivisions and more houses on smaller lots. That will be a consequence of Melbourne's growth and state planning policy. It will be difficult to achieve those goals where a heritage overlay imposes restriction on redevelopment, and the long-term result for North Balwyn will be an uneven pattern of development.</p> <ul style="list-style-type: none"> In the event that Amendment C398boro does proceed, and the property is included in it, there should be a removal of controls in respect to installation of solar panels. In weighing up the competing policies in support of renewable energy and heritage protection - given the current understanding of climate change - protecting heritage to the detriment of renewable energy production is a poor planning outcome. Moreover, because 9 Tormey Street, Balwyn North has a flatter roof, it will be difficult to install solar panels that would be obscured from view at the street level. The property was recommended for inclusion in a heritage overlay by a study considered by Council in 2015, and the Council determined not to proceed with it. Little has changed in the intervening time, and the Planning Panel should come to the same conclusion that a heritage overlay is not warranted as the Council did 7 years ago. 	<p>Deepdene. The identification of places involved desktop research, fieldwork survey and consultation with local historical societies, and resulted in a master-list of places. The master list comprised 350 individual places and 9 precincts. This list was further refined with each place being given a nominal grading out of 20. This total was divided into four categories – integrity, rarity, vulnerability and potential significance – that would, in turn, each be given a score between one and five. Priority one places for further assessment were those gaining a score of 17 or more out of twenty and formed the basis of this study. The selection of 9 Tormey Street for assessment was not 'cherry picked' but rather the result of a robust selection methodology.</p> <p>A heritage place means a site, area, land, landscape, building or other works, and may include components, contents, spaces and views. Within the context of the planning scheme, it can indicate an individually listed site or a heritage precinct. An individual heritage place is an item of significance and is typically confined to one property, or a related collection of a few contiguous properties. The property at 9 Tormey Street, Balwyn North is one of 18 individual places in the amendment. No heritage precincts have been identified.</p> <p>The Heritage Overlay does not prohibit subdivision or alterations and additions to a place of identified heritage significance. Council's Heritage Policy does not usually support the full demolition of significant places. The Heritage Overlay rather sets a planning permit trigger for demolition, external alterations, and buildings and works to allow Council to assess the potential impacts. Subdivision can still occur where a suitable design can be developed that responds to heritage matters.</p> <p>The placement of solar panels on heritage buildings can be addressed through the planning permit process. The Heritage Overlay does not prohibit the installation of solar panels but ensures impact on the heritage values of the place is minimised. Council's Heritage Policy discourages the placement of solar panels on the principal visible roof form of a heritage building.</p> <p>In September 2015, Council resolved not to proceed with the implementation of the draft Balwyn Study. The</p>	

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			<p>recommendations were not explored through a planning scheme amendment at the time, however, have subsequently been reviewed through three peer reviews. Stage 1 of the peer review was completed by Context Pty Ltd through Amendment C276. This amendment introduced a Heritage Overlay over eight individual properties and two precincts. Amendment C276 was gazetted and incorporated into the Boroondara Planning Scheme on 26 July 2019. Stage 2 of the peer review was completed by Context Pty Ltd through Amendment C318boro. This amendment introduced a Heritage Overlay over 16 individual properties and one precinct. Amendment C318boro was gazetted and incorporated into the Boroondara Planning Scheme on 18 December 2020.</p> <p>The merits of the heritage expert's recommendations can be further tested through an independent planning panel.</p>	
12	No	<p>The submitter is opposed to the inclusion of 1 Caravan Street, Balwyn on the following grounds:</p> <ul style="list-style-type: none"> The historical and aesthetic significance is insufficient. Alterations have been made to the original dwelling in a way that the significant elements are no longer discernible. Issues with the design of the skillion roof. The statements around volcanic rock, and landscaping (isolated mature eucalypt) are speculative and not supported by any photographic evidence or plans. Additionally, a number of the low shrubs and ground covers that characterise the front garden were planted in more recent years. The assessment by Council has lacked sufficient rigour, and 1 Caravan Street, Balwyn reflects a more typical suburban home in the mid-century modern style rather than an Heritage Overlay exemplar. 	<p>The property at 1 Caravan Street, Balwyn is identified as individually significant.</p> <p>The process of assessing cultural heritage significance is rigorous and objective and is guided by the principles of The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013). The assessment process has been developed and refined over many years of heritage practice in Victoria and Australia more broadly. Together with the Burra Charter (2013), the guiding document for assessing heritage significance at the local level is Planning Practice Note 1: Applying the Heritage Overlay (2018).</p> <p>The property at 1 Caravan Street, Balwyn has been assessed as being individually significant under HERCON criteria in the practice note. The practice note requires comparative analysis be undertaken to substantiate the significance of each place. As stated in the Practice Note: 'To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay.' In the view of GML Heritage after undertaking the required analysis, the place meets the threshold for local, historic, and aesthetic significance.</p> <p>Known alterations and additions to the house have been noted in the citation particularly in the description and</p>	No change recommended.

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			<p>integrity sections. Their impact on significance is discussed in the integrity section. In the view of GML Heritage, while the rendering of the brick walls has somewhat altered the materiality of the house, its important/distinctive/distinguishing features (in this case the original massing of separate wings under a single skillion roof) remains clearly legible. Likewise, while the original carport under the living room has been enclosed, it does not alter the integrity of the house and the ability to appreciate its original design innovation. The rear 1972 and 1986 additions are noted as not significant under What is Significant? in the Statement of Significance.</p> <p>It is noted the submitter does not expand on the issues with the roof design, but it is presumed they are referring to it leaking. The structural condition of a house's design does not impact on its heritage significance. When deciding if a building should be placed in the Heritage Overlay, the assessment is focussed on the intactness and integrity of the building as viewed from the public realm, not the buildings structural condition.</p> <p>A photograph dated c1959 shows the front and drive volcanic rock retaining walls.</p>  <p>The plantings in the front garden are noted in the description only. The large tree at the front property boundary was considered as potentially significant but a lack of conclusive evidence meant that the application of tree controls could not be adequately justified. The plantings are not given any significance ranking for the same reasons.</p>	

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			<p>The retention of tangible examples of Modernist designed houses in Boroondara provides important evidence of the historical development of the area. To understand Balwyn North's origins into the future, the best-preserved examples of different building typologies that evidence the areas development needs to be preserved. As a better than typical architect designed house built in 1958 in the Modernist style, 1 Caravan Street, Balwyn provides important tangible evidence of the residential development of the area in the postwar period.</p> <p>The submitter provides extracts from advice provided by Mr John Briggs. The heritage issues raised are as follows:</p> <p><u>Lack of an identifiable community/group</u></p> <p>Mr Briggs quotes the finding of the Administrative Appeals Board case, Doug Wade Consultants Pty. Ltd. v City of Melbourne, July 1984:</p> <p><i>The critical objective of the planning scheme is to conserve and enhance the character of the area. In some instances, this may be possible even though it involves a breach of one or more of Dr Lewis' prohibitions. Urban conservation is not primarily for the purist but is to provide the general public of today and the future with a three dimensioned representation of what buildings and streets of buildings were like at given periods of our history.</i></p> <p>GML Heritage agrees with this statement as the retention of tangible examples of Modernist designed houses in Boroondara provides important evidence of an important historical theme identified in Boroondara's Thematic Environment History. To understand Balwyn and Balwyn North's origins into the future, the best-preserved examples of different building typologies that evidence the areas development needs to be preserved. This includes postwar modernist houses.</p> <p>GML Heritage disagrees there needs to be an identifiable group, or community whose sense of identity of heritage can be shown to be identified with this property. This is only necessary for social value - Criterion G. Social Value is defined as:</p>	

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			<p><i>Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.</i></p> <p>There are eight recognised criteria used for the assessment of the heritage value of the heritage place. These model criteria have been broadly adopted by heritage jurisdictions across Australia and should be used for all new heritage assessment work. For a place to be of heritage significance it only needs to meet the requirements of one of the criterion. In this instance the house meets the requirements for Criterion A and Criterion E.</p> <p>The place also needs to be important to a particular community or locality. GML Heritage agree 1 Caravan Street, Balwyn is not important to a particular community group within Boroondara however it is important to Boroondara as a whole. It provides important tangible evidence of Balwyn and Balwyn North as a hub of postwar architect designed houses. As articulated in the statement of significance for Boroondara in its Thematic Environment History - <i>Architecturally, the City of Boroondara is significant for containing examples of the work of virtually every leading architect to have practised in Victoria from the 1850s to the 1980s.</i></p> <p>Careful analysis of the early image of the house shows that the face brick wall at the southern end of the west (street facing façade) has been rendered. This represents approximately 1/3 of the house's primary elevation. The rest of which is glazed. The protruding wing wall of the entry appears to have always been rendered. The recent planning panel report of C387melb (Hoddle Grid) notes that with respect to changes that have occurred to a building and their impact on the integrity of the building the key questions you should ask are:</p> <p><i>Is there still sufficient fabric in place to assist our understanding and appreciation of the place including its original use, era and design?</i> <i>Do the extant changes and alterations impact on our understanding and appreciation of the particular place?</i> <i>Are we still able to appreciate its significance and why it is significant?</i></p>	

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			<p>In this instance, GML Heritage believe there is sufficient fabric in place to understand the buildings use, era, and design. The building remains clearly identifiable as a mid-century modernist house. It retains its original rectilinear massing, low pitched skillion roof, large expanses of glazing and unadorned wall planes. While the rendering of the wall planes has somewhat changed the original materiality of the house, it does not impact on an appreciation of the original design intent of articulating the primary façade by providing panels of solid wall surface adjacent to panels of full height glazing. The house remains clearly legible as a striking architect designed mid-century house of historical and aesthetic significance.</p> <p>The fitting of garage doors to the carport under the living room appears to have involved minimal damage to the original fabric of the house. No fabric appears to have been removed or changed when the doors were fitted with the original steel structure and concrete slab flooring intact. This change is therefore easily reversed with no detrimental impact to the fabric of the house. The eastern and the northern sides of the carport remain open and when the house is viewed from these sides, the elevated living room open above open carport remains clearly legible. It also remains legible from the western side when the garage doors are up. The house remains clearly legible as a striking architect designed mid-century house of historical and aesthetic significance.</p> <p>The merits of the recommendation can be further tested by an independent planning panel.</p>	

3.2 Mont Iris Estate and Environs Heritage Review - Consideration of Panel Report - Amendment C394boro

Executive Summary

Purpose

The purpose of this report is to inform the Urban Planning Delegated Committee (UPDC) of the recommendations of the independent Planning Panel appointed to consider submissions to Amendment C394boro (Mont Iris Estate and Environs Precinct), and to consider the officers' recommendation to refer the amendment to a meeting of Council for adoption.

Background

On 2 May 2022, the UPDC resolved to undertake a peer review of the Mont Iris Estate and Environs Precinct. This was in response to a recommendation by the independent Planning Panel which considered Amendment C333boro - Glen Iris Heritage Gap Study. The Planning Panel found the Mont Iris Estate and Environs Precinct could not be justified in the form recommended through Amendment C333boro and recommended further review.

In May 2022, GJM Heritage was commissioned to carry out a peer review of the Mont Iris Estate and Environs Precinct. GJM Heritage recommended three (3) smaller precincts and two (2) individually significant properties within the Mont Iris Estate and Environs Precinct be included in the Heritage Overlay.

Following completion of the peer review, Council wrote to the Minister for Planning to request authorisation to prepare an amendment to the Boroondara Planning Scheme to implement the recommendations of the Mont Iris Estate & Environs Precinct peer review. Authorisation was granted to prepare and exhibit Amendment C394boro on 27 April 2023.

Amendment C394boro was publicly exhibited from 15 June to 27 July 2023. Twenty-four (24) submissions were received including nine (9) supporting submissions, four (4) partially supporting submissions, and eleven (11) opposing submissions. On 16 October 2023, the UPDC resolved to request appointment of an independent planning panel and refer all submissions received to the panel for consideration.

Key Issues

A planning panel hearing was held on 11 December 2023 to consider all submissions to the amendment. Two (2) opposing submitters addressed the Panel.

The Panel Report was received on 21 December 2023 and is provided at **Attachment 1**. The panel report was publicly released on 9 January 2024.

The Panel recommended the amendment be adopted, including the changes endorsed by the UPDC on 16 October 2023. The Panel recommended correcting the exhibited Heritage Overlay maps to include 33 Tower Hill Road, Ashburton in the Tower Hill Estate Precinct, as well as updates to the schedule to the Heritage Overlay in relation to fence and outbuilding controls. The Panel also supported the changes endorsed by the UPDC to the Dent Street Precinct, Glen Iris Statement of Significance and the Tower Hill Estate Precinct, Glen Iris and Ashburton Statement of Significance.

Next Steps

Officers recommend the UPDC resolve to receive and acknowledge the Panel's Report for Amendment C394boro and refer the Amendment to an Meeting of Council to be adopted and submitted to the Minister for Planning for final approval.

Officers' recommendation

That the Urban Planning Delegated Committee resolve to:

1. Receive and acknowledge the Panel's report and recommendations, as shown at **Attachment 1**, in accordance with Section 27(1) of the *Planning and Environment Act 1987*.
2. Endorse the officers' response to the Panel's recommendations and recommended changes to Amendment C394boro to the Boroondara Planning Scheme, as shown at **Attachment 2**.
3. Adopt the revised *Independent Review: Mont Iris Estate and Environs Precinct* (GJM Heritage) as shown at **Attachment 3**.
4. Refer the updated Amendment C394boro to a meeting of Council to be adopted in accordance with Section 29(1) of the *Planning and Environment Act 1987*.
5. Authorise the Director Urban Living to undertake administrative changes to the amendment and associated planning controls that do not change the intent of the controls.

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

1. Purpose

The purpose of this report is to:

- Inform the Urban Planning Delegated Committee (UPDC) of the Panel Report for Amendment C394boro (**Attachment 1**) and the officers' response to the Panel's recommendations (**Attachment 2**).
- Adopt the revised *Independent Review: Mont Iris Estate and Environs Precinct* (GJM Heritage) provided at **Attachment 3**.
- Seek a resolution from the UPDC to refer Amendment C394boro to a meeting of Council for adoption.

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".

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

Plan Melbourne 2017-2050

The identification, assessment and protection of places of local heritage significance are supported by Outcome 4 of *Plan Melbourne 2017-2050*, 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.

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.

3. Background

The key milestones relating to Amendment C394boro are summarised in the table below.

Date	Event
May 2022	The original Mont Iris Estate and Environs Precinct (HO901) was one of four heritage precincts recommended in the Glen Iris Heritage Gap Study and progressed through Amendment C333boro. On 2 May 2022, the UPDC resolved to undertake a peer review of the Mont Iris Estate and Environs Precinct as recommended by the independent Planning Panel considering Amendment C333boro.
October 2022	GJM Heritage completed the Mont Iris Estate and Environs Precinct peer review. GJM Heritage recommended three (3) smaller precincts and two (2) individually significant properties within the Mont Iris Estate and Environs Precinct be included in the Heritage Overlay.
April 2023	Council sought authorisation to prepare and exhibit Amendment C394boro to the Boroondara Planning Scheme to include the three (3) smaller precincts and two (2) individually significant properties in the Heritage Overlay on a permanent basis.
27 April 2023	Officers of the Department of Transport and Planning (under delegation from the Minister for Planning) authorised Council to prepare Amendment C394boro.
15 June 2023 – 27 July 2023	Amendment publicly exhibited.

Date	Event
	Council received twenty-four (24) submissions including eleven (11) opposing submissions, nine (9) supporting submissions and four (4) partially supporting submissions.
16 October 2023	UPDC resolved to (amongst other things): <ul style="list-style-type: none"> • receive and note the submissions received in accordance with s. 22 of the Act; • endorse the officers' response to submissions and recommended changes to the Amendment (as exhibited); and • request the Minister appoint an independent Planning Panel under s. 23 of the Act to consider all submissions received in response to the Amendment.
17 October 2023	Request to appoint Panel submitted to Planning Panels Victoria.
18 October 2023	Panel appointed.
13 November 2023	Directions Hearing.
15 November 2023	Directions issued by the Panel.
5 December 2023	Version 2 of directions issued by the Panel.
11 December 2023	Panel Hearing conducted. Two parties presented at the hearing.
21 December 2023	Panel Report received by Council.
9 January 2024	Panel Report made public in accordance with the Planning and Environment Act 1987.

4. Outline of key issues/options

The Panel Report

Overall, the Panel supported the amendment and concluded it was well founded and strategically justified. Accordingly, the Panel recommended the amendment be adopted by Council, subject to the following changes set out in the Panel Report:

Correct the exhibited planning scheme maps to include 33 Tower Hill Road, Ashburton

The property at 33 Tower Hill Road, Ashburton was recommended as a contributory property in the Tower Hill Estate Precinct.

Council officers noted a mapping error in the exhibited planning scheme map for the Tower Hill Estate Precinct (HO958). The exhibited map did not include the property at 33 Tower Hill Road in the precinct boundary but was correctly included in the exhibited citation and Statement of Significance.

Council subsequently wrote to the property owner prior to the panel hearing advising of the error and providing another opportunity to lodge a submission. No submission was received.

Council requested the mapping error be corrected through the panel process in the form of a recommendation in the Panel Report. The Panel is satisfied the

affected property owner has been appropriately notified and has made a recommendation to update the planning scheme map.

The Panel recommended correcting the exhibited planning scheme maps to include 33 Tower Hill Road, Ashburton in the precinct.

Fence and Outbuilding Controls in the Schedule to the Heritage Overlay

The panel considered submissions and evidence relating to proposed fence and outbuilding controls in the amendment. Council's heritage consultant has recommended fence and outbuilding controls be applied through the Schedule to the Heritage Overlay for each of the heritage precincts on the basis of the contribution these features provide to the open garden setting of each precinct. Controls requiring third party notice and review would only apply to planning permit applications to demolish or remove a fence or garage identified as contributory in the relevant Statement of Significance.

The Panel agreed with the approach put forward by Council's heritage consultant. Officers agree with the Panel's conclusion and recommendation. It is appropriate to maintain the default permit trigger for fences and garages, given these are important elements which contribute to the significance of the precincts. The Panel agreed third party notice and review rights should only apply to planning permit applications to demolish or remove a fence or garage identified as contributory in the relevant Statement of Significance.

Dent Street Precinct, Glen Iris

The owner of the property at 44 Dent Street, Glen Iris noted the garage of the property was constructed in more recent years, and provided records which confirmed the construction date of 2010.

Council's heritage expert acknowledged the garage was more recently constructed, though in a 'historicist' style to match the main dwelling. Council's heritage expert proposed the garage be removed from the 'Contributory Fence/Garage' column in the citation and Statement of Significance.

The Panel supported the proposed change to the Dent Street Precinct citation and Statement of Significance. The recommended changes are consistent with the post-exhibition changes endorsed by the UPDC and are included in the updated report at **Attachment 3**.

Tower Hill Estate Precinct, Glen Iris and Ashburton

10 Munro Avenue, Ashburton

The property owner of 10 Munro Avenue, Ashburton supported the amendment, but submitted the grading for the property should be revised from contributory to non-contributory, with the fence and outbuilding control deleted.

Council's heritage expert acknowledged alterations have been made to the property, including the construction of a side garage, replacement of the front fence, insertion of a dormer window into the main front roof pitch and alteration of gable end details. However, Council's heritage expert considered the changes minor and undertaken in a relatively sensitive manner. Council's heritage expert considered the alterations did not diminish the ability to appreciate the property

as a substantially intact English Domestic Revival style property within a highly intact precinct.

The Panel agreed with Council's heritage expert and found while the property at 10 Munro Avenue, Ashburton has been modified, it retains a number of the elements of the interwar English Domestic Revival Style characterising the Tower Hill Estate Precinct. The panel found the front fence and garage are not original. The panel recommended the property be retained as contributory, and the fence and outbuilding control be deleted.

The recommended changes are consistent with the post-exhibition changes endorsed by the UPDC and are included in the updated report at **Attachment 3**.

5. Consultation/communication

All submitters to Amendment C394boro were notified (by letter or email) and given the opportunity to attend and present at the Panel hearing

All submitters and parties to the hearing were notified in writing of the release of the Panel report.

In addition to the above, all affected property owners and occupiers and submitters have been informed by letter of this UPDC meeting and given the opportunity to attend and present to the UPDC.

6. Financial and resource implications

Costs associated with the amendment will be funded through the City Futures Department operating budget for the 2023/24 financial year.

7. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

8. Social and environmental issues

The inclusion of the nominated places 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 City Futures

Report officer: Rachel Brien, Strategic Planner

Planning Panels Victoria

Boroondara Planning Scheme Amendment C394boro Mont Iris Estate and Environs Heritage Review

Panel Report

Planning and Environment Act 1987

21 December 2023



How will this report be used?

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

The planning authority must consider this report before deciding whether or not to adopt the Amendment.
[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

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

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

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

Planning Panels Victoria acknowledges the Wurundjeri Woi
Wurrung People as the traditional custodians of the land on which
our office is located. We pay our respects to their Elders past and
present.

Panel Report pursuant to section 25 of the *Planning and Environment Act 1987*

Boroondara Planning Scheme Amendment C394boro

Mont Iris Estate and Environs Heritage Review

21 December 2023



Sarah Carlisle, Chair

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Glossary and abbreviations

the Amendment	Boroondara Planning Scheme Amendment C394boro
C333boro Panel	Panel that considered submissions on Boroondara Planning Scheme Amendment C333boro
Council	Boroondara City Council
Glen Iris Gap Study	<i>Municipal-Wide Heritage Gap Study for the City of Boroondara: Volume 7 Glen Iris</i> , Context Pty Ltd, March 2022
GJM Review	<i>Independent Review: Mont Iris Estate & Environs Precinct</i> , GJM Heritage, October 2022
HERCON	Heritage Council Criteria for the Assessment of Cultural Heritage Significance
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Boroondara Planning Scheme
PPN01	<i>Planning Practice Note 1: Applying the Heritage Overlay</i> (2018)
S#	Submitter number

Overview

Amendment summary

The Amendment	Boroondara Planning Scheme Amendment C394boro
Common name	Mont Iris Estate and Environs Heritage Review
Brief description	Apply the Heritage Overlay to two individual properties and three Precincts to implement the <i>Independent Review: Mont Iris Estate & Environs Precinct</i> , GJM Heritage, October 2022
Affected land	<ul style="list-style-type: none"> - 7 Fuller Avenue, Glen Iris (HO954) - 33 Fuller Avenue, Glen Iris (HO955) - Dent Street Precinct, Glen Iris (HO956) - High Street North Precinct, Glen Iris (HO957) - Tower Hill Estate Precinct, Glen Iris and Ashburton (HO958)
Planning Authority	Boroondara City Council
Authorisation	27 April 2023, with conditions
Exhibition	15 June to 27 July 2023
Submissions	Number of Submissions: 25 (including 1 late submission) Opposed: 12 Support/partially support: 13

Panel process

The Panel	Sarah Carlisle
Directions Hearing	Online, 14 November 2023
Panel Hearing	Planning Panels Victoria, 11 December 2023
Site inspections	Unaccompanied, 7 December 2023
Parties to the Hearing	Council represented by Brianna Eastaugh of Maddocks, who called expert evidence on heritage from Jim Gard'ner of GJM Heritage Greg Price Robert Moffatt
Citation	Boroondara PSA C394boro [2023] PPV
Date of this report	21 December 2023

Executive summary

Glen Iris and Ashburton are two of the suburbs in Boroondara that were settled in the interwar period, from the 1920s through to the 1940s. Parts of those suburbs remain recognisable as having been settled during that period, with substantial numbers of intact interwar brick houses built in the English Domestic Revival style in garden settings.

In March 2022, Stage 1 of the *Municipal-Wide Heritage Gap Study for the City of Boroondara: Volume 7 Glen Iris* (the Glen Iris Gap Study) identified the Mont Iris Estate and Environs Precinct as worthy of permanent heritage protection, along with a number of other precincts in Glen Iris. Council prepared Boroondara Planning Scheme Amendment C333boro to implement the findings of the Glen Iris Gap Study.

The Boroondara C333boro Panel largely supported Amendment C333boro. However it did not support the application of permanent heritage controls to the Mont Iris Estate and Environs Precinct, finding the Precinct had “serious issues” and lacked cohesion. The C333boro Panel recognised that parts of the Mont Iris Estate and Environs Precinct met the threshold of local significance, and recommended the Precinct be reviewed.

Boroondara Planning Scheme Amendment C394boro (the Amendment) seeks to implement the *Independent Review: Mont Iris Estate & Environs Precinct* prepared by GJM Heritage in October 2022 (GJM Review), by applying the Heritage Overlay to five heritage places (two individual properties and three Precincts) within the former Mont Iris Estate and Environs Precinct.

Some submissions considered the proposed Heritage Overlay did not extend far enough, and more of the original Mont Iris Estate and Environs Precinct should be protected. Others felt the Dent Street and Tower Hill Estate Precincts did not meet the threshold for local heritage significance, and should not be included. Submissions raised concerns in relation to the proposed gradings of individual properties within those Precincts, and the identification of fences and garages as contributory in the Statements of Significance. Others submitted fences and garages should be exempt from permit requirements under the Heritage Overlay.

Submissions raised several issues that are commonly raised in heritage amendments, that have repeatedly been found to be not relevant when considering whether to apply a Heritage Overlay (although they may be relevant at the subsequent permit application stage). These included:

- structural integrity and building condition of individual properties
- impacts of the Heritage Overlay on development opportunity, building alterations and maintenance
- impacts of the Heritage Overlay on property rights
- financial implications of the Heritage Overlay, including impacts on property values.

The primary task of the Panel is to consider whether the two individual properties and three Precincts identified by the GJM Review for inclusion in the Heritage Overlay meet the threshold of local significance. It is satisfied on the basis of the GJM Review and Mr Gard’ner’s evidence that they do meet this threshold, and that the application of the Heritage Overlay is strategically justified.

The only contested heritage places were the Dent Street Precinct and the Tower Hill Estate Precinct. On its site visit the Panel observed these heritage places were highly consistent with Mr Gard’ner’s evidence. The Precincts are highly cohesive, with very few non-contributory properties

included. The Precincts can be readily understood as areas developed at a similar time with highly consistent architectural styles, features, materials and finishes, despite modifications to some properties. The Panel observed at least one (generally several) of the features of English Domestic Revival style in almost every contributory house within each Precinct.

The Panel finds it is appropriate to maintain the default permit trigger for alterations to fences and garages under the Heritage Overlay, given they are important elements that contribute to the significance of the Precincts including their open garden settings and the rise of motor car ownership among middle-class households.

In relation to the individual properties raised in submissions, the Panel concludes:

- 12 Dent Street – this property should be retained as a non-contributory property in the Dent Street Precinct.
- 24 Dent Street – this property should be retained as a contributory property in the Dent Street Precinct.
- 44 Dent Street – the garage is not original and should be removed from the ‘Contributory Fence/Garage’ column in the Statement of Significance for the Dent Street Precinct.
- 10 Munro Avenue – this property should be retained as a contributory property in the Tower Hill Estate Precinct, but the fence and garage should be removed from the ‘Contributory Fence/Garage’ column in the Statement of Significance for the Precinct.
- 20 Munro Avenue – this property should be retained as a contributory property in the Tower Hill Estate Precinct, and both its front fence and garage should be retained in the ‘Contributory Fence/Garage’ column in the Statement of Significance for the Precinct.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Boroondara City Council:

1. **Adopt Boroondara Planning Scheme Amendment C394boro with the changes recommended in this report.**
2. **Correct the exhibited Heritage Overlay maps to include 33 Tower Hill Road, Ashburton.**
3. **Amend the schedule to the Heritage Overlay:**
 - a) **In Clause 2.5 (the table containing HO800 to HO1000), in the column headed ‘Outbuildings or fences not exempt under Clause 43.01-4’, replace the exhibited text for:**
 - HO956 with ‘Yes – fences and garages listed in the ‘Contributory fence/garage’ column in the Precinct Gradings Schedule in the Dent Street Precinct, Glen Iris Statement of Significance, May 2023’
 - HO957 with ‘Yes – fences and garages listed in the ‘Contributory fence/garage’ column in the Precinct Gradings Schedule in the High Street North Precinct, Glen Iris Statement of Significance, May 2023’
 - HO958 with ‘Yes – fences and garages listed in the ‘Contributory fence/garage’ column in the Precinct Gradings Schedule in the Tower Hill Estate Precinct, Glen Iris and Ashburton Statement of Significance, May 2023’.
4. **Amend the Dent Street Precinct, Glen Iris Statement of Significance, May 2023:**
 - a) **in the Precinct Grading Schedule, remove the garage of 44 Dent Street, Glen Iris from the ‘Contributory Fence/Garage’ column.**

5. **Amend the Tower Hill Estate Precinct, Glen Iris and Ashburton Statement of Significance, May 2023:**
 - a) in the Precinct Grading Schedule, remove the fence and garage of 10 Munro Avenue, Ashburton from the 'Contributory Fence/Garage' column.

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to implement the *Independent Review: Mont Iris Estate & Environs Precinct*, GJM Heritage, October 2022 (GJM Review) by applying the Heritage Overlay to five heritage places (two individual properties and three Precincts) in Glen Iris and Ashburton.

Specifically, the Amendment proposes to:

- apply the Heritage Overlay to the five heritage places on a permanent basis
- incorporate Statements of Significance for the five heritage places into the Boroondara Planning Scheme (Planning Scheme)
- make the GJM Review a background document to the Planning Scheme.

(ii) The subject land

The Amendment applies to land shown in Figure 1.

Figure 1 Land affected by the Amendment



Source: Document 3

Table 1 lists the affected heritage places.

Table 1 Heritage places included in the Amendment

HO number	Description of place	Property address
HO954	House	7 Fuller Avenue, Glen Iris
HO955	House	33 Fuller Avenue, Glen Iris

HO956	Dent Street Precinct, Glen Iris	6-28 Dent Street, Glen Iris 40-60 Dent Street, Glen Iris
HO957	High Street North Precinct, Glen Iris	127-141 High Street, Glen Iris 152 Summerhill Road, Glen Iris
HO958	Tower Hill Estate Precinct, Glen Iris and Ashburton	2-28 Tower Hill Road, Glen Iris 1-33 Tower Hill Road, Glen Iris 2-32 Munro Avenue, Ashburton 142-146 High Street, Glen Iris 146A-148 High Street, Ashburton

Source: Explanatory Report

1.2 Background

(i) Chronology

Table 2 provides a brief chronology of the background to the Amendment, which has its genesis in Boroondara Planning Scheme Amendment C333boro and the report of the Panel which considered submissions on Amendment C333boro (the C333boro Panel).

Table 2 Chronology of events

Date	Event
2016	
25 July	Council resolved to engage Context Pty Ltd and Trethowan Architecture to prepare the Municipal-Wide Heritage Gap Study for the City of Boroondara. See below for more detail
2019	
2 May – 3 June	Council conducted preliminary consultation for the Draft Glen Iris Heritage Gap Study, which identified an area defined as the Mont Iris Estate and Environs Precinct as a candidate for heritage protection. The Precinct is shown by the red line in Figure 1
2020	
2 March	Council resolved to request authorisation for Amendment C333boro to apply the Heritage Overlay on a permanent basis to the Mont Iris Estate and Environs Precinct and other areas identified in the Draft Glen Iris Heritage Gap Study
12 March	Council requested the Minister approve Amendment C334boro to apply an interim Heritage Overlay to the Mont Iris Estate and Environs Precinct (HO901) and other areas identified in the Draft Glen Iris Heritage Gap Study
27 April	Council sought authorisation to prepare Amendment C333boro
7 September	Minister authorised Amendment C333boro
15 December	Minister approved Amendment C334boro to apply HO901 to the Mont Iris Estate and Environs Precinct on an interim basis

2021

12 February – 12 March Council exhibited Amendment C333boro

6 September Council considered submissions on Amendment C333boro and resolved to refer submissions to a panel

2022

20 January The C333boro Panel issued its report, which recommended:

- the Mont Iris Estate and Environs Precinct not be included in the Heritage Overlay on a permanent basis
- the Precinct be reviewed.

See below for more detail

15 March Context Pty Ltd and Trethowan Architecture issued the final *Municipal-Wide Heritage Gap Study for the City of Boroondara: Volume 7 Glen Iris*. See below for more detail

2 May Council resolved to (among other things):

- request retention of the interim HO901 over the Mont Iris Estate and Environs Precinct
- undertake a review of the Mont Iris Estate and Environs Precinct as recommended by the C333boro Panel
- upon completion of the review, request:
 - authorisation to prepare an amendment to apply the Heritage Overlay on a permanent basis to properties identified in the review (C394boro)
 - removal of the interim HO901 from properties not recommended for inclusion by the review

October GJM Heritage completed its review of the Mont Iris Estate and Environs Precinct (the GJM Review). See below for more detail

December Council requested the Minister to prepare, adopt, and approve Amendment C393boro which:

- deleted the interim HO901 from all properties not recommended for inclusion by the GJM Review
- extended the remaining interim controls to 30 April 2024

2023

February Amendment C393boro was gazetted. C393boro extended the interim heritage controls to all properties recommended in the GJM Review, with the exception of 12 Dent Street (for which a consent to demolish had been granted under the *Building Act 1993*)

27 April Minister authorised Amendment C394boro

15 June to 27 July Council exhibited Amendment C394boro

16 October Council considered submissions on Amendment C394boro and resolved to refer submissions to a Panel

Source: Panel, from information in the Explanatory Report, the C333boro Panel report and Council's Part A submission

(ii) The Glen Iris Gap Study

In 2016, Council engaged Context Pty Ltd and Trethowan Architecture to prepare a municipal wide heritage gap study. The municipal wide study proceeded by suburb over the following few years. A draft of the *Municipal-Wide Heritage Gap Study for the City of Boroondara: Volume 7 Glen Iris* (Glen Iris Gap Study) was produced some time before May 2019, and the final was produced on 15 March 2022 (after the C333boro Panel had issued its report).

The Glen Iris Gap Study involved a two staged process:

- Stage 1 involved a preliminary identification of heritage places based on a desktop review including of previous studies, community feedback and a preliminary survey
- Stage 2 involved a more detailed assessment of the places and precincts identified in Stage 1.

While the Mont Iris Estate and Environs Precinct was identified during Stage 1 as a potential precinct of heritage significance, Appendix A.5 of the final Glen Iris Gap Study states:

In keeping with the recommendation of the Amendment C333boro Panel, the [Mont Iris Estate and Environs] Precinct is to be reviewed.

(iii) C333boro Panel recommendations

The C333boro Panel recommended the Mont Iris Estate and Environs Precinct be abandoned due to a lack of coherence and a high number of non-contributory properties in some sections that undermined the overall integrity of the Precinct. The C333boro Panel recommended a further review of the Precinct, recognising there are coherent parts of the Precinct warranting inclusion in the Heritage Overlay.

(iv) The GJM Review

The GJM Review of the Mont Iris Estate and Environs Precinct was completed in October 2022. It essentially agreed with the findings of the C333boro Panel, and recommended three smaller Precincts and two individually significant properties (the land shown purple in Figure 1) be included in the Heritage Overlay on a permanent basis.

1.3 The issues

No objecting submissions were received in relation to:

- the two individual heritage places (H0954 and H955)
- the High Street North Precinct (H0957).

This report focusses on the unresolved submissions, which relate to the Dent Street Precinct (H0956) and the Tower Hill Estate Precinct (H0958).

Key issues raised in objecting submissions were:

- on one hand, heritage protection should extend further including to the whole of the original Mont Iris Estate and Environs Precinct
- on the other hand, heritage protection is unjustified for whole Precincts or for individual properties or fences or garages within Precincts
- concerns with the GJM Review that underpins the Amendment, including the comparative analysis
- the Heritage Overlay will:
 - restrict development, maintenance and upgrades of affected properties

- impacts on property rights.

A number of submissions requested:

- changes to gradings for individual properties
- changes to the listings of contributory fences and garages
- more guidance on acceptable building heights and setbacks to provide landowners with a better understanding of what modifications they can make to their properties
- more permit exemptions (for example for fences).

1.4 Procedural issues

(i) 33 Tower Hill Road, Glen Iris

Council advised that a mapping had occurred in the exhibited map for HO958 (the Tower Hill Estate Precinct). The exhibited Heritage Overlay mapping did not include the property at 33 Tower Hill Road. The property was included within the Precinct boundary in the exhibited Statement of Significance.

Council subsequently wrote to the landowner advising them of the Amendment and providing an opportunity for them to make a submission. No submission was received.

Council requested that the mapping error be corrected through the adoption and approval process. The Panel is satisfied that the affected landowner has been appropriately notified and supports this request.

(ii) 20 Munro Avenue

Council referred a late submission in relation to 20 Munro Avenue to the Panel (Submission 25). This formed part of the Panel's deliberations, as well as the original submissions received in relation to that property.

(iii) Issues that are not relevant

Many of the common issues raised in submissions are not relevant planning considerations, or are widely accepted as not being relevant when considering whether to apply a Heritage Overlay (although some may be relevant at the subsequent permit stage). Council made detailed submissions responding to these issues, so the Panel has addressed them in Chapter 3 notwithstanding they are not relevant.

1.5 The Panel's approach

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

This Report deals with the issues under the following headings:

- Strategic issues
- Common issues

- Dent Street Precinct (HO956)
- Tower Hill Estate Precinct (HO957).

2 Strategic issues

2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix C highlights key imperatives of relevant provisions and policies.

Table 3 Planning context

	Relevant references
Victorian planning objectives	- section 4 of the <i>Planning and Environment Act 1987</i> (PE Act)
Municipal Planning Strategy	- Clause 2 of the Planning Scheme
Planning Policy Framework	- Clause 15 (Built environment and heritage), including Clause 15.03-1L (Council's local heritage policy)
Other planning strategies and policies	- Plan Melbourne Direction 4, Policies 4.1, 4.2 - Boroondara Community Plan 2021-2031
Planning scheme provisions	- Heritage Overlay
Ministerial directions	- Ministerial Direction 11 (Strategic Assessment of Amendments)
Planning practice notes	- <i>Planning Practice Note 1: Applying the Heritage Overlay</i> , August 2018 updated November 2023 - <i>Planning Practice Note 46: Strategic Assessment Guidelines</i> , August 2018

2.2 The issues

The issues are whether:

- the Amendment is strategically justified
- the methodology of the GJM Review was sound
- the Heritage Overlay should be extended to more properties
- the Amendment should be accompanied by built form guidelines.

2.3 Strategic justification

(i) Submissions and evidence

Council submitted the strategic basis for applying the Heritage Overlay is well founded in the State policy provisions of the Planning Scheme as well as section 4(1)(d) of the PE Act which provides that one of the Victorian planning objectives is:

...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.

Council submitted that providing a framework for the protection of heritage places of significance will ensure Council is delivering on its priorities expressed in the *Boroondara Community Plan 2021-2031*, which includes the following objective:

Protect the heritage and respect the character of Boroondara, while facilitating appropriate, well-designed development

Council submitted 'protection' in the context of the application of a Heritage Overlay is the identification (by mapping) and explaining (by the citation and statement of significance) of the cultural heritage significance of the place. It submitted the application of the Heritage Overlay will 'protect' heritage by setting up permit triggers for demolition, development or subdivision of a heritage place, while the permit process is the stage at which it is determined whether the demolition, development or subdivision is acceptable and should be permitted.

Council submitted *Planning Practice Note 1: Applying the Heritage Overlay* (PPN01) sets out the key matters the Panel should consider in assessing the Amendment. PPN01 states the following places should be included:

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

PPN01 sets the threshold for local significance as *"those places that are important to a particular locality or community"*, and states:

The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria.

Relying on the GJM Review and the evidence of Mr Gard'ner, Council submitted the Amendment satisfies each of these key factors.

Mr Gard'ner's evidence (for Council) addressed the key matter of whether the heritage places identified in the GJM Review *"demonstrate one or more of the PPN01 heritage criteria at the local level and warrant inclusion in the Heritage Overlay"*. He explained that having had regard to the findings of the C333boro Panel, GJM Heritage undertook a 'first principles' assessment to identify places and precincts of potential heritage significance within the former Mont Iris Estate and Environs Precinct. His evidence was:

... the approach taken by my office to the identification and assessment of the Precincts follows the established heritage practice of undertaking historical research, conducting fieldwork, analysing the places against comparative examples, and preparing an assessment against heritage criteria.

It is my view that the approach taken is sound, robust, and has been informed by the guidance contained within PPN01.

Mr Gard'ner considered the Dent Street and Tower Hill Estate Precincts are of local heritage significance because they meet criteria A (historical significance), D (representativeness) and E (aesthetic significance) referenced in PPN01:

- They have strong associations with the interwar period of development in suburban Melbourne, when extensive tracts of land in Glen Iris (and Boroondara more broadly) were subdivided into suburban residential estates for middle-class housing.
- This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one.
- They are highly intact Precincts of middle-class houses designed in various interwar styles, but with an emphasis on the English Domestic Revival style, which illustrate this important phase of development in the municipality.
- The houses in the Precincts display typical features of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly in the interwar period, including:
 - clinker brick and rendered brick walls with decorative brick detailing

- tiled roofs
- asymmetrical hipped and gable-ended roof forms
- prominent chimneys and entry porches
- timber framed windows including tripartite window sets
- generous front gardens
- low brick front fences and original brick garages.
- The above features and the consistent application of high-quality materials and detailing, in conjunction with their garden settings, present highly picturesque streetscapes.

Mr Gard'ner emphasised that the original Mont Iris Estate and Environs Precinct included 286 properties over 12 streets, whereas the GJM Review recommended 84 properties over three streets, along with two individual properties. His evidence was:

The current proposal is substantially refined and reduced in area compared to that considered by the previous Panel.

Mr Gard'ner considered the objecting submissions (discussed below), and responded that while the Precincts are interspersed with some examples of more recent residential development, they:

... demonstrate a cohesiveness of form, scale and materiality and a level of intactness that is not found in the surrounding area, excluding those streetscapes already included in the Heritage Overlay ...

He pointed to the high proportion of contributory buildings in each Precinct and the high degree of consistency in architectural style, and disputed assertions that the Precincts are not highly intact, are disjointed and are composed of a number of different styles, materials and features that are not coherent. He disagreed that the streetscapes feature substantial alterations to earlier properties such that their original form is distorted and no longer legible.

Some submitters considered the Dent Street and Tower Hill Estate Precincts did not meet the threshold for local significance. For example, S14 submitted the Dent Street Precinct lacks coherency and consists of an eclectic mixture of styles. He submitted there had been significant modifications to many properties since construction, and the Precinct and properties within it are no longer intact:

It is a joke to consider the streetscape as 'heritage' given the large number of new houses that have been constructed along Dent Street.

Mr Price (S20) submitted in relation to the Dent Street Precinct:

Many of the properties have been significantly modified from their original form. The Precinct is not highly intact, very disjointed and composed of a number of different styles, different materials used and a range of features which are not coherent. There is a general lack of strong consistency and cohesion in the Precinct.

He noted the proposed Precinct is not contiguous and has a large gap in the middle (between Sherwood Street and Mont Iris Avenue), which "*disrupts the rhythm*" and makes it difficult to appreciate it as a cohesive Precinct. He submitted:

- different parts of the Precinct have very different setbacks
- there is a mixture of timber, brick and rendered facades
- some windows have been replaced with modern variants
- only some of the properties still have original low brick fences
- some brick detailing has been painted over.

S2 submitted the block that included his house in the Dent Street Precinct was not covered in the original Mont Iris Estate and Environs Precinct and he did not understand why it "*suddenly*

appeared". He submitted the application of the Heritage Overlay is too late as many of the original nice homes in the street have been lost.

Mr Moffatt submitted the C333boro Panel did not support the Mont Iris Estate and Environs Precinct, and not enough had changed since then to justify reaching a different conclusion to the C333boro Panel. He questioned whether the west side of Munro Street should be included in the Tower Hill Estate Precinct, given the east side was not included. He submitted a single side of a street does not read as a consistent heritage precinct.

Several submitters (S3, S5, S6, S8, S9, S10 and S11) supported the Amendment, submitting that:

- it is very important to conserve the affected areas to keep examples of the best historical and architectural areas of Glen Iris and Ashburton
- the affected areas are a unique part of Boroondara and these intact mainly interwar houses show the formation and history of Glen Iris and Ashburton
- the heritage of Glen Iris has traditionally not been well protected
- historical suburban areas are appreciated by the community and most local people want to keep these character filled green streets
- Boroondara is famed for its great aesthetic architecture and well-designed suburbs
- allowing old homes to be knocked down and replaced by modern ones changes the whole feel of the environment.

(ii) Discussion

The PE Act, the Planning Policy Framework and Plan Melbourne seek to protect places of heritage significance.

The Amendment has its genesis in the Glen Eira Gap Study and the findings of the C333boro Panel. The Glen Eira Gap Study was part of a systematic review of heritage places in the City of Boroondara, which represents a thorough and comprehensive approach towards the review of heritage places within the municipality.

Amendment C333boro was progressed before the Stage 2 review of the Mont Iris Estate and Environs Precinct under the Gap Study was completed. While the C333boro Panel found (and the GJM Review agreed) the extent of the Mont Iris Estate and Environs Precinct identified in Stage 1 could not be supported, it found:

... there are areas, particularly the north-eastern part, which are cohesive enough to meet the threshold of local heritage significance, but the boundary of such areas needed to be determined through further review.

This review was undertaken with the GJM Review, which identified a much refined group of heritage places recommended for permanent heritage protections. The GJM Review was an appropriate approach to respond to the findings of the C333boro Panel, and to develop a strategic justification for applying the Heritage Overlay to parts of the former Mont Iris Estate and Environs Precinct. The methodology of the GJM Review is discussed in Chapter 2.4.

The primary task of the Panel is to consider whether the properties identified by the GJM Review for inclusion in the Heritage Overlay meet the threshold of local significance. It is satisfied on the basis of the GJM Review and Mr Gard'ner's evidence that they do meet this threshold, and that the application of the Heritage Overlay is strategically justified.

The Panel's observations of the Dent Street and Tower Hill Estate Precincts on its site visit were highly consistent with Mr Gard'ner's evidence. The Precincts are highly cohesive, with very few

non-contributory properties included (only one of 23 in the Dent Street Precinct, and six of 53 in the Tower Hill Estate Precinct). The Precincts can be readily understood as areas developed at a similar time with highly consistent architectural styles, features, materials and finishes, despite modifications to some properties. The Panel observed at least one (generally several) of the features of English Domestic Revival style listed by Mr Gard'ner in almost every contributory house within each Precinct.

The Panel does not consider the gap in the Dent Street Precinct compromises its integrity or cohesiveness. There are sound historical reasons for excluding this block, as it was developed later, after the blocks on either side (demonstrated by Figure 6 in the GJM Review). The Precinct on either side of the gap extends for at least two street blocks in each direction, and the properties within the Precinct remain highly intact and collectively exhibit most if not all of the architectural features, materials and finished referenced by Mr Gard'ner.

Notwithstanding the construction of some higher modern fences, the streetscapes in both Precincts present as open garden settings with highly consistent setbacks.

Regarding S2's submission that there is now a block in the Dent Street Precinct that was not covered in the original Mont Iris Estate and Environs Precinct, Figure 1 demonstrates this is not the case. The Panel does not agree that most of the nice old homes in the Precinct have been lost, noting that only one property in the Dent Street Precinct is non-contributory.

The Panel does not agree with Mr Moffatt that the west side of Munro Avenue does not read as part of a Precinct due to the east side not being included. It is common for heritage precincts to only extend to one side of the street, and there is no guidance or accepted heritage assessment methodology that suggests a precinct on one side only of a street lacks integrity or cohesiveness.

Further, there are sound historical reasons for only including the west side of Munro Street, as this formed part of the land in the original Tower Hill Estate, whereas the east side did not (demonstrated by Figures 23 to 26 in the GJM Review).

(iii) Findings

The Panel finds:

- The Dent Street Precinct and the Tower Hill Estate Precinct present as highly cohesive and intact precincts that meet the threshold for local heritage significance in accordance with the guidance in PPN01.
- The Amendment is strategically justified.

2.4 Methodology of the GJM Review

(i) Submissions

Council submitted the GJM Review followed the approach outlined in PPN01 to undertaking an assessment of whether the Heritage Overlay should be applied. In particular, GJM Heritage:

- undertook a street level survey of all identified places
- undertook additional historical research
- used the criteria set out in PPN01 to assess the heritage value of places proposed to be included in the Heritage Overlay
- prepared comparative analyses to substantiate the significance of those places

- prepared recommendations including statements of significance using the three-part format of:
 - What is Significant?
 - How is it Significant?
 - Why is it Significant?

Council submitted the methodology involved in the GJM Review was “*rigorous and in accordance with best practice*”, and “*thorough, considered and objective*”.

In his original submission (S20), Mr Price submitted the GJM Review makes many generalised statements with numerous caveats and inconsistencies, and the claims would equally apply to majority of interwar properties in Boroondara and do not rise to the threshold of local heritage significance. He considered the comparative analysis compares properties to others that are very different styles.

At the Hearing, Mr Price noted that Clause 15.03-1L (Boroondara’s local heritage policy) includes the following as its first objective:

- To preserve ‘significant’ heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm.

He submitted the Dent Street Precinct does not meet ‘significant’ in this context, and its significance “*is being overstated*”, particularly in comparison to other areas in the Heritage Overlay.

(ii) Discussion

The Panel agrees with Council that the GJM Review has been prepared in accordance with widely accepted contemporary heritage assessment methodology and is consistent with the guidance in PPN01. It has been completed with appropriate analysis and rigour. The methodology of the assessment follows the process outlined in PPN01, and the statements of significance clearly articulate what is significant, how it is significant and why it is significant for each of the five heritage places.

With regard to comparative analysis, PPN01 states:

To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay.

The GJM Review included a comparative analysis for each of the five heritage places recommended for inclusion in the Heritage Overlay. Comparisons for the Dent Street and Tower Hill Estate Precincts included the:

- Goodwin Street and Somerset Road Precinct, Camberwell (HO226)
- Great Glen Iris Railway Junction Estate and Environs, Ashburton (HO227)
- Holyrood Estate and Environs, Camberwell (HO228)
- Harley Estate and Environs Precinct, Camberwell (HO735).

Mr Price’s assertion that the Precincts do not reach the level of ‘significant’ compared to other areas in Boroondara was not substantiated. The comparisons referred to in the GJM Review are appropriate, as they are local (within Boroondara), and were developed at around the same time as the Dent Street and Tower Hill Estate Precincts with interwar properties of similar styles. The comparative analysis includes detailed reasons as to why the Dent Street and Tower Hill Estate

Precincts are significant when compared with these other precincts. The Panel finds those reasons and the underlying rationale to be sound.

(iii) Finding

The Panel finds:

- The methodology of the GJM Review, including the comparative analysis, was sound, robust, and in accordance with the accepted methods of assessment and the guidance in PPN01.

2.5 Should the Heritage Overlay be extended?

(i) Submissions and evidence

S4 submitted there is no substantial difference in the mix of contributory and non-contributory dwellings between the original Mont Iris Estate and Environs Precinct and the smaller Precincts now proposed to be included in the Heritage Overlay. He submitted:

With the exception of any dwelling listed as Significant, a precedent has been set and it is inappropriate to subject the remaining island of dwellings ... to a different outcome.

He submitted a simple walk through of the streets clearly demonstrates how areas being excluded are *“ostensibly similar”* to those being included, and there is no justification for only including the proposed smaller Precincts in the Heritage Overlay.

S6 submitted the study (presumably the GJM Review) seems to have *“chosen aesthetically pleasing Precinct boundaries over ensuring the protection of all the homes that contribute to the Precincts and areas they have found significant”*. He submitted the small group of Old English houses at the end of Allison Avenue feature *“some rather idiosyncratic houses”* which surely contribute to the Dent Street Precinct, considering they have the same high-quality late interwar Old English style homes which make the proposed Precinct significant.

Several submitters submitted the Tower Hill Estate Precinct should be extended to the east side of Munro Street, as it contains a large number of properties built around the same time, and in similar styles, as the west side of the street. For example, S13 submitted:

... it is of architectural and historical significance that the two sides of the street developed in different periods with distinct architectural styles. This point of differentiation should be valued and retained.

If the [interim] heritage overlay on the eastern side is removed, new developments will change the character of the street, adversely impacting residents on the western side.

S6 submitted the *“beautiful and quite substantial”* late interwar houses from 19-29 Munro Avenue (on the east side of the street) have been *“inexplicably left out”*. He submitted these houses are directly opposite identical late interwar houses found to be worthy of preservation as part of the Tower Hill Estate Precinct:

They are a contiguous and very high quality group of 6 brick/render Old English & Moderne houses which are all highly intact with each keeping an original fence. They make a huge contribution to Munro Avenue's character, and undoubtedly that of the Tower Hill Estate Precinct. It would be a bizarre oversight not to include them.

Mr Gard'ner responded:

While there are other individual and small groups of properties within the area that remain highly intact and clearly demonstrate this period of development, they do not form a tightly defined precinct, nor do they exist within a sufficiently cohesive and intact streetscape to

warrant a precinct control. They are also not of sufficient historic or architectural (aesthetic) merit in their own right to warrant inclusion in a site-specific Heritage Overlay.

Regarding the extension of the Tower Hill Estate Precinct to the east side of Munro Avenue, Mr Gard'ner noted (as discussed earlier) that the original estate only extended to the west side of Munro Avenue, so there are sound historical reasons for not extending the Precinct to the east side. Further, and perhaps more importantly, while there are a number of interwar era houses on the east side of Munro Avenue, the east side is:

... less cohesive with a higher proportion of non-contributory or substantially altered properties affecting the appreciation of the streetscape as one that can be considered highly intact and visually cohesive.

(ii) Discussion

On its site visit the Panel observed a number of interwar properties outside the proposed Precincts but within the boundary of the original Mont Iris Estate and Environs Precinct. It specifically noted the groups of interwar houses at the southern end of Allison Avenue and on the eastern side of Munro Avenue referred to by S6.

The Panel agrees with Mr Gard'ner that those properties were generally less tightly defined into precincts, and less intact than those identified for inclusion by the GJM Review. The Panel was not persuaded that these groups of properties reach the threshold for local significance, or that the Precincts should be expanded beyond those recommended by GJM Heritage.

(iii) Finding

The Panel finds:

- There is no justification for extending the Heritage Overlay beyond the five heritage places identified in the GJM Review.

2.6 Built form guidance

(i) Submissions

S17 submitted the Amendment should be accompanied by clearer guidelines on building heights and setbacks, to give home owners a better understanding of what modifications they can make to their properties.

(ii) Discussion

Council's local heritage policy in Clause 15.03-1L of the Planning Scheme provides extensive guidance on what constitutes acceptable alterations to properties in the Heritage Overlay, as well as guidance as to when demolition may be considered appropriate. The Panel does not consider further guidance is needed.

(iii) Finding

The Panel finds:

- Clause 15.03-1L of the Planning Scheme already provides extensive guidance as to what constitutes acceptable alterations to properties in the Heritage Overlay. No further guidance is needed.

2.7 Conclusions and recommendations

For the reasons set out in this report, the Panel concludes that the Amendment:

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

The Panel recommends:

Adopt Boroondara Planning Scheme Amendment C394boro with the changes recommended in this report.

Correct the exhibited Heritage Overlay maps to include 33 Tower Hill Road, Ashburton.

3 Common issues

3.1 Fences and garages

(i) The issues

The issues are whether fences and garages should be:

- exempt from a permit trigger
- exempt from third party notice and review rights.

(ii) Background

Contributory fences and garages

The Statements of Significance for the three Precincts state that original low brick fences and original brick garages are elements that contribute to the significance of the Precinct. Each Statement of Significance includes a Precinct Grading Schedule which includes a table that specifies (among other things) whether the fence or garage for each property is contributory.

Permit requirements

Under the Heritage Overlay parent clause, a permit is required to construct a building or to construct or carry out works to:

- a fence that is visible from a street (other than a lane) or a public park
- an outbuilding including a garage.

Exemptions can only be provided in an Incorporated Plan (Clause 43.01-3). No such plan is proposed for the Amendment.

Notice and review requirements

Under the Heritage Overlay parent clause, the default position is applications for a permit to:

- construct a fence or garage are VicSmart applications that are exempt from third party notice and review rights (Clause 43.01-1)
- demolish or remove a fence or garage are VicSmart applications that are exempt from third party notice and review unless the overlay schedule specifies otherwise (Clause 43.01-4).

The Amendment proposes (through the Heritage Overlay schedule) to 'switch on' third party notice and review for applications for demolition or removal of "*original or early brick fences and brick garages*" in each of the three Precincts.

(iii) Evidence and submissions

S17 submitted the state of the fences in the neighbourhood is an issue. He submitted many were poorly constructed and are now in disrepair, including due to impacts from trees, posing a hazard as they often collapse. He submitted home owners should be allowed to repair or replace fences that are in poor condition, which would improve safety and aesthetics in the neighbourhood.

S18 supported the Amendment, but considered fences and garages should be exempt:

Regarding front fences, there are many examples in our street and local neighbourhood where front fences have been built to a height to provide security and privacy. Both things which are fair and reasonable to have for your family home. Such fences will not be allowed

at all under these restrictions. I believe that tall fences can be designed to fit into the area, and for our property. I want the opportunity to do this, as others have in our street, and not be locked in to what currently exists, is in disrepair and about to fall over.

He submitted fences and garages should be exempt for a 5 to 10 year period to allow owners to repair or replace fences without the strict requirements of the Heritage Overlay applying.

S4 submitted:

... I would insist that the garages (and in many instances the openings to the fences) for most or all of the properties proposed as Contributory are not wide enough to function as a garage, hence why the streets are littered with cars on the street. Without diluting my recommendation to remove the Heritage Overlay for the dwellings in Tower Hill Rd and Munro Ave, I would also recommend removing Fence and Garage from the addresses for any remaining properties listed as Contributory.

S21 submitted that owners should be allowed to change fences, and that fences do not need to be heritage listed:

If some old homes can be demolished and new builds built then heritage homes can alter their fence in a tasteful way so that home owners can secure their property.

Other submitters objected to their particular fences or garages being listed as 'Contributory'. These are discussed in the Precinct chapters.

Mr Gard'ner's evidence was that fences and outbuildings such as garages can contribute to the significance of a heritage precinct, allowing for the historic design and function of properties to be more fully appreciated. The original and early garages "*demonstrate the rise of private vehicle ownership at the time of the Precinct's development*" while the low brick or masonry fences "*reflect greater levels of openness and sense of community in suburban development*". In oral evidence, Mr Gard'ner stated the low front fences contribute to the open garden setting, another significant feature of the Precincts.

(iv) Discussion

The default position under the Heritage Overlay is that a permit is required to construct, alter, demolish or remove a front fence or garage. This requirement cannot be removed unless an exemption is provided in an Incorporated Plan. The Amendment has therefore not 'applied' controls over fences and garages – rather, it has not changed the default position by introducing exemptions via an Incorporated Plan.

The Panel accepts Mr Gard'ner's evidence that the original and early fences and garages are important features of the Precincts and the period during which they were developed. It therefore considers that a permit should be required for alterations to or demolition of fences and garages. If a fence or garage needs maintaining or demolition to maintain the long term efficient use of the property, those matters can be appropriately managed through the planning permit process (noting that applications to construct a fence or garage are VicSmart applications that are exempt from third party notice and review).

Council did not directly address why it considers third party notice and review rights should apply to permit applications which propose demolition or removal of an original or early low brick fence or garage. This is not generally the approach for other precincts within Boroondara (with some exceptions). However, on balance, the Panel supports the application of third party notice and review rights where the fence or garage is contributory to the Precinct's heritage significance. The Heritage Overlay schedule should be reworded to refer to fences and garages that are identified as

contributory in the relevant Statement of Significance, as the exhibited wording of 'original or early brick fences or brick garages' is unclear.

(v) Conclusion and recommendation

The Panel concludes:

- It is appropriate to maintain the default permit trigger for fences and garages, given they are important elements that contribute to the significance of the Precincts.
- Third party notice and review rights should only apply to permit applications to demolish or remove a fence or garage identified as contributory in the relevant Statement of Significance.

The Panel recommends:

Amend the schedule to the Heritage Overlay:

- a) **In Clause 2.5 (the table containing HO800 to HO1000), in the column headed 'Outbuildings or fences not exempt under Clause 43.01-4', replace the exhibited text for:**
 - **HO956 with 'Yes – fences and garages listed in the 'Contributory fence/garage' column in the Precinct Gradings Schedule in the Dent Street Precinct, Glen Iris Statement of Significance, May 2023'**
 - **HO957 with 'Yes – fences and garages listed in the 'Contributory fence/garage' column in the Precinct Gradings Schedule in the High Street North Precinct, Glen Iris Statement of Significance, May 2023'**
 - **HO958 with 'Yes – fences and garages listed in the 'Contributory fence/garage' column in the Precinct Gradings Schedule in the Tower Hill Estate Precinct, Glen Iris and Ashburton Statement of Significance, May 2023'.**

3.2 Building condition

(i) The issue

It is widely accepted that building condition is not a relevant issue when considering whether to apply a Heritage Overlay (although it may be relevant at the subsequent permit stage). Nevertheless, the Panel has addressed the issue as several submitters raised it, and Council made detailed submissions responding to the issue.

(ii) Submissions

Some submissions (S4, S16 and S17) submitted the structural integrity or condition of a building should be taken into account when proposing to apply the Heritage Overlay.

Council responded that the structural condition or age of a house is generally not relevant to whether the property should be included in a Heritage Overlay. Rather, structural condition is a matter that can be taken into account during the application for a planning permit for development, which will assess the proposal against the objectives of Council's Heritage Policy (Clause 15.03-1L).

(iii) Discussion

Many previous panels have found that, except in rare cases, structural integrity is not a relevant consideration when assessing whether a particular property should be included in a Heritage Overlay. Rather, the question is whether the property meets the threshold of local significance to justify its inclusion. If it meets the threshold, it should be included. Structural integrity issues can then be considered subsequently as part of a permit process when permission is sought to demolish or alter the property.

As Council pointed out, there are sound policy reasons for this. If panels were to refuse heritage controls on the basis of poor structural condition of a building, property owners might be incentivised to allow their buildings to fall into disrepair to avoid the application of the Heritage Overlay, undermining longer term heritage protection.

The exception to this general rule is where the structural integrity of the building is so poor that demolition is an inevitability, or necessary renovations or repairs would be so extensive that a large amount of the heritage fabric will inevitably be lost such that the form and nature of the heritage place will no longer be able to be appreciated. In these circumstances, it may not be appropriate to apply the Heritage Overlay.

No evidence was presented to the Panel that established that the condition of any of the buildings proposed to be included in the Heritage Overlay was so poor as to justify excluding them.

(iv) Conclusions

The Panel concludes:

- Building condition is generally not a relevant factor when deciding whether a property should be included in the Heritage Overlay.
- No evidence was presented to the Panel that any of the properties proposed to be included in the Amendment are in such poor condition as to justify being excluded.

3.3 Development opportunity, building alterations and maintenance**(i) The issue**

It is widely accepted that restrictions on development opportunity is not a relevant issue when considering whether to apply a Heritage Overlay (although it may be relevant at the subsequent permit stage). Nevertheless, the Panel has addressed the issue as several submitters raised it, and Council made detailed submissions responding to the issue.

(ii) Submissions

Several submitters (S2, S16, S17, S18, S20, S22) raised concerns that the application of the Heritage Overlay would make it difficult to repair, maintain, improve or sell their properties, including to upgrade the environmental performance of the property (for example by installing solar panels). For example, S17 submitted:

... it could potentially restrict the ability of homeowners to make necessary modifications to their properties, which could impact property values and limit the flexibility of homeowners to adapt their properties to meet their changing needs - growing families. Given the current housing crisis, many residents may need to improve and add additions to their properties in order to accommodate larger families and elderly parents.

Council acknowledged the Heritage Overlay introduces another layer of control for property owners by imposing additional permit triggers. However, this is necessary to ensure heritage places are recognised and appropriately managed. It submitted numerous previous panels had found that potential constraint on development is not material to this stage of the planning process (although it may be relevant at the permit application stage). Further:

- the Heritage Overlay does not prevent alterations to heritage properties
- under the Heritage Overlay a permit is not required to carry out works, repairs or routine maintenance which do not change the external appearance of a heritage place, or which are undertaken to the same details, specifications and materials (Clause 43.01-1)
- a permit will not be required for internal works, as the Amendment does not propose internal controls.

(iii) Discussion

It is well established that constraints on development are not relevant when deciding whether to apply a Heritage Overlay. Rather, the question is whether the place reaches the threshold of local significance to justify the application of the overlay.

This issue was put by the Panel considering Amendment C14 to the Latrobe Planning Scheme as follows:

This approach has the merit of separating two distinct issues: assessment of the significance of the place, and the question of its conservation, adaptation, alteration or demolition. This conforms with proper heritage conservation practice and mirrors the processes of the *Victorian Heritage Act 1985*. It reflects the desirability of considering long term matters (if we accept that heritage significance is likely to be somewhat enduring, if not immutable) at one point in time; and, shorter term matters (personal desire, financial considerations and economic circumstances) when they are most relevant.

As Council pointed out, application of the Heritage Overlay does not prevent alterations to properties, but ensures that the heritage implications of the changes are properly considered at the permit stage, and balanced with other considerations which could include matters such as the environmental performance of the building. The Panel notes for completeness that a solar energy system will only require a permit if it is visible from the street (Clause 43.01-1).

(iv) Conclusion

The Panel concludes:

- It is well established that constraints on development or maintenance of a property are not relevant when deciding whether to apply a Heritage Overlay.

3.4 Impacts on property rights

(i) The issue

It is widely accepted that the impact of planning controls on personal property rights is not a relevant issue when considering a planning scheme amendment. Nevertheless, the Panel has addressed the issue as several submitters raised it, and Council made detailed submissions responding to the issue.

(ii) Submissions

Some submitters (S14, S15 and S20) submitted the Heritage Overlay represents an impost on owners and residents, and is a case of local government *“interfering with our right to do with our property as we wish”*.

(iii) Discussion

All planning controls impact to some degree on a person’s ‘rights’ to do with their property as they wish. So do many other regulatory regimes, including (among others) the *Building Act 1993* and the *Environment Protection Act 2017*.

A decision to apply planning controls (including the Heritage Overlay) involves balancing the public interest against the legitimate interests of individuals to use and enjoy their property rights. That balance must consider the Victorian planning objectives, which include protecting places of heritage significance, and balancing the present and future interests of all Victorians. In balancing these interests, the Planning Scheme directs that consideration be given to whether the Amendment will deliver net community benefit and sustainable development.

For the reasons set out in Chapter 2, the Panel is satisfied that the application of the Heritage Overlay to the affected land is strategically justified, and will deliver net community benefit, notwithstanding it will interfere with individual property rights.

(iv) Conclusion

The Panel concludes:

- The Amendment is strategically justified and appropriate notwithstanding it will impact on individual property rights.

3.5 Property value and financial implications

(i) The issue

It is widely accepted that potential financial implications of planning controls, including on property values, is not a relevant issue when considering a planning scheme amendment. Nevertheless, the Panel has addressed the issue as several submitters raised it, and Council made detailed submissions responding to the issue.

(ii) Submissions

Several submitters (S12, S14, S15-S18, S20, S21, S22) submitted the Amendment will impose an additional cost burden whenever they want to undertake modifications to their properties, and will cause financial loss if they choose to sell the property. Mr Price submitted the Amendment would result in a class of people (affected property owners) incurring additional costs, forcing them to subsidise an economic benefit for the broader community. He argued this is an economic impact of the Amendment that should be considered.

Council submitted the financial implications raised in submissions are expressed on a site-by-site or personal basis and not at a broader community level, and are therefore not relevant in deciding

whether to apply the Heritage Overlay. Council referred to the Panel report for Moonee Valley Planning Scheme Amendment C200moon :¹

The Panel acknowledges submitters' concerns about private financial impacts of the Heritage Overlay and that those concerns have caused them distress. But Planning Practice Note 1 and judicial authority cited by Council make it clear that the key issue for the Panel is the heritage significance of the properties. Private financial issues of a personal or property specific nature are not relevant at the planning amendment stage.

The requirement under the [PE] Act for planning authorities to consider social and economic impacts of planning scheme amendments is limited to community wide impacts. No submitter provided information about wider social or economic impacts of the Heritage Overlay even though it applies to a wide area, as shown by the Municipal Heritage Overlay map. The Panel therefore has no basis to assess those impacts.

...

The Panel concludes that property value and private financial implications are not relevant when deciding whether to apply the Heritage Overlay.

(iii) Discussion

Successive panels have concluded that property value and financial implications are not relevant when assessing heritage significance or when deciding whether to apply a Heritage Overlay. Financial impacts on individual property owners – or even a class of property owners – are not the type of community wide social and economic effects that are relevant under section 12 of the PE Act. Personal financial implications may be a relevant consideration at the permit application stage.

The Heritage Overlay increases the regulatory burden when a property owner wishes to undertake works to their property. The Panel acknowledges that this will have an associated cost. However the Heritage Overlay does not compel a property owner to maintain a property to a particular standard.

(iv) Conclusion

The Panel concludes:

- It is well established that personal financial implications for affected property owners are not relevant when deciding whether to apply a Heritage Overlay.

¹ Moonee Valley C200moon [2021] PPV 7

4 Dent Street Precinct (HO956)



Figures 1-6. Examples of residences included in the precinct (R-L, starting at top) 28, 42, 44, 46, 58 and 60 Dent Street, Glen Iris (GJM Heritage, July 2022).

Exhibited Statement of significance

What is significant?

The Dent Street Precinct, Glen Iris, a 1930s subdivision development of the Albion Park Estate, containing a collection of modest Interwar houses.

The precinct comprises 6-28 and 40-60 Dent Street, Glen Iris.

Elements that contribute to the significance of the place include:

- Strong Interwar character with the majority of properties demonstrating characteristics of the English Domestic Revival style
- Consistent front setbacks
- Predominantly brick construction, both face clinker brick and rendered brickwork
- Hipped and gable-ended roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- Single-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows, including tripartite windows with fixed central panes and double hung side sashes
- Decorative brick detailing to windows, porch entries, corners and gable ends
- Original low brick front fences
- Original brick garages
- Garden settings.

Later alterations and additions to the properties, including rear additions, later garages/outbuildings and later fences, are not significant. The new dwelling at 12 Dent Street is not significant.

How is it significant?

The Dent Street Precinct, Glen Iris is of local historical, representative (architectural) and aesthetic significance to the City of Boroondara.

Why is it significant?

The Dent Street Precinct has strong associations with the interwar period of development in suburban Melbourne. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. The Dent Street Precinct clearly illustrates this important phase of development in the City of Boroondara. As a highly intact precinct of middle-class houses designed in various Interwar styles – but with an emphasis on the English Domestic Revival style – the Dent Street Precinct clearly illustrates this important phase of development in the City of Boroondara (**Criterion A**).

The Dent Street Precinct is a fine and highly intact example of a cohesive middle-class Interwar residential precinct. Together these modestly-scale, single-storey houses predominantly display typical features of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly in the Interwar period, including clinker brick and rendered brick walls with decorative brick detailing, tiled roofs, asymmetrical hipped and gable-ended roof forms, prominent chimneys and entry porches, timber framed windows including tripartite window sets, generous front gardens, brick front fences and original brick garages (**Criterion D**).

The Dent Street Precinct forms a unified group of single-storey residences dating to the Interwar period and predominantly demonstrating characteristics of the English Domestic Revival style. The consistent application of high-quality materials and detailing, such as face clinker and rendered brick construction, prominent chimneys and porches, tripartite window sets and decorative brick detailing, in conjunction with their garden settings, presents a highly picturesque streetscape (**Criterion E**).

4.1 12 Dent Street

12 Dent Street is proposed to be included as a non-contributory property in the Dent Street Precinct.

Figure 2 12 Dent Street, Glen Iris



Source: Panel from site visit

(i) The issue

The issue is whether the property should be included in the Dent Street Precinct.

(ii) Evidence and submissions

The owner of 12 Dent Street submitted it should be removed from the Precinct as the property is a new build which was legally demolished and constructed without the need for a planning permit. He submitted the current house doesn't impact the legibility of the Precinct, and submitted:

Nothing permitted in ResCode or elsewhere in the planning scheme that I'm allowed to do without a permit would degrade or interfere with my neighbours' properties.

The owner was concerned that if the Heritage Overlay was applied and the house were destroyed (say by fire), he would not be able to rebuild it in its current form, due to its prominent garage and second storey visible from the street. He was further concerned that he would be unable to replace the existing front fence – because he is neighboured by a contributory property, he would have to build a similar low brick fence. *"In essence, we're stuck with mitigations from 90 years ago"*.

Council submitted 12 Dent Street should be retained as a non-contributory property in accordance with the recommendations of the GJM Review. It submitted:

- the contemporary dwelling currently on the property does not impact on the legibility of the Precinct as an interwar precinct with a high degree of built form consistency
- the purpose of applying the Heritage Overlay to non-contributory properties in a precinct is to ensure development of non-contributory sites does not impact heritage values of other sites in the precinct.

It submitted:

Numerous Planning Panels have confirmed that it is not appropriate to punch holes in precincts to remove individual non-contributory properties, particularly where their redevelopment may impact on neighbouring properties and the precinct values more broadly.

Mr Gard'ner's evidence was that while 12 Dent Street is a non-contributory property, it is located *"within an otherwise highly intact streetscape"*. He considered any future development of the property should have regard to the surrounding heritage context and it should therefore be retained as a non-contributory property within the Precinct.

(iii) Discussion

12 Dent Street is the only non-contributory property proposed to be included in the Dent Street Precinct.

It is well established heritage practice to include non-contributory properties in a precinct where the development of that property has the potential to impact on the heritage values of the precinct. This approach has been supported by many previous panels. For example, the Panel considering Boroondara Planning Scheme Amendment C388boro confirmed that:

...the Heritage Overlay enables changes to a non-contributory property, subject to a planning permit application to assess any impact on surrounding heritage. This is affirmed by two strategies in Clause 15.03-1L of the Planning Scheme for non-contributory heritage places:

- Support the demolition of 'non-contributory' places.
- Ensure replacement buildings, development, alterations and additions are sympathetic with heritage fabric of the place, rather than any 'non-contributory' elements of the place.

12 Dent Street sits mid-block in a highly intact and cohesive group of interwar properties. Any redevelopment proposal should be carefully considered in terms of its potential to impact on the surrounding properties and the heritage values of the Precinct more broadly. This can only occur if the property is included in the Precinct as a non-contributory property.

As noted by the C388boro Panel, Clause 15.03-1L supports the demolition of non-contributory places, subject to the replacement building being sympathetic to its surrounding precinct through measures such as building orientation and ensuring the siting, setbacks and scale of the new building compliments rather than dominates adjoining contributory places. While certain aspects of the current dwelling may not be strictly in accordance with the guidelines in Clause 15.03-1L, this is not a reason to exclude it from the Precinct. There is a need to ensure that any future redevelopment of the property has regard to its heritage context.

For completeness, the owner of 12 Dent Street was concerned about inconsistencies in the application of interim heritage controls to his property. While the Panel acknowledges these concerns, and that 12 Dent Street is not currently subject to interim heritage controls (Council explained it was removed from the interim controls when Amendment C393boro was gazetted), this is not a justification for excluding it from the Precinct and from permanent heritage controls.

(iv) Conclusion

The Panel concludes:

- 12 Dent Street should be retained in the Dent Street Precinct as a non-contributory property.

4.2 24 Dent Street

24 Dent Street is proposed to be included as a contributory property in the Dent Street Precinct.

Figure 3 24 Dent Street, Glen Iris



Source: Mr Gard'ner's evidence

The Panel notes that since the above photograph was taken the front fence has been replaced with a modern timber fence of a similar height.

(i) The issue

The issue is whether the property should be included in the Dent Street Precinct.

(ii) Evidence and submissions

The owners of 24 Dent Street stated the property is a *"nondescript suburban dwelling that is hardly worth preserving"*.

Mr Gard'ner responded that the property is an interwar residence constructed in the English Domestic Revival style, and is located in a highly intact streetscape of modestly-scaled, single-storey interwar houses that demonstrate a very high degree of consistency in architectural style, materiality and detailing. He noted 24 Dent Street has a strong interwar character which demonstrates several elements that contribute to the significance of the Precinct:

- single-storey scale and consistent front setbacks
- brick construction, featuring both face clinker brick and rendered brickwork
- hipped and gable-ended roof forms, clad in terracotta tiles
- asymmetrical front elevations
- a tall prominent chimney
- tripartite timber framed windows with fixed central panes and double hung side sashes
- an original brick garage.

He concluded:

It is therefore my position that the property should remain as a 'Contributory' graded property within the Dent Street Precinct ...

(iii) Discussion

The Panel agrees with Mr Gard'ner that while 24 Dent Street is modest, it features a number of the elements of interwar English Domestic Revival style that characterise the Dent Street Precinct. Apart from the new front fence, the property presents to the street as highly intact, in a cohesive streetscape of similar properties. It disagrees with the owners that the property is "*non-descript*" or "*hardly worth preserving*".

(iv) Conclusion

The Panel concludes:

- 24 Dent Street should be retained in the Dent Street Precinct as a contributory property.

4.3 44 Dent Street

44 Dent Street is proposed to be included as a contributory property in the Dent Street Precinct. The garage is proposed to be listed as contributory in the Statement of Significance.

Figure 4 44 Dent Street, Glen Iris



Source: Panel from site visit

(i) The issue

The issue is whether the garage should be listed as contributory in the Statement of Significance.

(ii) Evidence and submissions

The owner of 44 Dent Street submitted the garage – which is identified in the citation and Statement of Significance as being a contributory garage – was constructed 13 years ago, and provided records which confirmed the construction date.

Mr Gard'ner acknowledged the garage is of recent construction, albeit in a 'historicist' style to match the main dwelling. He therefore proposed the garage be removed from the 'Contributory Fence/Garage' column in the citation and Statement of Significance. Council proposed this change in its Part A submission.

(iii) Discussion

The Panel supports the proposed change to the listing of the garage as contributory in the Dent Street Precinct citation and Statement of Significance.

(iv) Conclusion and recommendation

The Panel concludes:

- The garage at 44 Dent Street should be removed from the 'Contributory Fence/Garage' column in the Statement of Significance.

The Panel recommends:

Amend the Dent Street Precinct, Glen Iris Statement of Significance, May 2023:

- a) in the Precinct Grading Schedule, remove the garage of 44 Dent Street Glen Iris from the 'Contributory Fence/Garage' column.

5 Tower Hill Estate Precinct (HO957)

Exhibited Statement of significance



What is significant?

The Tower Hill Estate Precinct, a 1930s and early 1940s subdivision development of the Tower Hill Estate, containing a collection of Interwar houses and the original house in the estate known as 'Tower Hill' built c1901.

The precinct comprises 2-28 & 1-33 Tower Hill Road, Glen Iris, 2-32 Munro Avenue, Ashburton, 142-146A High Street, Glen Iris and 148 High Street, Ashburton.

Elements that contribute to the significance of the place include:

- Strong Interwar character generally demonstrating characteristics of the English Domestic Revival style
- Consistent front setbacks within streetscapes
- Brick construction, both face clinker brick and rendered
- Hipped and gable-ended roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- One and two-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows, including bay windows and tripartite windows with fixed central panes and double hung side sashes
- Decorative brick detailing to walls, porch entries and gable ends
- Original low brick front fences
- Some original or early brick garages
- Garden settings.

Elements that contribute to the significance of 'Tower Hill' include:

- Single-storey Italianate-style villa with some Edwardian-era decorative influences
- Balustraded central tower with pairs of windows to each face
- Rendered brick construction (overpainted)
- Decorative roof ridging and finials
- Asymmetrical front elevation
- Return verandah with turned timber posts and timber fretwork
- Tall prominent chimneys with corniced capping
- Half timbering and rough cast render to gable end
- Tripartite window to the front gable end with segmental arched head and highlights containing leadlight glazing.

5, 15, 26 & 31 Tower Hill Road, 12 & 26 Munro Street and 146A High Street are not significant. Later alterations and additions to other properties, including rear additions, later garages/outbuildings and later fences are not significant.

How is it significant?

The Tower Hill Estate Precinct is of local historical, representative (architectural) and aesthetic significance to the City of Boroondara.

Why is it significant?

The Tower Hill Estate Precinct has strong associations with the late Interwar period of development in suburban Melbourne. In this period extensive tracts of land in Glen Iris and Ashburton – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. Many of these residential estates resulted from the subdivision of large Victorian or Edwardian-era landholdings, as was the case with the subdivision of the c1901 "Tower Hill" House Estate. The interwar period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. As a highly intact precinct of middle-class houses designed in various Interwar styles – along with the turn-of-the-century "Tower Hill" House – the Tower Hill Estate Precinct clearly illustrates this important phase of development in the City of Boroondara (**Criterion A**).

The Tower Hill Estate Precinct is a fine and highly intact example of a cohesive middle-class interwar residential precinct. Together the one and two-storey houses predominantly display typical features of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly in the interwar period, including clinker brick and rendered brick walls with decorative brick detailing, tiled roofs,

asymmetrical hipped and gable-ended roof forms, prominent chimneys, timber framed windows including tripartite window sets, generous front gardens and brick front fences (**Criterion D**).

'Tower Hill' house at 148 High Street, Ashburton is a distinctive and intact representative example of an Italianate-style residence in the City of Boroondara. The building displays important characteristics, typical of late nineteenth century/early twentieth century middleclass housing in Glen Iris and across Boroondara more broadly, including an asymmetrical form with imposing balustraded tower, prominent chimneys, imitation half-timbering and rough cast render to the front gable end, tripartite front window with leadlighting, and return verandah with turned timber posts and timber fretwork; the latter more typical of early 20th century decorative detailing (**Criterion D**).

The Tower Hill Estate Precinct forms a unified group of one and two-storey residences dating to the late interwar period and predominantly demonstrating characteristics of the English Domestic Revival style. The consistent application of high-quality materials and detailing, such as such as face clinker and rendered brick construction, prominent chimneys and porches, tripartite window sets and decorative brick detailing, in conjunction with their garden settings, present as highly picturesque streetscapes (**Criterion E**).

5.1 10 Munroe Avenue

10 Munro Avenue is proposed to be included as a contributory property in the Tower Hill Estate Precinct. The fence and garage are proposed to be listed as contributory in the Statement of Significance.

Figure 5 10 Munro Avenue, Ashburton



Source: Panel from site visit

Figure 6 **10 Munro Avenue garage**



Source: Mr Gard'ner's evidence

(i) The issues

The issues are whether the:

- property should be graded as contributory or non-contributory
- fence and garage should be listed as contributory in the Statement of Significance.

(ii) Evidence and submissions

The owners of 10 Munro Avenue supported the Amendment, but submitted the grading for the property should be changed to non-contributory, and its 'Contributory Fence/Garage' designation removed because:

- the house was substantially altered in the 1970s with an upper-storey addition and dormer-style windows, to the point that the house's relationship to the Precinct's significance is no longer clear
- the original low brick front fence has been removed and replaced by a high brick fence, which does not enhance the interwar character of the house and obscures the house from the street view
- the garage was added in the 1960s which does not match the house and is clearly of a different style, and detracts from the late interwar character of the Precinct.

The owners provided a photo of the original house taken in the early 1940s to illustrate how the changes have altered the overall character of the house.

Figure 7 10 Munro Avenue historic photo



Source: Mr Gard'ner's evidence

Mr Gard'ner acknowledged some changes have occurred to the property since its construction, including the construction of the side garage, replacement of the front fence, insertion of a dormer window into the main front roof pitch and alteration of gable end details. However he considered these changes to be relatively minor, and undertaken in a relatively sensitive manner. He did not consider they diminished the ability to appreciate the property as a substantially intact English Domestic Revival style property within a highly intact Precinct.

He described the property as of strong interwar character demonstrating several of the characteristics of the English Domestic Revival style that contribute to the significance of the Tower Hill Estate Precinct:

- consistent front setback with other properties in Munro Avenue
- brick construction
- gable-ended roof forms clad in terracotta tiles
- a predominantly asymmetrical front elevation
- tall prominent chimney
- an entry porch
- timber framed windows
- decorative brick detailing to the walls
- a garden setting.

He therefore considered the property should remain as a contributory graded property within the Precinct.

Mr Gard'ner accepted the historic photograph clearly demonstrates the side brick garage and front fence were constructed after the residence was constructed, and therefore recommended both the fence and garage be removed from the 'Contributory Fence/Garage' column in the Statement of Significance. Council supported this change.

(iii) Discussion

The Panel agrees with Mr Gard'ner that while 10 Munro Avenue has been modified over the years, it retains a number of the elements of interwar English Domestic Revival Style that characterise the Tower Hill Estate Precinct, including the consistent front setback with other properties in Munro Avenue, brick construction, a gable-ended terracotta tiled roof, an asymmetrical front elevation, timber framed windows and a garden setting. While the chimney is not particularly tall (compared to the house), it is prominent. The property presents to the street as relatively intact despite the addition of the dormer window, and can clearly be read as an interwar English Domestic Revival style home. It is located in a cohesive streetscape of similar properties. The Panel therefore agrees with Mr Gard'ner that the property should remain graded as contributory.

The fence and garage are clearly not original, and the Panel supports the proposed change to remove the fence and garage from the 'Contributory Fence/Garage' column in the Tower Hill Estate Precinct Statement of Significance.

(iv) Conclusion and recommendation

The Panel concludes:

- The property at 10 Munro Avenue should remain a contributory property in the Precinct.
- The garage at 10 Munro Avenue should be removed from the 'Contributory Fence/Garage' column in the Statement of Significance.

The Panel recommends:

Amend the Tower Hill Estate Precinct, Glen Iris and Ashburton Statement of Significance, May 2023:

- a) in the Precinct Grading Schedule, remove the fence and garage of 10 Munro Avenue, Ashburton from the 'Contributory Fence/Garage' column.

5.2 20 Munroe Avenue

20 Munro Avenue is proposed to be included as a contributory property in the Tower Hill Estate Precinct. The fence and garage are proposed to be listed as contributory in the Statement of Significance.

Figure 8 20 Munro Avenue, Ashburton



Source: Panel from site visit

(i) The issues

The issues are whether the:

- fence and garage should be listed as contributory
- property itself should be listed as contributory or included in the Precinct.

(ii) Evidence and submissions

The owners of 20 Munro Avenue opposed the grading of the fence and garage as contributory. They submitted the garage now has a roller door which is not original and is not big enough to fit a car. They submitted the garage is not able to be used for its intended purpose, and the fence is impractical with a gate that is barely wide enough to fit a modern car. They submitted the fence is not representative of other fences in the street.

A supplementary late submission filed on behalf of the owners (S25) broadly supported the Amendment, but questioned the contributory status of the property, stating:

... there are many historically significant homes and architecture that is unique and should be preserved for historical and cultural reasons but this house at 20 Munro Street isn't one of them and we request that it is struck off the heritage list ...

Mr Gard'ner's evidence was the property is a late interwar red brick residence with an attached red brick garage (with a later roller door) and low red brick front fence. He produced some historical aerial imagery which demonstrated the presence of the garage in 1945. His evidence was that fences and garages can contribute to the significance of the Precinct, allowing for the historic design and function of properties to be more fully appreciated. He stated:

Within the Tower Hill Estate Precinct, the original and early garages demonstrate the rise of private vehicle ownership at the time of the Precinct's development while the low fences reflect greater levels of openness and sense of community in suburban development at the time.

Mr Gard'ner concluded that while the garage had been altered (with the addition of a roller door):

It is my view that the fence and garage are appropriately identified as elements that contribute to the significance of the Tower Hill Estate Precinct.

Regarding the property's contributory status and whether it should remain as part of the Precinct, Mr Gard'ner responded that the reasons cited in S25 for removing the property were (in addition to restating the garage and fence concerns):

- the internal layout of the house is not conducive to modern living
- there is no architectural feature that makes the home stand out as culturally or historically significant
- the house is of a basic form with common hipped roof and "*nondescript architecture*".

Mr Gard'ner agreed the property is a simple, modestly-scaled residential example of the late interwar period. He emphasised the GJM Review did not suggest the property is individually unique or of architectural merit in its own right. Rather, it demonstrates elements of modestly-scaled late interwar development that contribute to the significance of the Precinct as a whole, including:

- strong interwar character
- consistent front setbacks
- brick construction with an original low brick fence and side garage
- hipped and gable-ended roof forms, clad in terracotta tiles
- an asymmetrical front elevation

- timber framed tripartite windows
- a garden setting.

He noted internal alteration controls are not proposed for the Precinct and internal changes to accommodate a more functional layout can occur without requiring a planning permit. He concluded:

It is therefore my position that the property should remain as a 'Contributory' graded property within the Tower Hill Estate Precinct.

(iii) Discussion

The Panel agrees with Mr Gard'ner that notwithstanding the pergola that has been added to the front of the house, 20 Munro Avenue retains a number of the elements of interwar English Domestic Revival Style that characterise the Tower Hill Estate Precinct, including the consistent front setback with other properties in Munro Avenue, brick construction, a gable-ended terracotta tiled roof, an asymmetrical front elevation, timber framed windows and a garden setting. The property presents to the street as relatively intact despite the addition of the pergola (which is an easily reversible change), and can clearly be read as an interwar English Domestic Revival style home. It is located in a cohesive streetscape of similar properties. The Panel therefore agrees with Mr Gard'ner that the property should remain in the Precinct, graded as contributory.

The Panel also agrees with Mr Gard'ner that the fence and garage should remain graded as contributory in the Statement of Significance. The Panel accepts that garages are an important feature that contributes to the significance of the Tower Hill Estate Precinct. While the roller door is clearly a later addition to the garage, the structure itself appears to be original, and the roller door is at least a partially reversible change. The fence appears to be in original condition.

(iv) Conclusions

The Panel concludes:

- 20 Munro Avenue should be retained in the Tower Hill Estate Precinct as a contributory property.
- The fence and garage should remain listed as contributory in the Statement of Significance for the Precinct.

Appendix A Submitters to the Amendment

No.	Submitter	No.	Submitter
1	David Haigh	14	Paul McMahon
2	Dion Makowski	15	Robyn Moore
3	Christina Branagan	16	Sarah Perkins
4	John Tiborc	17	Andrew Ranger
5	Melanie Eardley	18	Ian Russell
6	Axel Ackerman	19	Robert Moffatt
7	David Haig (second submission)	20	Greg Price
8	Rosemary Blanden	21	Sara Jenner
9	Jane Oldham	22	Margaret Hones
10	Sandra Alexander	23	Bruce Jones
11	Nerida Muirden	24	Penelope Anastasiadis
12	Stephanie Kapes	25	Impact Development Group Pty Ltd (late submission on behalf of the owners of 20 Munro Avenue)
13	Georgia Pinto		

Appendix B Document list

No.	Date	Description	Provided by
1	15 Nov 23	Panel Directions and Hearing Timetable (version 1)	Planning Panels Victoria (PPV)
2	20 Nov 23	Submitter location map (not public)	Boroondara City Council (Council)
3	20 Nov 23	Maps showing: - original extent of the Mont Iris Estate and Environs Precinct, compared to the Amendment land - properties in dispute	Council
4	20 Nov 23	Glen Iris Gap Heritage Study – Mont Iris Estate extract	Council
5	20 Nov 23	Statement of Significance for the Mont Iris Estate as originally proposed, January 2021	Council
6	20 Nov 23	Panel report for Amendment C333boro, 20 January 2022	Council
7	27 Nov 23	Council Part A submission	Council
8	4 Dec 23	Expert witness report – Jim Gard’ner, GJM Heritage	Council
9	5 Dec 23	Hearing Timetable (version 2)	PPV
10	8 Dec 23	Council Part B submission	Council
11	8 Dec 23	Summary of evidence – Jim Gard’ner, GJM Heritage	Council
12	11 Dec 23	Photos (in 3 parts)	G Price
13	11 Dec 23	Speaking notes	G Price

Appendix C Planning context

C:1 Planning policy framework

Council submitted the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Victorian planning objectives

The Amendment will implement the Victorian planning objectives in section 4 of the PE Act which include 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 (section 4(1)(d))
- balance the present and future interests of all Victorians (section 4(1)(g)).

Clause 2 (Municipal Planning Strategy)

The Amendment is consistent with and implements the strategic direction outlined in the Municipal Planning Strategy at Clause 02.03-4 to:

... protect all individual places, objects and precincts of cultural, aboriginal, urban and landscape significance.

Clause 15 (Built environment and heritage)

The Amendment supports:

- Clause 15.01-5S (Neighbourhood character) which seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place
- Clause 15.03-1S (Heritage conservation) which seeks to ensure the conservation of places of heritage significance. Relevant strategies are:
 - Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
 - Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance.
 - Encourage appropriate development that respects places with identified heritage values.
 - Retain those elements that contribute to the importance of the heritage place.
 - Encourage the conservation and restoration of contributory elements.
 - Ensure an appropriate setting and context for heritage places is maintained or enhanced.

Clause 15.03-1L contains Boroondara's local heritage policy. It has the following objectives:

- To preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm.
- To facilitate sympathetic new buildings which extend the life of 'significant' heritage places.
- To retain and conserve 'contributory' places and fabric in the Heritage Overlay which are visible from the primary street frontage.
- To facilitate sympathetic additions, alterations and new buildings to 'contributory' heritage places which are massed, detailed, finished and located to preserve the presentation of the place from the street.

- To ensure buildings and works to 'non-contributory' properties are sympathetic to the heritage values of the precinct and complement the precinct's heritage built fabric by being respectful of the scale, massing, rhythm and detailing.

The policy contains detailed strategies and guidelines for 'significant', 'contributory' and 'non-contributory' heritage places, which would guide future decision making once the Heritage Overlay applies. There are also strategies and guidelines for (among other things) fences, landscaping, outbuildings, servicing and the like.

C:2 Other relevant planning strategies and policies

Plan Melbourne

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

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

- **Outcome 4:** Melbourne is a distinctive and liveable city with quality design and amenity
 - **Direction 4.4:** Respect Melbourne's heritage as we build for the future
 - **Policy 4.4.1:** Recognise the value of heritage when managing growth and change
 - **Policy 4.4.4:** Protect Melbourne's heritage through telling its stories.

Direction 4.4 states:

Heritage will continue to be one of Melbourne's competitive strengths, contributing to its distinctiveness and liveability and attracting visitors, new residents, and investors. Heritage is an important component of Victoria's tourism industry and benefits the economy.

Policy 4.4.1 states:

There will need to be 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.

Council submitted the Amendment will not compromise the implementation of Plan Melbourne. In response to a question from the Panel as to how it would not compromise Plan Melbourne, Council clarified that the Amendment would not lock up a substantial portion of properties in the municipality such that the municipality may not achieve expectations in Plan Melbourne that it accommodates its fair share of Melbourne's growth.

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.

Council submitted the Amendment implements the Strategic Objective of Theme 4 of the Plan:

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.

C:3 Planning scheme provisions

The Heritage Overlay purposes are:

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

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

C:4 Ministerial Directions, Planning Practice Notes and guides

Ministerial Directions

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

- Ministerial Direction 9 (Metropolitan Planning Strategy)
- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Planning Practice Note 46 (Strategic Assessment Guidelines).

That discussion is not repeated here.

Planning Practice Note 1: Applying the Heritage Overlay

PPN01 provides guidance about using the Heritage Overlay. It states the Heritage Overlay should be applied to, among other places:

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

PPN01 specifies that documentation for each heritage place needs to include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria. It recognises the following model criteria (the HERCON criteria) that have been adopted for assessing the value of a heritage place:

- Criterion A:** Importance to the course or pattern of our cultural or natural history (historical significance).
- Criterion B:** Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).
- Criterion C:** Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- Criterion D:** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- Criterion E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

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

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

Practitioner's Guide

A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022 (Practitioner's Guide) sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure:

- the intended outcome is within scope of the objectives and power of the PE Act and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the Victoria Planning Provisions in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

Attachment 2: Amendment C394boro - Mont Iris Estate and Environs Precinct Peer Review - Consideration of Panel Report
Officer response to Panel's recommendations

Panel recommendation	Recommendations	Officers' response to recommendation	Officers' recommendation
1	Adopt Boroondara Planning Scheme Amendment C394boro with the changes recommended in the Panel Report.	<p>Officers note the Panel's consideration and review of submissions and expert evidence.</p> <p>The recommended changes in the Panel Report are consistent with the post-exhibition changes endorsed by the Urban Planning Delegated Committee (UPDC) on 16 October 2023.</p>	<p>Accept the Panel's recommendation.</p> <p>Adopt Amendment C394boro as recommended by Panel.</p>
2	Correct the exhibited Heritage Overlay maps to include 33 Tower Hill Road, Ashburton.	<p>This recommendation relates to the administrative error omitting the property at 33 Tower Hill Road, Ashburton from the exhibited planning scheme map relating to the Tower Hill Estate Precinct.</p> <p>Officers agree with the Panel's recommendation to correct the planning scheme maps following the panel hearing. This approach was endorsed by the UPDC on 16 October 2023.</p>	<p>Accept the Panel's recommendation.</p> <p>Adopt Amendment C394boro as recommended by Panel.</p>
3	<p>Amend the schedule to the Heritage Overlay:</p> <p>a) In Clause 2.5 (the table containing HO800 to HO1000), in the column headed 'Outbuildings or fences not exempt under Clause 43.01-4', replace the exhibited text for:</p> <ul style="list-style-type: none"> HO956 with 'Yes – fences and garages listed in the 'Contributory fence/garage' column in the Precinct Gradings Schedule in the Dent Street Precinct, Glen Iris Statement of Significance, May 2023' 	<p>This recommendation relates to the activation of fence and outbuilding controls in the Schedule to the Heritage Overlay for those fences and outbuildings listed as contributory in the gradings schedules for each precinct.</p> <p>Officers agree with the Panel's conclusion and recommendation it is appropriate to maintain the default planning permit trigger for fences and garages, given these features are important contributory elements to the significance of the precincts. The Panel supported the approach of third party notice and review rights only applying to planning permit applications to demolish or</p>	<p>Accept the Panel's recommendation.</p> <p>Adopt Amendment C394boro as recommended by Panel.</p>

Attachment 2: Amendment C394boro - Mont Iris Estate and Environs Precinct Peer Review - Consideration of Panel Report
Officer response to Panel's recommendations

Panel recommendation	Recommendations	Officers' response to recommendation	Officers' recommendation
	<ul style="list-style-type: none"> HO957 with 'Yes – fences and garages listed in the 'Contributory fence/garage' column in the Precinct Gradings Schedule in the High Street North Precinct, Glen Iris Statement of Significance, May 2023' HO958 with 'Yes – fences and garages listed in the 'Contributory fence/garage' column in the Precinct Gradings Schedule in the Tower Hill Estate Precinct, Glen Iris and Ashburton Statement of Significance, May 2023'. 	<p>remove a fence or garage identified as contributory in the relevant Statement of Significance.</p> <p>This approach to fence and outbuilding controls has been consistently proposed throughout the amendment.</p>	
4	<p>Amend the Dent Street Precinct, Glen Iris Statement of Significance, May 2023:</p> <p>a) in the Precinct Grading Schedule, remove the garage of 44 Dent Street, Glen Iris from the 'Contributory Fence/Garage' column.</p>	<p>The Panel supported the deletion of the garage at 44 Dent Street from the 'contributory fence/garage' column in the citation on the basis of the garage not being original.</p> <p>The recommended change is consistent with the post-exhibition changes endorsed by the UPDC on 16 October 2023.</p>	<p>Accept the Panel's recommendation.</p> <p>Adopt Amendment C394boro as recommended by Panel.</p>
5	<p>Amend the Tower Hill Estate Precinct, Glen Iris and Ashburton Statement of Significance, May 2023:</p> <p>a) in the Precinct Grading Schedule, remove the fence and garage of 10 Munro Avenue, Ashburton from the 'Contributory Fence/Garage' column.</p>	<p>The Panel supported the deletion of the front fence and garage at 10 Munro Avenue, Ashburton from the 'contributory fence/garage' column in the citation on the basis of the fence and garage not being original.</p> <p>The recommended change is consistent with the post-exhibition changes endorsed by the UPDC on 16 October 2023.</p>	<p>Accept the Panel's recommendation.</p> <p>Adopt Amendment C394boro as recommended by Panel.</p>



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PREPARED FOR: Boroondara City Council
DATE: 12 September 2023 – Post Exhibition Changes
FILE: 2022-028

PROJECT TEAM

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- Ros Coleman | Associate
- Felicity Coleman | Senior Heritage Consultant

The subject site forms part of the traditional lands of the Wurundjeri People, who are represented by the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation. This report is limited in its scope to consideration of post-contact cultural heritage and does not provide advice on any Aboriginal cultural heritage significance. Nonetheless, we acknowledge the Wurundjeri People as the Traditional Owners of the land within this study area and pay our respects to their Elders past and present. For more information on the Wurundjeri People, please visit <https://www.wurundjeri.com.au/>.

Cover page image: High Street, Glen Iris (GJM Heritage, July 2022)

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APPENDICES

APPENDIX 1 - DETAILED HERITAGE ASSESSMENTS

1 INTRODUCTION

GJM Heritage has been engaged by Boroondara City Council to undertake an independent review of the Mont Iris Estate and Environs Precinct Heritage Citation and Statement of Significance prepared by Context and Trethowan Architecture as part of the *City of Boroondara Municipal-Wide Heritage Gap Study: Volume 7 – Glen Iris*. The Precinct was recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as HO901 and was exhibited as part of Amendment C333boro in March 2021. Following a Panel Hearing in September 2021, Panel recommended that the proposed precinct not be progressed through the Amendment as 'the area described as the Mont Iris Estate and Environs Precinct does not present as a single cohesive heritage precinct.'¹

We have approached this review in two stages.

In **Stage 1** we completed a review of the Heritage Citation prepared for the Mont Iris Estate and Environs Precinct and subsequent Panel Report discussion and recommendations to identify potential gaps in the research and assessment. We then completed a site-walk of the precinct to review the heritage assessment and the Panel recommendations against the on-ground conditions. Site visits were conducted on 12, 14 and 26 July 2022. All photos included in this report were taken during these site visits unless otherwise stated.

Our findings and recommendations from Stage 1 are detailed in Sections 3, 4 & 5 of this report. In summary, we found that the following three discrete precincts and two individual places within the originally identified Mont Iris Estate and Environs Precinct warranted further assessment for inclusion in the Heritage Overlay:

- High Street North Precinct, Glen Iris
- Dent Street Precinct, Glen Iris
- Tower Hill Estate Precinct, Glen Iris & Ashburton
- 7 Fuller Avenue, Glen Iris
- 33 Fuller Avenue, Glen Iris

In **Stage 2** we completed detailed heritage assessments for these properties and precincts and concluded that they warranted inclusion in the Heritage Overlay. These assessments are provided at Appendix 1 to this report.

2 MONT IRIS ESTATE AND ENVIRONS PRECINCT

The proposed Mont Iris Estate and Environs Precinct comprised a number of properties located within Glen Iris and Ashburton, in the streets generally bounded by Albion Road to the west, Dent Street to the south, Munro Avenue to the east and High Street to the north (Figure 1). This large area historically comprised a number

¹ *Boroondara Planning Scheme Amendment C333boro Glen Iris Heritage Panel Report*, Planning Panels Victoria, 20 January 2022, p ii.

of interwar subdivisions, with houses generally dating from the early 1920s through to the late 1940s and ranging in architectural styles and detailing.

Following the Panel Hearing for Amendment c333boro, the Panel Report noted that:

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

... The precinct, as exhibited, is not intact enough to achieve local significance, and should not progress through the Amendment. However, there are areas, particularly the north-eastern part, which are cohesive enough to meet the threshold of local heritage significance, but the boundary of such areas needed to be determined through further review. It agrees with Ms Schmeder that further work is needed to define these areas after reviewing their cohesiveness.²

The Panel Report also included a number of recommendations for Council if they determined to proceed with a review of the proposed precinct. These recommendations are shown graphically at Figure 2 below.



Figure 1. Original Precinct Map for Mont Iris Estate and Environs Precinct (Source: Context).

Red: Significant
Green: Contributory
Hatched: Not contributory

² Boroondara Planning Scheme Amendment C333boro Glen Iris Heritage Panel Report, Planning Panels Victoria, 20 January 2022, p 27.



Figure 2. Annotated Precinct Map showing panel recommendations (Source: GJM Heritage).

Purple: Significant
Green: Contributory
Grey: Not contributory
Yellow hatched: Panel recommended to exclude

3 STAGE 1 - FINDINGS

In Stage 1 we completed a desktop review of the Heritage Citation and Panel Report, undertook further historical analysis and walked the extent of the Mont Iris Estate and Environs Precinct on 12, 14 and 26 July 2022 to review on-ground condition. Our Stage 1 findings were as follows:

- We concur with Panel that there is a lack of cohesiveness within parts of the proposed Mont Iris Estate and Environs Precinct. There is a lack of consistency in the period of construction, architectural style and materials found throughout the proposed precinct. The level of intactness of the western part of the precinct in particular is broadly consistent with many other non-heritage areas within the municipality and does not warrant inclusion in the Heritage Overlay as a heritage precinct.
- We concur with Panel that the areas comprising Bridge Street, Fuller Avenue and Vale Street should be excluded from any potential precinct. The northern section of Fuller Avenue comprises a streetscape of predominantly modest Californian Bungalow style houses; however, the extent of new infill development and highly visible “pop-top” additions to a number of the existing bungalows means that this streetscape is no longer considered to be sufficiently intact to meet the threshold for local significance as a precinct.
- We consider that the central part of the proposed precinct, generally comprising Sherwood Street, Mont Iris Avenue and Hilltop Avenue is not cohesive enough to meet the threshold of local significance. There is a lack

of consistency in materiality, architectural style and period of construction in these streets, with houses ranging in date from the early interwar to the postwar period, with later infill also evident. In our view, this area does not form a cohesive precinct, particularly when compared to other heritage precincts in the nearby area, such as the Goodwin Street & Somerset Road Precinct (HO226) and the Great Glen Iris Railway Junction Estate (HO227). The intactness of this area is broadly consistent with many other non-heritage areas within the municipality.

- Three potential precincts within the boundaries of the proposed Mont Iris Estate and Environs Precinct have been identified through our review. These are:
 - The row of properties located on the north side of High Street between Hillcrest and Summerhill roads (High Street North Precinct, Glen Iris);
 - Houses located on the north side of Dent Street, numbering 6-28 and 40-60 (Dent Street Precinct, Glen Iris); and
 - Houses within the historic Tower Hill Estate (comprising 1-28 Tower Hill Road, 2-32 Munro Avenue and 142-148 High Street, Glen Iris and Ashburton).
- Two of the four places graded 'Significant' in the original study (7 Fuller Avenue and 148 High Street) are considered to meet the threshold for individual significance and should be included in the Heritage Overlay – 7 Fuller Avenue as a site-specific Heritage Place and 148 High Street as 'Significant' within the proposed Tower Hill Estate Precinct. The two other places (133 High Street and 152 Summerhill Road) are not considered to meet the threshold for individual significance and should be graded 'Contributory' within the proposed High Street North Precinct, Glen Iris.
- The house at 33 Fuller Avenue is also considered to meet the threshold for individual significance and should be included in the Heritage Overlay as a site-specific Heritage Place. We note that the Panel recommended that 33 Fuller Avenue be re-categorised from 'Contributory' to 'Significant' within a potential future precinct as the 'house is an intact and imposing example of an interwar Old English revival home, with an architectural pedigree'.

4 STAGE 1 – RECOMMENDATIONS FOR POTENTIAL NEW PRECINCTS

4.1 High Street North Precinct, Glen Iris, 127-141 High Street & 152 Summerhill Road, Glen Iris

4.1.1 Location

The houses at 127-141 High Street & 152 Summerhill Road, Glen Iris are located on the north side of High Street, between Hillcrest Road and Summerhill Road. The proposed precinct comprises a row of substantial single and two-storey brick houses constructed in a variety of Interwar architectural styles.

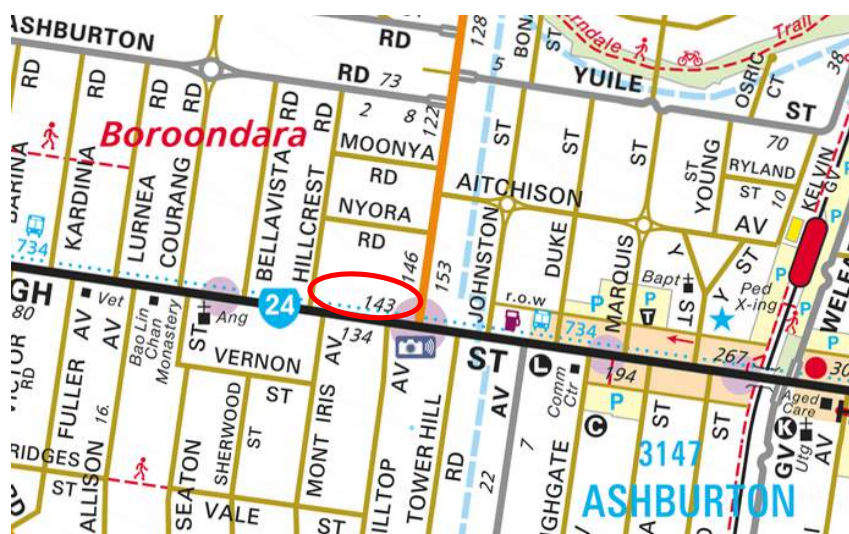


Figure 3. Location map of the proposed precinct – indicated by red oval (Source: Melway).



Figure 4. Aerial of proposed precinct – indicated (Source: Nearmap).

4.1.2 Historical Summary

By the late nineteenth century, a number of substantial villas had been built in High Street in the Glen Iris area. From 1915, residential estates were subdivided from the grounds of some of these residences and other villas. This part of the suburb is known as Upper Glen Iris.³

The houses at 127-141 High Street and 152 Summerhill Road formed part of a large subdivision known as Glen Iris Heights Estate, which comprised land bounded by Glen Iris Road to the west, High Street to the south, Summerhill Road to the east and

³ 'Mont Iris Estate and Environs Precinct Heritage Citation', *Boroondara Municipal Wide Heritage Study Volume 7 – Glen Iris*, prepared by Context, 2020, p 60.

Ashburton Road to the north.⁴ The expansive estate, comprising 72 acres and five perches, formed Crown Portion 136 of the Parish of Boroondara in the County of Bourke, and was bought in its entirety by auctioneer, Percy Owen of Equitable Building in 1915.⁵

The Glen Iris Heights Estate was marketed as some of 'the finest blocks in Australia'⁶, with sales notices observing 'the centrality of this Estate, its proximity to Chapel Street, and easy access to St Kilda and all other suburbs'⁷; its proximity to public transport: 'Five minutes from the High Street Glen Iris Electric Trams. Five minutes from Glen Iris Railway Station. Right on the proposed High Street Electric Tramway extension'⁸; and its elevated siting, which afforded 'the most wonderful cyclorama of views in Australia'.⁹

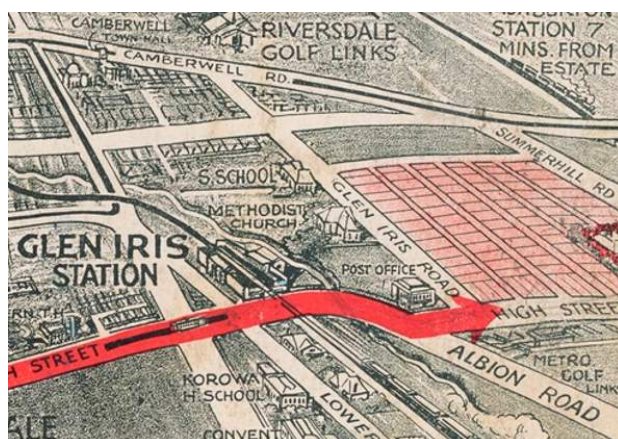


Figure 5. Detail of an advertisement for the Glen Iris Heights Estate, undated (Source: State Library of Victoria)



Figure 6. Subdivision plan showing the large estate purchased by Percy Owens prior to subdivision, 1915 (Source: Landata Victoria)

⁴ Album of clippings and photographs relating to the Glen Iris Heights Estate, c1925-1929, pp 30-32, State Library of Victoria.

⁵ Certificate of Title, Volume 3887, Folio 400, Landata Victoria.

⁶ *The Age*, 20 March 1920, p 25.

⁷ Album of clippings and photographs relating to the Glen Iris Heights Estate, c1925-1929, p 5, State Library of Victoria.

⁸ Album of clippings and photographs relating to the Glen Iris Heights Estate, c1925-1929, p 7, State Library of Victoria.

⁹ Album of clippings and photographs relating to the Glen Iris Heights Estate, c1925-1929, p 6, State Library of Victoria.

In 1916, Owen erected a villa on the block bounded by Hillcrest Road, High Street, Summerhill Road and Nyora Road. The brick house contained 10 rooms and was set back from all street frontages, with access provided from High Street, Hillcrest Road and Nyora Road.¹⁰ It appears its primary address was to High Street and at different times was addressed as 127 High Street and 131 High Street.¹¹ In 1924, Owen put the property up for sale, at which time it was described as a 'modern terra cotta tiled roof villa' with a 'large wired-in sleep-out...situate on the highest and best part of the Glen Iris Heights Estate'.¹² The house was purchased by Andrew Hamilton and Elizabeth Frances Baird, who resided at the property until their deaths in 1934 and 1938 respectively.¹³ The villa became known as 'Ashburton House' at this time.¹⁴ Andrew Baird was a prominent Western District grazier, who also owned property near Warrnambool.¹⁵ Following his death in 1934, Ashburton House was put up for sale, at which time it was advertised as a 'beautiful modern gentleman's home on highest point in district'.¹⁶ The sales notice also noted that:

*If not sold as a whole, the house will be submitted on 1 acre of land, with 87 ft frontage to High Street, and 3 blocks approx. 55 ft each frontage to High Street will be submitted separately.*¹⁷

Elizabeth Baird remained at Ashburton House until her own death in 1938, and the house remained in her name until that time.¹⁸ As per the auction notice, the surrounding land was re-subdivided and a number of lots fronting High Street (located within the High Street North Precinct, Glen Iris) were sold off in 1935.

Somewhat confusingly, it appears that at the time of the Hamiltons' earlier purchase of Ashburton House in 1924, Owen subdivided and made a first attempt to sell the lots around the villa. Four lots at the corner of High Street and Summerhill Road were sold at this time, while the remaining lots fronting High Street remained as part of Ashburton House, until their re-subdivision and sale in 1935.

The first house to be constructed within the precinct was the attic bungalow at 152 Summerhill Road, which formed part of this earlier 1920s subdivision of Ashburton House. The property, which comprised Lot 7 of this subdivision, was purchased by Leslie Jehu Brown in August 1925 and on-sold to Joseph Walter and Elizabeth Maude King in October the same year. Originally addressed as 143 High Street, the house was constructed by the Kings in c1926-27 and was known as Ellesmere.¹⁹

¹⁰ Camberwell and Waverley Rate Books, 1916, p 51, accessed via www.ancestry.com, 19 July 2022.

¹¹ S&M, 1930; Victorian Electoral Roll, 1937 accessed via www.ancestry.com, 19 July 2022.

¹² *Argus*, 30 January 1924 p 2.

¹³ 'Andrew Hamilton Baird' & 'Elizabeth Frances Baird', Victorian Electoral Roll, 1925, accessed via www.ancestry.com, 19 July 2022; Camberwell and Waverley Rate Books, 1925-26, p 109, accessed via www.ancestry.com, 19 July 2022.

¹⁴ 'Andrew Hamilton Baird' & 'Elizabeth Frances Baird', Victorian Electoral Roll, 1925, accessed via www.ancestry.com, 19 July 2022.

¹⁵ *Herald*, 13 September 1934, p 7.

¹⁶ *The Age*, 24 November 1934, p 3.

¹⁷ *The Age*, 24 November 1934, p 3.

¹⁸ *Herald*, 29 August 1938, p 3.

¹⁹ 'Joseph Walter King', Victorian Electoral Roll, 1927, accessed via www.ancestry.com, 19 July 2022.

The remaining houses within the precinct, with the exception of 131 High Street, were constructed by 1940.²⁰ The house at No. 131 was built in the immediate postwar period, between 1945 and 1950.²¹

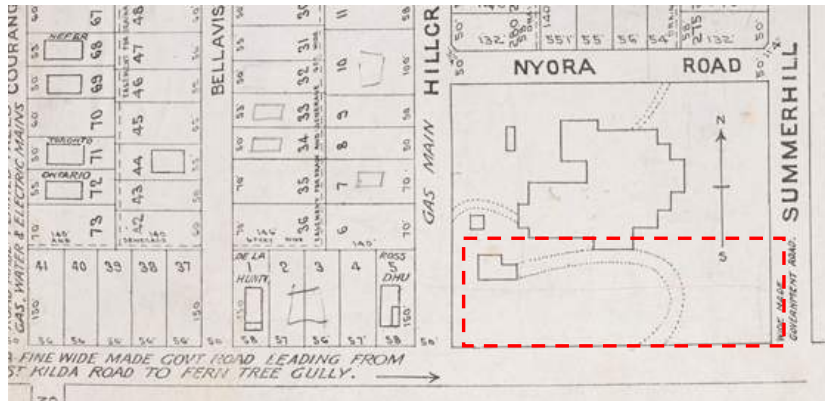


Figure 7. Subdivision plan for the Glen Iris Heights Estate showing the brick villa located between Hillcrest and Summerhill roads. Note that the house is not drawn to scale. The approximate location of the proposed precinct is indicated by the red rectangle (Source: State Library of Victoria)

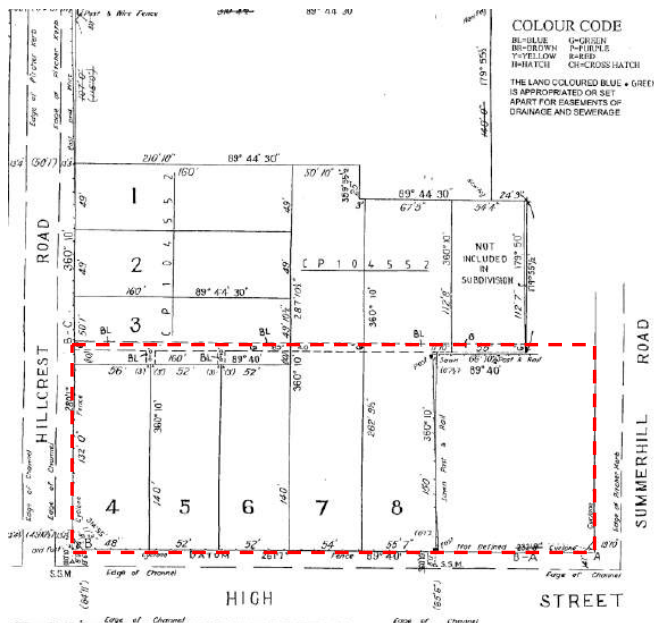


Figure 8. Subdivision plan showing lots with frontages to High Street which were sold off from Ashburton House in 1935. An approximate precinct boundary is indicated (Source: Landata Victoria)

²⁰ S&M, 1935; 1940.

²¹ S&M, 1945; 1950.

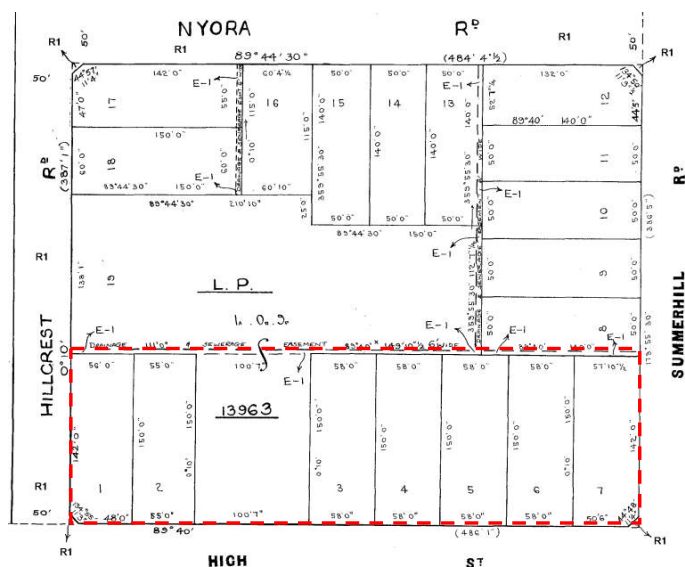


Figure 9. Earlier 1922 subdivision plan showing Owen's first attempt at subdividing and selling the land around Ashburton House. Lots 4-7 with frontages to High Street were purchased around this time. An approximate precinct boundary is indicated (Source: Landata Victoria)

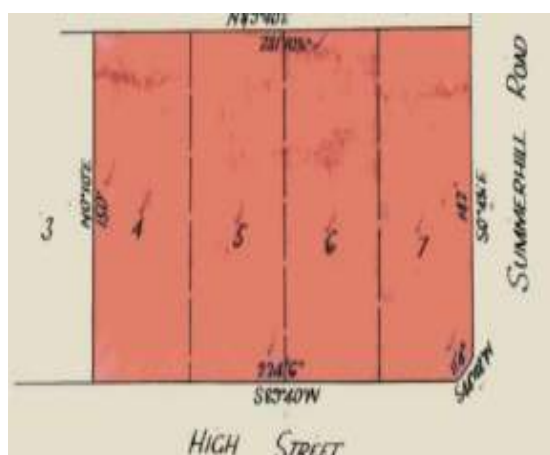


Figure 10. Certificate of title subdivision plan for 152 Summerhill Road, showing Brown's purchase of the four lots fronting High Street at the corner with Summerhill Road, 1925 (Source: Landata Victoria)

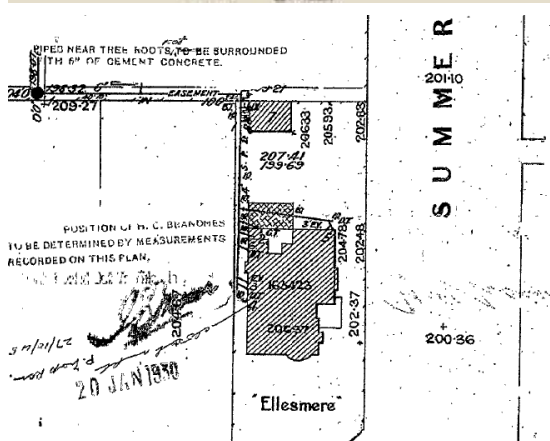


Figure 11. Property sewerage plan, showing the house at 152 Summerhill Road, 1930 (Yarra Valley Water)



Figure 12. 1931 aerial showing Ashburton House originally constructed by Percy Owen in 1916 and later bought by Andrew and Elizabeth Baird. 152 Summerhill Road can be seen at the right-hand corner of the approximate precinct boundary. It was constructed the previous year, in 1930. No other houses in the precinct had yet been constructed.



Figure 13. Aerial photograph, 1945 showing development of the north side of High Street. All houses with the exception of 131 High Street had been constructed by this time (Landata Victoria)

4.1.3 Description and Characteristics

The houses on the north side of High Street between Hillcrest and Summerhill roads present a highly intact streetscape of substantial houses in the interwar style. Constructed in a variety of interwar styles, including English Domestic Revival and Streamlined Moderne, the houses exhibit a range of characteristics, materiality and detailing that are typical of the interwar period. Houses are single or two-storey and of brick or render construction, with steeply pitched gable-ended roofs or hipped roofs clad in terracotta tiles, and prominent chimneys. Typical features include entry porches, timber casement windows, and decorative brick detailing around windows and arched entries.

Houses within the precinct are generally set back from the street behind modest front gardens and a number retain their original brick front fences. A number of houses also retain their original brick garages.

Address	Photo	Context / Trethowan grading	GJM proposed grading
127 High Street, Glen Iris		Contributory	Contributory
129 High Street, Glen Iris		Contributory	Contributory
131 High Street, Glen Iris		Contributory	Contributory
133 High Street, Glen Iris		Significant	Contributory
135 High Street, Glen Iris		Contributory	Contributory

137 High Street, Glen Iris



Contributory

Contributory

139 High Street, Glen Iris



Contributory

Contributory

141 High Street, Glen Iris



Contributory

Contributory

152 Summerhill Road, Glen Iris



Significant

Contributory

4.2 Dent Street Precinct, Glen Iris

4.2.1 Location

The houses at 6-28 & 40-60 Dent Street, Glen Iris are located on the north side of Dent Street. The proposed precinct comprises a row of modest, predominantly single-storey brick houses dating to the interwar and early World War II period. It excludes the properties at 30-38 Dent Street (between Sherwood St and Mont Iris Ave) which were developed later.

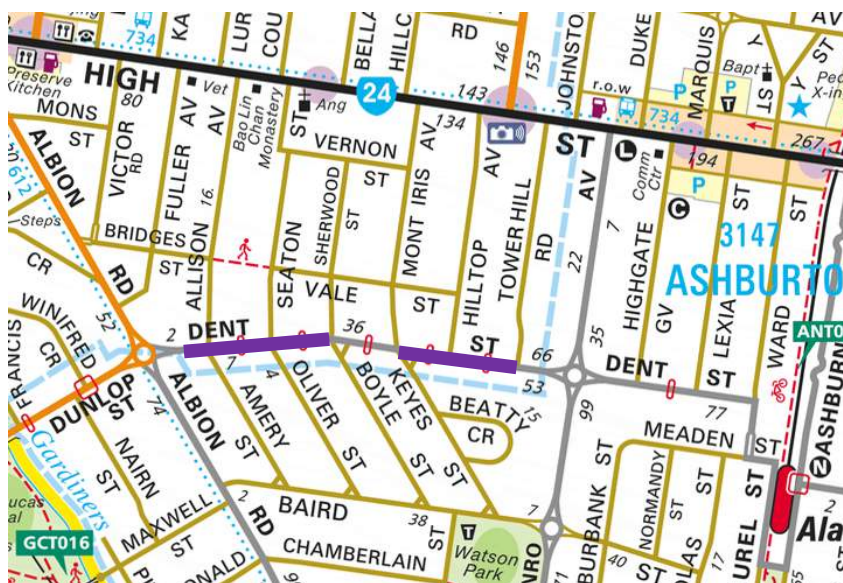


Figure 14. Location map showing proposed Dent Street Precinct, indicated by a purple line (Source: Melway).

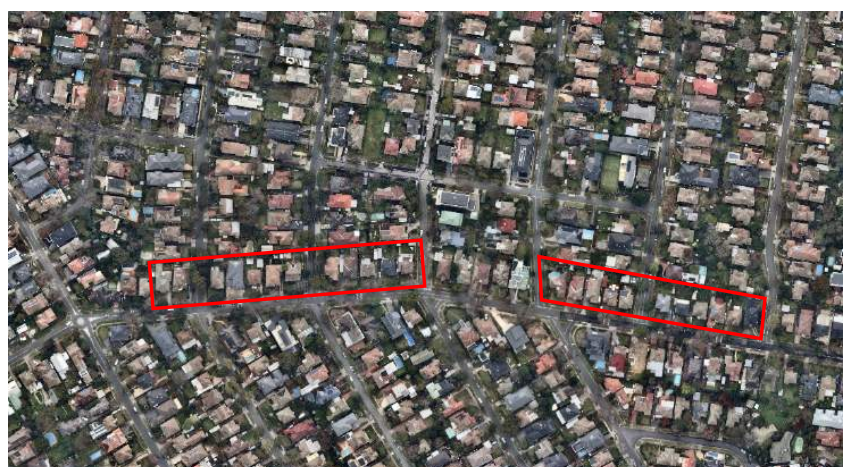


Figure 15. Aerial photograph of proposed Dent Street Precinct (Source: Nearmap).

4.2.2 Historical Summary

Dent Street formed part of a large subdivision known as Albion Park Estate, which comprised land bounded by Albion Road to the west, Bridges Street-Vale Street to the north, Munro Street to the east and Baird Street to the south (Figure 16). The estate was subdivided in 1923, at which time it was advertised as ‘cheap land’ located five minutes from Darling Station.²² An aerial photograph dating to 1931 shows that Albion Park Estate remained largely undeveloped at this time while Dent Street was in the course of being laid out (Figure 17). Likely due to the economic depression of the time, in 1935 allotments in the Albion Park Estate were advertised for sale with ‘plans obtainable from liquidator’.²³

²² *Herald*, 11 December 1923, p 20.

²³ *Herald*, 14 April 1937, p 20.

By 1937, the houses at 20-28 and 50 Dent Street had been constructed (Figure 19). Development of the north side of Dent Street was largely complete by 1940 (Figure 20)

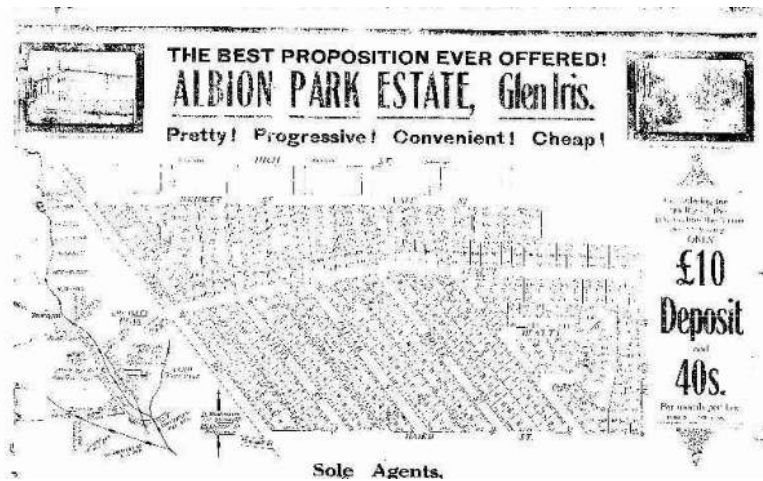


Figure 16. Plan of Albion Park Estate showing the large subdivision, undated but likely 1923 (Source: Stonnington History Centre)



Figure 17. Aerial photograph, 1931 showing Dent Street being laid out, indicated by red arrow (Source: Landata Victoria)

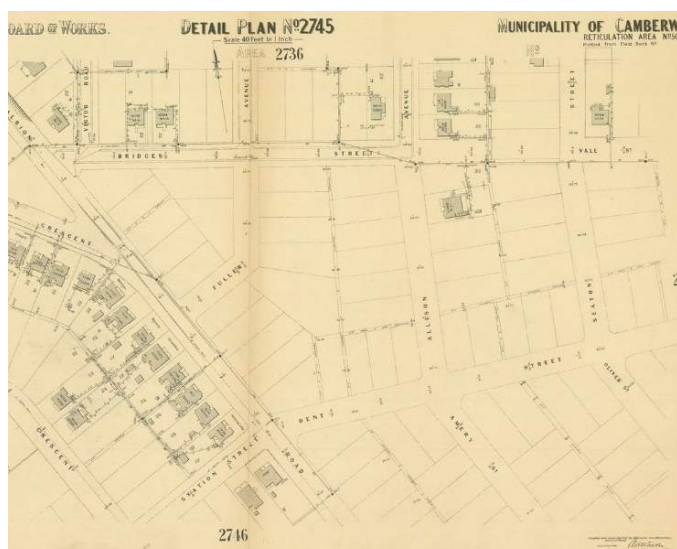


Figure 18. MMBW Detail Plan 2745 showing vacant lots at 2-22 Dent Street in 1927 (Source: State Library of Victoria)

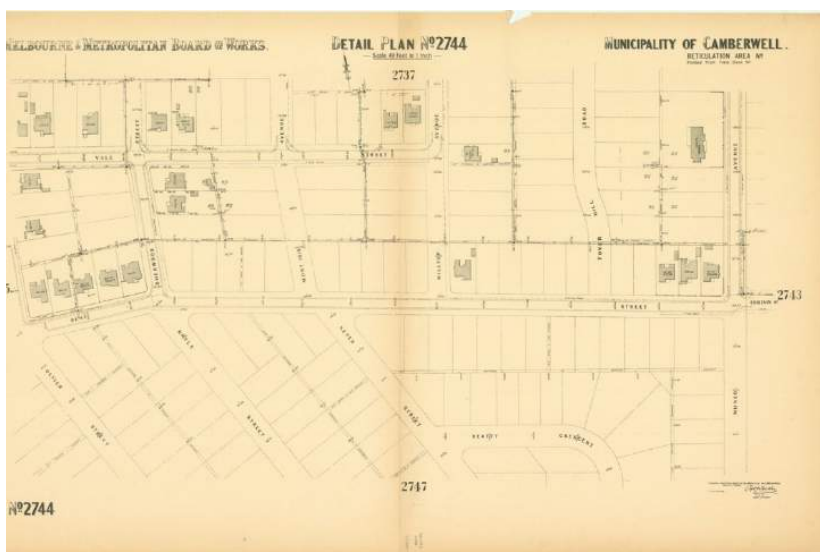


Figure 19. MMBW Detail Plan 2744 showing lots at 20-70 Dent Street in 1937 (Source: State Library of Victoria)

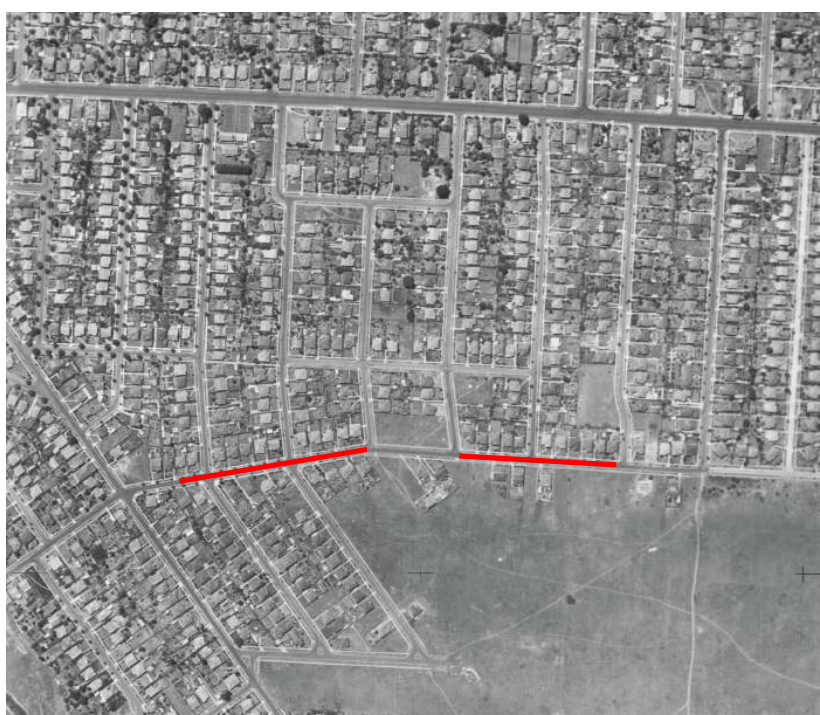


Figure 20. Aerial photograph, 1945 showing development along north side of Dent Street. Dent Street and Hilltop Avenue within the proposed Dent Street Precinct is indicated in red (Source: Landata Victoria)

4.2.3 Description and Characteristics

The houses on the north side of Dent Street present a highly intact streetscape of modest interwar and World War II era houses. The houses at 6-28 & 40-60 Dent Street have been constructed in an Interwar architectural style and demonstrate a high degree of consistency in materiality and detailing. Houses are predominantly single-storey and are of brick or render construction, with hipped or gable-ended roofs clad in terracotta tiles, and prominent rendered or brick chimneys. Common features include entry porches, box timber casement windows, bay windows,

decorative gable vents, and decorative brick detailing around windows and arched entries. Houses within the precinct are set back from the street behind modest front gardens and many retain their original low front brick fences.

Address	Photo	Context grading	GJM proposed grading
6 Dent Street, Glen Iris		Contributory	Contributory
8 Dent Street, Glen Iris		Contributory	Contributory
10 Dent Street, Glen Iris		Contributory	Contributory
12 Dent Street, Glen Iris	Demolished	Contributory (re-categorised as Not contributory)	Not contributory
14 Dent Street, Glen Iris		Contributory	Contributory

16 Dent Street,
Glen Iris



Contributory

Contributory

18 Dent Street,
Glen Iris



Contributory

Contributory

20 Dent Street,
Glen Iris



Contributory

Contributory

22 Dent Street,
Glen Iris



Contributory

Contributory

24 Dent Street,
Glen Iris



Contributory

Contributory

26 Dent Street,
Glen Iris



Contributory

Contributory

28 Dent Street,
Glen Iris



Contributory

Contributory

40 Dent Street,
Glen Iris



Contributory

Contributory

42 Dent Street,
Glen Iris



Contributory

Contributory

44 Dent Street,
Glen Iris



Contributory

Contributory

46 Dent Street,
Glen Iris



Contributory

Contributory

48 Dent Street,
Glen Iris



Contributory

Contributory

50 Dent Street,
Glen Iris



Contributory

Contributory

52 Dent Street,
Glen Iris



Contributory

Contributory

54 Dent Street,
Glen Iris



Contributory

Contributory

56 Dent Street,
Glen Iris



Contributory

Contributory

58 Dent Street,
Glen Iris



Contributory

Contributory

60 Dent Street,
Glen Iris



Contributory

Contributory

4.3 Tower Hill Estate Precinct, Glen Iris & Ashburton

4.3.1 Location

The Tower Hill Estate Precinct comprises houses on the west and east sides of Tower Hill Road, west side of Munro Avenue and south side of High Street. The proposed precinct comprises a number of substantial single and two-storey brick houses constructed in a variety of generally Interwar styles in the interwar and World War II periods.

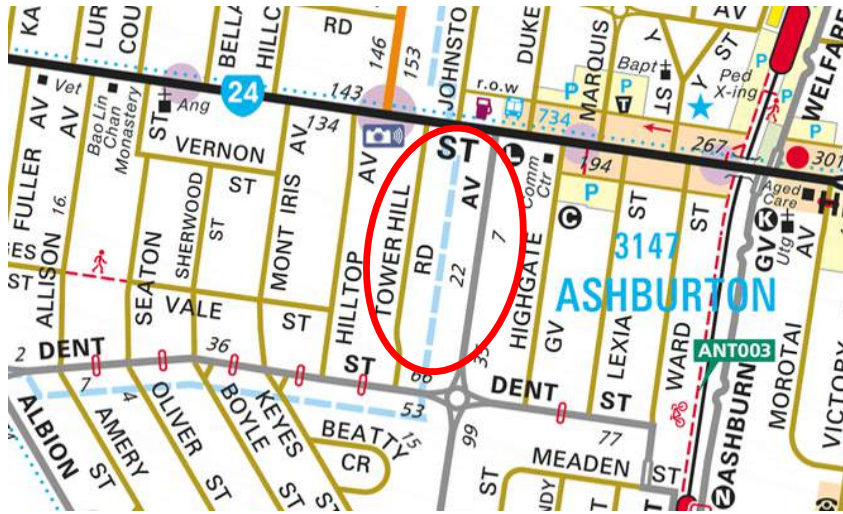


Figure 21. Location map of the proposed precinct – indicated by red oval (Source: Melway Online).



Figure 22. Aerial of proposed precinct – indicated (Source: Nearmap).

4.3.2 Historical Summary

The following history is drawn from Context's Mont Iris Estate and Environs Precinct heritage citation. See citation for references.

The Tower Hill Estate was subdivided from the substantial land holding of Tower Hill House, a large single-storey residence constructed in c1901 on the south side of High Street. The nine-roomed house with central tower was first owned by Charles Dugmore Timms and his wife Ella May Harris. Timms was a well-known contractor and civil engineer who worked on a number of large railway and civic projects, including the construction of railways between Oodnadatta and Alice Springs and tramways in Melbourne and Adelaide.

The Timms resided at Tower Hill House for a short period and by 1910, the house was occupied by Mr and Mrs Stoney. At this time, the land comprised 13 acres and two perches, which extended south from High Street almost to Dent Street. In 1926, Stoney subdivided the large estate, advertising '59 glorious blocks' for sale in the Tower Hill Estate (Figure 23). The lots were auctioned in October 1926; Tower Hill House was included in the sale.

An MMBW Detail Plan of the area (Figure 24) indicates that no houses had been constructed within the Tower Hill Estate by 1929 and Tower Hill Road itself had not yet been laid out. An aerial photograph dating to 1931 (Figure 25) shows that the Estate remained undeveloped at this time. Likely due to the economic depression of the time, in 1934 allotments in the Tower Hill Estate were re-advertised for sale at prices equivalent to land sales in East Malvern 20 years prior (Figure 26).

The Storey family sold Tower Hill House in 1936. It was purchased by grazier, James Joseph Waldron of Maldon, who may have used it as a town residence. At this time, the villa still included the land to the east, which gave it a frontage along both High Street and Munro Avenue, as well as land to the rear. The site was further subdivided in the years following; the land to the rear (with a frontage to Munro Avenue) was sold in 1937 (2 Munro Avenue) while the land at the corner of High Street and Munro Avenue was sold in 1940 (150 High Street; house demolished in 2019).

Development within the Tower Hill Estate was largely complete by 1945 (Figure 27).²⁴

²⁴ Context, 'Mont Iris Estate and Environs Precinct', *City of Boroondara Municipal-Wide Heritage Gap Study*, 2021, pp 63-65.

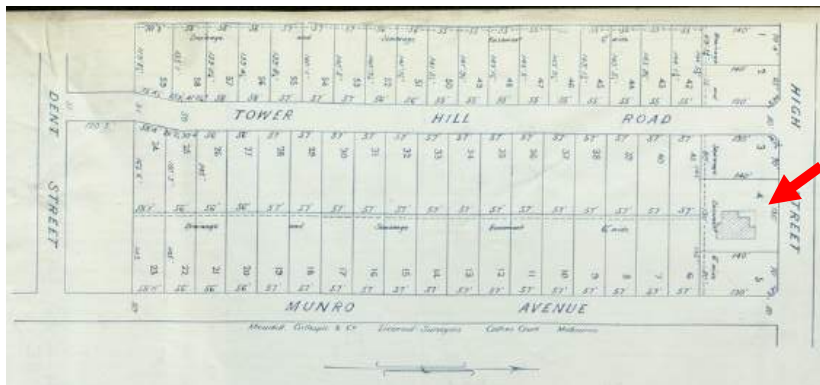


Figure 23. Plan of Tower Hill Estate subdivision, 1926. Tower Hill House is indicated by red arrow. North is to the right of the image (Source: State Library of Victoria)

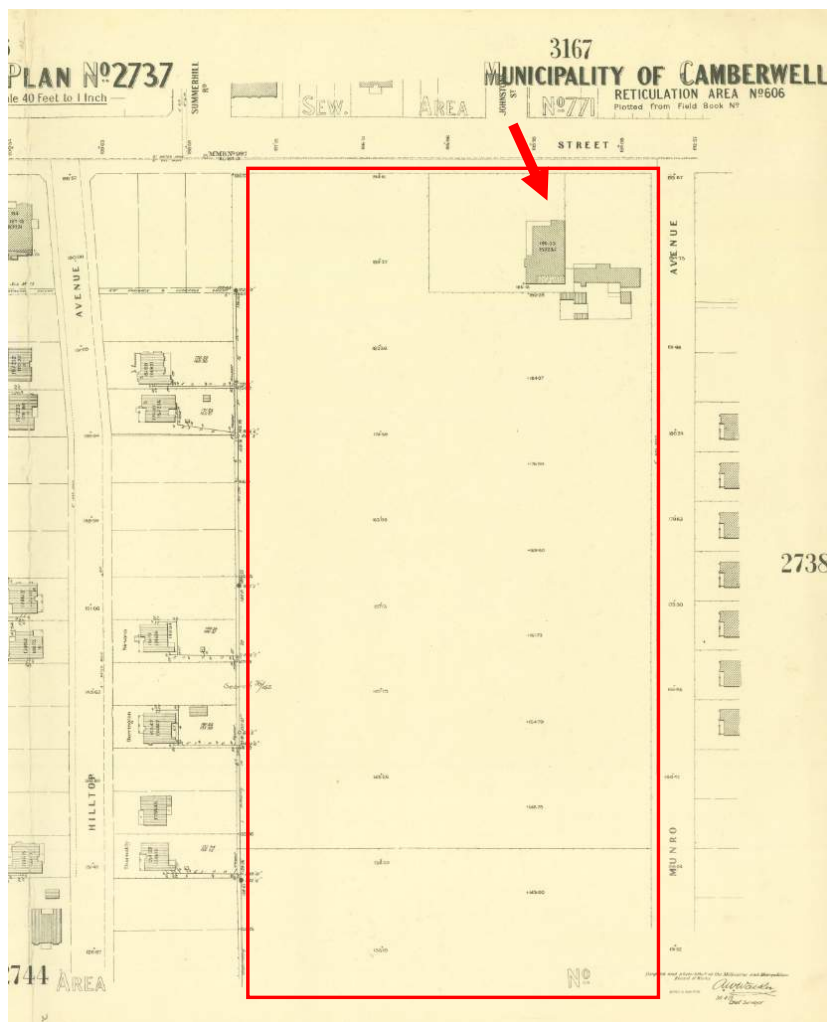


Figure 24. MMBW Detail Plan 27737 showing Tower Hill House fronting High Street, 1929 (indicated by red arrow). The Tower Hill Estate (approximately indicated by red rectangle) remained vacant at this time. North is to the top of the image (Source: State Library of Victoria)



Figure 25. Aerial photograph, 1931 showing Munro Avenue being laid out, indicated by red arrow and Tower Hill House to the north. The approximate boundary of the Tower Hill Estate is shown (red rectangle) (Source: Landata Victoria)

By Public Auction :: Saturday, 17th November, 1934
on the Land at 3.15 p.m. in a Sealed Manner

TOWER HILL ESTATE

ASHBURTON

50 Glorious Residential Allotments :: Attractive Brick Residence
With Actual Frontages to High Street.

The Estate is practically the Last Available Area for Subdivision in this Picturesque Locality and is Surrounded by Attractive Homes.

The advent of the Electric Trains, now running direct to Melbourne, thus eliminating the previous inconvenience of changing at Camberwell, is already proving a greater impetus to building at Ashburton.

Exceptionally Easy Terms

FOR LAND OF THIS QUALITY.

£5 DEPOSIT for Allotments fronting Munro Avenue and Tower Hill Road.

£25 DEPOSIT for Allotments fronting High Street.

INSTALLMENTS only 41 per Month per Lot.

INTEREST, 4 1/2 per centum per annum, payable quarterly.

TERMS for RESIDENCE AND DEPOSIT.

INSTALLMENTS, 80/- Weekly which includes Principal and Interest, calculated at the rate of 4 1/2 per centum per annum.

Rebate 3 Years.

ADVANTAGES OF PURCHASING ON THE TOWER HILL ESTATE.

The rapid extension for building purposes of the free available blocks between Glen Iris and Ashburton will mean an early building campaign at Ashburton. As a matter of fact, we readily to 50 percent operating in Highgate Grove and Glen Iris, and we are interested, in contemplating extending, in the near future, to include Villa in Glen Iris and the western end of Munro Avenue, generally opposite Lots 19 to 22.

The close proximity of the Estate to the famous Malvern Park, with its wonderful Municipal Golf Links and Recreation Grounds for cricket and football, and the Glen Iris Tennis Courts and Bowling Green, will be a delightful magnet for future home buyers, as the district offers greater facilities for enjoyment than any other immediately south of the Yarra.

TITLE CERTIFICATE. Subdivided: HENNES, WHELAN & BYRNE, 101 William St., Melbourne.

GAS, ELECTRIC LIGHT, WATER AND SEWERAGE ARE RIGHT AT THE ESTATE.

The Estate is situated within 5 minutes' walk of the Ashburton Railway Station, and all shopping facilities, and has the added advantage of an excellent bus service passing the property, linking Glen Iris and Ashburton.

The above Estate is finely elevated, with a gradient slope to the south, therefore practically every allotment commands extensive and charming views.

H. P. KNIGHT & CO.
Property Salesmen and Subdivisional Experts
315 Collins Street, Melbourne

Phone: Cent. 1861, 1861, who will submit the above Estate and Residences to Auction through their Auctioneers.

Figure 26. Advertisement for the Tower Hill Estate subdivision, 1934 (Source: State Library of Victoria)



Figure 27. Aerial photograph, 1945 showing development within Tower Hill Estate. The Estate was almost fully developed by this time. The boundary of the Tower Hill Estate is shown by the red rectangle) (Source: Landata Victoria)

4.3.3 Description and Characteristics

The houses in the Tower Hill Estate Precinct present a substantially intact streetscape of late interwar and World War II-era houses. The houses at 1-33 and 2-28 Tower Hill Road, 2-32 Munro Avenue and 142-148 High Street generally date to the late-1930s to 1945 and demonstrate a consistency in architectural style, materiality and detailing. Houses are generally single or two-storey and are of brick or render construction, with hipped or gable-ended roofs clad in terracotta tiles, and prominent rendered or brick chimneys. Common features include entry porches, box timber casement windows, decorative gable vents, and decorative brick detailing around windows and arched entries. Houses within the precinct are set back from the street behind front gardens and a number retain their original low front brick fences. Tower Hill House at 148 High Street, constructed in c1901, comprises a single-storey Italianate-style villa with rendered brick walls, hipped roof clad in tiles and a central tower with classical balustrading. A return verandah to the front (north) and east elevation is supported by turned timber posts with timber fretwork detailing and a tessellated mosaic tile floor.

Address	Photo	Context grading	GJM proposed grading
2 Tower Hill Road, Glen Iris		Contributory	Contributory

4 Tower Hill Road,
Glen Iris



Contributory

Contributory

6 Tower Hill Road,
Glen Iris



Contributory

Contributory

8 Tower Hill Road,
Glen Iris



Contributory

Contributory

10 Tower Hill
Road, Glen Iris



Contributory

Contributory

12 Tower Hill
Road, Glen Iris



Contributory

Contributory

14 Tower Hill
Road, Glen Iris



Contributory

Contributory

16 Tower Hill
Road, Glen Iris



Contributory

Contributory

18 Tower Hill
Road, Glen Iris



Contributory

Contributory

20 Tower Hill
Road, Glen Iris



Contributory

Contributory

22 Tower Hill
Road, Glen Iris



Contributory

Contributory

24 Tower Hill
Road, Glen Iris



Contributory

Contributory

26 Tower Hill
Road, Glen Iris



Not contributory

Not contributory

28 Tower Hill
Road, Glen Iris



Contributory

Contributory

1 Tower Hill Road,
Glen Iris



Contributory

Contributory

3 Tower Hill Road,
Glen Iris



Contributory

Contributory

5 Tower Hill Road,
Glen Iris



Not contributory

Not contributory

7 Tower Hill Road,
Glen Iris



Contributory

Contributory

9 Tower Hill Road,
Glen Iris



Contributory

Contributory

11 Tower Hill
Road, Glen Iris



Contributory

Contributory

13 Tower Hill
Road, Glen Iris



Contributory

Contributory

15 Tower Hill
Road, Glen Iris



Not contributory

Not contributory

17 Tower Hill
Road, Glen Iris



Contributory

Contributory

19 Tower Hill
Road, Glen Iris



Contributory

Contributory

21 Tower Hill
Road, Glen Iris



Contributory

Contributory

23 Tower Hill
Road, Glen Iris



Contributory

Contributory

25 Tower Hill
Road, Glen Iris



Contributory

Contributory

27 Tower Hill
Road, Glen Iris



Contributory

Contributory

29 Tower Hill
Road, Glen Iris



Contributory

Contributory

31 Tower Hill
Road, Glen Iris



Not contributory

Not contributory

33 Tower Hill
Road, Glen Iris



Contributory

Contributory

2 Munro Avenue,
Ashburton



Contributory

Contributory

4 Munro Avenue,
Ashburton



Contributory

Contributory

6 Munro Avenue,
Ashburton



Contributory

Contributory

8 Munro Avenue,
Ashburton



Contributory

Contributory

10 Munro
Avenue,
Ashburton



Contributory

Contributory

12 Munro
Avenue,
Ashburton



Not contributory

Not contributory

14 Munro
Avenue,
Ashburton



Contributory

Contributory

16 Munro
Avenue,
Ashburton



Contributory

Contributory

18 Munro
Avenue,
Ashburton



Contributory

Contributory

20 Munro
Avenue,
Ashburton



Contributory

Contributory

22 Munro
Avenue,
Ashburton



Contributory

Contributory

24 Munro
Avenue,
Ashburton



Contributory

Contributory

26 Munro
Avenue,
Ashburton



Not contributory

Not contributory

28-30 Munro
Avenue,
Ashburton



Contributory

Contributory

32 Munro
Avenue,
Ashburton



Contributory

Contributory

142 High Street,
Glen Iris



Contributory

Contributory

144 High Street,
Glen Iris



Contributory

Contributory

146 High Street,
Glen Iris



Contributory

Contributory

146A High Street,
Ashburton



Not contributory

Not contributory

148 High Street,
Ashburton





Significant

Significant

5 STAGE 1 – RECOMMENDATIONS FOR INDIVIDUAL PROPERTIES

Four individual properties were identified by Context/Trethowan as ‘Significant’ within the proposed Mont Iris Estate & Environs Precinct. An additional property, 33 Fuller Street, Glen Iris was recommended by the Panel to be re-categorised from ‘Contributory’ to ‘Significant’.

The following table summarises the proposed significant properties and our comments and recommendations in regard to each:

Address	Photo	Heritage Study / Panel recommendation	GJM comments
133 High Street, Glen Iris		1937-38 The influence of the Streamlined Moderne is elegantly embodied in the 1937-38 two-storey house at 133 High Street, constructed by builder Hector M Keast of Weavell & Keast as his own home. It is considered to be of aesthetic significance for its accomplished design.	This house is not considered to be of a higher aesthetic value than other elegantly detailed and highly intact houses within the proposed High Street North Precinct, Glen Iris. It is recommended that this property be graded Contributory if the precinct is pursued.
152 Summerhill Road, Glen Iris		1915-16 Identified by Context as the earliest house in the precinct, it is considered to be of aesthetic significance for its accomplished design.	The historical information contained in the heritage citation is incorrect. While the property was the first house to be constructed within this section of High Street, it was constructed in c1926-27, not 1915-16 as identified by Context. It is not considered to be of a higher aesthetic value than other elegantly detailed and highly intact houses within the proposed High Street North Precinct, Glen Iris and it is recommended that this property be graded Contributory if the precinct is pursued.

148 High
Street,
Glen Iris



C 1901

Tower Hill House, at 148 High Street, is of historical, architectural and aesthetic significance. It is historically significant for its demonstration of the earliest stage of development in Ashburton and the eastern part of Glen Iris...Tower Hill House is one of the most substantial houses in the eastern part of Boroondara and one of a small number of pre-interwar houses to survive in Ashburton.

We consider that the proposed 'Significant' grading of Tower Hill House is appropriate. We recommend that the house be graded Significant within the proposed Tower Hill Estate Precinct if this precinct is pursued.

7 Fuller
Avenue,
Glen Iris



1924-25

The triple-fronted brick California Bungalow of 1924-25 at 7 Fuller Avenue is a substantial house on a larger than average block, which is notable for its intact range of cladding materials and textures, and unusual details such as the semi-circular bay window which intersects with and covers a front gable with a shingled cap.

We consider that the proposed 'Significant' grading of 7 Fuller Avenue is appropriate. We recommend that the house be included in the Heritage Overlay as an individual Heritage Place.

It is considered to be of aesthetic significance for its accomplished design.

33 Fuller
Avenue,
Glen Iris



'Contributory'

Panel recommended re-categorisation from 'Contributory' to 'Significant' as the 'house is an intact and imposing example of an interwar Old English revival home, with an architectural pedigree'.

We consider that the proposed 'Significant' grading of 33 Fuller Avenue is appropriate. We recommend that the house be included in the Heritage Overlay as an individual Heritage Place.

6 STAGE 2 - DETAILED HERITAGE ASSESSMENTS

Stage 2 involved the completion of detailed heritage assessments for the following properties and precincts and concluded that they warranted inclusion in the Heritage Overlay of the Boroondara Planning Scheme:

- High Street North Precinct, Glen Iris
- Dent Street Precinct, Glen Iris
- Tower Hill Estate Precinct, Glen Iris & Ashburton
- 7 Fuller Avenue, Glen Iris
- 33 Fuller Avenue, Glen Iris

These assessments are provided at Appendix 1 to this report.

The detailed assessments were undertaken in accordance with the guidance contained in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018) and established heritage practice, and are consistent with the approach utilised in the initial Context/Trethowan study.

APPENDIX 1 – DETAILED HERITAGE ASSESSMENTS

- High Street North Precinct, Glen Iris
- Dent Street Precinct, Glen Iris
- Tower Hill Estate Precinct, Glen Iris & Ashburton
- 7 Fuller Avenue, Glen Iris
- 33 Fuller Avenue, Glen Iris



Independent Review: Mont Iris Estate & Environs Precinct (September 2023)



High Street North Precinct, Glen Iris

Prepared by: GJM Heritage

Address: 127, 129, 131, 133, 135, 137, 139, 141 High Street & 152 Summerhill Road, Glen Iris

Name: High Street North Precinct, Glen Iris	Survey Date: July 2022
Place Type: Residential Precinct	Architect: Various
Grading: Contributory	Builder: Various
Extent of Overlay: See precinct map	Construction Date: 1926-c1945

Precinct Map:







Figure 1. (L-R, starting at top) 127, 129, 131, 133, 135, 137, 139, 141 High Street & 152 Summerhill Road, Glen Iris (GJM Heritage, July 2022).

Historical Context

The following contextual history is based on Context, 'City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris; revised June 2021'.

The City of Boroondara is located on the Traditional Lands of the Wurundjeri Woi Wurrung people of the Eastern Kulin Nation.

The suburb of Glen Iris is located either side of Gardiner's Creek, with the western portion within the City of Stonnington (former City of Malvern) and the eastern portion within the City of Boroondara (former City of Camberwell). Until the 1860s the area was used for farming on land overlooking the Gardiners Creek valley. From the 1860s the village of Glen Iris was established to the east of Gardiners Creek, at the corner of High Street and Glen Iris Road, on the 1853 Gardiners Creek Public Reserve, which included reservations for a Mechanics' Institute, Wesleyan Church and a State School.

The remainder of the Gardiners Creek Public Reserve was surveyed as the Glen Iris Township in 1879, with township allotments offered for sale fronting High Street and Glen Iris Road and a small commercial area developed at this location in the 1880s. At this time Glen Iris was largely utilised for market gardening, dairying, orchards and brick making, and little residential development occurred. The late 1880s saw some residential subdivision of the western part of Glen Iris, however the eastern part remained largely undeveloped.



In 1890 a railway line from Burnley to Oakleigh Junction was opened, running via the Glen Iris valley on the western side of Gardiners Creek, with Glen Iris Station located just north of High Street. Despite the opening of the railway, the economic depression of the 1890s limited residential development, and by 1903 the population of Glen Iris was approximately 200. Existing tram lines were extended east to the Glen Iris Station in 1914, improving access to land west of Gardiners Creek; however, despite requests that the tram line be extended further east to the Glen Iris village, this did not occur and residents in this part of Glen Iris lived between the Glen Iris railway line on one boundary and the Ashburton railway line on the other, without ready connection to either.

Glen Iris maintained a largely rural character until the 1920s when the substantial growth of Melbourne's population drove extensive residential subdivision of land in areas such as Glen Iris. Subsequent construction of substantial numbers of houses in the 1920s and 1930s resulted in a predominantly interwar architectural character in the suburb, particularly east of Gardiners Creek, in the former City of Camberwell (present City of Boroondara).

History

High Street North Precinct is located within a 273 acre (110 hectare) allotment purchased by Thomas Henderson in 1850 as Allotment 137B in Section 1, Parish of Boroondara, County of Bourke (PROV).

The houses at 127-141 High Street and 152 Summerhill Road formed part of a large subdivision known as the Glen Iris Heights Estate, which comprised land bounded by Glen Iris Road to the west, High Street to the south, Summerhill Road to the east and Ashburton Road to the north (Glen Iris Heights Estate Album:30-32). The expansive estate, comprising 72 acres and five perches, formed Crown Portion 136 of the Parish of Boroondara in the County of Bourke, and was bought in its entirety by auctioneer, Percy Owen of Equitable Building in 1915 (LV: V3887/F300) (Figure 2).

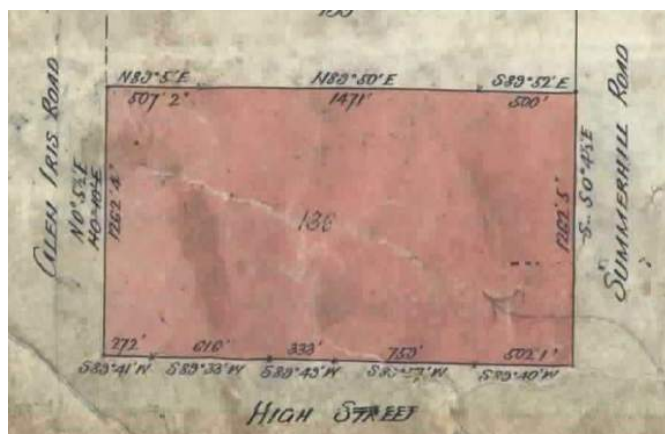


Figure 2. Subdivision plan showing the large estate purchased by Percy Owens prior to subdivision, 1915 (Source: Landata Victoria).

The Glen Iris Heights Estate was marketed as some of 'the finest blocks in Australia' (*The Age*, 20 March 1920:25), with sales notices observing 'the centrality of this Estate, its proximity to Chapel Street, and easy access to St Kilda and all other suburbs' (Glen Iris Heights Estate Album:5); its proximity to public transport: 'Five minutes from the High Street Glen Iris Electric Trams. Five Minutes from Glen Iris Railway Station. Right on the proposed High Street Electric Tramway extension' (Glen Iris Heights Estate Album:7);



and its elevated siting, which afforded 'the most wonderful cyclorama of views in Australia (Glen Iris Heights Estate Album:6) (Figure 3).

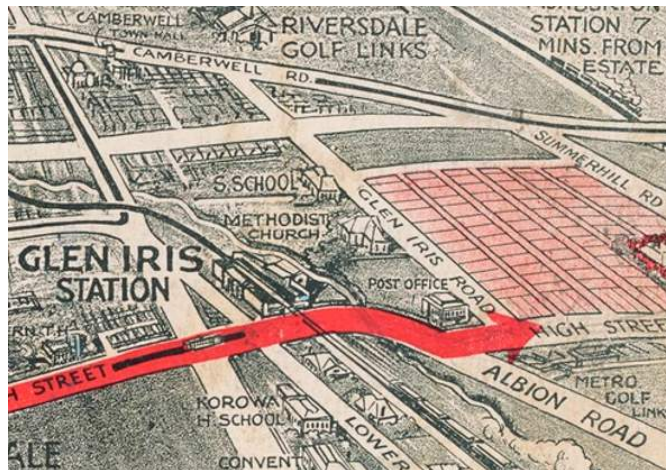


Figure 3. Detail of an advertisement for the Glen Iris Heights Estate, undated (Source: State Library Victoria).

Prior to the sale of this subdivision, Owen erected a villa (known later as Ashburton House) on the block bounded by Hillcrest Road, High Street, Summerhill Road and Nyora Road; located close to Hillcrest Avenue in 1916 (Figure 4). The brick house contained 10 rooms and was set back from all street frontages, with access provided from High Street, Hillcrest Road and Nyora Road (Camberwell Rate Books). It appears that its primary address was to High Street and at different times was addressed as 127 High Street and 131 High Street (S & M 1930, Electoral Roll 1937). A Melbourne & Metropolitan Board of Works (MMBW) plan from 1928 and an aerial photograph dating from 1931 also indicate the location of this property (Figures 8 & 10).

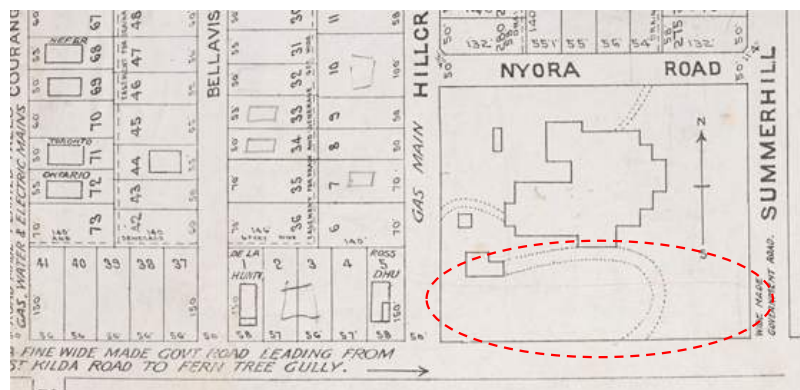


Figure 4. Subdivision plan for the Glen Iris Heights Estate showing the brick villa located between Hillcrest and Summerhill roads. Note that the house is not drawn to scale. The approximate location of the proposed precinct is indicated in red (Source: State Library Victoria).

In 1924, Owen offered the property for sale, at which time it was described as a 'modern terra cotta tiled roof villa' with a 'large wired-in sleep-out...situated on the highest and best part of the Glen Iris Heights Estate' (*Argus*, 30 January 1924:2). It appears that he also subdivided the Estate at this time, selling only four lots at the corner of High Street



and Summerhill Road and retaining the remainder of the land fronting High Street as part of the Estate (Figures 5 & 6).

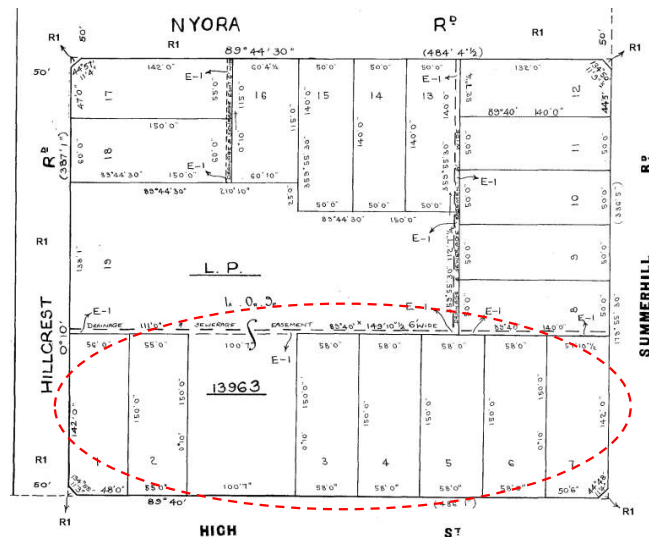


Figure 5. Earlier 1922 subdivision plan showing Owen's first attempt at subdividing and selling the land around Ashburton House. Lots 4-7 with frontages to High Street were purchased around this time. The approximate location of the proposed precinct is indicated in red (Source: Landata Victoria).

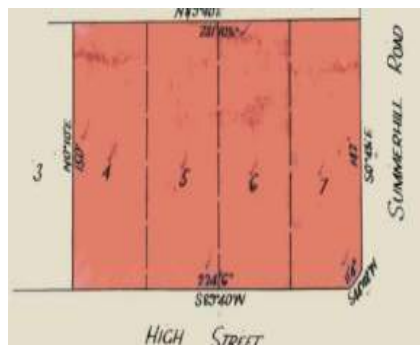


Figure 6. Certificate of Title subdivision plan for 152 Summerhill Road, showing Brown's purchase of the four lots fronting High Street at the corner with Summerhill Road, 1925 (Source: Landata Victoria).

The house was purchased by Andrew Hamilton and Elizabeth Frances Baird, who resided at the property until their deaths in 1934 and 1938 respectively (Electoral Rolls 1925, Rate Books 1925-1926). The villa became known as 'Ashburton House' at this time (Electoral Roll 1925). Andrew Baird was a prominent Western District grazier, who also owned property near Warrnambool (*Herald*, 13 September 1934:7). Following his death in 1934, Ashburton House was offered for sale, at which time it was advertised as a 'beautiful modern gentleman's home on highest point in district' (*The Age*, 24 November 1934:3). The sales notice also noted that:

If not sold as a whole, the house will be submitted on 1 acre of land, with 87 ft frontage to High Street, and 3 blocks approx. 55 ft each frontage to High Street will be submitted separately (The Age, 24 November 1934:3).



It appears that the house was not sold at this time and Elizabeth Baird remained there until her death in 1938, with the house remaining in her name until that time (*Herald*, 29 August 1938:3). As per the auction notice, the surrounding land was re-subdivided and a number of lots fronting High Street (located within the High Street North Precinct, Glen Iris) were sold in 1935 (Figure 7).

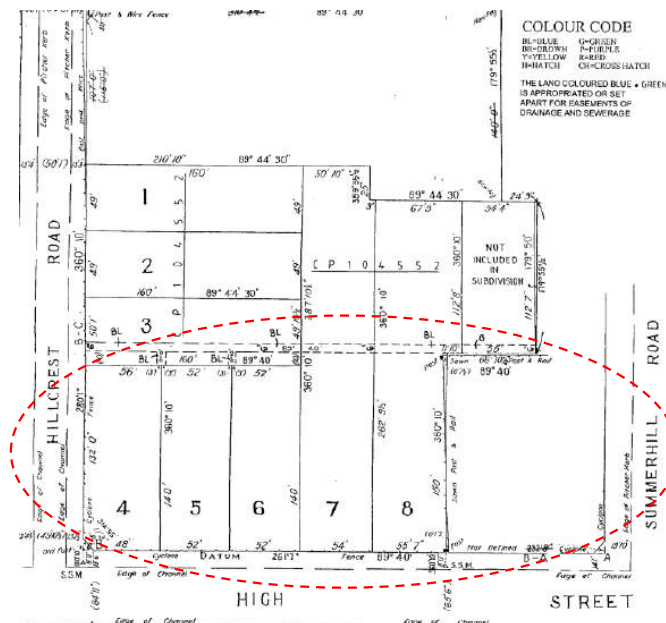
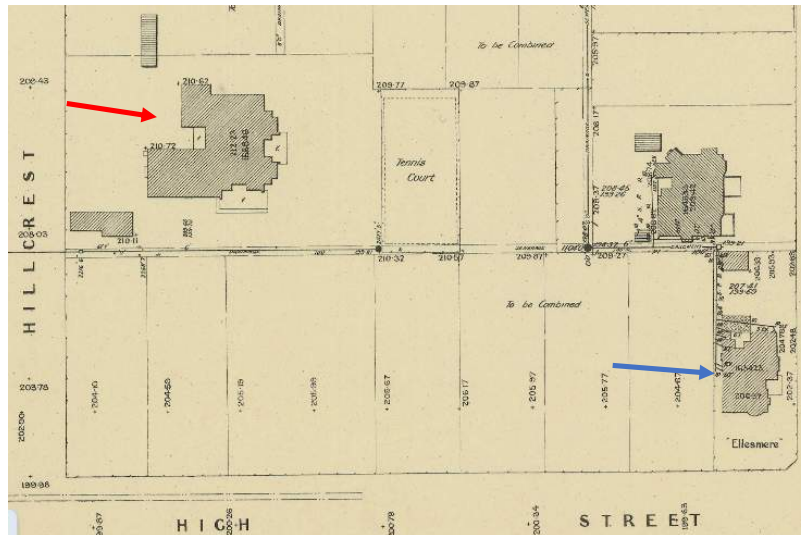


Figure 7. Subdivision plan showing lots with frontages to High Street which were sold off from Ashburton House in 1935. The approximate location of the proposed precinct is indicated in red (Source: Landata Victoria).

The first house to be constructed in the precinct was the attic bungalow at 152 Summerhill Road, which formed part of the earlier 1920s subdivision of Ashburton House. The property, which comprised Lot 7 of this subdivision, was purchased by Leslie Jehu Brown in August 1925 and on-sold to Joseph Walter and Elizabeth Maude Ling in October the same year. Originally addressed as 143 High Street, the house was constructed by the Kings in c1926-27 and was known as Ellesmere (Electoral Roll 1927) (Figures 8 & 9).



The remaining houses within the precinct, with the exception of 131 High Street, were constructed by 1940 (S & M 1935, 1940). The house at No. 131 was built in the immediate postwar period, between 1945 and 1950 (S & M 1945, 1950). An aerial photograph dating from 1945 records the houses constructed by this date (Figure 11).



Figure 10. 1931 aerial showing Ashburton House (indicated by red arrow) originally constructed by Percy Owen in 1916 and later bought by Andrew and Elizabeth Baird. 152 Summerhill Road can be seen at the right-hand corner of the precinct boundary (indicated by blue arrow). It was constructed the previous year, in 1930. No other houses in the precinct had yet been constructed (Source: Landata Victoria).



Figure 11. Aerial photograph, 1945 showing development of the north side of High Street. All houses with the exception of 131 High Street had been constructed by this time (Source: Landata Victoria).

Historical Themes

The precinct illustrates the following themes as outlined in Victoria's Framework of Historical Themes:

- 6 Building towns, cities and the garden state
 - 6.3 Shaping the suburbs
 - 6.7 Making homes for Victorians

Description & Integrity

High Street North Precinct, Glen Iris is situated on the north side of High Street between Hillcrest Avenue and Summerhill Road. It is a small residential precinct, interwar in character, which comprises nine adjacent properties at 127-141 High Street and 152 Summerhill Road. The houses were constructed in the interwar period with the exception of No. 131 which was constructed in the immediate postwar years in an Interwar style. All properties are individual houses set on separate allotments.



The precinct presents as a highly intact streetscape of substantial houses built in a variety of interwar styles, including Attic Bungalow, English Domestic Revival and Streamlined Moderne. The houses are single or two-storey and are of brick construction (face clicker brick or rendered brick), with steeply pitched gable-ended roofs or hipped roofs clad in terracotta tiles, and prominent chimneys. Typical features include entry porches and timber framed windows.

Houses within the precinct are generally set back from the street behind modest front gardens and a number retain their original front brick fences, including Nos. 127, 129, 133 and 139 High Street (the fences of Nos. 135, 137 and 141 High Street and 152 Summerhill Road have been modified). The houses at 127, 129, 131, 133, 137 and 139 High Street also appear to retain their original brick garages.

Key Features of the Precinct

- Strong Interwar character demonstrating a variety of Interwar architectural styles including Attic Bungalow, English Domestic Revival and Streamlined Moderne
- Brick construction, both face clinker brick and rendered brickwork
- Gable-ended or hipped roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- One and two-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows
- Original low brick front fences to Nos. 127, 129 and 133 High Street
- Original brick garages to Nos. 127, 129, 131, 133, 137 and 139 High Street
- Garden settings.

The residences within the High Street North Precinct remain substantially intact to their period of construction and retain a high degree of integrity to the interwar period in fabric, form and detail. While the residences have undergone some minor alterations and additions, these are generally focussed to the rear of individual properties and have limited visibility from the public realm. These do not diminish the ability to understand and appreciate the place as a finely detailed and picturesque precinct dating to the interwar period.

Comparative Analysis

The High Street North Precinct is of note as a representative and highly intact group of houses, typical of suburban development that occurred in suburbs such as Glen Iris, Ashburton and Camberwell in the interwar period. This section of High Street developed over a short period of time, after the subdivision and sale of land in the Glen Iris Heights Estate. This precinct of substantial one and two-storey houses displays a consistency of scale, and distinctive architectural character which draws on a range of styles popular during the interwar period, including English Domestic Revival and Streamlined Moderne.

A number of comparable precincts are included in the Heritage Overlay of the Boroondara Planning Scheme including the Camberwell Road Estate, Camberwell (HO733), Hampton Grove Precinct, Camberwell (HO734), Harley Estate and Environs Precinct, Camberwell (HO735), Goodwin Street and Somerset Road Precinct, Glen Iris (HO226), Great Glen Iris Railway Junction Estate and Environs, Ashburton (HO227) and Holyrood Estate and Environs, Camberwell (HO228). While a number of these precincts are larger than the High Street North Precinct, and contain predominantly single-storey houses, they contain comparable streets of highly intact houses dating to the interwar period.



Of most relevance are the following smaller precincts:

Camberwell Road Estate, Camberwell (HO733)

Camberwell Road Estate developed through the subdivision of large holdings during the 1920s and 1930s, south-east of Camberwell Junction. The precinct contains a consistent streetscape of largely intact houses designed in various Interwar styles including California Bungalows from the late 1920s, Interwar Mediterranean from the late 1920s and early 1930s and English Domestic Revival style residences from the 1930s. The intactness and quality of design contribute to the significance of the place as a fine and representative example of residential development in the interwar period in Camberwell.



Figures 12 & 13. Examples of places within the Camberwell Road Estate, Camberwell. (L) 460 Camberwell Road (R) 458 Camberwell Road (Source: VHD)



Figures 14 & 15. Examples of places within the Camberwell Road Estate, Camberwell. (L) 466 Camberwell Road (R) 6 Acheron Avenue (Source: VHD)

Hampton Grove Precinct, Camberwell (HO734)

Hampton Grove Precinct developed on land that was advertised for sale in the 1910s, south of the newly electrified tram line in Riversdale Road and east of the Hartwell Railway Station on the former Outer Circle Railway at Camberwell. Most of the residential development in the precinct took place in the interwar years of the 1920s and 1930s and the houses are predominantly English Domestic Revival in style with some examples of California Bungalows and a Streamlined Moderne style house. The precinct contains a number of highly intact and well-designed substantial houses which together contribute to the significance of the place as a fine and representative example of interwar residential development in Camberwell.



Figures 16 & 17. Examples of places within the Hampton Grove Precinct, Camberwell (L) 42 Glyndon Road (Source: VHD) (R) 1 Hampton Grove (Source: Google Streetview).

Analysis

The above examples contain streets of highly intact houses dating to the interwar period, which illustrate the significant suburban development in the City of Boroondara in the interwar period. Houses within these precincts display characteristics typical of the interwar period, including features of English Domestic Revival, Streamlined Moderne and California Bungalow architectural styles. The resulting interwar streetscapes in these precincts display a high degree of integrity and are highly consistent in both scale and architectural character.

The High Street North Precinct is comparable in architectural character, quality and consistency to these precincts. The High Street North Precinct contains substantial houses which were largely built in the 1930s in a variety of interwar styles, including Attic Bungalow, English Domestic Revival and Streamlined Moderne. These houses contribute to a streetscape of high integrity, uniformity of scale, and distinctive architectural character.



Assessment Against Criteria

Criteria referred to in Planning Practice Note 1: Applying the Heritage Overlay (DELWP, August 2018), 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).

The High Street North Precinct has strong associations with the interwar period of development in suburban Melbourne. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. As a grouping of highly intact middle-class houses designed in various Interwar styles, the High Street North Precinct clearly illustrates this important phase of development in the City of Boroondara.

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

N/A.

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

N/A.

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

The High Street North Precinct is a fine and highly intact example of a cohesive middle-class residential precinct constructed in a variety of Interwar styles including Attic Bungalow, English Domestic Revival and Streamlined Moderne styles. Properties within the precinct display typical characteristics of Interwar housing including one and two-storey building forms, clinker brick and rendered brick walls, tiled roofs, hipped and gable-ended roof forms, prominent chimneys, front gardens, brick front fences and brick garages.

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

The High Street North Precinct forms a unified group of substantial residences constructed in a variety of Interwar styles including Attic Bungalow, English Domestic Revival and Streamlined Moderne. The consistent application of high-quality materials and detailing, such as prominent chimneys, face clinker and rendered brick construction and masonry fences, in conjunction with their garden settings and original brick garages, presents a highly picturesque streetscape.

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

N/A.

CRITERION G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the



significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

N/A.

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

N/A.



Statement of Significance

What is Significant?

The High Street North Precinct, Glen Iris, a 1920s and 1930s subdivision development of the Glen Iris Heights Estate, containing a collection of substantial Interwar style houses.

The precinct comprises 127, 129, 131, 133, 135, 137, 139, 141 High Street & 152 Summerhill Road, Glen Iris.

Elements that contribute to the significance of the place include:

- Strong Interwar character demonstrating a variety of Interwar architectural styles including Attic Bungalow, English Domestic Revival and Streamlined Moderne
- Consistent front setback within the High Street streetscape
- Brick construction, both face clinker brick and rendered brickwork
- Gable-ended or hipped roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- One and two-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows
- Original low brick front fences
- Original brick garages
- Garden settings.

Later alterations and additions to the properties, including rear additions, later garages/outbuildings and later fences are not significant.

How is it significant?

The High Street North Precinct, Glen Iris is of local historical, representative (architectural) and aesthetic significance to the City of Boroondara.

Why is it significant?

The High Street North Precinct has strong associations with the interwar period of development in suburban Melbourne. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. As a grouping of highly intact middle-class houses designed in various Interwar styles, the High Street North Precinct clearly illustrates this important phase of development in the City of Boroondara (Criterion A).

The High Street North Precinct is a fine and highly intact example of a cohesive middle-class residential precinct constructed in a variety of Interwar styles including Attic Bungalow, English Domestic Revival and Streamlined Moderne styles. Properties within the precinct display typical characteristics of Interwar housing including one and two-storey building forms, clinker brick and rendered brick walls, tiled roofs, hipped and gable-ended roof forms, prominent chimneys, front gardens, brick front fences and brick garages (Criterion D).

The High Street North Precinct forms a unified group of substantial residences constructed in a variety of Interwar styles including Attic Bungalow, English Domestic



Revival and Streamlined Moderne. The consistent application of high-quality materials and detailing, such as prominent chimneys, face clinker and rendered brick construction and masonry fences, in conjunction with their garden settings and original brick garages, presents a highly picturesque streetscape (Criterion E).

Grading and Recommendations

Recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as a precinct.

PRECINCT GRADINGS SCHEDULE

Address	Grading	Contributory fence / garage
127 High Street	Contributory	Fence & Garage
129 High Street	Contributory	Fence & Garage
131 High Street	Contributory	Garage
133 High Street	Contributory	Fence & Garage
135 High Street	Contributory	-
137 High Street	Contributory	Garage
139 High Street	Contributory	Garage
141 High Street	Contributory	-
152 Summerhill Road	Contributory	-

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

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

Identified By

GJM Heritage, Mont Iris Estate & Environs Review, October 2022.

References

Built Heritage, *City of Boroondara Thematic Environmental History*, 2012.



Context, City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris, revised 23 June 2021.

Camberwell Rate Books.

Glen Iris Heights Estate, Album of Clippings and Photographs, c1925-1929 (State Library Victoria).

Land Victoria Title Certificates.

Melbourne Metropolitan Board of Works, Detail Plan 3166, Municipality of Camberwell, 1928.

Parish Plan, Boroondara (Public Record Office Victoria, VPRS 16171/P1/4).

Photographs, aerial views, 1931 and 1945 (Landata Victoria).

Property Sewerage Plan, 1930, Yarra Valley Water.

Sands & McDougall Directories.

The Age.

The Argus.

The Herald.

Victorian Electoral Rolls (via Ancestry).

Victorian Heritage Database (VHD).



Dent Street Precinct, Glen Iris

Prepared by: GJM Heritage

Address: 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60 Dent Street, Glen Iris

Name: Dent Street Precinct, Glen Iris	Survey Date: October 2022
Place Type: Residential Precinct	Architect: Various
Grading: Various	Builder: Various
Extent of Overlay: See precinct map	Construction Date: c1935-1940

Precinct Map:



GRADING

- PRECINCT BOUNDARY
- CONTRIBUTORY
- NON-CONTRIBUTORY



Figure 1. Examples of residences included in the precinct (R-L, starting at top) 28, 42, 44, 46, 58 and 60 Dent Street, Glen Iris (GJM Heritage, July 2022).



Historical Context

The following contextual history is based on Context, 'City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris; revised June 2021'.

The City of Boroondara is located on the Traditional Lands of the Wurundjeri Woi Wurrung people of the Eastern Kulin Nation.

The suburb of Glen Iris is located either side of Gardiner's Creek, with the western portion within the City of Stonnington (former City of Malvern) and the eastern portion within the City of Boroondara (former City of Camberwell). Until the 1860s the area was used for farming on land overlooking the Gardiners Creek valley. From the 1860s the village of Glen Iris was established to the east of Gardiners Creek, at the corner of High Street and Glen Iris Road, on the 1853 Gardiners Creek Public Reserve, which included reservations for a Mechanics' Institute, Wesleyan Church and a State School.

The remainder of the Gardiners Creek Public Reserve was surveyed as the Glen Iris Township in 1879, with township allotments offered for sale fronting High Street and Glen Iris Road and a small commercial area developed at this location in the 1880s. At this time Glen Iris was largely utilised for market gardening, dairying, orchards and brick making, and little residential development occurred. The late 1880s saw some residential subdivision of the western part of Glen Iris, however the eastern part remained largely undeveloped.

In 1890 a railway line from Burnley to Oakleigh Junction was opened, running via the Glen Iris valley on the western side of Gardiners Creek, with Glen Iris Station located just north of High Street. Despite the opening of the railway, the economic depression of the 1890s limited residential development, and by 1903 the population of Glen Iris was approximately 200. Existing tram lines were extended east to the Glen Iris Station in 1914, improving access to land west of Gardiners Creek; however, despite requests that the tram line be extended further east to the Glen Iris village, this did not occur and residents in this part of Glen Iris lived between the Glen Iris railway line on one boundary and the Ashburton railway line on the other, without ready connection to either.

Glen Iris maintained a largely rural character until the 1920s when the substantial growth of Melbourne's population drove extensive residential subdivision of land in areas such as Glen Iris. Subsequent construction of substantial numbers of houses in the 1920s and 1930s resulted in a predominantly interwar architectural character in the suburb, particularly east of Gardiners Creek, in the former City of Camberwell (present City of Boroondara).

History

Dent Street Precinct is located within a 273 acre (110 hectare) allotment purchased by Thomas Henderson in 1850 as Allotment 137B in Section 1, Parish of Boroondara, County of Bourke (PROV).

Dent Street formed part of a large subdivision known as the Albion Park Estate, which comprised land bounded by Albion Road to the west, Bridges Street-Vale Street to the north, Munro Street to the east and Baird Street to the south. The estate was subdivided in 1923, at which time it was advertised as 'cheap land' located five minutes from Darling Station (*Herald*, 11 December 1923:20).

A Melbourne Metropolitan Board of Works (MMBW) detail plan (1927) and an aerial photograph (1931) shows that the Albion Park Estate remained largely undeveloped at



this time and Dent Street was in the course of being laid out (Figures 2-4). Likely due to the economic depression of the time, in 1935 allotments in the Albion Park Estate were advertised for sale with 'plans obtainable from liquidator' (*Herald*, 14 April 1937:20).



Figure 2. Aerial photograph, 1931 showing Dent Street being laid out, indicated by red arrow (Source: Landata Victoria).

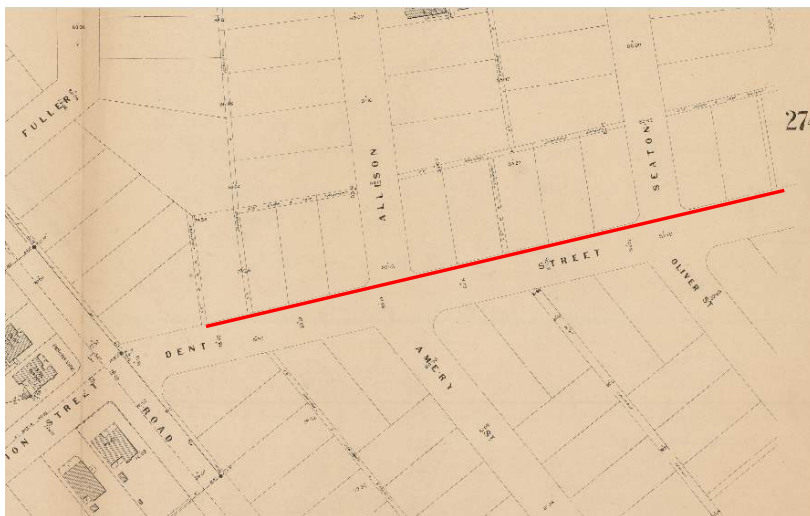


Figure 3. MMBW Detail Plan 2745 showing vacant lots at 2-22 Dent Street in 1927, indicated by red line (Source: State Library of Victoria).

A row of houses had been constructed at 20-28 Dent Street by 1937 (MMBW:1937) (Figures 4 & 5) and all houses were constructed by 1940 (S & M). An aerial photograph dating from 1945 (Figure 6) clearly indicates the completed precinct.

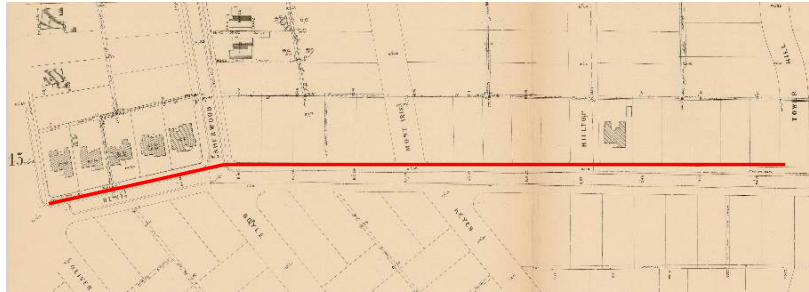


Figure 4. MMBW Detail Plan 2744 showing lots at 20-60 Dent Street (Seaton Street to Tower Hill Road) in 1937, indicated by red line (Source: State Library of Victoria).

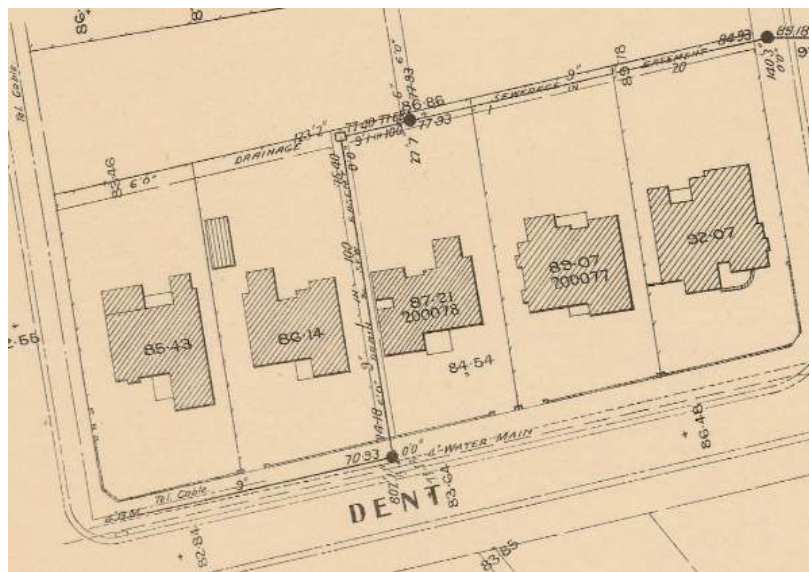


Figure 5. Detail of the previous figure showing five houses constructed by 1937 at 20 to 28 Dent Street.



Figure 6. Aerial photograph, 1945 showing development along north side of Dent Street. Properties within the proposed Dent Street Precinct are indicated in red (Source: Landata Victoria).

The precinct illustrates the following themes as outlined in Victoria's Framework of Historical Themes:

- 6 Building towns, cities and the garden state
 - 6.3 Shaping the suburbs
 - 6.7 Making homes for Victorians

Description & Integrity

Dent Street Precinct, Glen Iris is situated to the south of High Street between Albion Road and Tower Hill Road. It is a small residential precinct, interwar in character, which comprises properties on the north side of Dent Street, generally between Albion Road and Sherwood Street, and Mont Iris Avenue to Tower Hill Road. The houses were constructed in the interwar period and during World War II and all properties are individual houses set on separate allotments.

The precinct presents as a highly intact streetscape of modest houses which demonstrate a high degree of consistency in architectural style, materiality and detailing. The majority of the houses demonstrate characteristics of the English Domestic Revival style of the Interwar period. Houses are predominantly single-storey and of brick construction (face clinker brick or rendered brick), with hipped or gable-ended roofs clad in terracotta tiles, and prominent rendered or brick chimneys (see example at Figure 7). Common features include entry porches (see examples at Figures 7-9), timber framed windows, including tripartite windows with fixed central panes and double hung side



sashes (see examples at Figures 7-9), and decorative brick detailing to windows, porch entries, corners and gable ends (see examples at Figures 7-9).



Figure 7. Prominent decorative chimney at 42 Dent Street (GJM Heritage, July 2022).



Figure 8. Decorative entry porch at 60 Dent Street (GJM Heritage, July 2022).



Figure 9. Brick detailing at 26 Dent Street (GJM Heritage, July 2022).



Houses within the precinct are set back from the streets behind modest gardens and many retain their original low front brick fences and original brick garages.

Key Features of the Precinct

- Consistent front setbacks within streetscapes
- Brick construction, both face clinker brick and rendered
- Strong Interwar character with the majority of properties demonstrating characteristics of the English Domestic Revival style
- Consistent front setbacks
- Predominantly brick construction, both face clinker brick and rendered brickwork
- Hipped and gable-ended roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- Single-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows, including tripartite windows with fixed central panes and double hung side sashes
- Decorative brick detailing to windows, porch entries, corners and gable ends
- Original low brick front fences
- Original brick garages
- Garden settings.

The residences within the Dent Street Precinct remain substantially intact to their period of construction and retain a high degree of integrity to the interwar period in fabric, form and detail. While the residences have undergone some minor alterations and additions, these are generally limited in their visibility from the public realm and do not diminish the ability to understand and appreciate the place as a finely detailed and picturesque precinct predominantly dating from the mid-late 1930s.

Comparative Analysis

The Dent Street Precinct is of note as a representative and highly intact group of mid-late 1930s middle-class houses, typical of suburban development that occurred in suburbs such as Glen Iris, Ashburton and Camberwell in the interwar period. This section of Dent Street developed over a short period of time, after the subdivision and sale of land in the Albion Park Estate. This precinct of single-storey houses displays a consistency of scale, and a consistent architectural character.

A number of interwar precincts are included in the Heritage Overlay in the City of Boroondara; however, unlike the Dent Street Precinct, many of these contain substantial numbers of early interwar California Bungalows. These precincts include Toorak Estate and Environs, Glen Iris Precinct (HO230), Leslie Street Precinct, Hawthorn (HO164) and Fairview Avenue Precinct, Burwood (HO225). Those interwar precincts that are most comparable to the Dent Street Precinct include Goodwin Street and Somerset Road Precinct, Glen Iris (HO226), Great Glen Iris Railway Junction Estate and Environs, Ashburton (HO227), Holyrood Estate and Environs, Camberwell (HO228) and Harley Estate and Environs Precinct, Camberwell (HO735). These precincts contain comparable streets of highly intact single-storey houses dating to the interwar period.

Goodwin Street and Somerset Road Precinct, Camberwell (HO226)

The Goodwin Street and Somerset Road Precinct developed on land subdivided in 1929, east of Glen Iris Road and north of the Burwood Railway Station on the former Outer



Circle Railway Line. Most of the residential development in the precinct took place in the interwar years of the 1930s and houses are generally modest brick residences which demonstrate characteristics of English Domestic Revival, Mediterranean Revival and Moderne styles. The precinct contains a number of highly intact single-storey interwar houses which together contribute to the significance of the place as a fine and representative example of interwar residential development in Camberwell.



Figures 10 & 11. Examples of places within the Goodwin Street and Somerset Road Precinct, Camberwell. (L) 2 Goodwin Street (Source: Google Streetview) (R) 10 Goodwin Street (Source: <https://www.property.com.au/vic/glen-iris-3146/goodwin-st/10-pid-3358566/>).

Great Glen Iris Railway Junction Estate and Environs, Ashburton (HO227)

The Great Glen Iris Railway Junction Estate and Environs Precinct developed on land subdivided in 1923, south of the High Street commercial strip and adjacent to the former Outer Circle Railway Line. Most of the residential development in the precinct took place in the interwar years of the 1920s and 1930s and houses are generally modest brick residences, either California Bungalows or hipped roof brick houses which demonstrate characteristics of the English Domestic Revival style. The precinct contains a number of highly intact single-storey interwar houses which together contribute to the significance of the place as a fine and representative example of interwar residential development in Ashburton.



Figures 12 & 13. Examples of places within the Great Glen Iris Railway Junction Estate and Environs, Ashburton. (L) 8 Lexia Street (Source: <https://www.realestate.com.au/sold/property-house-vic-ashburton-110467729>) (R) 13 Lexia Street (Source: Google Streetview).

Holyrood Estate and Environs, Camberwell (HO228)

The Holyrood Estate and Environs Precinct developed through the 1924 subdivision of the Holyrood Estate, located on the south side of Riversdale Road, Camberwell, west of Highfield Road. Most of the residential development in the precinct took place in the interwar years of the 1930s and houses are generally brick residences, either California Bungalows or hipped roof brick houses which demonstrate characteristics of the English



Domestic Revival and Mediterranean Revival styles. The precinct contains a number of highly intact single-storey interwar houses which together contribute to the significance of the place as a fine and representative example of interwar residential development in Camberwell.



Figures 14 & 15. Examples of places within the Holyrood Estate and Environs, Camberwell. (L) 19 Holyrood Street (Source: Google Streetview) (R) 21 Holyrood Street (Source: <https://www.realestate.com.au/property/21-holyrood-st-camberwell-vic-3124>).

Harley Estate and Environs Precinct, Camberwell (HO735)

The Harley Estate and Environs Precinct contains two areas of interwar development: the area to the north began in the 1920s, while the Harley Estate to the south which was developed from the 1930s by the Colonial Mutual Life Assurance Society with architect Robert B Hamilton. The precinct contains a number of highly intact single-storey interwar houses which display a variety of stylistic characteristics including English Domestic Revival and Moderne and together contribute to the significance of the place as a fine and representative example of interwar residential development in Camberwell. The English Domestic Revival style houses in the Harley Estate to the south present as a particularly consistent group in both scale and architectural character.



Figures 16 & 17. Examples of places within the Harley Estate and Environs, Camberwell. (L) 32 Coo loongatta Road (R) 49 Coo loongatta Road (Source: Google Streetview).

Analysis

The above examples all contain streets of highly intact houses dating to the interwar period, which illustrate the significant suburban development in the City of Boroondara in the interwar period. Houses within these precincts display characteristics typical of the interwar period including features of English Domestic Revival, Streamlined Moderne and California Bungalow styles. The resulting interwar streetscapes in these precincts display a high degree of integrity and are highly consistent in both scale and architectural character.



The Dent Street Precinct is comparable in architectural character, quality and consistency to these precincts. The Dent Street Precinct contains middle-class houses which were largely built in the 1930s, the majority of which demonstrate characteristics of the English Domestic Revival style of the Interwar period. These houses contribute to a streetscape of high integrity, uniformity of scale, and distinctive architectural character.



Assessment Against Criteria

Criteria referred to in Planning Practice Note 1: Applying the Heritage Overlay (DELWP, August 2018), 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).

The Dent Street Precinct has strong associations with the interwar period of development in suburban Melbourne. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. The Dent Street Precinct clearly illustrates this important phase of development in the City of Boroondara. As a highly intact precinct of middle-class houses designed in various Interwar styles – but with an emphasis on the English Domestic Revival style – the Dent Street Precinct clearly illustrates this important phase of development in the City of Boroondara.

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

N/A.

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

N/A.

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

The Dent Street Precinct is a fine and highly intact example of a cohesive middle-class Interwar residential precinct. Together these modestly-scaled, single-storey houses predominantly display typical features of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly in the Interwar period, including clinker brick and rendered brick walls with decorative brick detailing, tiled roofs, asymmetrical hipped and gable-ended roof forms, prominent chimneys and entry porches, timber framed windows including tripartite window sets, generous front gardens, brick front fences and original brick garages.

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

The Dent Street Precinct forms a unified group of single-storey residences dating to the Interwar period and predominantly demonstrating characteristics of the English Domestic Revival style. The consistent application of high-quality materials and detailing, such as face clinker and rendered brick construction, prominent chimneys and porches, tripartite window sets and decorative brick detailing, in conjunction with their garden settings, presents a highly picturesque streetscape.



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

N/A.

CRITERION G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

N/A.

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

N/A.



Statement of Significance

What is Significant?

The Dent Street Precinct, Glen Iris, a 1930s subdivision development of the Albion Park Estate, containing a collection of modest Interwar houses.

The precinct comprises 6-28 and 40-60 Dent Street, Glen Iris.

Elements that contribute to the significance of the place include:

- Strong Interwar character with the majority of properties demonstrating characteristics of the English Domestic Revival style
- Consistent front setbacks
- Predominantly brick construction, both face clinker brick and rendered brickwork
- Hipped and gable-ended roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- Single-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows, including tripartite windows with fixed central panes and double hung side sashes
- Decorative brick detailing to windows, porch entries, corners and gable ends
- Original low brick front fences
- Original brick garages
- Garden settings.

Later alterations and additions to the properties, including rear additions, later garages/outbuildings and later fences are not significant. The new dwelling at 12 Dent Street is not significant.

How is it significant?

The Dent Street Precinct, Glen Iris is of local historical, representative (architectural) and aesthetic significance to the City of Boroondara.

Why is it significant?

The Dent Street Precinct has strong associations with the interwar period of development in suburban Melbourne. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. The Dent Street Precinct clearly illustrates this important phase of development in the City of Boroondara. As a highly intact precinct of middle-class houses designed in various Interwar styles – but with an emphasis on the English Domestic Revival style – the Dent Street Precinct clearly illustrates this important phase of development in the City of Boroondara (Criterion A).

The Dent Street Precinct is a fine and highly intact example of a cohesive middle-class Interwar residential precinct. Together these modestly-scale, single-storey houses predominantly display typical features of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly in the Interwar period, including clinker brick and rendered brick walls with decorative brick detailing, tiled roofs, asymmetrical hipped and gable-ended roof forms, prominent chimneys and entry porches, timber framed windows including tripartite window sets, generous front gardens, brick front fences and original brick garages (Criterion D).



The Dent Street Precinct forms a unified group of single-storey residences dating to the Interwar period and predominantly demonstrating characteristics of the English Domestic Revival style. The consistent application of high-quality materials and detailing, such as face clinker and rendered brick construction, prominent chimneys and porches, tripartite window sets and decorative brick detailing, in conjunction with their garden settings, presents a highly picturesque streetscape (Criterion E).

Grading and Recommendations

Recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as a precinct.

PRECINCT GRADINGS SCHEDULE

Address	Grading	Contributory fence / garage
6 Dent Street	Contributory	Fence
8 Dent Street	Contributory	Fence
10 Dent Street	Contributory	Fence
12 Dent Street	Not contributory	-
14 Dent Street	Contributory	Fence
16 Dent Street	Contributory	Fence
18 Dent Street	Contributory	Fence
20 Dent Street	Contributory	Fence
22 Dent Street	Contributory	-
24 Dent Street	Contributory	Garage
26 Dent Street	Contributory	Garage
28 Dent Street	Contributory	Fence
40 Dent Street	Contributory	Fence & Garage
42 Dent Street	Contributory	Fence
44 Dent Street	Contributory	Fence & Garage
46 Dent Street	Contributory	Fence
48 Dent Street	Contributory	Fence
50 Dent Street	Contributory	Fence & Garage
52 Dent Street	Contributory	Fence
54 Dent Street	Contributory	Fence & Garage
56 Dent Street	Contributory	-
58 Dent Street	Contributory	Fence & Garage
60 Dent Street	Contributory	-

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Solar energy system controls apply? <i>Is a permit required for Solar energy systems?</i>	Yes
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from</i>	Yes - original early brick



<i>notice and review?</i>	fences and brick garages
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

GJM Heritage, *Mont Iris Estate & Environs Review*, October 2022

References

Albion Park Estate, undated (Stonnington History Centre).

Built Heritage, *City of Boroondara Thematic Environmental History*, 2012.

Context, City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris, revised 23 June 2021.

Melbourne Metropolitan Board of Works, Detail Plan 2744, Municipality of Camberwell, 1937.

Melbourne Metropolitan Board of Works, Detail Plan 2745, Municipality of Camberwell, 1927.

Photographs, aerial views, 1931 and 1945 (Landata Victoria).

Parish Plan, Boroondara (Public Record Office Victoria, VPRS 16171/P1/4).

Sands & McDougall Directories.

The Herald.



Tower Hill Estate Precinct, Glen Iris & Ashburton

Prepared by: GJM Heritage

Address: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 33 Tower Hill Road, Glen Iris
2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28-30, 32 Munro Avenue, Ashburton
142, 144/144A, 146 High Street, Glen Iris
146A High Street, Ashburton
'Tower Hill', 148 High Street, Ashburton

Name: Tower Hill Estate Precinct, Glen Iris & Ashburton	Survey Date: October 2022
Place Type: Residential Precinct	Architect: Various
Grading: Various	Builder: Henry Slade (Tower Hill House); Various
Extent of Overlay: See precinct map	Construction Date: c1901 ('Tower Hill'); c1935-1940

Precinct Map:



GRADING

- SIGNIFICANT
- CONTRIBUTORY
- NON-CONTRIBUTORY
- PRECINCT BOUNDARY





Figure 1. Examples of residences included in the precinct (L-R, starting at top) 148 High Street, Ashburton and 9, 12, 17, 21, 22, 23 & 24 Tower Hill Road, Glen Iris & (GJM Heritage, July 2022).

Historical Context

The following contextual history is based on Context, 'City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris; revised June 2021'.

The City of Boroondara is located on the Traditional Lands of the Wurundjeri Woi Wurrung people of the Eastern Kulin Nation.

The suburb of Glen Iris is located either side of Gardiner's Creek, with the western portion within the City of Stonnington (former City of Malvern) and the eastern portion within the City of Boroondara (former City of Camberwell). Until the 1860s the area was used for farming on land overlooking the Gardiners Creek valley. From the 1860s the village of Glen Iris was established to the east of Gardiners Creek, at the corner of High Street and Glen Iris Road, on the 1853 Gardiners Creek Public Reserve, which included reservations for a Mechanics' Institute, Wesleyan Church and a State School.

The remainder of the Gardiners Creek Public Reserve was surveyed as the Glen Iris Township in 1879, with township allotments offered for sale fronting High Street and Glen Iris Road and a small commercial area developed at this location in the 1880s. At this time Glen Iris was largely utilised for market gardening, dairying, orchards and brick making, and little residential development occurred. The late 1880s saw some residential subdivision of the western part of Glen Iris, however the eastern part remained largely undeveloped.

In 1890 a railway line from Burnley to Oakleigh Junction was opened, running via the Glen Iris valley on the western side of Gardiners Creek, with Glen Iris Station located just north of High Street. Despite the opening of the railway, the economic depression of the 1890s limited residential development, and by 1903 the population of Glen Iris was approximately 200. Existing tram lines were extended east to the Glen Iris Station in 1914, improving access to land west of Gardiners Creek; however, despite requests that the tram line be extended further east to the Glen Iris village, this did not occur and residents in this part of Glen Iris lived between the Glen Iris railway line on one boundary and the Ashburton railway line on the other, without ready connection to either.

Glen Iris maintained a largely rural character until the 1920s when the substantial growth of Melbourne's population drove extensive residential subdivision of land in areas such as Glen Iris. Subsequent construction of substantial numbers of houses in the 1920s and 1930s resulted in a predominantly interwar architectural character in the suburb,



particularly east of Gardiners Creek, in the former City of Camberwell (present City of Boroondara).

History

Tower Hill Estate Precinct is located within a 273 acre (110 hectare) allotment originally purchased by Thomas Henderson in 1850 as Allotment 137B in Section 1, Parish of Boroondara, County of Bourke (PROV). The Tower Hill Estate was subdivided from the substantial land holding of 'Tower Hill' – a holding of over 12 acres purchased by Malvern market gardener, William Woodmason, in 1894 as part of Crown Portion A, Section 2, Parish of Boroondara (LV: V1536/F044) (Figure 2). This allotment was transferred to Emma Slade in 1898 (LV: V1536/F044).

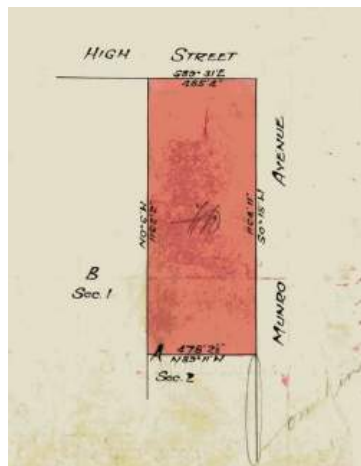


Figure 2. Estate acquired by William Woodmason, 1884 (Source: Landata).

In 1900, builder Henry Slade and Emma Slade lived nearby in Albion Road, Glen Iris (S & M) and by 1901 the couple had relocated to the south side of High Street (S & M). It appears likely that Slade constructed a house for his family on his allotment in High Street by 1901 (S & M), later named 'Tower Hill', and described as a 9-roomed brick house, on 13 acres and valued at £90 in 1904 (Camberwell Rate Books) (Figure 3).



Figure 3. Undated image of Tower Hill, 148 High Street Ashburton, showing an original slate roof and early access from the north-west (Source: City of Boroondara Library).

In 1906, farmer William Henry Prior acquired the property (LV: V3106/F136, S & M) and the house was first recorded as 'Tower Hill' in 1907 (Camberwell Rate Books). In 1908, Carl Dugmore Timms was the recorded owner of 'Tower Hill' (Camberwell Rate Books). Ownership passed to William Armstrong Stoney, tailor, in 1909 (Camberwell Rate Books) and the Stoney family relocated from 'Tolarno', Riversdale Road, Hawthorn to 'Tower Hill', High Street, Ashburton the following year (*Punch*, 19 May 1910:25).

Stoney subdivided the Tower Hill Estate in 1926, advertising '59 glorious blocks' for sale in the Tower Hill Estate (Figures 4 & 5). The lots were auctioned in October 1926; Tower Hill House was included in the sale (*Argus*, 9 October 1926:25), described as a:

brick & cemented tiled roof villa, with tower, containing 8 large, lofty rooms and standing in prettily laid out gardens & lawns, with land having a frontage of 130 ft to High Street, affording ample space for a tennis court (*Argus*, 23 October 1926:2).

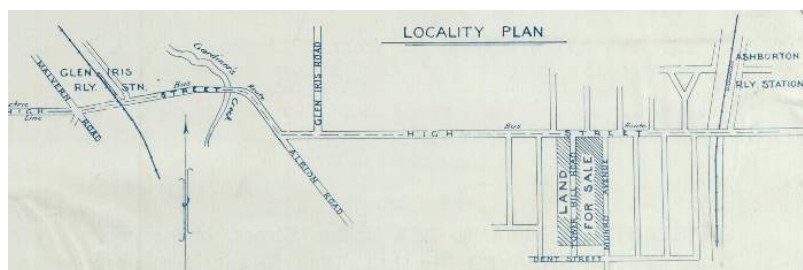


Figure 4. Location of Tower Hill Estate subdivision, from '56 glorious home sites', 1926. (Source: State Library Victoria).

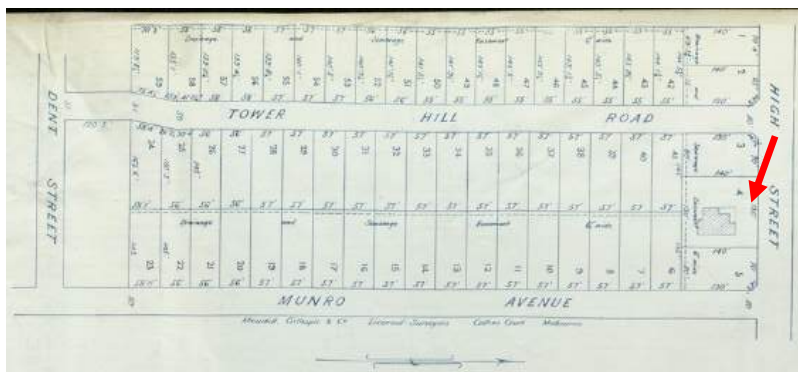


Figure 5. Plan of Tower Hill Estate subdivision, from '56 glorious home sites', 1926. Tower Hill House is indicated by red arrow. North is to the right of the image (Source: State Library Victoria).

A Melbourne & Metropolitan Board of Works (MMBW) Detail Plan of the area (Figure 6) indicates that no construction had occurred in the Tower Hill Estate by 1929 and Tower Hill Road itself had not yet been laid out. An aerial photograph dating to 1931 (Figure 7) shows that the Estate also remained undeveloped at this time. Likely due to the economic depression of the time, in 1934 the large number of remaining allotments in the Tower Hill Estate were re-advertised for sale at prices equivalent to land sales in East Malvern 20 years prior (Figure 8) (*Herald*, 7 November 1934:30).

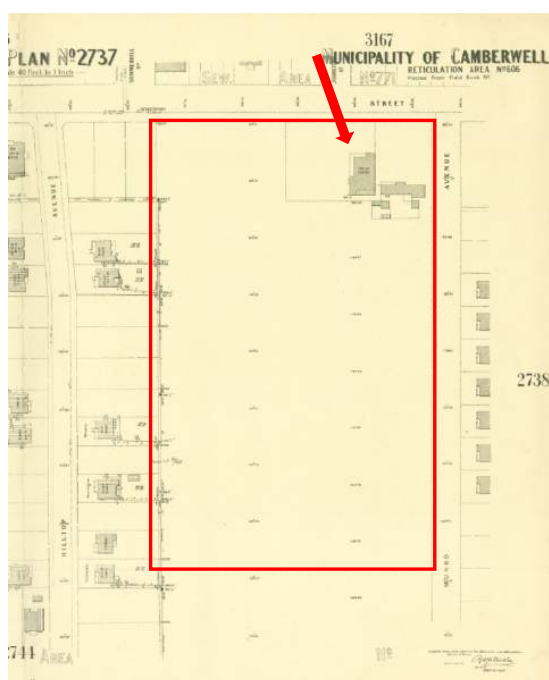


Figure 6. MMBW Detail Plan 27737 showing Tower Hill House fronting High Street, 1929 (indicated by red arrow). The Tower Hill Estate (approximately indicated by red rectangle) remained vacant at this time. North is to the top of the image (Source: State Library Victoria).



Figure 7. Aerial photograph, 1931 showing Munro Avenue being laid out (indicated by red arrow) and Tower Hill House in the north-east corner. The approximate boundary of the Tower Hill Estate is shown in red (Source: Landata Victoria).

By Public Auction :: Saturday, 17th November, 1934
on the Land at 3.15 p.m. in a Seated Marquee

TOWER HILL ESTATE

ASHBURTON

50 Glorious Residential Allotments :: Attractive Brick Residence
With Actual Frontages to High Street.

The Estate is generally the Last Available Area for Subdivision in this Picturesque Locality and is Surrounded by Attractive Homes.
The advent of the Electric Trains now running direct to Melbourne, thus eliminating the previous inconvenience of changing at Camberwell, is already proving a greater impetus to building at Ashburton.

ADVANTAGES OF PURCHASING ON THE TOWER HILL ESTATE.
The rapid utilization for building purposes of the few available blocks between High Street and Ashburton will secure an early building campaign of Ashburton. As a matter of fact, one builder is at present operating in High Street and near street, and we are informed, in contemplating erecting, in the near future, ten to twelve Villas in High Street and the southern end of Munro Avenue, previously occupied by the late Mr. J. H. Knight.

The close proximity of the Estate to the famous High Street Park, with its wonderful Municipal Golf Links, and Recreation Grounds for cricket and football, and the close proximity to the shops, bus, and tram, will be a decided inducement for future home builders, as the district offers greater facilities for retirement than any other district, especially south of the Yarra.

Exceptionally Easy Terms
FOR LAND OF THIS SIZE.

£5 DEPOSIT for Allotments fronting Munro Avenue and Tower Hill Road.

£75 DEPOSIT for Allotments fronting High Street.

INSTALLMENTS only 15 per Month per lot.

INTEREST 45 per centum per annum, payable Quarterly, Remainder 5 Years.

TERMS FOR RESIDENCE FOR DEPOSIT.
INSTALLMENTS 30. Weekly which includes Principal and Interest, calculated at the rate of 45 per centum per annum.
Residue 5 Years.

SALE PLAN
Scale: 100 feet = 1 inch.

LOTS COLOURED ORANGE FOR SALE

TITLE CERTIFICATE. Subdivided: MURDO, WHITEHEAD & EVANS, 101 William St., Melbourne.

GAS, ELECTRIC LIGHT, WATER AND SEWERAGE ARE RIGHT AT THE ESTATE.

The Estate is situated within 7 minutes' walk of the Ashburton railway station, and all advantages of the railway, the nearest station, the property being close to the Yarra and Ashburton.

The Estate is closely elevated, with a gradual slope to the south, therefore affording every allotment commands, extensive and commanding views.

H. P. KNIGHT & CO.
Property Salesmen and Subdivisional Experts
315 Collins Street, Melbourne

(Phone: East 15011, 15015) who will submit the above Estate and Residence to Auction through their Auctioneers.

Figure 8. Advertisement for the Tower Hill Estate subdivision, 1934 (Source: State Library Victoria).

Remaining on an allotment near the corner of High Street and Munro Street, 'Tower Hill' was acquired by John Leonard Thomas in 1935 (LV: V5808/F514) (Figure 9) and on-sold to grazier James Joseph Waldron in 1936 (LV: V6041/F081) (Figure 10). The property subsequently passed to various owners after his death the following year.



Figure 9. Photograph of Tower Hill house, 1934 from Advertisement for the Tower Hill Estate subdivision, 1934 (Source: State Library Victoria).

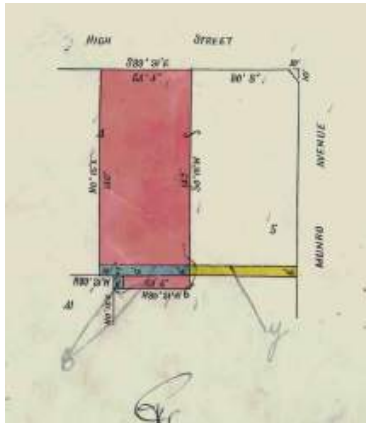


Figure 10. Allotment containing the Tower Hill House, acquired by James Waldron in 1936 (Source: Landata).

Development within the Tower Hill Estate occurred from the mid-1930s and was largely complete by 1940 (S & M), as shown in an aerial photograph dating from 1945 (Figure 11).



Figure 11. Aerial photograph, 1945 showing development within Tower Hill Estate. The Estate was substantially developed by this time. The approximate boundary of the Tower Hill Estate is shown by the red rectangle) (Source: Landata Victoria).

The precinct illustrates the following themes as outlined in Victoria's Framework of Historical Themes:

- 6 Building towns, cities and the garden state
 - 6.3 Shaping the suburbs
 - 6.7 Making homes for Victorians

Description & Integrity

The Tower Hill Estate Precinct, Glen Iris & Ashburton is situated to the south of High Street and north of Dent Street. It is a residential precinct which comprises properties on the eastern and western sides of Tower Hill Road, on the western side of Munro Avenue, and on the south side of High Street between Tower Hill Road and Munro Avenue. With the exception of 'Tower Hill' at 148 High Street, houses were constructed in the late interwar and World War II period. All properties are individual houses set on separate allotments.

The Tower Hill Estate Precinct presents as highly intact streetscapes of late interwar and World War II-era houses, generally dating from the late-1930s to 1945, which demonstrate a consistency in architectural style, materiality and detailing. Many of the houses demonstrate characteristics of the English Domestic Revival style of the interwar period. Houses are generally single or two-storey and are of brick (face clinker brick or rendered brick) construction, with hipped or gable-ended roofs clad in terracotta tiles, and prominent rendered or face brick chimneys (see examples at Figures 12-14). Common features include entry porches (see examples at Figures 12-14), timber box windows (see examples at Figures 12-14) and decorative brick detailing around windows, porch entries, corners and gable ends (see examples at Figures 12-14).



Figure 12. Prominent decorative chimney at 8 Munro Avenue (GJM Heritage, July 2022).



Figure 13. Decorative entry porch at 24 Tower Hill Road (GJM Heritage, July 2022).



Figure 14. Timber framed windows at 9 Tower Hill Road (GJM Heritage, July 2022).

Houses in the precinct are set back from the street behind front gardens and a number retain their original low front brick fences and garages.

'Tower Hill' at 148 High Street, Glen Iris is a single-storey house which largely presents as a late Italianate villa, with rendered brick walls (overpainted) and a central balustraded tower with pairs of windows to each face. Set towards the rear of the current allotment, the house presents an asymmetrical elevation to High Street, comprising a side gable to



the east with half-timbered gable end, and return verandah to the west side which terminates at a rear gable roof. The front gable contains a tripartite window with segmental arched head and highlights containing leadlight glazing. Four tall rendered chimneys, with corniced capping, rise above the roof either side of the central tower.

The roof is currently clad with terracotta tiles (originally slate) with decorative ridging and finials, and the verandah is supported on turned timber posts with decorative timber brackets and frieze.

Key Features of the Precinct

- Strong Interwar character generally demonstrating characteristics of the English Domestic Revival style
- Consistent front setbacks within streetscapes
- Brick construction, both face clinker brick and rendered
- Hipped and gable-ended roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- One and two-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows, including bay windows and tripartite windows with fixed central panes and double hung side sashes
- Decorative brick detailing to walls, porch entries and gable ends
- Original low brick front fences
- Some original or early brick garages
- Garden settings.

Key features of 'Tower Hill'

- Single-storey Italianate-style villa with some Edwardian influences
- Balustraded central tower with pairs of windows to each face
- Rendered brick construction (overpainted)
- Decorative roof ridging and finials
- Asymmetrical front elevation
- Return verandah with turned timber posts and timber fretwork
- Tall prominent chimneys with corniced capping
- Half timbering and rough cast render to gable end
- Tripartite window to the front gable end with segmental arched head and highlights containing leadlight glazing.

The residences within the Tower Hill Estate Precinct remain substantially intact to their period of construction and retain a high degree of integrity to the interwar and World War II period in fabric, form and detail. While the residences have undergone some alterations and additions, these are generally focussed to the rear of individual properties and have more limited visibility from the public realm. These do not diminish the ability to understand and appreciate the place as a finely detailed and picturesque precinct predominantly dating from the mid-late 1930s.

'Tower Hill' retains a high degree of integrity to the early 20th century period in fabric, form and detail. While the house has undergone some minor alterations and additions, the ability to understand and appreciate the place as a finely detailed house dating to the early 20th century is retained.



Comparative Analysis

The Tower Hill Estate Precinct is of note as a representative example of an interwar subdivision of a Victorian/Federation-era estate. The precinct contains a highly intact group of late 1930s/early 1940s houses, typical of suburban development that occurred in suburbs such as Glen Iris, Ashburton and Camberwell in the interwar and early WWII period. These sections of Tower Hill Road, Munro Street and High Street developed over a short period of time, after the re-release of the Tower Hill Estate subdivision in 1934. This precinct of one and two-storey houses displays a consistency of scale, and distinctive architectural character typical of the interwar period.

A number of interwar precincts are included in the Heritage Overlay in the City of Boroondara; however, unlike the Tower Hill Estate Precinct, many of these contain substantial numbers of early interwar California Bungalows. These precincts include Toorak Estate and Environs, Glen Iris Precinct (HO230), Leslie Street Precinct, Hawthorn (HO164) and Fairview Avenue Precinct, Burwood (HO225). Those interwar precincts that are most comparable to the Tower Hill Estate Precinct include Goodwin Street and Somerset Road Precinct, Glen Iris (HO226), Great Glen Iris Railway Junction Estate and Environs, Ashburton (HO227), Holyrood Estate and Environs, Camberwell (HO228) and Harley Estate and Environs Precinct, Camberwell (HO735). These precincts contain comparable streets of highly intact single-storey houses dating to the interwar period.

Goodwin Street and Somerset Road Precinct, Camberwell (HO226)

The Goodwin Street and Somerset Road Precinct developed on land subdivided in 1929, east of Glen Iris Road and north of the Burwood Railway Station on the former Outer Circle Railway Line. Most of the residential development in the precinct took place in the interwar years of the 1930s and houses are generally modest brick residences which demonstrate characteristics of English Domestic Revival, Mediterranean Revival and Moderne styles. The precinct contains a number of highly intact single-storey interwar houses which together contribute to the significance of the place as a fine and representative example of interwar residential development in Camberwell.



Figures 15 & 16. Examples of places within the Goodwin Street and Somerset Road Precinct, Camberwell. (L) 2 Goodwin Street (Source: Google Streetview) (R) 10 Goodwin Street (Source: <https://www.property.com.au/vic/glen-iris-3146/goodwin-st/10-pid-3358566/>).

Great Glen Iris Railway Junction Estate and Environs, Ashburton (HO227)

The Great Glen Iris Railway Junction Estate and Environs Precinct developed on land subdivided in 1923, south of the High Street commercial strip and adjacent to the former Outer Circle Railway Line. Most of the residential development in the precinct took place in the interwar years of the 1920s and 1930s and houses are generally modest brick residences, either California Bungalows or hipped roof brick houses which demonstrate characteristics of the English Domestic Revival style. The precinct contains a number of highly intact single-storey interwar houses which together contribute to the significance of



the place as a fine and representative example of interwar residential development in Ashburton.



Figures 17 & 18. Examples of places within the Great Glen Iris Railway Junction Estate and Environs, Ashburton. (L) 8 Lexia Street (Source: <https://www.realestate.com.au/sold/property-house-vic-ashburton-110467729>) (R) 13 Lexia Street (Source: Google Streetview).

Holyrood Estate and Environs, Camberwell (HO228)

The Holyrood Estate and Environs Precinct developed through the 1924 subdivision of the Holyrood Estate, located on the south side of Riversdale Road, Camberwell, west of Highfield Road. Most of the residential development in the precinct took place in the interwar years of the 1930s and houses are generally brick residences, either California Bungalows or hipped roof brick houses which demonstrate characteristics of the English Domestic Revival and Mediterranean Revival styles. The precinct contains a number of highly intact single-storey interwar houses which together contribute to the significance of the place as a fine and representative example of interwar residential development in Camberwell.



Figures 19 & 20. Examples of places within the Holyrood Estate and Environs, Camberwell. (L) 19 Holyrood Street (Source: Google Streetview) (R) 21 Holyrood Street (Source: <https://www.realestate.com.au/property/21-holyrood-st-camberwell-vic-3124>).

Harley Estate and Environs Precinct, Camberwell (HO735)

The Harley Estate and Environs Precinct contains two areas of interwar development. The area to the north began to be developed in the 1920s and the area to the south was developed from the 1930s by the Colonial Mutual Life Assurance Society with architect Robert B Hamilton. The precinct contains a number of highly intact single-storey interwar houses which display a variety of stylistic characteristics including English Domestic Revival and Moderne and together contribute to the significance of the place as a fine and representative example of interwar residential development in Camberwell. The English Domestic Revival style houses in the Harley Estate to the south present as a particularly consistent group in both scale and architectural character.



Figures 21 & 22. Examples of places within the Harley Estate and Environs, Camberwell. (L) 32 Cooloongatta Road (R) 49 Cooloongatta Road (Source: Google Streetview).

Analysis

The above comparative examples all contain streets of highly intact houses dating to the interwar period, which illustrate significant suburban development in the City of Boroondara in the mid-twentieth century. These houses display characteristics typical of the interwar period, including features of English Domestic Revival, Streamlined Moderne and California Bungalow styles. The resulting interwar streetscapes in these precincts display a high degree of integrity and are highly consistent in both scale and architectural character.

The Tower Hill Estate Precinct is comparable in architectural character, quality and consistency to the above precincts. The Tower Hill Estate Precinct contains middle-class houses which were predominantly built in the late 1930s to the early 1940s and demonstrate characteristics of the English Domestic Revival style of the Interwar period. These houses contribute to a streetscape of high integrity, uniformity of scale, and distinctive architectural character.



Assessment Against Criteria

Criteria referred to in Planning Practice Note 1: Applying the Heritage Overlay (DELWP, August 2018), 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).

The Tower Hill Estate Precinct has strong associations with the late Interwar period of development in suburban Melbourne. In this period extensive tracts of land in Glen Iris and Ashburton – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. Many of these residential estates resulted from the subdivision of large Victorian or Edwardian-era landholdings, as was the case with the subdivision of the c1901 "Tower Hill" House Estate. The interwar period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. As a highly intact precinct of middle-class houses designed in various Interwar styles – along with the turn-of-the-century "Tower Hill" House – the Tower Hill Estate Precinct clearly illustrates this important phase of development in the City of Boroondara.

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

N/A.

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

N/A.

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

The Tower Hill Estate Precinct is a fine and highly intact example of a cohesive middle-class interwar residential precinct. Together the one and two-storey houses predominantly display typical features of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly in the interwar period, including clinker brick and rendered brick walls with decorative brick detailing, tiled roofs, asymmetrical hipped and gable-ended roof forms, prominent chimneys, timber framed windows including tripartite window sets, generous front gardens and brick front fences.

'Tower Hill' house at 148 High Street, Ashburton is a distinctive and intact representative example of an Italianate-style residence in the City of Boroondara. The building displays important characteristics, typical of late nineteenth century/early twentieth century middle-class housing in Glen Iris and across Boroondara more broadly, including an asymmetrical form with imposing balustraded tower, prominent chimneys, imitation half-timbering and rough cast render to the front gable end, tripartite front window with leadlighting, and return verandah with turned timber posts and timber fretwork; the latter more typical of early 20th century decorative detailing.

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

The Tower Hill Estate Precinct forms a unified group of one and two-storey residences dating to the late interwar period and predominantly demonstrating characteristics of the



English Domestic Revival style. The consistent application of high-quality materials and detailing, such as face clinker and rendered brick construction, prominent chimneys and porches, tripartite window sets and decorative brick detailing, in conjunction with their garden settings, present as highly picturesque streetscapes.

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

N/A.

CRITERION G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

N/A.

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

N/A.



Statement of Significance

What is Significant?

The Tower Hill Estate Precinct, a 1930s and early 1940s subdivision development of the Tower Hill Estate, containing a collection of Interwar houses and the original house in the estate known as 'Tower Hill' built c1901.

The precinct comprises 2-28 & 1-33 Tower Hill Road, Glen Iris, 2-32 Munro Avenue, Ashburton, 142-146A High Street, Glen Iris and 148 High Street, Ashburton.

Elements that contribute to the significance of the place include:

- Strong Interwar character generally demonstrating characteristics of the English Domestic Revival style
- Consistent front setbacks within streetscapes
- Brick construction, both face clinker brick and rendered
- Hipped and gable-ended roof forms, clad in terracotta tiles
- Predominantly asymmetrical front elevations
- One and two-storey scale
- Tall prominent chimneys
- Entry porches
- Timber framed windows, including bay windows and tripartite windows with fixed central panes and double hung side sashes
- Decorative brick detailing to walls, porch entries and gable ends
- Original low brick front fences
- Some original or early brick garages
- Garden settings.

Elements that contribute to the significance of 'Tower Hill' include (but are not limited to):

- Single-storey Italianate-style villa with some Edwardian-era decorative influences
- Balustraded central tower with pairs of windows to each face
- Rendered brick construction (overpainted)
- Decorative roof ridging and finials
- Asymmetrical front elevation
- Return verandah with turned timber posts and timber fretwork
- Tall prominent chimneys with corniced capping
- Half timbering and rough cast render to gable end
- Tripartite window to the front gable end with segmental arched head and highlights containing leadlight glazing.

5, 15, 26 & 31 Tower Hill Road, 12 & 26 Munro Street and 146A High Street are not significant. Later alterations and additions to other properties, including rear additions, later garages/outbuildings and later fences are not significant.

How is it significant?

The Tower Hill Estate Precinct is of local historical, representative (architectural) and aesthetic significance to the City of Boroondara.

Why is it significant?

The Tower Hill Estate Precinct has strong associations with the late Interwar period of development in suburban Melbourne. In this period extensive tracts of land in Glen Iris and Ashburton – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. Many of these residential estates resulted from the subdivision of large Victorian or Edwardian-era landholdings, as was the case with the subdivision of



the c1901 "Tower Hill" House Estate. The interwar period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. As a highly intact precinct of middle-class houses designed in various Interwar styles – along with the turn-of-the-century "Tower Hill" House – the Tower Hill Estate Precinct clearly illustrates this important phase of development in the City of Boroondara (Criterion A).

The Tower Hill Estate Precinct is a fine and highly intact example of a cohesive middle-class interwar residential precinct. Together the one and two-storey houses predominantly display typical features of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly in the interwar period, including clinker brick and rendered brick walls with decorative brick detailing, tiled roofs, asymmetrical hipped and gable-ended roof forms, prominent chimneys, timber framed windows including tripartite window sets, generous front gardens and brick front fences (Criterion D).

'Tower Hill' house at 148 High Street, Ashburton is a distinctive and intact representative example of an Italianate-style residence in the City of Boroondara. The building displays important characteristics, typical of late nineteenth century/early twentieth century middle-class housing in Glen Iris and across Boroondara more broadly, including an asymmetrical form with imposing balustraded tower, prominent chimneys, imitation half-timbering and rough cast render to the front gable end, tripartite front window with leadlighting, and return verandah with turned timber posts and timber fretwork; the latter more typical of early 20th century decorative detailing (Criterion D).

The Tower Hill Estate Precinct forms a unified group of one and two-storey residences dating to the late interwar period and predominantly demonstrating characteristics of the English Domestic Revival style. The consistent application of high-quality materials and detailing, such as such as face clinker and rendered brick construction, prominent chimneys and porches, tripartite window sets and decorative brick detailing, in conjunction with their garden settings, present as highly picturesque streetscapes (Criterion E).

Grading and Recommendations

Recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as a precinct.

PRECINCT GRADINGS SCHEDULE

Address	Grading	Contributory fence / garage
2 Tower Hill Road, Glen Iris	Contributory	-
4 Tower Hill Road, Glen Iris	Contributory	-
6 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
8 Tower Hill Road, Glen Iris	Contributory	-
10 Tower Hill Road, Glen Iris	Contributory	-
12 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
14 Tower Hill Road, Glen Iris	Contributory	-
16 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
18 Tower Hill Road, Glen Iris	Contributory	Garage
20 Tower Hill Road, Glen Iris	Contributory	-
22 Tower Hill Road, Glen Iris	Contributory	-
24 Tower Hill Road, Glen Iris	Contributory	-
26 Tower Hill Road, Glen Iris	Not contributory	-
28 Tower Hill Road, Glen Iris	Contributory	Garage
1 Tower Hill Road, Glen Iris	Contributory	Garage



Address	Grading	Contributory fence / garage
3 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
5 Tower Hill Road, Glen Iris	Not contributory	-
7 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
9 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
11 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
13 Tower Hill Road, Glen Iris	Contributory	Fence
15 Tower Hill Road, Glen Iris	Not contributory	-
17 Tower Hill Road, Glen Iris	Contributory	-
19 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
21 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
23 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
25 Tower Hill Road, Glen Iris	Contributory	Garage
27 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
29 Tower Hill Road, Glen Iris	Contributory	Fence & Garage
31 Tower Hill Road, Glen Iris	Not contributory	-
33 Tower Hill Road, Glen Iris	Contributory	Fence
2 Munro Avenue, Ashburton	Contributory	Garage
4 Munro Avenue, Ashburton	Contributory	Fence & Garage
6 Munro Avenue, Ashburton	Contributory	Garage
8 Munro Avenue, Ashburton	Contributory	Garage
10 Munro Avenue, Ashburton	Contributory	Fence & Garage
12 Munro Avenue, Ashburton	Not contributory	-
14 Munro Avenue, Ashburton	Contributory	Fence & Garage
16 Munro Avenue, Ashburton	Contributory	Fence & Garage
18 Munro Avenue, Ashburton	Contributory	Garage
20 Munro Avenue, Ashburton	Contributory	Fence & Garage
22 Munro Avenue, Ashburton	Contributory	Garage
24 Munro Avenue, Ashburton	Contributory	Fence
26 Munro Avenue, Ashburton	Not contributory	-
28-30 Munro Avenue, Ashburton	Contributory	Fence
32 Munro Avenue, Ashburton	Contributory	Garage
142 High Street, Glen Iris	Contributory	Garage
144/144A High Street, Glen Iris	Contributory	Fence (brick section only) & Garage
146 High Street, Glen Iris	Contributory	Garage
146A High Street, Ashburton	Not contributory	-
'Tower Hill', 148 High Street, Ashburton	Significant	-

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Solar energy system controls apply? <i>Is a permit required for Solar energy systems?</i>	Yes
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No



Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes – original or early brick fences and brick garages
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

GJM Heritage, Mont Iris Estate & Environs Review, October 2022

References

Built Heritage, *City of Boroondara Thematic Environmental History*, 2012.

Context, City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris, revised 23 June 2021.

Camberwell Rate Books.

56 Glorious Home Sites, Tower Hill Estate subdivision, 1926.

Land Victoria Title Certificates.

Melbourne and Metropolitan Board of Works, Detail Plan 27737, 1929.

Parish Plan, Boroondara (Public Record Office Victoria, VPRS 16171/P1/4).

Photograph of Tower House ('Tower Hill'), undated (City of Boroondara Library ref no 15261900).

Photographs, aerial views, 1931 and 1945 (Landata Victoria).

Punch (Melbourne).

Sands & McDougall Directories.

The Argus.

The Herald.

Tower Hill Estate, Ashburton, subdivision 1934 (State Library Victoria).

Victorian Electoral Rolls (via Ancestry).



7 Fuller Avenue, Glen Iris

Prepared by: GJM Heritage

Address: 7 Fuller Avenue, Glen Iris

Name: House	Survey Date: October 2022
Place Type: Residential	Architect: Not known
Grading: Significant	Builder: H E Marriott (likely)
Extent of Overlay: To title boundaries	Construction Date: 1925



Figure 1. 7 Fuller Avenue, Glen Iris (Source: GJM Heritage July 2022)

Historical Context

The following contextual history is based on Context, 'City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris; revised June 2021'.

The City of Boroondara is located on the Traditional Lands of the Wurundjeri Woi Wurrung people of the Eastern Kulin Nation.



The suburb of Glen Iris is located either side of Gardiner's Creek, with the western portion within the City of Stonnington (former City of Malvern) and the eastern portion within the City of Boroondara (former City of Camberwell). Until the 1860s the area was used for farming on land overlooking the Gardiners Creek valley. From the 1860s the village of Glen Iris was established to the east of Gardiners Creek, at the corner of High Street and Glen Iris Road, on the 1853 Gardiners Creek Public Reserve, which included reservations for a Mechanics' Institute, Wesleyan Church and a State School.

The remainder of the Gardiners Creek Public Reserve was surveyed as the Glen Iris Township in 1879, with township allotments offered for sale fronting High Street and Glen Iris Road and a small commercial area developed at this location in the 1880s. At this time Glen Iris was largely utilised for market gardening, dairying, orchards and brick making, and little residential development occurred. The late 1880s saw some residential subdivision of the western part of Glen Iris, however the eastern part remained largely undeveloped.

In 1890 a railway line from Burnley to Oakleigh Junction was opened, running via the Glen Iris valley on the western side of Gardiners Creek, with Glen Iris Station located just north of High Street. Despite the opening of the railway, the economic depression of the 1890s limited residential development, and by 1903 the population of Glen Iris was approximately 200. Existing tram lines were extended east to the Glen Iris Station in 1914, improving access to land west of Gardiners Creek; however, despite requests that the tram line be extended further east to the Glen Iris village, this did not occur and residents in this part of Glen Iris lived between the Glen Iris railway line on one boundary and the Ashburton railway line on the other, without ready connection to either.

Glen Iris maintained a largely rural character until the 1920s when the substantial growth of Melbourne's population drove extensive residential subdivision of land in areas such as Glen Iris. Subsequent construction of substantial numbers of houses in the 1920s and 1930s resulted in a predominantly interwar architectural character in the suburb, particularly east of Gardiners Creek, in the former City of Camberwell (present City of Boroondara).

History

The house at 7 Fuller Avenue, Glen Iris was constructed in 1925 for Henry Ernest and Elsie Marriott. H E Marriott was a builder and it is presumed that he constructed the house for himself and his family.

The house was built on one of 112 allotments which were offered for sale in 1915 as part of the Bonnie View Estate, with views described as 'most extensive and charming' (Bonnie View Estate, undated) (Figures 2 & 3). Twenty-five allotments were sold in the initial three-week period following release of the subdivision (*Herald*, 19 August 1915:8). In 1917 Ernest Ratcliffe acquired a number of these allotments (LV: V4062/F230) (Figure 4), including the subject site – Allotment 65 on the east side of Fuller Avenue – which was subsequently transferred to Arthur Duncan in 1922 and to Elsie Marriott in June 1924 (LV: V4578/F585).



BONNIE VIEW ESTATE
HIGH STREET & ALBION ROAD, GLEN IRIS
 Six Minutes' Walk from Glen Iris Station and Seven Minutes' Walk from High Street Electric Train Terminus.

112 CHOICE RESIDENTIAL SITES

The views from each allotment in this estate are the most extensive and charming to be had in the beautiful Glen Iris district, and the position generally is one where values must soon greatly increase.

Post Office & State School within Two Minutes' Walk of the Estate.

TITLE CERTIFICATE.
 Solicitor, Messrs A. Ralph, 430 Lt. Collins St., Melb.

PLANS AND PARTICULARS FROM

D. H. SCOTT

BRANCHES:
 WATTLERTREE ROAD, MALVERN
 BURKE ROAD, GARDINER

**ESTATE AGENT QUEEN'S WALK
 72 SWANSTON ST., MELBOURNE**

For Private Sale on Exceptionally EASY TERMS
NO DEPOSIT
 Monthly Payments extending over Four Years.

Figure 2. Bonnie View Estate, Glen Iris subdivision brochure, undated (Source: SLV).

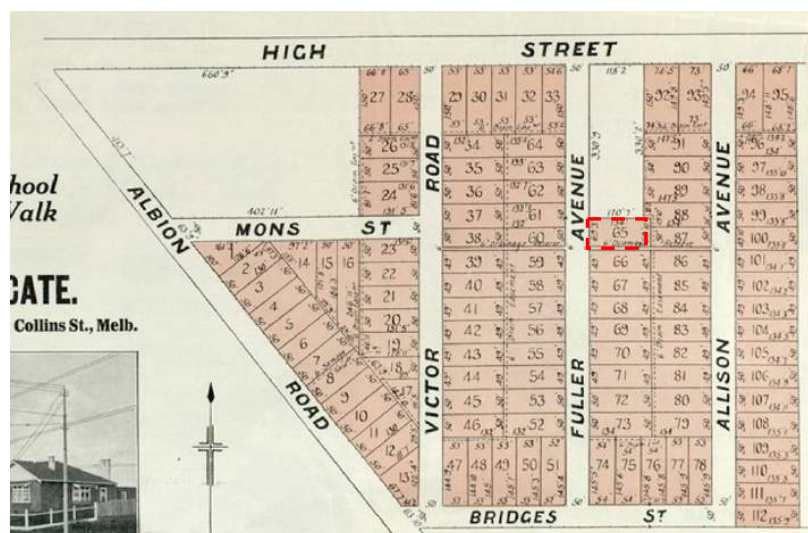


Figure 3. Detail of Bonnie View Estate subdivision brochure, showing allotment purchased by the Marriotts (Source: SLV).

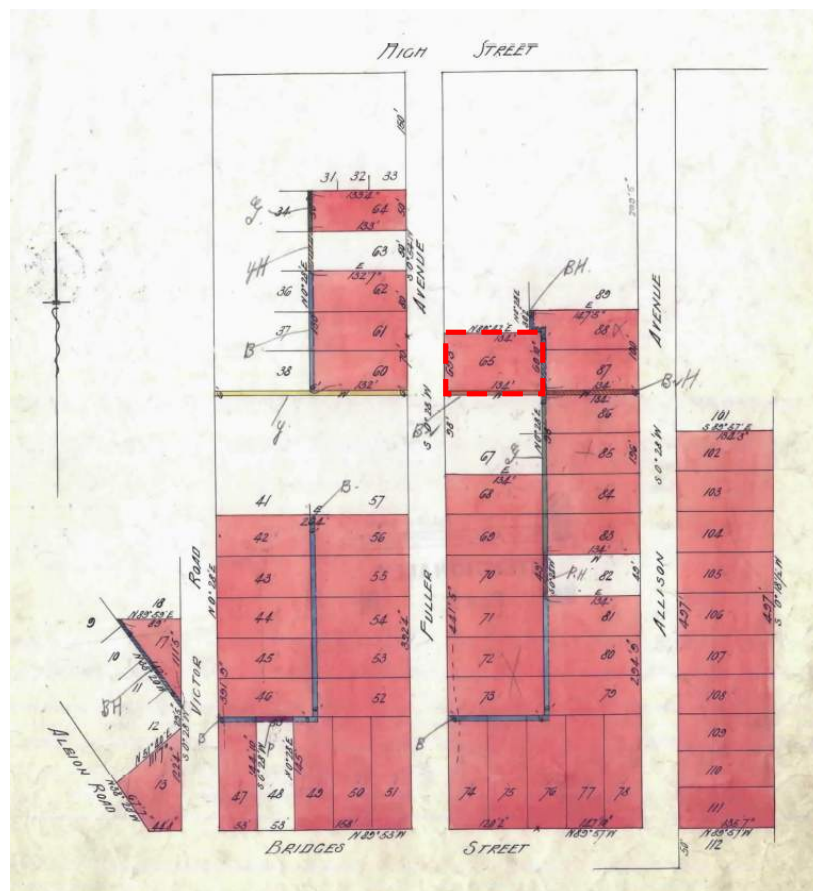


Figure 4. Certificate of Title, Volume 4062, Folio 230, showing allotments acquired by Ernest Ratcliffe in 1917, and Allotment 65 acquired by the Marriotts in 1924 (Source: Landata).

By the following year, the Marriotts had constructed a six-roomed brick house on the broad 69-foot x 134-foot allotment (City of Camberwell Rate Books). Surrounding allotments were smaller and houses on these allotments were generally built of timber (Figures 5 & 6).

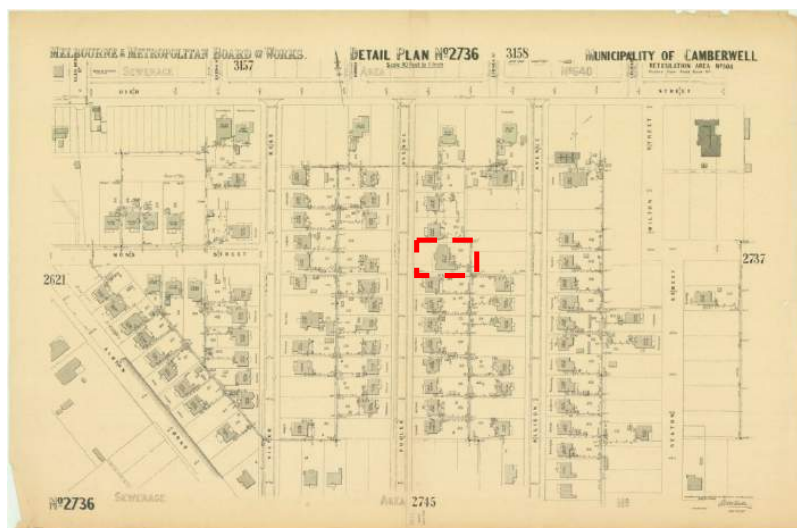


Figure 5. MMBW Detail Plan 2736, Municipality of Camberwell, 1927 (Source) SLV).

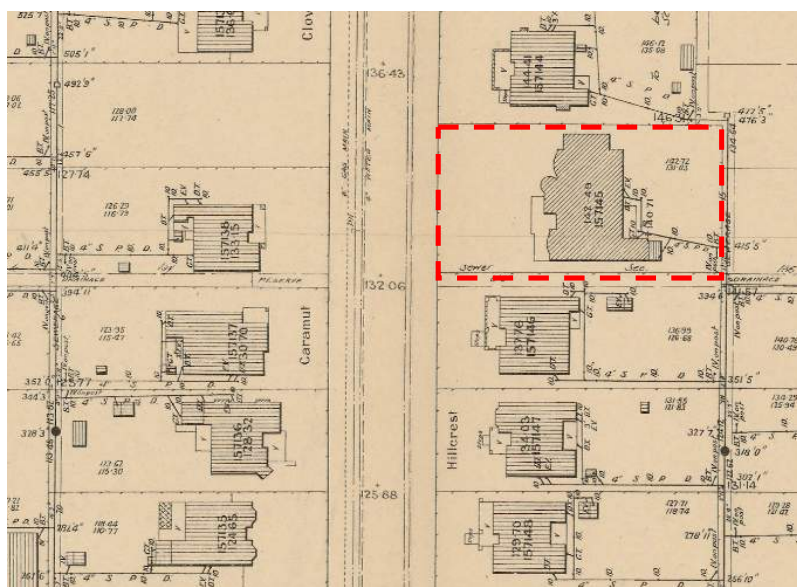


Figure 6. Detail of MMBW Detail Plan 2736, Municipality of Camberwell, 1927, illustrating the plan of the house soon after construction and the smaller size and timber construction of surrounding houses (Source: SLV).

Henry, Elsie and their family lived at 7 Fuller Avenue until at least 1931 (*Herald*, 17 July 1931:10; Electoral Roll 1931) before relocating to a new house nearby at 89 High Street, Glen Iris, presumably also built by Marriott (Electoral Roll, 1936). The property at 7 Fuller Avenue was subsequently transferred to Marjorie Crowley in 1932 (LV: V4578/F585) and the house was occupied by Marjorie and Thomas Crowley until at least 1940 (Sands & McDougall). An aerial photograph dating from 1945 records the property during this occupancy (Figures 8 & 9). The property was subsequently transferred to Alan Coburn in 1955 (LV: V4578/F585).



Figure 7. Detail of aerial view of Glen Iris, 1931, showing the development of the Bonnie View Estate by the 1930s (Source: Landata).



Figure 8: Detail of aerial view of Melbourne, 1945, showing further development of the Bonnie View Estate, Glen Iris to the south (Source: Landata).



Figure 9: Detail of Figure 8 showing the house at 7 Fuller Avenue, Glen Iris in 1945 (Source: Landata).

The property was offered for sale in 1962 as a 'gracious wide fronted brick residence of 7 spacious rooms [with] all wanted amenities, in delightful garden setting. Choice 69-ft allotment, in sought after position' (*Age*, 17 February 1962:33) and was purchased by Patricia Butler (LV: V4578/F585). It was again offered for sale 28 years later as an 'immaculate solid brick family home, sited in this quiet tree lined location handy to all wanted facilities, comprising entrance hall, formal sitting room, separate dining, master bedroom, BIR, further 3 bedrooms, sparkling central bathroom, bright modern kitchen, laundry, sunroom. Note: superb garden setting' (*Age*, 22 August 1987:68). The new



owners made a single-storey addition at the rear and widened the garage in 1990 (City of Boroondara Building Plans 89848) (Figures 10 & 11).

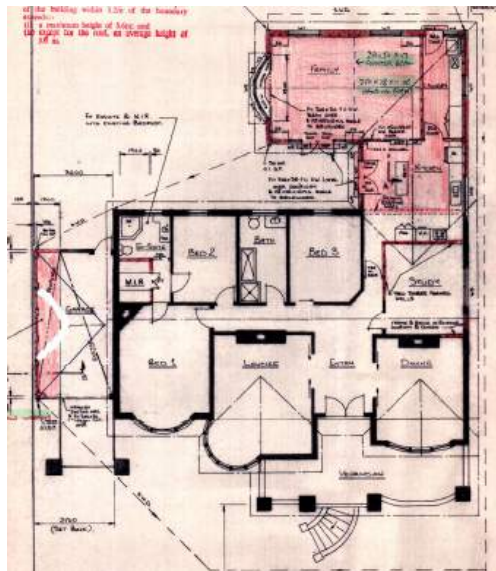


Figure 10: Plan showing alterations made to 7 Fuller Avenue in 1990 (Source: City of Boroondara Building Plans 89848).

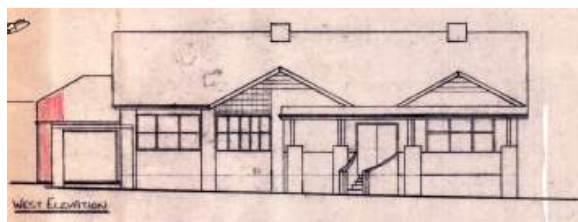


Figure 11: View of the front elevation of the house showing garage extension to 7 Fuller Avenue in 1990 (Source: City of Boroondara Building Plans 89848).

The place illustrates the following themes as outlined in Victoria's Framework of Historical Themes:

- 6 Building towns, cities and the garden state
 - 6.3 Shaping the suburbs
 - 6.7 Making homes for Victorians

Description & Integrity

The house at 7 Fuller Avenue, Glen Iris is situated on an allotment on the east side of Fuller Avenue, to the south of High Street and east of Albion Road and Gardiners Creek. Fuller Avenue and the surrounding streets contain a collection of houses dating predominantly from the Interwar period.

The allotment has a broad street frontage and both the width of the house, and its setback, are greater than that of others in the immediate vicinity. Constructed of rendered



brick with terracotta tiled roof, the house is designed in an Interwar California Bungalow style, with prominent low-pitch roof and horizontal appearance (see Figure 1). A transverse gable roof extends to form a side porch at the front elevation, incorporating two prominently placed gable ends – one centrally placed and incorporating a semicircular side window bay (Figure 12), and another to the south side, emphasising the asymmetry of the overall composition. Rafter ends are exposed throughout and timber shingle cladding is applied to the front gable ends and the prominent front window bay (Figure 12). Windows are timber-framed and include casement sashes with diamond-pattern leadlights (Figure 12). Roughcast render is applied to porch piers and the four roughcast rendered rectangular chimneys located near the transverse gable ridge line. Contrasting clinker brick is used to highlight the porch balustrading and window sills (Figure 12).



Figure 12: Façade detail (GJM Heritage, July 2022).

A low roughcast rendered front fence, with clinker brick capping, lines the front boundary of the property and curves to piers located either side of the concrete-paved driveway (Figure 13). The driveway, with central grass strip, provides access to an attached garage at the north side of the house, behind a pergola-like structure, and a curved concrete-paved pedestrian path provides separate access to the entrance porch.



Figure 13: Front fence (GJM Heritage, July 2022).



Key Features:

- Single-storey Interwar California Bungalow style house
- Brick construction with roughcast render finish and clinker brick detailing
- Terracotta tile-clad gabled roof with main transverse gable and pair of front gable ends
- Prominent low-pitched roof and horizontal form
- Asymmetrical front elevation and picturesque composition
- Wide eaves and exposed rafter ends
- Substantial masonry piers to porch
- Timber framed windows, including casement sashes and large semicircular bay window with geometric pattern leadlight glazing
- Decorative clinker brick detailing to sills and porch and timber shingle cladding to gable ends and semicircular bay window
- Roughcast rendered rectangular chimneys
- Roughcast rendered fence with clinker brick capping
- Attached brick garage to the north side behind pergola-like structure.

The house at 7 Fuller Avenue, Glen Iris remains highly intact to its period of construction and retains a high degree of integrity. While the building has undergone some alterations, including an addition to the rear which is not visible from the street and minor modification to the side garage, these do not diminish the ability to understand the place as a highly intact and competently detailed example of an Interwar California Bungalow.

Comparative Analysis

7 Fuller Avenue is of note as a fine and highly intact example of an Interwar house in the California Bungalow style. The substantial growth of Melbourne's population during the interwar years drove extensive residential subdivision of land in areas such as Glen Iris, Balwyn and Surrey Hills and the subsequent construction of large numbers of houses – in a range of Interwar styles – throughout what is now the City of Boroondara. A substantial number of Interwar houses, including many displaying characteristics of the California Bungalow style, remain in the municipality to demonstrate this historic period. Many of these are included in the Heritage Overlay of the Boroondara Planning Scheme on an individual basis.

Examples that are comparable to 7 Fuller Avenue, Glen Iris include:



Figure 14. 44 Currajong Avenue, Camberwell, 1919-1920 (HO381) is historically and architecturally significant as an interesting and distinctive example of a bungalow (Source: VHD).



Figure 15. 127 Winmalee Road, Balwyn, 1919-1920 (HO421) is historically and architecturally significant as a fine, externally relatively intact and early example of an attic bungalow (Source: VHD).



Figure 16. 44 Studley Park Road, Kew, 1925 (HO344) is historically and architecturally significant as a fine and relatively externally intact example of an interwar bungalow (Source: VHD).



Figure 17. 84 Walpole Street, Kew, 1928-1929 (HO355) is historically and architecturally significant as a good and externally relatively intact late 1920s bungalow (Source: VHD).



Figure 18. 46 Clyde Street, East Kew, 1929 (HO283) is historically and architecturally significant as a representative and relatively intact example of the bungalow form (Source: VHD).



Like 7 Fuller Avenue, Glen Iris, these houses all demonstrate typical characteristics of the Interwar California Bungalow style and are similar in scale and form. They are all single-storey brick houses (some with attics) with prominent low pitch tile-clad gable roofs which include street-facing gables, wide eaves and exposed rafters. Many have substantial masonry piers to deep porches (127 Winmalee Road, Balwyn; 46 Clyde Street, East Kew; and 84 Walpole Street, Kew) and detailing including timber shingles to gable ends (127 Winmalee Road, Balwyn and 46 Clyde Street, East Kew), brick detailing to window sills and entrance porch (127 Winmalee Road, Balwyn and 46 Clyde Street, East Kew) and roughcast rectangular chimneys (44 Studley Park Road, Kew and 127 Winmalee Road, Balwyn). They are all set on suburban blocks with informal lawns and gardens.

Like the above examples which are included within site-specific Heritage Overlays, 7 Fuller Avenue retains a high degree of integrity to clearly demonstrate the characteristics of an Interwar California Bungalow in the City of Boroondara. 7 Fuller Avenue is of note as a well-designed house dating to the Interwar period.



Assessment Against Criteria

Criteria referred to in *Planning Practice Note 1: Applying the Heritage Overlay* (DELWP, August 2018), 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).

7 Fuller Avenue, Glen Iris has strong associations with the Interwar period of development in suburban Melbourne in the 1920s and 1930s. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. Constructed on an allotment in the Bonnie View Estate subdivision, 7 Fuller Avenue remains as a highly intact example of a dwelling from the Interwar period and clearly illustrates this important phase of development in the City of Boroondara.

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

N/A.

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

N/A.

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

7 Fuller Avenue, Glen Iris is a competently detailed and highly intact representative example of an Interwar California Bungalow in the City of Boroondara. It displays typical but well-resolved characteristics of the Interwar California Bungalow style popular in Glen Iris, and across Boroondara more broadly, including a broad low-pitch gabled roof form, asymmetrical composition, solid masonry verandah piers, and the use of materials such as clinker brick, terracotta tiles, roughcast render, timber shingles and geometric pattern leadlight glazing.

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

N/A.

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

N/A.

CRITERION G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).



N/A.

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

N/A.



Statement of Significance

What is Significant?

7 Fuller Avenue, Glen Iris, constructed in 1925 and likely built by owner and builder H E Marriott.

Elements that contribute to the significance of the place include:

- Single-storey Interwar California Bungalow style house
- Brick construction with roughcast render finish and clinker brick detailing
- Terracotta tile-clad gabled roof with main transverse gable and pair of front gable ends
- Prominent low-pitched roof and horizontal form
- Asymmetrical front elevation and picturesque composition
- Wide eaves and exposed rafter ends
- Substantial masonry piers to porch
- Timber framed windows, including casement sashes and large semicircular bay window with geometric pattern leadlight glazing
- Decorative clinker brick detailing to sills and porch and timber shingle cladding to gable ends and semicircular bay window
- Roughcast rendered rectangular chimneys
- Roughcast rendered fence with clinker brick capping
- Attached brick garage to the north side behind pergola-like structure.

Later alterations and additions, including the 1990 rear extension and the extension of the garage to the north boundary, are not significant.

How is it significant?

7 Fuller Avenue, Glen Iris is of local historical and representative (architectural) significance to the City of Boroondara.

Why is it significant?

7 Fuller Avenue, Glen Iris has strong associations with the Interwar period of development in suburban Melbourne in the 1920s and 1930s. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period of development transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. Constructed on an allotment in the Bonnie View Estate subdivision, 7 Fuller Avenue remains as a highly intact example of a dwelling from the Interwar period and clearly illustrates this important phase of development in the City of Boroondara. (Criterion A).

7 Fuller Avenue, Glen Iris is a competently detailed and highly intact representative example of an Interwar California Bungalow in the City of Boroondara. It displays typical but well-resolved characteristics of the Interwar California Bungalow style popular in Glen Iris, and across Boroondara more broadly, including a broad low-pitch gabled roof form, asymmetrical composition, solid masonry verandah piers, and the use of materials such as clinker brick, terracotta tiles, roughcast render, timber shingles and geometric pattern leadlight glazing (Criterion D).

Grading and Recommendations

Recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as a locally Significant heritage place.



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

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

Identified By
GJM Heritage

References

Built Heritage, City of Boroondara Thematic Environmental History, 2012.
 City of Boroondara Building Plans.
 Context, Glen Iris Heritage Gap Study, revised 23 June 2021.
 Camberwell Rate Books.
 Bonnie View Estate, Glen Iris, undated.
 Land Victoria Title Certificates.
 Melbourne Metropolitan Board of Works, Detail Plan 2736, Municipality of Camberwell, 1927.
 Photographs, aerial views, 1931 and 1945 (Landata Victoria).
 Property Sewerage Plans, Yarra Valley Water (PSP).
 Sands & McDougall Directories.
 The Age.
 Herald.
 Victorian Electoral Rolls (via Ancestry).



33 Fuller Avenue, Glen Iris

Prepared by: GJM Heritage

Address: 33 Fuller Avenue, Glen Iris

Name: House	Survey Date: October 2022
Place Type: Residential	Architect: Forsyth and Dyson
Grading: Significant	Builder: Not known
Extent of Overlay: To title boundaries	Construction Date: 1936/37



Figure 1. 33 Fuller Avenue, Glen Iris (Source: GJM Heritage July 2022).

Historical Context

The following contextual history is based on Context, 'City of Boroondara Municipal-wide Heritage Gap Study, Volume 7: Glen Iris; revised June 2021'.

The City of Boroondara is located on the Traditional Lands of the Wurundjeri Woi Wurrung people of the Eastern Kulin Nation.



The suburb of Glen Iris is located either side of Gardiner's Creek, with the western portion within the City of Stonnington (former City of Malvern) and the eastern portion within the City of Boroondara (former City of Camberwell). Until the 1860s the area was used for farming on land overlooking the Gardiners Creek valley. From the 1860s the village of Glen Iris was established to the east of Gardiners Creek, at the corner of High Street and Glen Iris Road, on the 1853 Gardiners Creek Public Reserve, which included reservations for a Mechanics' Institute, Wesleyan Church and a State School.

The remainder of the Gardiners Creek Public Reserve was surveyed as the Glen Iris Township in 1879, with township allotments offered for sale fronting High Street and Glen Iris Road and a small commercial area developed at this location in the 1880s. At this time Glen Iris was largely utilised for market gardening, dairying, orchards and brick making, and little residential development occurred. The late 1880s saw some residential subdivision of the western part of Glen Iris, however the eastern part remained largely undeveloped.

In 1890 a railway line from Burnley to Oakleigh Junction was opened, running via the Glen Iris valley on the western side of Gardiners Creek, with Glen Iris Station located just north of High Street. Despite the opening of the railway, the economic depression of the 1890s limited residential development, and by 1903 the population of Glen Iris was approximately 200. Existing tram lines were extended east to the Glen Iris Station in 1914, improving access to land west of Gardiners Creek; however, despite requests that the tram line be extended further east to the Glen Iris village, this did not occur and residents in this part of Glen Iris lived between the Glen Iris railway line on one boundary and the Ashburton railway line on the other, without ready connection to either.

Glen Iris maintained a largely rural character until the 1920s when the substantial growth of Melbourne's population drove extensive residential subdivision of land in areas such as Glen Iris. Subsequent construction of substantial numbers of houses in the 1920s and 1930s resulted in a predominantly interwar architectural character in the suburb, particularly east of Gardiners Creek, in the former City of Camberwell (present City of Boroondara).

History

The house at 33 Fuller Avenue, Glen Iris was constructed in 1936 to a design by architects Forsyth and Dyson, for garage proprietor, Alfred Mudie.

In 1914, Charles Du Plan Lloyd acquired over 52 acres of land south of High Street and east of Albion Road, Glen Iris in the Parish of Boroondara (LV: 3858/F514) (Figure 2). This land was subsequently subdivided, with residential sites offered for sale in 1923 as part of the Albion Park Estate, described as 'cheap land' located five minutes from Darling Station (*Herald*, 11 December 1923:20).

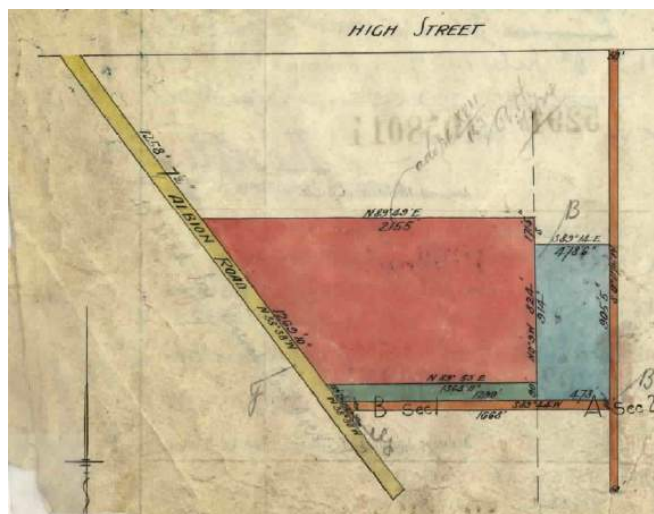


Figure 2. Allotment acquired by Charles Du Plan Lloyd in Glen Iris, Parish of Boroondara in 1914 (LV: 3858/F514).

In 1928 Edward Hawkins, farmer, acquired four allotments in the northern part of this large estate, including the large irregularly shaped subject site on the east side of Fuller Avenue (Figure 3). At this time a covenant was placed on the allotments stipulating construction of single private dwellings on each allotment, using a roofing material other than galvanised iron and costing in excess of £600 (LV: V5437/F238). Ownership of these four allotments passed to farmers Alan and Raymond Siems in 1933.

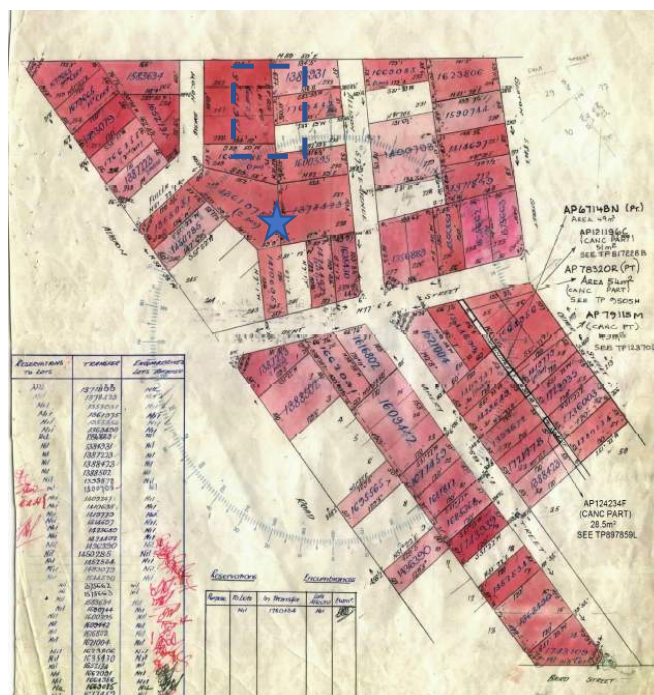


Figure 3. Part of the subdivision of Du Plan's allotment, showing the four allotments acquired by Hawkins in 1928 (subject allotment indicated with star) (LV: 3858/F514).



A Melbourne Metropolitan Board of Works (MMBW) plan dating to 1927 (Figures 4 & 5) and an aerial photograph dating to 1931 (Figure 6) shows that the Albion Park Estate remained largely undeveloped in the late 1930s and, likely due to the depression of the time, in 1935 allotments in the Estate were again advertised for sale with 'plans obtainable from liquidator' (*Herald*, 14 April 1937:20). The subject site was transferred to Alfred Mudie in June 1936 (LV: V6047/F209).

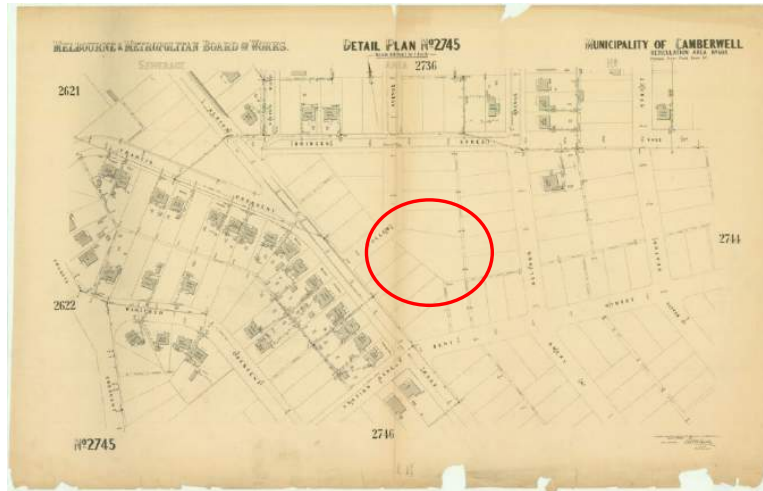


Figure 4. MMBW Detail Plan 2745, Municipality of Camberwell, 1927 (Source: SLV).



Figure 5. Detail of MMBW Detail Plan 2745, Municipality of Camberwell, 1927 (Source: SLV).



Figure 6. Detail of aerial view of Glen Iris, 1931, showing the undeveloped land at the north end of the Albion Park Estate (to the south of the already subdivided and developed Bonnie View Estate), and the approximate location of 33 Fuller Street in 1931 (Source: Landata).

After purchasing the land, Mudie commissioned the newly formed architectural practice of Forsyth and Dyson to design a substantial two-storey brick house on the newly acquired allotment (partnership announced in *Royal Victorian Institute of Architects Journal*, January 1937:179). In April 1937, Mudie's house featured in a detailed newspaper article, noting the 'simplicity in exterior design and logical interior planning' of the home designed in the 'English manner' (*Herald*, 14 April 1937:22) (Figure 7).



Figure 7. Perspective sketch of the house at 33 Fuller Avenue (Source: Herald, 14 April 1937, p 22).

In 1941 the house was offered for sale as a 'modern clinker brick 2-storey residence, built under architect's supervision 2 years ago' (*Argus*, 19 March 1941:8). William Angwin, clothier of High Street, Ashburton acquired the property (LV: V6047/F209) and an aerial photograph dating to 1945 records the property at this time (Figures 8 & 9). A timber-clad and tiled-roof sleepout was constructed at the rear of the house during Angwin's occupancy (City of Boroondara Building Plans 17752) (Figure 10).



Figure 8. Detail of aerial view of Melbourne, 1945, showing development of the Albion Park Estate, Glen Iris by the mid-1940s (Source: Landata).



Figure 9. Detail of Figure 9, showing the house at 33 Fuller Avenue, Glen Iris (Source: Landata).

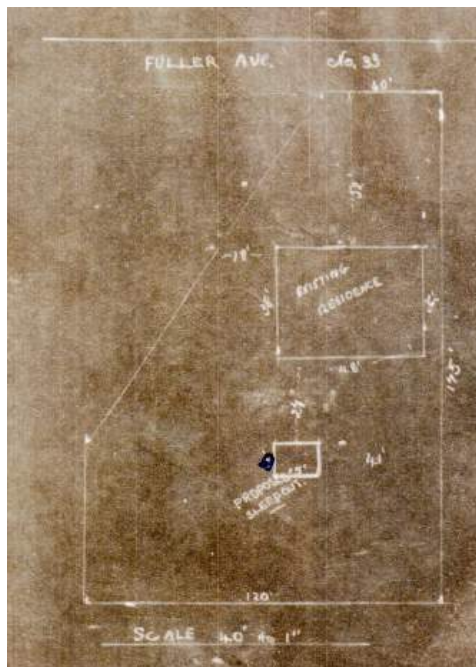


Figure 10. Undated plan showing the location of the sleepout constructed during Angwin's occupation (1941-1958) (City of Boroondara Building Plans 17752).



In 1958 the house was acquired by Keith and Ellen Rowell (LV: V6047/F209), who remained at the property until 1984 when it was offered for sale as a 'magnificent English style clinker brick residence on a superbly treed allotment with space for N/S tennis court and swimming pool...The home which is architect-designed displays many valuable features...' (Age, 12 December 1984:48).

Changes were made to the garage in the mid-1980s to convert it into a habitable room and a first-floor addition was made to the rear of the house in the mid-1990s (City of Boroondara Building Plans 99329) (Figures 11 & 12).

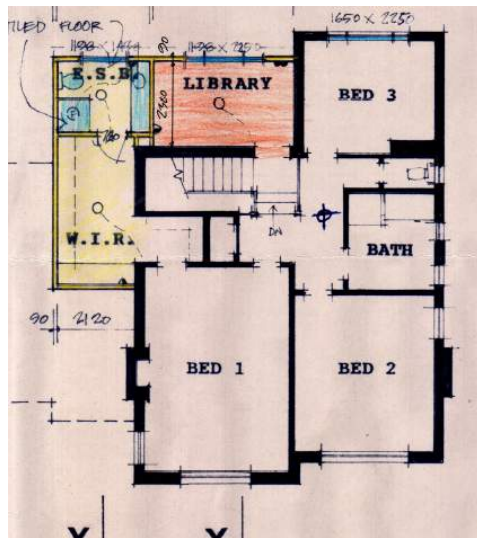


Figure 11. Plan showing first floor addition made to the rear of the house by Melbourne Extensions and Designs, 1994 (City of Boroondara Building Plans 99329).



Figure 12. East and north elevations showing first floor addition made to the rear of the house by Melbourne Extensions and Designs, 1994 (City of Boroondara Building Plans 99329).

Architects: Forsyth and Dyson

William Leslie Hood Forsyth and Gerald Thorley Dyson formally established the architectural practice Forsyth and Dyson in late 1936/early 1937 (*Herald* 12 February 1937 & *RVIA Journal* January 1937, p 179). Their work included houses in the present City of Boroondara, including at 33 Fuller Avenue, Glen Iris (1936/37), North Camberwell (*Argus*, 11 February 1937:4), Heather Grove, Kew (*Argus*, 11 May 1938:18), Forsyth's own house at Chatfield Avenue, Balwyn (*Age*, 27 October 1950:7) and houses in Leura



Grove, Hawthorn (*Age*, 10 March 1954:15) (*Construction* (Sydney), 15 July 1942:11). They were also responsible for the design of Commercial banks at Shepparton (*Argus*, 13 March 1937:12), Bairnsdale (*Herald*, 26 April 1939:20), Gardenvale (*Herald*, 1 May 1940:22) and at various interstate locations.

Their work in the interwar period displayed a range of contemporary styles including the English Domestic Revival, Georgian Revival and the Streamlined Moderne.

The place illustrates the following themes as outlined in *Victoria's Framework of Historical Themes*:

- 6 Building towns, cities and the garden state
 - 6.3 Shaping the suburbs
 - 6.7 Making homes for Victorians

Description & Integrity

The house at 33 Fuller Avenue, Glen Iris is situated on a large irregular shaped allotment on the south-east side of Fuller Avenue, to the south of High Street and east of Albion Road and Gardiners Creek. It is located at the southern end of Fuller Avenue where the street deviates to the south-west, and the frontage broadens to a wide rear boundary. Surrounding streets contain a collection of houses dating predominantly from the Interwar period.

Set at an angle to the street, the two-storey house is designed in the English Domestic Revival style of the interwar period and is of clinker brick construction with brown blended terracotta tiled roof. The two-storey form of the house is approximately square and lies parallel to the north-eastern side boundary of the site. Roofs are of gable form with a main transverse gable and subsidiary gables to the front and the rear. All elevations are asymmetrically composed. An attached single-storey former garage is located to the north.



Figure 13. Southern (side) elevation (GJM Heritage, July 2022).



Figure 14. Rear (eastern) elevation showing rear addition to right (GJM Heritage, July 2022).



Figure 15. Arched entrance with catslide roof and former garage (converted to habitable space in the 1980s) (GJM Heritage, July 2022).

The front elevation comprises a projecting side bay with eaveless gable end containing vertical brickwork detailing and lower polygonal bay window, as well as a recessed bay to the south with full height upper window and wrought iron balconette (see Figure 1). Two substantial and unadorned brick chimneys are located at either end of this two-storey form. To the north of the main two-storey gabled-roof form, a catslide roof extends to form a single-storey entrance porch, with projecting brick detailing to the arched entrance (Figure 15). Further north is a single-storey gabled-roof form, originally designed as a garage, with direct access to the adjacent entrance hall (Figure 15). Windows are timber framed with fine horizontal glazing bars with rows of brickwork forming window headers (see Figures 1, 13 & 14). Front windows to the former garage are detailed in a similar manner to those of the original house and have presumably replaced earlier garage doors.



The rear elevation also comprises a projecting side bay with eaveless gable end containing vertical brickwork detailing, as well as a recessed bay to the north with the upper floor clad with imitation half-timbering, constructed as an addition in the 1990s (Figure 15).

A timber-clad, tiled gabled-roof outbuilding, with multi-paned windows and timber-lined eaves, is located at the rear of the house and a later flat-roofed double brick garage is located at the south-west boundary. An associated asphalt driveway has been formed across the front of the property.

The low front boundary fence is of random rubble stonework with wrought iron panels set between piers (see Figure 16).



Figure 16. Presentation from Fuller Street (Source: GJM Heritage July 2022).

Key Features:

- Two-storey Interwar English Domestic Revival style house
- Clinker brick construction
- Terracotta tile-clad gabled roof with main transverse gable and side gable ends to the front and rear elevations
- Asymmetrical elevations and picturesque composition
- Eaveless gable ends
- Decorative finishes including brickwork to gable ends and main entrance porch, and wrought iron balconette
- Timber framed windows with fine horizontal glazing bars and headers formed from soldier brickwork, including front bay window
- Catslide roof form to entrance porch
- Arched opening to entrance porch
- Two substantial unadorned brick chimneys at either end of the main two-storey form.

The house at 33 Fuller Avenue, Glen Iris remains highly intact to its period of construction and retains a high degree of integrity as a substantial Interwar dwelling. The original single-storey garage to the north has been converted for residential use and a free-standing double garage has been constructed to the rear south-west boundary with associated asphalt driveway formed across the front of the house. A first-floor addition has been made at the rear north-east corner of the two-storey dwelling. While the



building has undergone these alterations, they do not diminish the ability to understand the place as an example of an Interwar English Domestic Revival style house.

Comparative Analysis

33 Fuller Avenue is of note as a fine and highly intact example of a substantial Interwar house constructed in the English Domestic Revival style. The growth of Melbourne's population during the interwar years drove extensive residential subdivision of land in areas such as Glen Iris, Balwyn and Surrey Hills and the subsequent construction of large numbers of houses – in a range of Interwar styles – throughout what is now the City of Boroondara. A substantial number of Interwar houses, including many displaying characteristics of the English Domestic Revival style, remain in the municipality to demonstrate this historic period. Many of these are included in the Heritage Overlay of the Boroondara Planning Scheme on an individual basis.

Those that are comparable to 33 Fuller Avenue, Glen Iris include:



Figure 17. 1292 Toorak Road, Glen Iris, 1931 (HO406) is a historically and architecturally significant example of a substantial interwar residence. (Source: Victorian Heritage Database).



Figure 18. Stratford, 458 Camberwell Road, Camberwell, 1933 (HO373) is historically and architecturally significant as a fine and generally intact example of an interwar residence with Tudor references (Source: VHD).



Figure 19. Woodford, 14 Glenroy Road, Hawthorn, 1934 (HO789) is historically and aesthetically significant as a fine, highly intact and well-resolved example of an interwar residence in the Old English style with medieval overtones (Source: VHD).



Figure 20. Stratford, 87-87A Bowen Crescent, Camberwell, 1935 (HO371) is historically and architecturally significant as a comfortable middle-class interwar residence (Source: VHD).



Figure 21. 30 Hunter Road, Camberwell, 1936 (HO720) is historically and architecturally significant as a fine and intact representative example of Old English domestic architecture (Source: Google streetview).



Figure 22. 12 Tara Avenue, Kew, 1938 (HO348) is historically and architecturally significant as a good and externally relatively intact example of late interwar residence designed in the Old English style (Source: VHD).

The above houses are all similar to 33 Fuller Avenue in size and form and all demonstrate typical characteristics of the Interwar English Domestic Revival style. They are two-storey brick houses with medium-pitch gable and hip tile or slate-clad roofs, have asymmetrical massing, use textured bricks and cement render for external walling and surface highlighting, and are set on suburban blocks with informal lawns and gardens. Some incorporate bay windows (12 Tara Avenue, Kew) and arched openings (458 Camberwell Road, Camberwell; 14 Glenroy Road, Hawthorn; 87-87A Bowen Crescent, Camberwell; and 12 Tara Avenue, Kew), catslide roofs (30 Hunter Road, Camberwell) and a variety of brickwork patterns (458 Camberwell Road, Camberwell; 14 Glenroy Road, Hawthorn; and 12 Tara Avenue, Kew).

Like the above examples which are included within site-specific Heritage Overlays, 33 Fuller Avenue retains a high degree of integrity to clearly demonstrate the characteristics



of an Interwar English Domestic Revival style house in the City of Boroondara. It is of note as a well-designed house dating to the Interwar period.



Assessment Against Criteria

Criteria referred to in *Planning Practice Note 1: Applying the Heritage Overlay* (DELWP, August 2018), 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).

33 Fuller Avenue, Glen Iris has strong associations with the Interwar period of development in suburban Melbourne in the 1920s and 1930s. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. Constructed on an allotment in the Albion Park Estate subdivision, 33 Fuller Avenue remains as a highly intact example of dwelling from the Interwar period and clearly illustrates this important phase of development in the City of Boroondara.

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

N/A.

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

N/A.

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

33 Fuller Avenue, Glen Iris is a fine and highly intact representative example of an English Domestic Revival style dwelling in the City of Boroondara. It displays typical but well-resolved characteristics of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly, including eaveless gable roof forms and catslide roof, asymmetrical massing, polygonal bay window and arched entry porch and the use of materials such as clinker brick and terracotta tiles.

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

Designed by architects Forsyth and Dyson, 33 Fuller Avenue, Glen Iris is a well-considered and elegantly detailed example of an English Domestic Revival style dwelling. The asymmetrical composition, together with distinctive architectural elements including a prominent bay window, decorative brick detailing, and arched entrance porch, present a picturesque composition of this architectural style.

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

N/A.

CRITERION G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the



significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

N/A.

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

N/A.



Statement of Significance

What is Significant?

33 Fuller Avenue, Glen Iris, constructed in 1936/37 to a design by architects Forsyth and Dyson.

Elements that contribute to the significance of the place include:

- Two-storey Interwar English Domestic Revival style house
- Clinker brick construction
- Terracotta tile-clad gabled roof with main transverse gable and side gable ends to the front and rear elevations
- Asymmetrical elevations and picturesque composition
- Eaveless gable ends
- Decorative finishes including brickwork to gable ends and main entrance porch and wrought iron balconette
- Timber framed windows with fine horizontal glazing bars and headers formed from soldier brickwork, including front bay window
- Catslide roof form to entrance porch
- Arched opening to entrance porch
- Two substantial unadorned brick chimneys at either end of the main two-storey form.

Later alterations and additions are not significant, including the first-floor addition at the north-east rear corner with imitation half-timbering, the free-standing double garage at the rear south-west boundary of the place, the conversion of the original garage including installation of glazing, and the timber-clad outbuilding in the rear garden.

How is it significant?

33 Fuller Avenue, Glen Iris is of local historical, representative (architectural) and aesthetic significance to the City of Boroondara.

Why is it significant?

33 Fuller Avenue, Glen Iris has strong associations with the Interwar period of development in suburban Melbourne in the 1920s and 1930s. In this period, extensive tracts of land in Glen Iris – and throughout Boroondara more broadly – were subdivided into suburban residential estates, and allotments were purchased for the construction of middle-class housing. This period transformed the eastern part of the municipality from a semi-rural landscape to an almost entirely suburban one. Constructed on an allotment in the Albion Park Estate subdivision, 33 Fuller Avenue remains as a highly intact example of dwelling from the Interwar period and clearly illustrates this important phase of development in the City of Boroondara (Criterion A).

33 Fuller Avenue, Glen Iris is a fine and highly intact representative example of an English Domestic Revival style dwelling in the City of Boroondara. It displays typical but well-resolved characteristics of the English Domestic Revival style popular in Glen Iris and across Boroondara more broadly, including eaveless gable roof forms and catslide roof, asymmetrical massing, polygonal bay window and arched entry porch and the use of materials such as clinker brick and terracotta tiles (Criterion D).

Designed by architects Forsyth and Dyson, 33 Fuller Avenue, Glen Iris is a well-considered and elegantly detailed example of an English Domestic Revival style dwelling. The asymmetrical composition, together with distinctive architectural elements including a prominent bay window, decorative brick detailing, and arched entrance porch, present a picturesque composition of this popular architectural style (Criterion E).



Grading and Recommendations

It is recommended that the place be included in the Heritage Overlay of the Boroondara Planning Scheme as a locally significant heritage place.

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

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

Identified By

GJM Heritage, Mont Iris Estate & Environs Review, October 2022.

References

Albion Park Estate, Glen Iris, undated.
 Built Heritage, City of Boroondara Thematic Environmental History, 2012.
 Context, Glen Iris Heritage Gap Study, revised 23 June 2021.
 Camberwell Rate Books.
 Land Victoria Title Certificates.
 Melbourne Metropolitan Board of Works, Detail Plan 2745, Municipality of Camberwell, 1927.
 Photographs, aerial views, 1931 and 1945 (Landata Victoria).
 Property Sewerage Plans, Yarra Valley Water (PSP).
 Sands & McDougall Directories.
 The Age.
 Argus.
 Herald.
 Victorian Electoral Rolls (via Ancestry).

3.3 12 Hawthorn Grove, Hawthorn - Dwelling extension in a Heritage Overlay - PP23/0325

12 Hawthorn Grove, Hawthorn

Application no.: PP23/0325

Responsible director: Scott Walker, Director Urban Living

Authorised by: Joel Elbourne, Manager Urban Planning

Report officer: Kelly Caporaso, Principal Planner

Executive Summary

It is proposed to extend the existing dwelling at 12 Hawthorn Grove, Hawthorn. This will include demolition of non-contributory additions and a two storey addition over a basement rumpus room. The dwelling is graded as being 'Significant' within the Grace Park and Hawthorn Grove Heritage Precinct (HO152).

The application was advertised in October 2023 and 13 objections were received.

The key issues that need to be considered relate to demolition, building height and setback as well as the design detail and materials proposed. The proposal is considered acceptable for the following reasons:

- The extent of demolition is appropriate and retains all parts of the building worthy of heritage protection.
- The proposed extension is setback approximately 30m from the street and entirely behind the original dwelling's principal roof form.
- Permit conditions can ensure that the addition interfaces appropriately with the heritage building so that it is easily distinguishable from the site's heritage fabric.
- The height of the proposed extension complies with Council's Heritage Policy sightline diagram and will have an acceptable level of visibility from the oblique views.
- Council's Heritage Advisor supports the proposal, subject to conditions. The conditions have been included within the Officer Recommendation.

Details of the proposal, discussion of objections and assessment against relevant planning controls and policies are contained in **Attachment 1 - Planning Assessment Report**.

Officers' recommendation

That the Urban Planning Delegated Committee resolve that a Notice of Decision to Grant Planning Permit PP23/0325 be issued for the partial demolition and construction of buildings and works to the existing dwelling at 12 Hawthorn Grove, Hawthorn in accordance with the plans advertised on 24 October 2023 subject to the following conditions:

Amended plans required

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions in an unlocked PDF. When the plans are endorsed they will then form part of the permit. The

plans must be substantially in accordance with the plans advertised 24 October 2023 but modified to show:

- a. The ground floor of the linking structure reduced in height to maintain the original dwelling's eave line and external cornice mouldings.
- b. The setback of the first floor 'linking structure' setback a minimum 0.5m from the outer eave line of the original dwelling without reducing any other boundary setback.
- c. The elevations and material schedule amended to replace the 'white render' to a muted colour such as beige, cream, taupe or similar, to the satisfaction of the Responsible Authority.
- d. The proposed side gates setback as follows:
 - i. The western gate setback behind the front bedroom's WIR window.
 - ii. The eastern gate setback behind the bay window associated with the lounge room.
- e. The proposed concrete aggregate associated with the driveway finished in a light colour to the satisfaction of Council.

Layout not to be altered

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

Permit to expire

3. This permit will expire if:
 - a. The development does not start within two (2) years of the issue date of this permit; or
 - b. The development is not completed within four (4) years of the issue date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the times referred to if a request is made in writing before the permit expires or:

- (1) within six (6) months afterwards if the development has not commenced; or
- (2) within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant timeframe.



URBAN PLANNING Planning Officer's Assessment Report

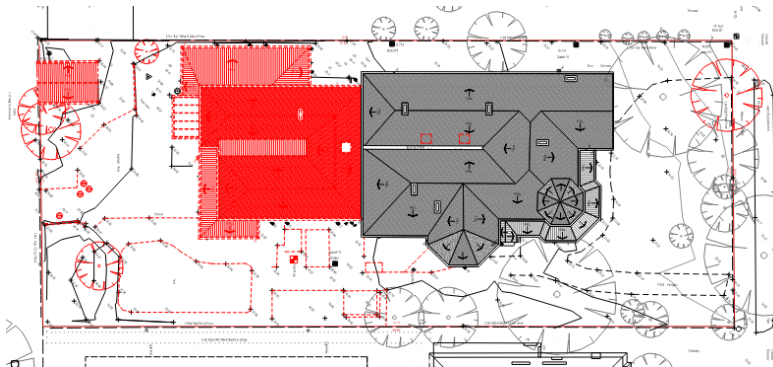
Dwelling extension in a Heritage Overlay

Application Number	PP23/0325
Date Application Received	08/05/2023
Planning Officer	Kelly Caporaso
Applicant	Page Stewart Pty Ltd
Property Address	12 Hawthorn Grove, Hawthorn
Zoning	Clause 32.09 - Neighbourhood Residential Zone - Schedule 3
Overlays	Clause 43.01 - Heritage Overlay
Particular Provisions	None
Permit Triggers	<p>Clause 43.01-1 (HO) of the Boroondara Planning Scheme, a permit is required to:</p> <ul style="list-style-type: none"> • Demolish or remove a building. • Construct a building or construct or carry out works.
Aboriginal Cultural Heritage	No
Covenant	No
Potential Overland Flow?	No
Advertised?	Public notice of the application was given on 24 October 2023 by Council posting notices to abutting and nearby property owners and occupiers and by the display of a sign(s) on the site for a period of not less than 14 days.
Ward	Glenferrie
Number of Objections Received	13
Plans Assessed in this Report	Plans advertised in October 2023
Recommendation	Notice of Decision to Grant a Planning Permit, subject to conditions.

PROPOSAL

It is proposed to extend the existing dwelling at 12 Hawthorn Grove, Hawthorn. The dwelling is graded as 'Significant' within the heritage precinct.

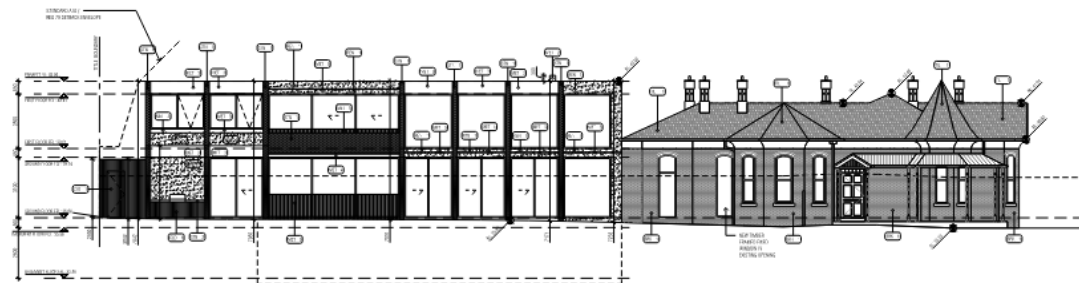
The proposed demolition comprises the rear 1970's addition and studio.



Above: Demolition Plan

It is proposed to construct a two-storey addition to the rear of original dwelling over a basement rumpus room. The proposed addition retains the original dwelling's roof form and is setback approximately 30m from the street. It includes a flat roof form with a mix of materials, which include white cement render, brick and metal cladding.

Car parking is provided via a three-car garage, which is accessed from the ROW at the rear of the site. The existing vehicle crossover to Hawthorn Grove is to be retained.



Above: Proposed east elevation

THE SITE

Width of Frontage	23.77m
Maximum Depth of Site	57.8m
Total Site Area	1373.9m ²
Easements	The subject site is not encumbered by any easements.
Fall of the Land	The site is generally flat with minimal fall across the allotment.



Above - Subject site

THE SURROUNDING AREA

The subject site is located within the Grace Park and Hawthorn Grove Heritage Precinct (HO152). This precinct is of heritage significance for the following (relevant) reasons:

- *The place is a concentrated and relatively intact precinct of generally high quality residential buildings of the later Victorian and Federation periods.*
- *The northern section- Kinkora Road and Hawthorn Grove - has a large concentration of 1880s housing in tighter patterns that are similarly characteristic of that earlier era, and is relatively intact. These streets were the first typically-scaled suburban development in Hawthorn, in contrast to the St James Park area which began as a mansion group.*

Dwellings in the area are predominantly characterised as large detached and semi-detached dwellings in garden settings. Dwellings are predominantly single or double storey with pitched tiled roofs.



Above: Aerial photograph (subject site highlighted)

To the east, the subject site abuts 14 Hawthorn Grove, which is occupied by a modern two storey dwelling with a basement car park. The dwelling is graded as 'non-contributory' within the Heritage Overlay.



Above: 14 Hawthorn Grove, abuts the subject site to the east.

To the east the subject site abuts 10 Hawthorn Grove, which is occupied by a two storey Victorian duplex. The dwelling has a party wall along its western boundary (with 8 Hawthorn Grove) and a driveway along the eastern boundary abutting the subject site. This building is graded as Contributory within the Heritage Overlay.



Above: 10 Hawthorn Grove, abuts the subject site to the west

PERMIT HISTORY

Details of previous applications for the subject site are as follows:

Subject Site			
Application No	Date of Decision	Decision	Description of Proposal
PP15/00548	23 June 2015	Approval	Construction of a driveway associated with existing dwelling in a Heritage Overlay in accordance with the endorsed plans.

REFERRALS

Please see full referrals in Appendix A to this report. A summary of each is provided below.

Internal Referrals

Heritage Advisor	<p>Supported subject to conditions.</p> <p>Council's Heritage Advisor supports the extent of demolition.</p> <p>The Advisor notes the proposed addition is well setback from the street and will not have a detrimental impact on the views of the original building from the public realm.</p> <p>Council's Heritage Advisor recommends alternations to the linking structure and colour palette. These amendments are included via recommended permit conditions.</p>
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GOVERNANCE ISSUES

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*.

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

CONSIDERATIONS

In assessing this application, consideration has been given to the following:

- The objectives of planning in Victoria as detailed in Section 4 of the *Planning & Environment Act 1987*;
- Section 60 of the *Planning & Environment Act 1987*;
- The relevant provisions and decision guidelines of the Boroondara Planning Scheme including the decision guidelines of Clause 65; and
- The objections received.

This proposal does not raise any significant adverse social or economic impacts. General social and economic impacts are addressed by the planning policy assessment below.

PLANNER'S ASSESSMENT

The following planning policies are relevant to the assessment of the current application:

- Clause 15 - Built Environment & Heritage
- Clause 15.03-1L - Heritage
 - Clause 15.03-1S - Heritage Conservation
 - Clause 15.03-1L - Heritage in Boroondara

Heritage

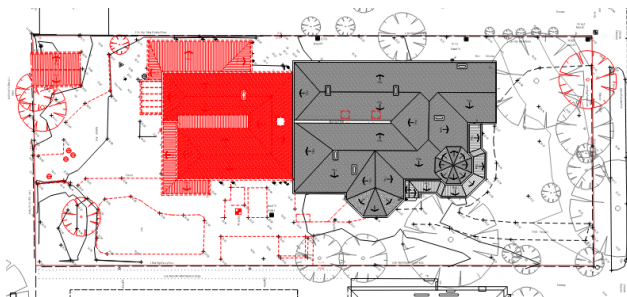
Demolition:

The subject site has a 'Significant' heritage grading within the Heritage Overlay. Council's Heritage Policy at Clause 15.03-1L seeks to preserve 'significant' heritage places, protecting all 'significant' heritage fabric including elements that cannot be seen from the public realm. The policy supports the demolition of non-original and non-contributory additions.

The proposed demolition is concentrated to the late 1970s rear addition and outbuildings. Council's Heritage Advisor supports extent of demolition noting the fabric proposed to be demolished is non-original and does not contribute to the heritage significance of the building.

The proposal retains all parts of the building worthy of heritage protection, including all design features such as original chimneys, decorative mouldings and the original roof form.

The extent of demolition is considered to be acceptable under the Heritage Policy and is supported by Council's Heritage Advisor. On this basis, the extent of demolition is acceptable.



Above: Demolition Plan



Above: rear 1970s addition to be demolished.

Alterations:

Council's Heritage Policy seeks to ensure alterations to original heritage buildings maintain the significance and integrity of the heritage place.

It is proposed to remove two windows from the original building's main wing to facilitate the installation of two new timber framed doorways. These windows are located along the east and west elevations.

Council's Heritage advisor notes the eastern façade's window has been clearly altered in the past, likely during the 1970's alterations. As such, they support the alteration of the window.

	
Above: Eastern window to be altered	Above: Western window to be altered

To the western window, it is proposed to retain the arched headed opening associated with the original window.

Council's Heritage Advisor supports the alteration to the western façade's window. They note the arched headed opening and the significant setback from the street frontage (of approximately 30m) results in the alteration having little (if any) appreciable impact to the public realm.

Additions:

Setbacks:

It is proposed to construct a two-storey addition to the rear of the original dwelling. The proposed double storey addition is proposed to be linked to the existing dwelling via a two storey linking structure.

Clause 15.03-1L seeks to encourage additions located to the rear of the heritage place and are sited and massed in a manner that does not detract or dominate the heritage

place. The policy notes this should be achieved by utilising a mix of setbacks, heights and physical separation as appropriate.

The proposed first floor is to be linked by a 'linking structure', which is setback behind the original dwelling. The proposed linking provides a distinct separation between the old and new parts of the dwelling. The proposed linking structure is a two-storey wall constructed flush with the external wall of the existing dwelling.

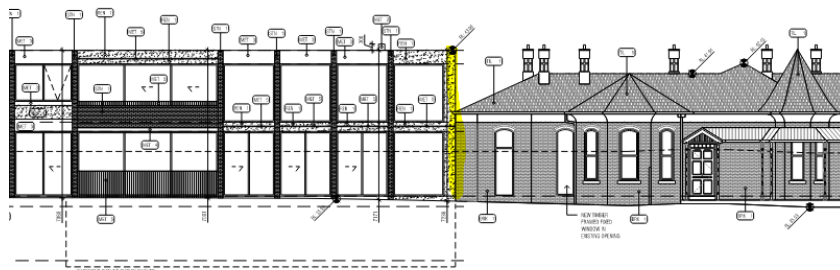
Council's Heritage Advisor recommends changes to the linking structure to with consideration to the dwelling's Significant heritage grading within the precinct.

At the ground floor, Council's heritage advisor suggests the height of the linking structures reduced to retain the original dwelling's eave line and external cornice moulding at the interface.

It is acknowledged the eave line and external cornice mouldings are not visible to the street frontage, however Council's Heritage Policy at Clause 15.03-1L seeks to preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm.

As the eaves and cornice detailing are original architectural features of the building, these should be retained. Should a permit be granted, the following permit condition should be included:

- The ground floor of the linking structure reduced in height to maintain the original dwelling's eave line and external cornice mouldings.



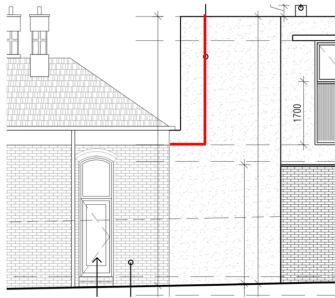
ELEVATION - EAST

Above: First floor linking structure highlighted.

At the first floor, Council's heritage advisor suggests recommends the linking structure be further setback 0.5m from the original heritage fabric. The increased setback of the upper level from the original dwelling will improve the distinction between the two parts of the dwelling.

Should a permit be granted, the following permit conditions should be included:

- The setback of the first floor 'linking structure' setback a minimum of 0.5m from the eave line of the original dwelling without reducing any other boundary setback.



Above: Extract of Heritage Referral with suggested building outline to be achieved via the recommended permit condition

The ground floor portion of the proposed addition is generally sited towards the site's western boundary (behind the principal roof form). This portion of the ground floor extension is anticipated to have some visibility from Hawthorn Grove when looking down the open driveway from the street. Council's Heritage advisor supports the extent of visibility with consideration to the significant setback from both the original dwelling's principal roof form and the street.



Above: Subject site's western boundary



Above: 3D render of the Visibility of the proposal from the street as viewed on the western oblique

Building Height:

Council's Heritage Policy seeks to facilitate sympathetic new buildings to preserve the presentation of the heritage place from the street.

The proposed extension has an overall building height of 7.4m above natural ground level. The height will protrude approximately 1m above the main ridgeline of the original dwelling.

Sight line diagrams have been provided by the permit applicant in accordance with Figure 1 of the Heritage Policy. The sight line demonstrates the height and setback of the proposed development will not detrimentally impact views or the understanding of the original building from Hawthorn Grove.

The height and visibility of the proposed development is supported by Council's Heritage Advisor.



Above: Sight line diagram



Above: 3D render of sightline diagram.

The two storey form will have a recessive appearance as viewed from the street by virtue of its significant setback. It is acknowledged the form will be partially visible from the oblique views along the western facade due to the location of the existing driveway. However, as there are examples of two storey buildings within streetscape, including on both abutting properties facing Hawthorn Grove, the height will not be out of character with the street.

The well-setback two storey height is consistent with the scale of development within the heritage precinct.

Roof Form

Council's Heritage Policy seeks to incorporate design details that complement the design of the heritage place whilst being a modern interpretation of the heritage surrounds.

The proposal has incorporated a flat roof extension. Council's Heritage Advisor supports this design detailing, as the rectilinear form of the proposed addition will allow it to be easily distinguished from the site's heritage fabric while also reducing its height and visibility.

Materials, surface finishes and details

Council's Heritage Policy seeks to ensure new development utilises materials and surface finishes that are complementary to the fabric of the heritage place.

The proposal includes a mix of materials including white cement render, with grey stone cladding articulation.

Heritage buildings within the streetscape predominantly comprise light natural renders and red brick. As such, Council's Heritage Advisor recommends the colour of the addition is modified to beige, cream, taupe or similar to be more sympathetic to the surrounding streetscape. This amendment will ensure that new built fabric as viewed from the public realm is appropriately visually recessive.

Should a permit be granted, a condition of permit will require the 'white render' to be amended to be a muted colour (such as beige, cream, taupe or similar) to the satisfaction of the Responsible Authority.

Fences

It is proposed to construct two new gates (a pedestrian and sliding driveway gate) to the existing timber picket front fence.

The proposed gates are to match the height, colour and style of the existing (non-original) front fence. The proposed gates to the existing front fence are therefore supported by both Council's Heritage Policy and Council's Heritage Advisor.

It is proposed to construct 1.8m high timber pedestrian gates for the east and west setbacks to divide the front and rear yard.

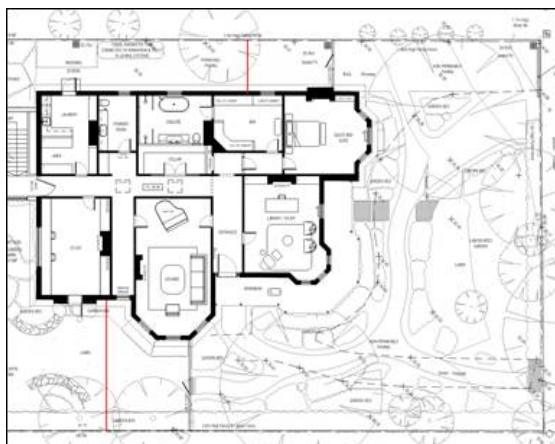
Council's Heritage Policy seeks to discourage the construction of high solid fences, which block the view of the principal façade of 'significant' places from the street. Council's Heritage Advisor notes the location of the proposed side fences are too far forward and will obscure 'significant' site fabric from the street. This includes the original chimney along the western elevation and bayed projection along the eastern elevation.



Above: subject site's eastern setback

Should a permit be granted, permit conditions will be included to setback the side gates to behind primary heritage features of the side elevations of the dwelling, as follows:

- Western setback. Fence recessed so that the chimney breast and window are visible to the street.
- Eastern setback. Fence setback behind bay window to ensure its visibility.



Above: Recommended revision to the siting of the proposed side fences achieved via permit conditions.

Clause 15.03-1L - Vehicle accommodation, outbuildings, and services

Council's Heritage Policy seeks to ensure works adjacent to laneways maintain the heritage significance of the laneway through the use of sympathetic materials and finishes.

It is proposed to construct a garage along the site's rear boundary, abutting the rear Right of Way (ROW). The ROW is characterised by garages and outbuildings built on the boundary. This siting is consistent with Council's Heritage Policy, which specifically preferences vehicle access from rear laneways.



Above: ROW at the rear of the subject site

The rear (southern) elevation is finished in brick with white render above. These materials are considered to be consistent with the existing character of the laneway. As per Council's Heritage Advisor's previous comments, the proposed white render of the first floor is to be replaced with a 'muted' colour such as beige. With this



Should a permit be granted, a permit condition will be included to require the concrete aggregate driveway material to be a lighter finish to Council's satisfaction.

OBJECTION RESPONSE

Summary of Objection	Planner's Comments
The building height overwhelms the host building and is not consistent with the heritage precinct. The height of the building extends above the chimneys of the original dwelling.	<p>The height of the proposed addition is acceptable given the significant setback from both the front façade and the street setback.</p> <p>The proposal complies with the Heritage Policy's sight line assessment and oblique view guidelines.</p> <p>The proposed height will not overwhelm the host building and is consistent with the scale of development within the heritage streetscape.</p> <p>The height of the building is considered to be acceptable with consideration to the setback from the chimneys. The height will not dominate the appearance of the building from the street.</p> <p>The proposal is considered to comply with Council's Heritage Policy and is supported by Council's Heritage Advisor.</p>
Inappropriate building materials	<p>Council's Heritage Advisor is generally supportive of the proposed building materials, noting they are distinctively modern, which is consistent with Council's Heritage Policy given they will be distinguishable from the original building.</p> <p>A condition has been recommended to alter the 'white render' to a more muted colour to better blend with the heritage colour scheme evident in the area.</p>
The building footprint is wider than that of the host dwelling and they see this as visible to the street.	The proposed addition will have some visibility from the western oblique. However, with consideration to the substantial setback from the street, the extent of visibility is anticipated by Council's Heritage Policy and is supported by Council's Heritage Advisor.
Overlooking	As the site is over 300sqm, off-site amenity considerations are not relevant to this

	application and will be assessed at the Building Permit stage.
The development is bulky and boxy and would not be visually recessive.	The proposed flat roof and rectilinear form of the proposed addition will allow it to be easily distinguished from the site's original heritage fabric. The modern form, which is clearly distinguishable from the heritage dwelling, is encouraged through Council's Heritage Policy.
Visibility of the first floor from Kinkora Road	The proposed addition is setback approximately 65m from Kinkora Road. Any visibility from Kinkora Road will appear recessive to the heritage streetscape.
Impact on the laneway	The proposal will have an acceptable impact on the laneway, which is characterised as a rear access lane with garages and outbuildings and as outlined in the assessment section of this report.

APPENDIX A - HERITAGE REFERRAL COMMENTS

Heritage Advisor	
Application Address:	12 Hawthorn Grove, Hawthorn
Application Number:	PP23/0325
Description of Proposal:	Partial demolition and construction of alterations and additions to existing dwelling in a Heritage Overlay (HO152)
VicSmart:	No
Section 57A Amendment:	No
Heritage Overlay No.	HO152
Grading:	Individually Significant
HO Precinct	Grace Park and Hawthorn Grove, Hawthorn
Relevant documents:	  PP23_0325 - Advertising Documents - 12 PP23_0325 - Advertising Plans - 12
Pre-Application meeting:	No
Relevant Planning History:	N/A
Specific Planner's Instructions:	N/A
Era of Building:	Late Victorian/Federation (constructed 1899)
Statement of Significance	<p>Grace Park and Hawthorn Grove Precincts, Hawthorn, are of heritage significance for the following reasons:</p> <ul style="list-style-type: none"> - The place is a concentrated and relatively intact precinct of generally high-quality residential buildings of the later Victorian and Federation periods. - Hilda Crescent has an unbroken set of highly distinctive Federation house designs, and the mode continues in the adjacent streets. The area is characterised by mature gardens and street trees, filtering the light in the more southern streets, south of Kinkora Road, and giving the area a distinctive shaded character. The diagonal house compositions and curving streets in the Grace Park Precinct combine to create an informal and picturesque character. - The northern section - Kinkora Road and Hawthorn Grove has a large concentration of 1880s housing in tighter patterns that are similarly characteristic of that earlier era and is relatively intact. These streets were the first typically scaled suburban development in Hawthorn, in contrast to the St James Park area which began as a mansion group. - The Barkers Road section is more heterogeneous but does incorporate several

	<p>notable Federation and Bungalow designs. Clovelly Court is an impressive apartment group utilising garden villa forms, comparing with both the courtyard flats in the Fairview Park Precinct (HO148) and the more similar Corsewall Close (HO149).</p> <ul style="list-style-type: none"> - Located at the southern end of the precinct, the Michael Tuck Stand at the Glenferrie Oval is striking both for the way it draws on its red-brick domestic surroundings as it is for its 1938 modernity. - The precinct is visually unified by the shared, curving park based around the former Kew Railway line, that runs through the entire precinct from south to north and reads as a reminder of the precinct's early popularity as a commuter suburb. <p>Internal controls and external paint controls do not apply to this precinct.</p>
<p>Assessment against Clause 15.03 Heritage</p> <p>15.03-1L Significant heritage places strategies</p> <p>Retain significant built fabric and not normally allow demolition.</p> <p>Permit partial demolition of significant built fabric for the purpose of additions and alterations only if the partial demolition, additions and alterations will not adversely affect the cultural heritage significance of the place and will assist the long term conservation of the building.</p> <p>Support the demolition of non-original and non-contributory additions.</p> <p>Ensure alterations, including restoration or reconstruction works, maintain the significance and integrity of the heritage place.</p> <p>Encourage reconstruction of features or finishes formerly removed, only where historic evidence of original or earlier appearance can be found.</p> <p>Ensure that materials and restoration techniques consistent with the historic period of the heritage place are used.</p> <p>Discourage the painting of previously unpainted surfaces. This does not apply to non-original features.</p> <p>Discourage the rendering of previously non-rendered surfaces.</p> <p>Discourage painting in a manner that detracts from the understanding of the place, including painting in corporate colours, painting over and covering windows and the loss of contrast that provides for articulation of heritage features.</p> <p>Discourage sandblasting of rendered, masonry or timber surfaces.</p> <p>Discourage the introduction of architectural features, unless there is evidence that they were originally present.</p> <p>Ensure development does not alter fabric that contributes to the cultural heritage significance of any part of a 'significant' heritage place including elements that cannot be seen from the public realm.</p>	

Ensure development does not obscure fabric that contributes to the cultural heritage significance of any part of a 'significant' heritage place that addresses the public realm.

Use materials and surface finishes that are complementary to the fabric of the heritage place.

Encourage the reuse of previously demolished building materials from the heritage place in the design and construction of new additions to buildings.

Incorporate design details that complement the design of the heritage place (including the type and form of windows, doors, architectural features and verandahs), that are:

- **Interpretive, that honestly admit their modernity while relating to the heritage character of their surroundings, or are a replication of historic forms and detailing.**
- **Located and massed in a manner that does not detract from or dominate significant fabric of the heritage place (through siting and massing). This should be achieved utilising a combination of setbacks, heights and physical separation as appropriate. This does not apply to commercial buildings.**
- **Located to the rear of the heritage place, where possible.**
- **Sympathetic with heritage fabric of the place rather than any 'non-contributory' elements of the place.**

Discussion:

Demolition:

It is proposed to demolish the following:

- Non-contributory late 1970s rear addition, including sunroom and carport, verandah to the southwest elevation and the internal door connecting to the original part of the building.
- Contemporary shed to the southwest corner of the site.
- Non-significant trees, landscaping, and pool.

Fabric proposed to be demolished is non-original and does not contribute to the significance of the property. Demolition is supported on this basis.

Alterations:

It is proposed to make the following alterations:

- Remove two windows from the original main wing (east and west elevations) to facilitate the installation of two new timber framed doorways.
- Remove sections of slate roof cladding to one original internal roof pane, to facilitate the installation of two skylights.
- Internal works.

Noting that internal controls do not apply, no issues are raised regarding proposed internal alteration. Further, no issues are raised regarding demolition of the window associated with the east façade as this window has been clearly altered in the past (likely during the 1970s alterations).

Proposed demolition of significant fabric - a window to the rear section of the west façade of the original wing of the house and small sections of slate roof to the inner valleys of the main roof - is limited, minor in nature and in locations that are not readily visible from the public realm (setback nearly 30 metres from the street frontage). It is a positive outcome that the arched headed opening associated with

the original window is to be retained which will allow these works to be reversed in future if required.

Additions/ New Buildings

New work includes the construction of a double storey addition with basement to the rear setback, a pool to the east, new gates within the existing timber picket fence and landscaping.

Siting

The double storey addition is proposed to be appropriately sited to the rear of the original main wing of the existing house, setback approximately 30.7m from the street frontage. Supported.

Façade Height and Setbacks

As noted above, the proposed double storey addition is to be setback approximately 30.7m from the front property boundary. This front setback is consistent with the surrounding precinct and will maintain the existing height character. Side setbacks will remain similar to the existing. Supported.

A double storey linking structure enclosing a stairwell is proposed to connect the original and proposed rear addition. It is recommended that the ground floor storey of the linking structure is reduced to avoid disrupting the eave-line and the existing external cornice moulding of the original building at the interface. Further, it is recommended that the setback associated with the upper storey is increased by at least 0.5m to ensure a clear separation of new and original fabric.

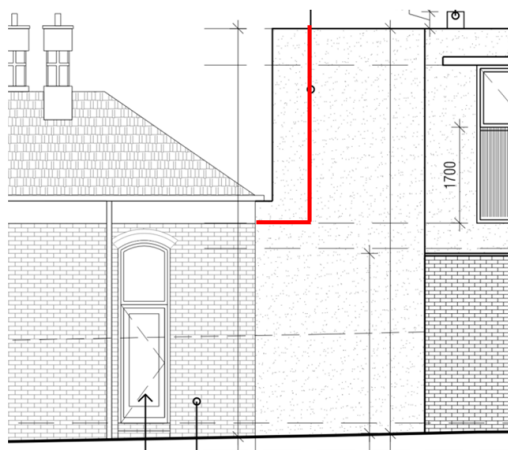


Figure 1. Suggested modification of the linking structure.

Building Height and Form

The overall building height of the proposed addition will be 7.4m above natural ground and will protrude approximately 1m above the main ridgeline of the original dwelling. As indicated by sightline assessment, this will not detrimentally impact views or understanding of the original building from the public realm. The rectilinear form of the proposed addition will allow it to be easily distinguished from the site's heritage fabric. Supported.

Roof Form

A flat roof form is proposed for the rear addition. While this will conflict with the pitched form of the main roof form, based on the proposed 30 metre front setback, the addition will be largely concealed from the public realm. Supported

Materials, surface finishes and details

It is proposed to finish the new addition in white textured rolled cement render, with grey stone cladding articulation. The prevailing materiality within the streetscape is

light natural renders and red brick. It is recommended that the colour of the addition is modified to beige, cream or taupe to be more sympathetic to the surrounding streetscape, noting that the rear addition will be partially visible from the public realm on the oblique angle (particularly, the east façade). This amendment will ensure that new built fabric as viewed from the public realm is as visually recessive as possible.

(See below for matters relating to fences, vehicle accommodation, outbuildings, services, landscaping, signage, commercial buildings and subdivision)

15.03-1L All places - fencing strategies

Retain original or early fences of 'significant' or 'contributory' heritage places. Encourage the reconstruction of original fences where historical evidence exists of their form, or encourage the construction of new front fences in sympathy to the period and design of the 'significant' or 'contributory' heritage places.

Discourage the construction of high solid fences that block the view of the principal façade (or secondary façade for corner lots) of 'significant' or 'contributory' places from the street.

Design fences for 'non-contributory' places to complement the heritage significance of the precinct, including its height, visual permeability, spacing of elements, materials and finishes.

All places - fencing policy guideline

Consider as relevant:

- *Designing fences to be consistent with The National Trust of Australia (Victoria) Technical Bulletin 8.1 Fences & Gates (Richard Peterson, 1988).*

Discussion:

Two new gates are proposed to the existing (non-original) timber picket front fence: a pedestrian gate to the east and a sliding gate to the driveway to the west. The two proposed gates are to match the height, colour, and style of the existing front fence. Supported.

1.8m timber paling fences with pedestrian gates are proposed for the east and west setbacks to divide the front yard from the rear yard. The western fence is proposed to be located just north of the foremost original chimney and the eastern most is proposed to stem from the bayed projection to the east of the original building. It is submitted that the location of the proposed fences are too far forward and will obscure 'significant' site fabric. It is recommended that the fencing is further setback behind primary heritage features of the side elevations of the dwelling, as follows:

- Western setback. Fence recessed so that the chimney breast and window are expressed to the street.
- Eastern setback. Fence setback behind bay window component.

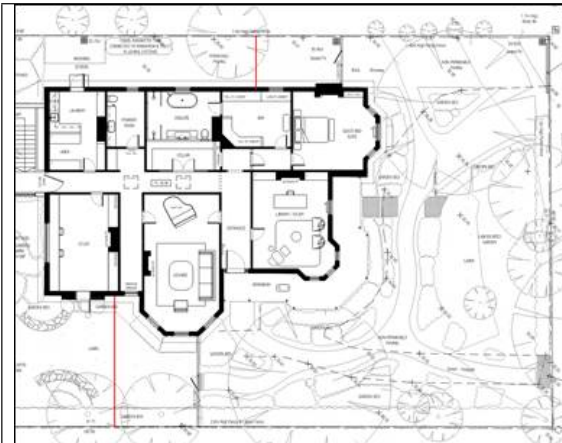


Figure 2. Recommended revision to the siting of the proposed side fences.

15.03-1L All places - landscape setting strategies

Retain or restore (where evidence can be found) original hard and soft landscape elements that contribute to the significance of the heritage place.

Design hard and soft landscaping to not detract from the heritage values of the place.

Discussion:

Proposed soft landscaping comprising lawns and formal garden beds incorporating new and existing plantings will be sympathetic with the character of the heritage place and in keeping with the local heritage policy. Informal non-permeable paved pathways will be paved in natural stone as will areas of paving to the rear which is supported. Proposed landscaping to the rear part of the site will be contemporary in nature and have an appropriate relationship with the proposed addition and original house. Supported.

15.03-1L All places - vehicle accommodation, outbuildings and services strategies

Ensure vehicle accommodation and other services do not dominate heritage places.

Minimise new vehicle cross-overs for heritage places with narrow street frontage, where few or no crossovers exist or where rear laneway access is available.

Discourage the widening of vehicle crossovers, or the construction of large areas of paving or other hard surfaces in the front setback where this is not responsive to the heritage place, except in the interests of traffic safety.

Encourage the location of new carports, garages and outbuildings to the rear of the main building (excluding verandahs, porches, bay windows or similar

projecting features) except where the character of the heritage place supports the location of carports, garages and outbuildings to the side of the heritage building behind the main front building line.

Encourage any new carports, garages and outbuildings that are visible from the street to use wall openings, roof forms and materials that complement the main building or the characteristics of the heritage precinct.

Discourage the location of swimming pools in the front setback.

Support rain water tanks, hot water systems, air-conditioning units and other equipment in areas visible from the street only where they will not detract from the heritage significance of the place.

Avoid visible roof fixtures, such as solar panels, on the principal visible roof form.

Ensure visible roof fixtures are aligned with the profile of the roof and not mounted on protruding frames.

Discussion:

It is proposed to locate a garage to the rear of the new addition (accessed via the rear laneway) and a rainwater tank to the west elevation. Neither component will be visible from the public realm. Supported.

It is recommended that the proposed driveway material is amended to a lighter colour/finish to more in keeping with the broader heritage precinct.

Recommendations

1. On heritage grounds the works proposed in this application may be approved subject to the following conditions:

	Suggested condition	Explanation
1	Reduce the height of the linking structure at ground floor (below the eave-line of the main dwelling) and further setback the upper storey by at least 0.5m at the connection point.	Recommended revisions associated with the linking structure will avoid disrupting the eave-line and the existing external cornice moulding of the original building at the connection point and ensure a clear separation of new and original fabric.
2	Amend the colour of the proposed rear addition from white to beige, cream or taupe to be more sympathetic to the surrounding streetscape.	Noting that the rear addition will be partially visible from the public realm (oblique view of east façade) this revision will ensure that new built as viewed from the public realm is as visually recessive as possible.
3	Revise the location of the proposed 1.8m paling fences to be	The proposed location of the fences are too far forward and will obscure

	further setback behind primary heritage features of the side elevations, as follows: <ul style="list-style-type: none"> • Western setback. Fence recessed so that the chimney breast and window are expressed to the street. • Eastern setback. Fence setback behind bay window component. 	significant fabric associated with the place.
4	Amend the colour of the proposed driveway material to a lighter colour/finish.	A lighter colour/finish is more in keeping with the broader heritage precinct.

APPENDIX B - PLANNING POLICIES

Clause 15.03-1L 'Significant' heritage places

To preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm.

To facilitate sympathetic new buildings which extend the life of 'significant' heritage places.

Consider the following policies (as appropriate):	Assessment
Demolition	✓ Complies
Conservation and alterations	✓ Complies
Additions and New Buildings	✓ Complies (with permit conditions)
Fences	✓ Complies (with permit conditions)
Landscape setting	✓ Complies
Vehicle accommodation, outbuildings and services	✓ Complies
Roads and laneways	✓ Complies

Residential Zone

The Garden Area provisions of the Boroondara Planning Scheme do not apply unless there is a permit trigger under the zone. In the case of this application, where a permit is required under the Heritage Overlay only, Garden Area will be assessed

under the Building Regulations. Regardless, the proposal appears to comply with the regulation, providing (approximately) 51% of the site towards Garden Area.

Clause 32.09-9 Maximum Building Height
--

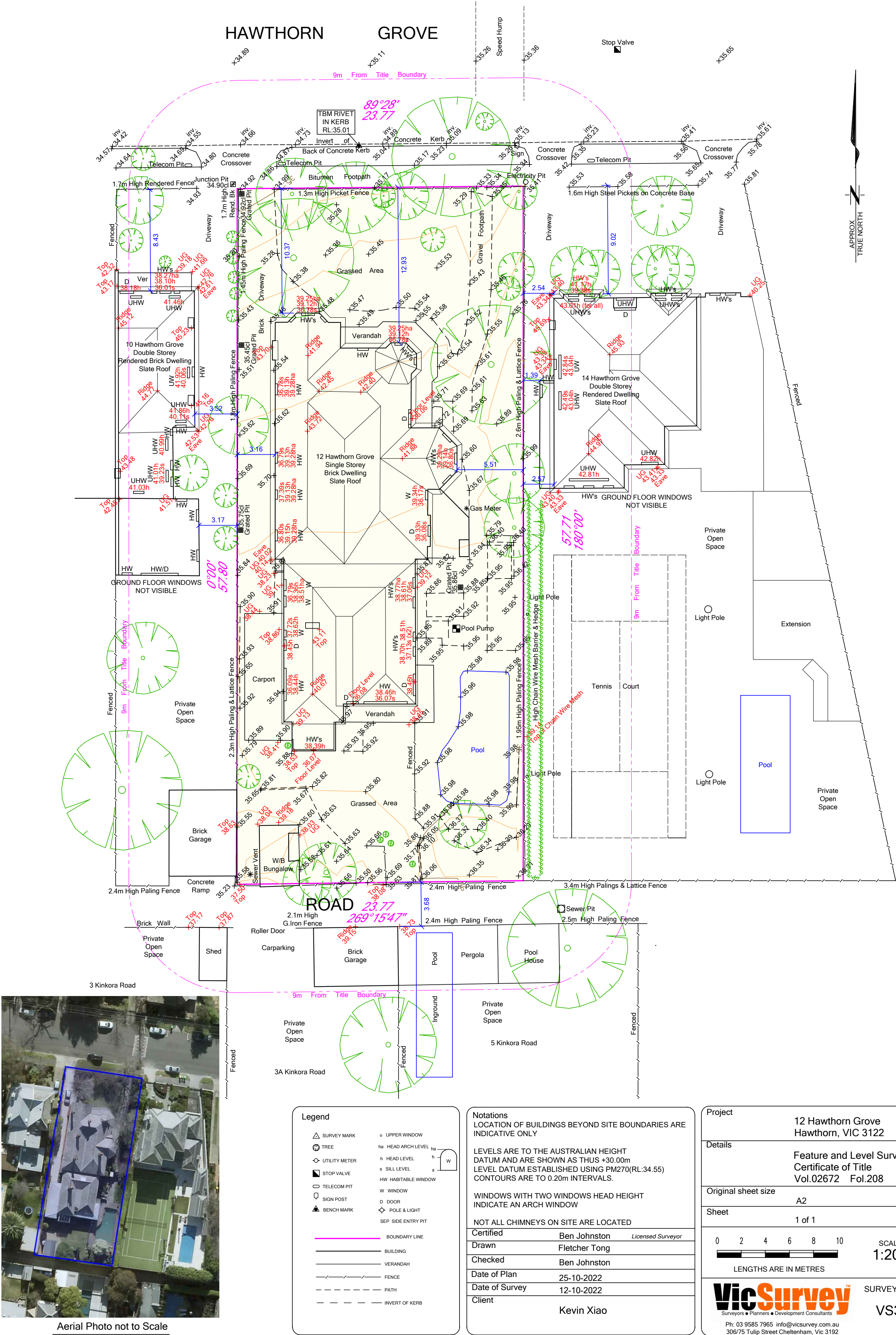
A building must not be constructed for use as a dwelling or a residential building that:

- Exceeds the maximum building height specified in a schedule to this zone; or
- Contains more than the maximum number of storeys specified in a schedule to this zone.

Mandatory Maximum Building Height (NRZ1, NRZ3)			
	Requirement	Proposed	Assessment
Building height requirement	9m or 10m	7.24m	✓ Complies
Maximum number of storeys	2	2	✓ Complies



NOTICE INFORMATION
Date of Notice: 24/10/2023



Aerial Photo not to Scale

Legend

	u UPPER WINDOW
	ha HEAD ARCH LEVEL
	h HEAD LEVEL
	s SILL LEVEL
	HW HABITABLE WINDOW
	w WINDOW
	d DOOR
	po POLE & LIGHT
	SEP SIDE ENTRY PIT

— BOUNDARY LINE
— BUILDING
— VERANDAH
— FENCE
— PATH
— INVERT OF KERB

Notations
LOCATION OF BUILDINGS BEYOND SITE BOUNDARIES ARE INDICATIVE ONLY

LEVELS ARE TO THE AUSTRALIAN HEIGHT DATUM AND ARE SHOWN AS THUS +30.00m
LEVEL DATUM ESTABLISHED USING PM270(RL:34.55)
CONTOURS ARE TO 0.20m INTERVALS.

WINDOWS WITH TWO WINDOWS HEAD HEIGHT INDICATE AN ARCH WINDOW

NOT ALL CHIMNEYS ON SITE ARE LOCATED

Certified Ben Johnston *Licensed Surveyor*
Drawn Fletcher Tong
Checked Ben Johnston
Date of Plan 25-10-2022
Date of Survey 12-10-2022
Client Kevin Xiao

Project 12 Hawthorn Grove
Hawthorn, VIC 3122

Details Feature and Level Survey
Certificate of Title
Vol.02672 Fol.208

Original sheet size A2

Sheet 1 of 1

0 2 4 6 8 10 SCALE 1:200
LENGTHS ARE IN METRES

VicSurvey SURVEYORS REF. VS3598
Ph: 03 9585 7965 info@vicsurvey.com.au
306/75 Tulip Street Cheltenham, Vic 3192

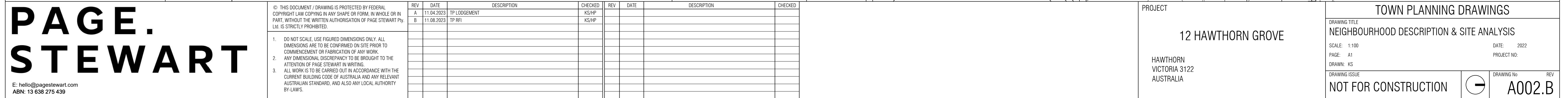
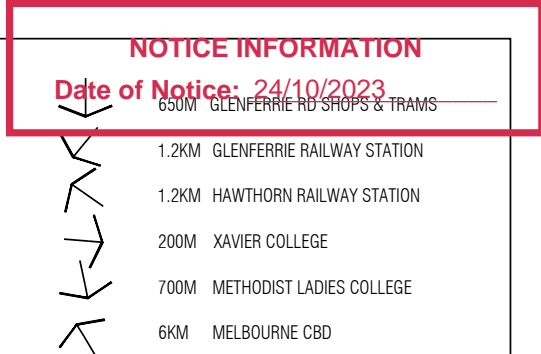


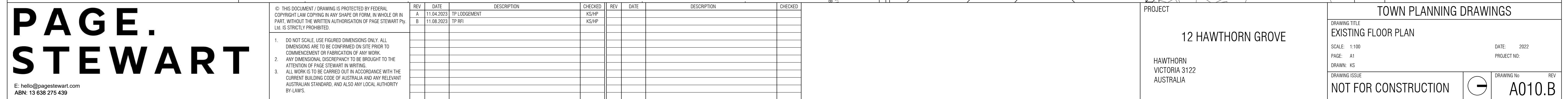
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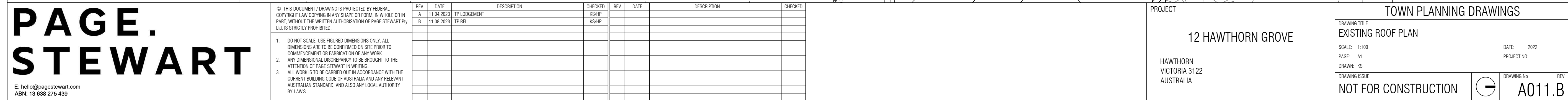
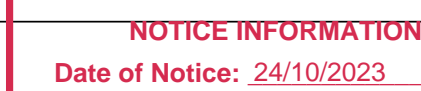
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LOCATION PLAN
REFERENCE: LANDCHECKER

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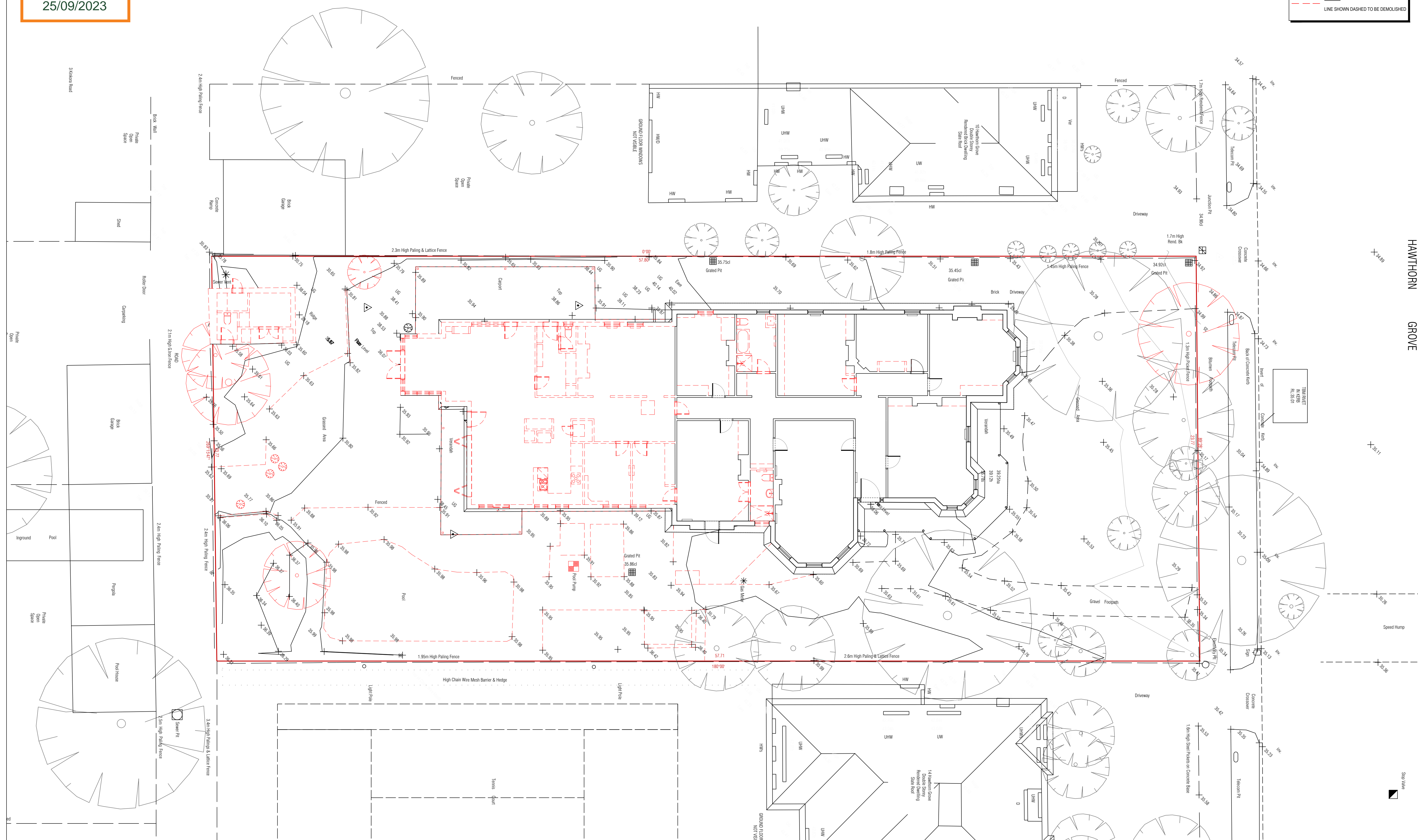
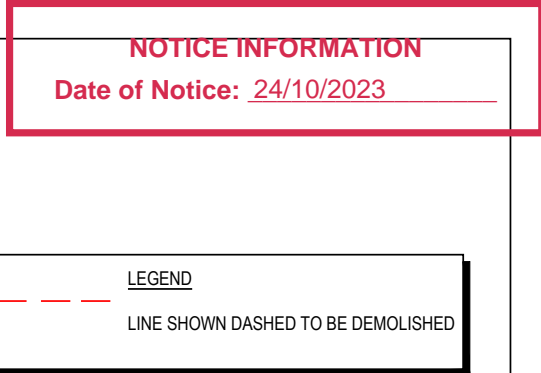
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	<div>DRAWING TITLE</div> <div>EXISTING ELEVATIONS</div>		
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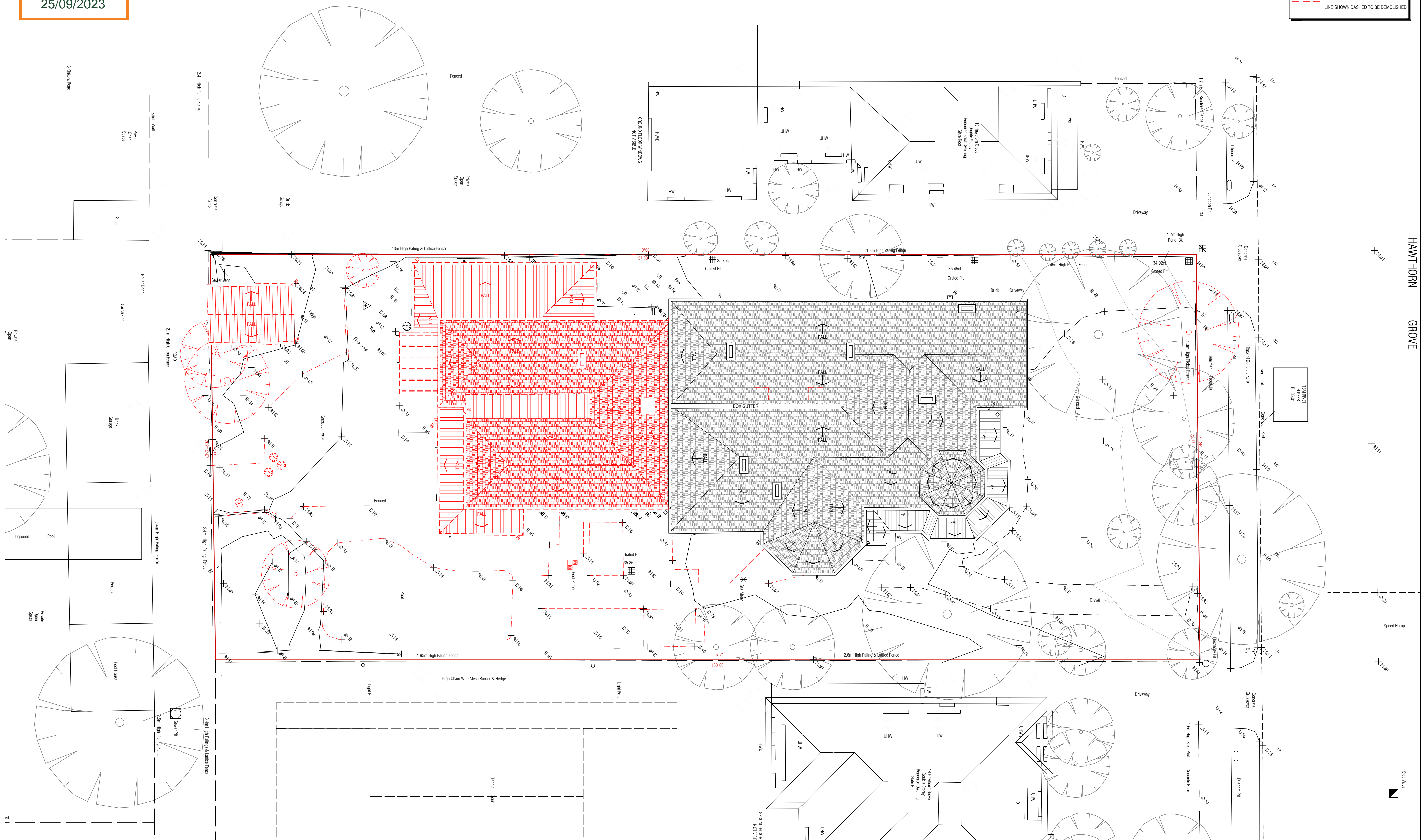
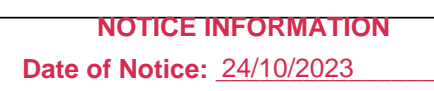
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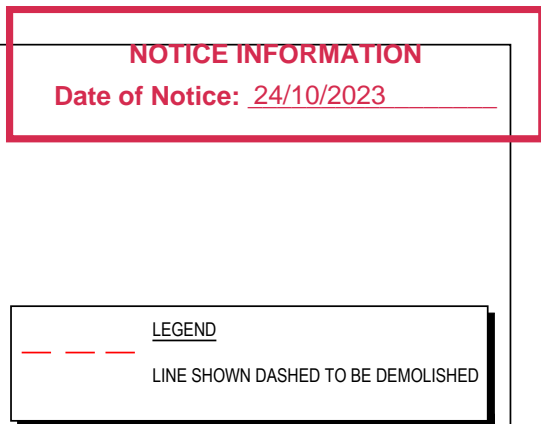
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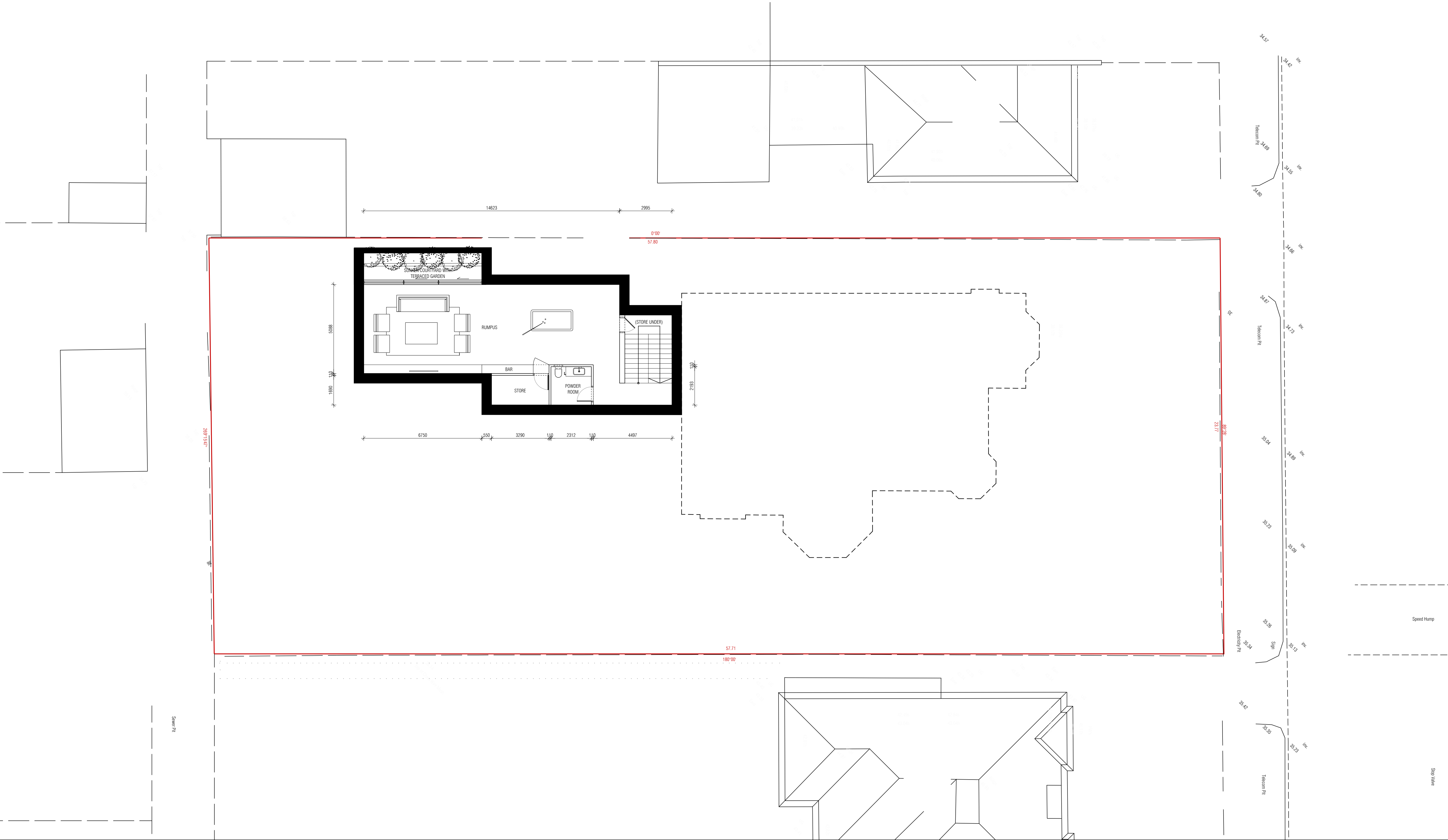
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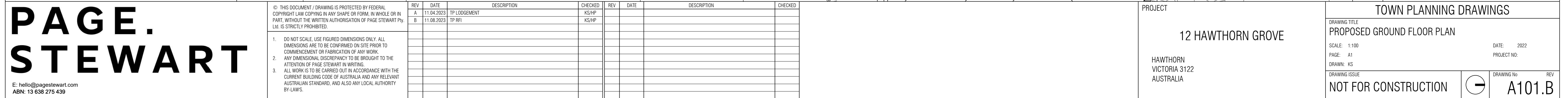
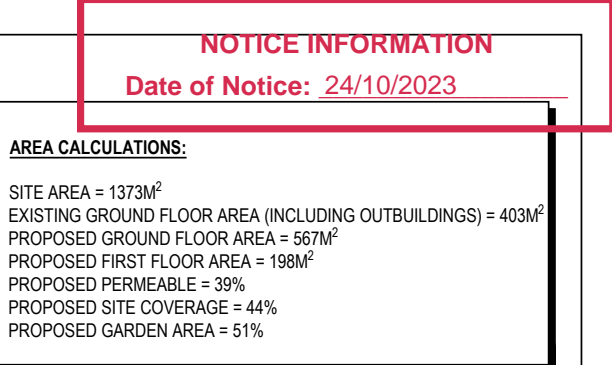
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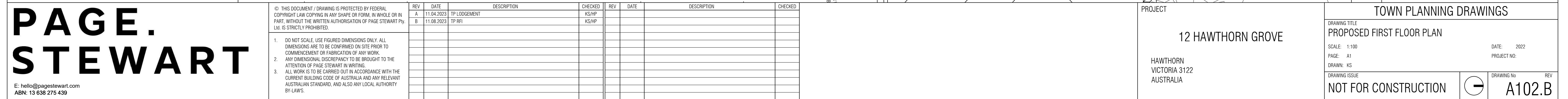
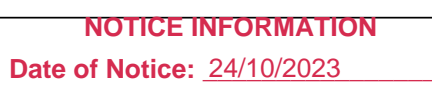


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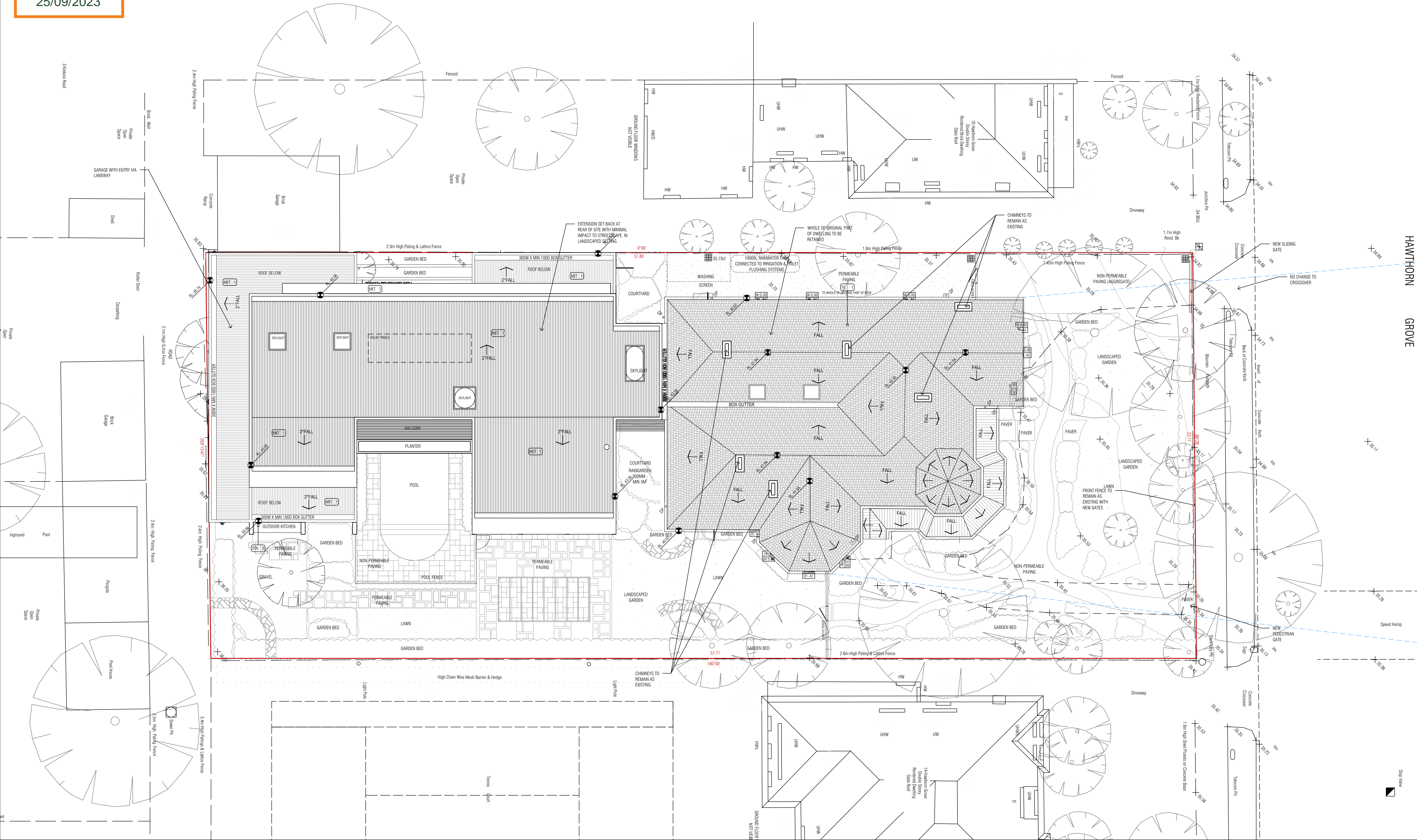
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PROJECT
12 HAWTHORN GROVE
HAWTHORN
VICTORIA 3122
AUSTRALIA

TOWN PLANNING DRAWINGS
PROPOSED ROOF PLAN (DESIGN RESPONSE)
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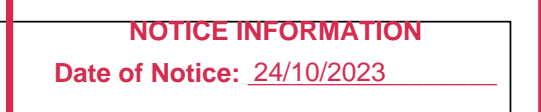
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PROJECT

12 HAWTHORN GROVE

HAWTHORN
VICTORIA 3122
AUSTRALIA

DRAWING No	REV
A261	A



10 HAWTHORN GROVE
REAR POS SIZE = 212M²
ADDITIONAL SHADOW CAST BY PROPOSED DEVELOPMENT = 41M²
PROPOSED POS GREATER THAN 3M WITH SUNLIGHT = 62M²
COMPLIANCE ACHIEVED

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HAWTHORN
VICTORIA 3122
AUSTRALIA

DRAWING No	REV
A900	A



10 HAWTHORN GROVE
REAR POS SIZE = 212M²
ADDITIONAL SHADOW CAST BY PROPOSED DEVELOPMENT = 12M²
PROPOSED POS GREATER THAN 3M WITH SUNLIGHT = 121M²
COMPLIANCE ACHIEVED

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PROJECT

HAWTHORN
VICTORIA 3122
AUSTRALIA

DATE: 2022
PROJECT NO:


DRAWING No	REV
A901.A	



10 HAWTHORN GROVE
 REAR POS SIZE = 212M²
 ADDITIONAL SHADOW CAST BY PROPOSED DEVELOPMENT = 0.6M²
 PROPOSED POS GREATER THAN 3M WITH SUNLIGHT = 169M²
 COMPLIANCE ACHIEVED

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	<div>DRAWING ISSUE</div> <div>NOT FOR CONSTRUCTION</div>		<div> <div>DRAWING No</div> <div>A902.A</div> </div> <div> <div>REV</div> </div>
			



10 HAWTHORN GROVE
 REAR POS SIZE = 212M²
 ADDITIONAL SHADOW CAST BY PROPOSED DEVELOPMENT = 0M²
 PROPOSED POS GREATER THAN 3M WITH SUNLIGHT = 187M²
 COMPLIANCE ACHIEVED

E: hello@pagestewart.com
 ARN: 13 638 275 439

1. DO NOT SCALE, USE FIGURED DIMENSIONS ONLY. ALL DIMENSIONS ARE TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OR FABRICATION OF ANY WORK.
2. ANY DIMENSIONAL DISCREPANCY TO BE BROUGHT TO THE ATTENTION OF PAGE STEWART IN WRITING.
3. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT BUILDING CODE OF AUSTRALIA AND ANY RELEVANT AUSTRALIAN STANDARD, AND ALSO ANY LOCAL AUTHORITY BY-LAWS.

[illegible]

HAWTHORN
VICTORIA 3122
AUSTRALIA

DRAWING No	RE
A903	A



10 HAWTHORN GROVE
REAR POS SIZE = 212M²
ADDITIONAL SHADOW CAST BY PROPOSED DEVELOPMENT = 0M²
PROPOSED POS GREATER THAN 3M WITH SUNLIGHT = 174M²
COMPLIANCE ACHIEVED

269



10 HAWTHORN GROVE
REAR POS SIZE = 212M²
ADDITIONAL SHADOW CAST BY PROPOSED DEVELOPMENT = 0M²
PROPOSED POS GREATER THAN 3M WITH SUNLIGHT = 160M²
COMPLIANCE ACHIEVED

E: hello@pagestewart.com
 ARN: 13 638 275 439

1. DO NOT SCALE. USE FIGURED DIMENSIONS ONLY. ALL DIMENSIONS ARE TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OR FABRICATION OF ANY WORK.
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PROJECT

HAWTHORN
VICTORIA 3122
AUSTRALIA

DRAWING ISSUE

NOT FOR CONSTRUCTION

DRAWING No	REV
A905	A



10 HAWTHORN GROVE
 REAR POS SIZE = 212M²
 ADDITIONAL SHADOW CAST BY PROPOSED DEVELOPMENT = 0M²
 PROPOSED POS GREATER THAN 3M WITH SUNLIGHT = 141M²
 COMPLIANCE ACHIEVED





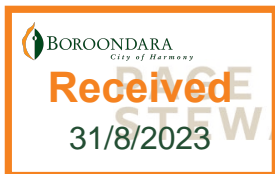
NOTICE INFORMATION
Date of Notice: 24/10/2023

PROJECT: 12 HAWTHORN GROVE, HAWTHORN

REVISION: B REV DATE: 11.08.2023

1.0 EXTERNAL FINISHES SCHEDULE



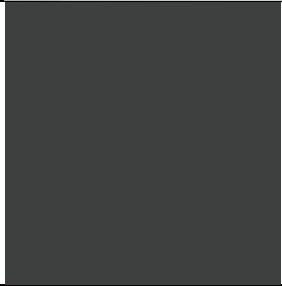
CODE	ITEM	DESCRIPTION	RANGE/COLOUR/FINISH	IMAGES
	Boundary fencing	Paling Fences	Charcoal	
	Driveway (Concrete Aggregate)	Concrete Aggregate (existing)	Grey	

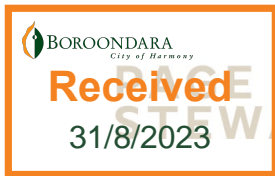


NOTICE INFORMATION
Date of Notice: 24/10/2023

PROJECT: 12 HAWTHORN GROVE, HAWTHORN

REVISION: B REV DATE: 11.08.2023


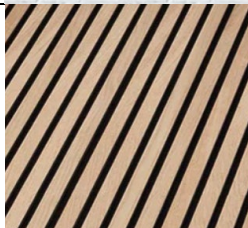

	Exterior paving	Non-permeable	Grey	
	Glazing	Glass	Clear	
	Window frames (new extension)	Metal	Charcoal	
	Window frames, trims, posts, gutters, downpipes (existing part of house)	Timber trims	To match existing	

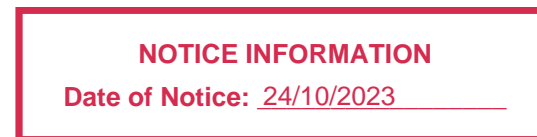
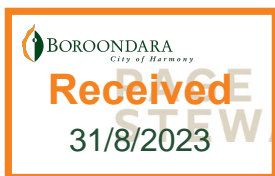


NOTICE INFORMATION
Date of Notice: 24/10/2023

PROJECT: 12 HAWTHORN GROVE, HAWTHORN

REVISION: B REV DATE: 11.08.2023

	Flashings, downpipes etc (new part of house)		To match adjacent wall colour	
BRK 1	Brickwork (existing)	Existing red bricks – clean	As existing	
BRK 2	Brick wall on boundary (neighbours)	Brick wall cladding	Render/bagged finish as per neighbours chosen colour	
BRK 3	Brick wall on lane	Brick wall cladding	Bagged finish – White	
CLD 1	Cladding	Grooved timber cladding	Natural	
MET 1	New flat roof	Kliplok metal deck roof sheet	Zincalume	



PROJECT: 12 HAWTHORN GROVE, HAWTHORN

REVISION: B **REV DATE:** 11.08.2023

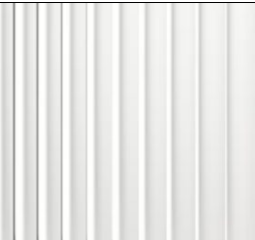



MET 2	Powdercoated metal	Flat metal plate	Charcoal		
MET 3	Metal cladding	Flat metal plate	Charcoal		
MET 4	Powdercoated metal	Metal cladding	Colour: Dulux Mannex White		
MET 5	Balustrade / rods	Powdercoat metal rods	Off white		

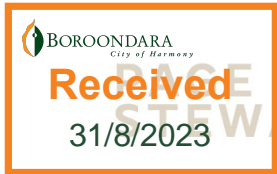


NOTICE INFORMATION
Date of Notice: 24/10/2023

PROJECT: 12 HAWTHORN GROVE, HAWTHORN

REVISION: B REV DATE: 11.08.2023


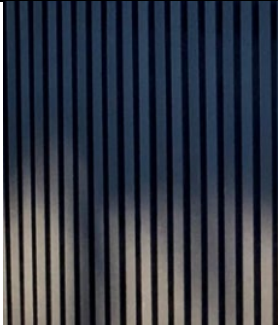

OPQ 1	Opaque glass	Opaque reeded glass	Milk white reeded – opaque	
REN 1	Render	White textured / rolled cement render	Colour: White	
STN 1	Feature cladding	Stone cladding	Grey	
STN 2	Outdoor benchtop	Stone bench	Light grey	



NOTICE INFORMATION
Date of Notice: 24/10/2023

PROJECT: 12 HAWTHORN GROVE, HAWTHORN

REVISION: B REV DATE: 11.08.2023

TIL 1	Tiled roof (existing)	Make existing slate good	Slate	
TIL 2	Porch tiles	Make existing porch good		
TIM 1	Timber battens	45mm wide Timber battens with 30mm gaps between	Charcoal	
TIM 2	Timber pickets	Timber pickets with 30mm gaps between	Charcoal	













3.4 7 Mangarra Road, Canterbury - Presentation of Draft SCO Incorporated Document - Amendment C408boro

Executive Summary

Purpose

The purpose of this report is to present the Urban Planning Delegated Committee (UPDC) with the prepared draft 'control document', being the incorporated document, for the planning scheme amendment which seeks to apply the Specific Controls Overlay (inclusive of the associated incorporated document) on a permanent basis to the land at 7 Mangarra Road, Canterbury (also known as 7-9 Mangarra Road Canterbury) (the land).

This report responds to UPDC Meeting resolution on 5 February 2024 for Item 3.2, which states at part 4 that *"upon preparation of a control document, a further report is to be presented to the Urban Planning Delegated Committee or Council."*

This report also informs the UPDC that on Thursday 8 February 2024, a request was formally lodged for planning scheme amendment C408boro (Amendment) with the Department of Transport and Planning (DTP). The Amendment seeks Ministerial intervention to apply the Special Controls Overlay (SCO) to the land and to introduce an incorporated document in the Boroondara Planning Scheme titled *'7 Mangarra Road, Canterbury, Incorporated Document, January 2024'* (Incorporated Document) to prevent development, including demolition, of the land except for the reconstruction of the heritage building.

Background

On 5 February 2024, the UPDC considered a report regarding the disrepair and unlawful demolition by arson of the heritage building at 7 Mangarra Road, Canterbury, and the Council officer's Letter of Intent to the Minister for Planning requesting Ministerial intervention to apply the SCO to the land.

The UPDC resolved that, amongst other things;

4. Upon preparation of a control document, a further report is to be presented to the Urban Planning Delegated Committee or Council.

In response to this resolution, Council officers have prepared this report and included the draft 'control document' being the Incorporated Document for 7 Mangarra Road, Canterbury at **Attachment 1**.

On Thursday 8 February 2024, the request was lodged with the DTP seeking Ministerial intervention, in accordance with Section 20(4) of the *Planning and Environment Act 1987* (Act), to apply the SCO to the land and to introduce the associated Incorporated Document in the Boroondara Planning Scheme.

The Amendment will apply the Specific Controls Overlay, Schedule 13 to the land and introduce an Incorporated Document in the Boroondara Planning Scheme titled *'7 Mangarra Road, Canterbury, Incorporated Document, January 2024'* (Incorporated Document)

The purpose of the Incorporated Document is to confine development, including demolition, to development authorised by and subject to the conditions contained in the Incorporated Document.

The Incorporated Document seeks to override any contrary or inconsistent provision in the Boroondara Planning Scheme to prevent demolition (including partial demolition) of the fire damaged heritage dwelling and require reconstruction of the heritage dwelling to 'its built form and habitable condition prior to 30 November 2020'.

Amendment C408 is now with the Minister for Planning.

Key Issues

Section 6B of the Act was introduced to address the issue of unlawful demolition and disrepair resulting in demolition of a heritage place. In accordance with Planning Practice Note 95 (*Local heritage protection provisions in the Planning and Environment Act 1987*), Section 6B enables a planning scheme to:

- *regulate or prohibit the development of land on which there is or was a heritage building that has:*
 - *been unlawfully demolished, in whole or in part; or*
 - *fallen into disrepair.*
- *require that a planning permit must not be granted for the development of land on which there is or was a heritage building that has been unlawfully demolished, in whole or in part, or fallen into disrepair, unless the development is for or includes:*
 - *the reconstruction or reinstatement of the building, in whole or in part; or*
 - *the repair of the building.*
- *require that a planning permit must not be granted for the development of land on which there is or was a heritage building that has been unlawfully demolished, in whole or in part, or fallen into disrepair, unless the development is for or includes:*
 - *the reconstruction or reinstatement of the building, in whole or in part; or*
 - *the repair of the building.*

The Incorporated Document has been drafted in accordance with the above legislative intent and the provisions of Section 6B, to restrict development, including demolition, and require reconstruction of the heritage building, known as 'Shenley Croft', on the land. Based on the draft Incorporated Document, the reconstruction works must commence within 12 months of the date of the Incorporated Document and be completed within 24 months of the commencement of the reconstruction works.

Amendment C408boro is now with the Minister for Planning to determine. It is possible that the Minister may amend the Incorporated Document. Should this be contemplated, Council officers will be required to advocate the Council position and negotiate with DTP to reach an appropriate outcome for the land.

Next Steps

This report addresses the UPDC resolution of Monday 5 February 2024 for Item 3.2 which states, *'4. Upon preparation of a control document, a further report is to be presented to the Urban Planning Delegated Committee or Council.'*

This report also seeks a resolution from the UPDC to authorise the Director Urban Living to advocate the Council position and negotiate with the DTP to append an incorporated document (generally consistent with the draft at Attachment 1) to the SCO for 7 Mangarra Road, Canterbury that seeks to regulate or prohibit the development of the land to achieve the following objectives:

- To require the reconstruction of the heritage building, in whole or in part;
- To avoid the demolition of the remaining heritage fabric that can feasibly be incorporated or reused in the reconstruction of the heritage building;
- To prevent the future development of the site in a form that would benefit from the unlawful demolition of the heritage building.

Council officers will continue to work with the DTP to deliver the SCO to the land to achieve the above objectives.

Officers' recommendation

That the Urban Planning Delegated Committee resolve to;

1. Accept the prepared draft Incorporated Document at Attachment 1 in accordance with the Urban Planning Delegated Committee resolution of 5 February 2024 for Item 3.2 point 4 as the proposed Incorporated Document for Planning Scheme Amendment C408boro in relation to 7 Mangarra Road, Canterbury.
2. Authorise the Director Urban Living to advocate the Council position and negotiate with the Department of Transport and Planning (DTP) to append an incorporated document (generally consistent with Attachment 1) to the Specific Control Overlay (SCO) for 7 Mangarra Road, Canterbury that seeks to regulate or prohibit the development of the land to achieve the following objectives:
 - a) To require the reconstruction of the heritage building, in whole or in part;
 - b) To avoid the demolition of the remaining heritage fabric that can feasibly be incorporated or reused in the reconstruction of the heritage building;
 - c) To prevent the future development of the site in a form that would benefit from the unlawful demolition of the heritage building.

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

1. Purpose

The purpose of this report is to:

- Present the Urban Planning Delegated Committee (UPDC) with the draft Specific Controls Overlay (SCO) Incorporated Document, developed in response to the disrepair and recent unlawful demolition by arson of the individually significant heritage dwelling ‘*Shenley Croft*’ (HO391) at 7 Mangarra Road, Canterbury.
- Inform the UPDC of the formal request to the Minister for Planning to exercise powers pursuant to Section 20(4) of the *Planning & Environment Act 1987* (Act) to immediately amend the Boroondara Planning Scheme to apply the SCO on a permanent basis to the land at 7 Mangarra Road, Canterbury.

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

Boroondara Community Plan 2021-31

The amendment (including the Incorporated Document) implements the Strategic Objective of Theme 4 of the Plan, to *‘protect the heritage and respect the character of Boroondara, while facilitating appropriate, well-designed development’*.

Specifically, the amendment is consistent with Strategy 4.1 - *‘Boroondara’s heritage places are protected through ongoing implementation of heritage protection controls in the Boroondara Planning Scheme’*.

Planning and Environment Act 1987

The amendment (including the Incorporated Document) is consistent with the objectives of planning in Victoria, particularly by implementing the objective detailed at Section 4(1) of the Act *‘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.’*

The amendment to implement the SCO will further the objectives of planning in Victoria by establishing a planning framework for the land in context of unlawful demolition and disrepair.

Plan Melbourne 2017-2050

The amendment (including the Incorporated Document) is consistent with Outcome 4 of *Plan Melbourne 2017-2050*, which seeks to ensure that *‘Melbourne is a distinctive and liveable city with quality design and amenity’*.

Specifically, Direction 4.4 recognises the contribution heritage makes to Melbourne’s distinctiveness and liveability and advocates for the protection of Melbourne’s heritage places.

Boroondara Planning Scheme

The amendment (including the Incorporated Document) is consistent with the objectives of the Planning Policy Framework, addressing the following:

Municipal Planning Strategy

Clause 02.02 (Vision) identifies the need to protect the heritage and respect the character of the City to maintain amenity and liveability.

Clause 02.03-4 (Built environment and heritage) recognises that heritage precincts and individual heritage places cover a high proportion of the municipality and make a significant contribution to the City's character. It also acknowledges a commitment to the protection, conservation and enhancement of all heritage places in the City.

Local Planning Policy

Clause 15.03-1L (Heritage in Boroondara) aims to achieve the objectives as follow:

- *'To preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm.'*
- *'Encourage reconstruction of features or finishes formerly removed, only where historic evidence of original or earlier appearance can be found.'*
- *'Ensure that materials and restoration techniques consistent with the historic period of the heritage place are used.'*
- *'Ensure development does not alter fabric that contributes to the cultural heritage significance of any part of a 'significant' heritage place including elements that cannot be seen from the public realm.'*
- *'Encourage the reuse of previously demolished building materials from the heritage place in the design and construction of new additions to buildings.'*

The amendment (including the Incorporated Document) will facilitate reconstruction of a heritage dwelling which was allowed to fall into disrepair and was unlawfully demolished. The reconstruction of the heritage dwelling delivers on the vision to protect the City's heritage places.

3. Background

In 2009, Amendment C64 to the Boroondara Planning Scheme was gazetted and 'Shenley Croft' was included in the Schedule to Clause 43.01 (Heritage Overlay) (HO391), as an individually significant heritage place.

Since its most recent sale in November 2020, the house has remained vacant, progressively fallen into disrepair and has now been mostly destroyed by arson. The property was the subject of several customer complaints and site inspections by Local Laws regarding overgrown vegetation, building disrepair and unsecured entry points to the property.

Since 2020, Council has received two planning applications for development at the property, including partial demolition of non-significant fabric at the rear of the heritage building.

On 12 December 2023, the most recent planning permit application (for partial demolition to the existing building and construction of two dwellings) lapsed for failure to provide requested further information.

On Saturday 9 December 2023, the heritage dwelling sustained significant fire damage, and was mostly destroyed.

On both Saturday 9 December and Monday 11 December, Council officers inspected the site after the fire to support emergency services and advise on the safety of the premises.

The Council has been advised by Victoria Police that they are treating the fire as 'suspicious and as a confirmed arson'.

On 10 January 2024, Council officers wrote a letter of intent to the DTP requesting ministerial intervention, pursuant to Section 20(4) of the Act, to undertake a planning scheme amendment to apply the Specific Controls Overlay (SCO) to the land.

On 5 February 2024, following the UPDC's consideration of the report regarding the disrepair and unlawful demolition by arson of *Shenley Croft*, the Committee resolved to:

1. *Confirm and formally request the Minister for Planning to exercise powers pursuant to Section 20(4) of the Planning and Environment Act 1987 to amend the Boroondara Planning Scheme to apply the Specific Controls Overlay (inclusive of an associated incorporated document) on a permanent basis to the land at 7 Mangarra Road, Canterbury (also known as 7-9 Mangarra Road, Canterbury).*
2. *Authorise the Director Urban Living to take all necessary action to respond to the unlawful demolition of the heritage property at 7 Mangarra Road, Canterbury.*
3. *Authorise the Director Urban Living to seek to ensure any future development of the property includes the reconstruction of the heritage building through appropriate planning controls which may include requesting the Minister for Planning for Authorisation to prepare a Planning Scheme Amendment if necessary.*
4. *Upon preparation of a control document, a further report is to be presented to the Urban Planning Delegated Committee or Council.*

Subsequently, on Thursday 8 February 2024, a formal request was submitted to the DTP seeking Ministerial intervention, in accordance with Section 20(4) of the Act, to apply the SCO to the land and to introduce the associated Incorporated Document in the Boroondara Planning Scheme.

In accordance with the UPDC resolution on 5 February 2024 for Item 3.2 point 4, this report has been tabled to present the draft Incorporated Document to the Committee.

4. Outline of key issues/options

Council officers recommend that the UPDC Confirm presentation of the prepared Incorporated Document in accordance with UPDC resolution of 5 February 2024 for Item 3.2 point 4.

Council officers will continue to work with the DTP to progress the amendment to seek the Specific Control Overlay (SCO) for 7 Mangarra Road, Canterbury to regulate or prohibit the development of the land to achieve the following objectives:

- To require the reconstruction of the heritage building, in whole or in part;
- To avoid the demolition of the remaining heritage fabric that can feasibly be incorporated or reused in the reconstruction of the heritage building;
- To prevent the future development of the site in a form that would benefit from the unlawful demolition of the heritage building.

5. Consultation/communication

Not relevant to this UPDC Report which presents the Incorporated Document to the Committee.

6. Financial and resource implications

The actions outlined in this report can be resourced by the City Futures Department from the Strategic Planning operational budget for the 2023/24 financial year. The administration of the SCO is not expected to have any significant impacts on the resources and administrative costs of Council.

7. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

8. Social and environmental issues

The protection of heritage places across Boroondara continues to have positive social and environmental effects. The Incorporated Document presented in this report will have positive social and environmental effects by contributing to the ongoing conservation and protection of the City's heritage.

Manager: David Cowan - Manager City Futures

Report officer: Marie Sheriff - Principal Heritage Planner

BOROONDARA PLANNING SCHEME

7 MANGARRA ROAD, CANTERBURY

(also known as 7-9 Mangarra Road, Canterbury)

INCORPORATED DOCUMENT

Specific Controls Overlay, Schedule 13

Boroondara Planning Scheme Amendment C408boro

JANUARY 2024

BOROONDARA PLANNING SCHEME

1.0 INTRODUCTION

This document is an incorporated document at Clause 45.12 – Specific Controls Overlay and the Schedule to Clause 72.04 – Incorporated Documents of the Boroondara Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

The land identified in Clause 3.0 of this document must be developed in accordance with the specific control in Clause 4.0 of this document.

The control in this document prevails over any contrary or inconsistent provision in the Boroondara Planning Scheme.

2.0 PURPOSE

The purpose of this document is to confine development, including demolition, to development authorised by and subject to the conditions contained in this document.

3.0 THE LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

The whole of the land known as 7 Mangarra Road, Canterbury (also referred to as 7-9 Mangarra Road, Canterbury) being the land more particularly described in certificate of title volume 02386 folio 151 and mapped SCO13 by Clause 45.12 – Specific Controls Overlay of the Boroondara Planning Scheme.

4.0 CONTROL

4.1 Exemption from the planning scheme requirements

Despite any provision to the contrary or any inconsistent provision in the Boroondara Planning Scheme:

- a) no planning permit is required for, and nothing in the Boroondara Planning Scheme operates to prohibit, control or restrict the development of the land for the purposes of the demolition or partial demolition of the fire damaged dwelling on the land and the reconstruction of the dwelling to its built form and habitable condition prior to 30 November 2020, in accordance with Clause 4.2 of this document.
- b) a planning permit must not be granted for, and no planning scheme provision permits the demolition or partial demolition of the fire damaged dwelling on the land or any other form of building or works on the land other than the demolition, partial demolition and the building and works authorised by this document.

BOROONDARA PLANNING SCHEME**4.2 Conditions applying to the demolition and reconstruction**

The following conditions and/or requirements apply to the demolition and reconstruction permitted by this document:

4.2.1 Demolition

Before demolition (including fire, water or storm damaged buildings) starts:

- a) a demolition plan and demolition management plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved the plan shall be endorsed and form part of this document.
- b) a structural engineering report prepared by a suitably qualified structural engineer with expertise in heritage conservation to the satisfaction of the Responsible Authority is to certify that the building or work to be demolished is structurally compromised to the extent that it cannot reasonably be restored, repaired or otherwise incorporated into a reconstruction of the dwelling on the land must be submitted to and approved by the Responsible Authority.
- c) a heritage impact assessment prepared by a suitably qualified heritage architect or heritage consultant to the satisfaction of the Responsible Authority which outlines how the heritage values of the dwelling that existed on the land prior to demolition will be suitably acknowledged as part of a reconstruction of the dwelling on the land must be submitted to and approved by the Responsible Authority.
- d) photographic heritage record of the buildings and works to be demolished or altered to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The photographic record must be a digital archival quality copy and include:
 - i) views of each elevation of the building;
 - ii) two diagonally opposed views of each internal space in the building; and
 - iii) architectural design detailing of the building.

The photographic record must be to a high standard and taken with appropriate photographic equipment, to the satisfaction of the Responsible Authority.

4.2.2 Reconstruction concept plan

Before reconstruction of the dwelling starts:

- a) a reconstruction concept plan which shows construction on the land of a dwelling that is as near as practical in form and design to the dwelling which existed on the land on 30 November 2020 (but allowing for modifications made to the dwelling subsequent to that date in accordance with planning permits issued by the Responsible Authority) must be submitted to and approved by the

BOROONDARA PLANNING SCHEME

Responsible Authority. Once approved the plan shall be endorsed and form part of this document.

- b) a heritage impact assessment prepared by a suitably qualified heritage architect or heritage consultant to the satisfaction of the Responsible Authority which outlines how the reconstruction is as near as practical in form and design to the dwelling which existed on the land on 30 November 2020 (but allowing for modifications made to the dwelling subsequent to that date in accordance with planning permits issued by the Responsible Authority) must be submitted to and approved by the Responsible Authority.
- c) where the reconstruction of the dwelling incorporates a part or parts of the dwelling remaining on the land after the fire that occurred on 9 December 2023, an integration and conservation management plan prepared by a suitably qualified heritage architect to the satisfaction of the Responsible Authority to show how the retained parts will be conserved and integrated into the reconstruction must be submitted to and approved by the Responsible Authority. Once approved the report shall be endorsed and form part of this document.
- d) a planning report to the satisfaction of the Responsible Authority which addresses how the reconstruction responds to all relevant provisions of the Boroondara Planning Scheme, including the Heritage Overlay HO391, must be submitted to and approved by the Responsible Authority.
- e) a construction management plan must be prepared in accordance with Boroondara City Council's Construction Management Plan Template and provide details of the following:
 - i) Hours for construction activity in accordance with any other condition of this document.
 - ii) Measures to control noise, dust, water and sediment laden runoff.
 - iii) Measures relating to removal of hazardous or dangerous material from the land, where applicable.
 - iv) A plan showing the location of parking areas for construction and subcontractors' vehicles on and surrounding the land, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any car parking areas on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay.
 - v) A traffic management plan showing truck routes to and from the land.
 - vi) Swept path analysis demonstrating the ability for trucks to enter and exit the land in a safe manner for the largest anticipated truck associated with the construction.

BOROONDARA PLANNING SCHEME

- vii) Measures to ensure that sub-contractors/tradespersons operating on the land are aware of the contents of the construction management plan.
- viii) Contact details of key construction site staff.
- ix) A site plan showing the location of any land sheds, on-site amenities, building waste storage and the like.
- x) Any other relevant matters.
- xi) A tree management plan and tree protection plan prepared by a suitably qualified arborist in relation to the management and maintenance of trees on the land. The Tree Management Plan must make specific recommendations in accordance with the *Australian Standard AS AS4970 :2009 - Protection of Trees on Development Sites* to ensure that trees remain healthy and viable during construction.

4.2.3 Layout not to be altered

The use and development as shown on the approved reconstruction concept plan must not be altered without the written consent of the Responsible Authority.

All buildings, works and landscaping must be maintained in good order and appearance to the satisfaction of the Responsible Authority. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

4.2.4 Drainage

An approved stormwater drainage system must be constructed before the occupation of the development and provision made to connect this system to Boroondara City Council's stormwater drainage system.

The land must be drained to the satisfaction of Boroondara City Council.

5. COMMENCEMENT AND COMPLETION OF WORKS

The reconstruction of the dwelling on the land in accordance with the endorsed reconstruction concept plan must:

- a) commence within 12 months of the date of this document
- b) completed within 24 months of the commencement of reconstruction of the dwelling.

Except with the written consent of the Responsible Authority

6.0 EXPIRY OF DOCUMENT

This incorporated document expires on the date of issue of an occupancy permit under the *Building Act 1993* for the completed reconstruction of the dwelling on the land in accordance with the provisions of this document.

DATED ##### 2024