This Correction Report is to be read with the Boroondara Planning Scheme Amendment C274 Part 2 Panel Report dated 17 October 2018.

### Amendment
Boroondara Planning Scheme Amendment C274 Part 2

### Panel Members
Michael Ballock (Chair)
Lorina Nervegna

### Public Hearing Dates
28, 30 and 31 August 2018

### Submission of Report
17 October 2018

### Date of this Report
10 December 2018

#### Issues Raised

1. An email was received from Andrew Lee dated 15 November 2018 outlining the following issue:

   **I noted an error on page 55 of the Boroondara C724 report**

   **4.10 Recommendations**

   **5. g) grade the flats, laundry building rear 1990s dining hall and front fence non contributory within the heritage place at 718 Riversdale Road, Camberwell.**

   *This should be 575 Camberwell Road, not 718 Riversdale Road.*

2. The email from Mr Lee was forwarded to Council for information. In its response received on 15 November 2018 Council advised that the Panel “… can also make a change to reference the correct LPPF clauses in the report …”

#### Panel response

2. After examining the issues raised by Mr Lee and Council, the Panel has determined that:

   a) the error raised by Mr Lee is correct, and that the reference in recommendation 4.10 should be corrected by replacing *718 Riversdale Road* with *575 Camberwell Road*

   b) the LPPF clauses referred to in the Panel Report are those contained in the exhibited version of the Amendment. As those clauses were the versions that submissions were made on during the exhibition period, and discussed during the Panel Hearings, the Panel considers that changes to the numbering of those clauses in the report, is not required.

#### Other changes to the report

3. No other changes are required to the report and, apart from the corrections outlined above, the recommendations of the report remain unaltered.

### Notice to Submitters

4. As the Council made the Panel Report available to the public, Council is responsible to notify any affected parties and advise them of the changes to the report.

Michael Ballock, Chair
Planning and Environment Act 1987

Panel Report

Boroondara Planning Scheme Amendment C274 Part 2
Camberwell Heritage Gap Study

17 October 2018
Planning and Environment Act 1987
Panel Report pursuant to section 25 of the Act
Boroondara Planning Scheme Amendment C274 Part 2 Part 2
Camberwell Heritage Gap Study
17 October 2018

Michael Ballock, Chair
Lorina Nervegna
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List of Abbreviations

The Act  
Planning and Environment Act 1987

Camberwell Gap Study  
City of Boroondara Municipal-Wide Heritage Gap Study Volume 2  
Camberwell

DELWP  
Department of Environment, Land, Water and Planning

Gap Study  
City of Boroondara Municipal-Wide Heritage Gap Study

LPPF  
Local Planning Policy Framework

PPN01  
Planning Practice Note 1: Applying the Heritage Overlay

SPPF  
State Planning Policy Framework

UPSC  
Urban Planning Special Committee
Overview

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Executive summary

(i) Summary

Boroondara Planning Scheme Amendment C274 Part 2 Part 2 seeks to apply the Heritage Overlay to 22 places and ten precincts in the suburb of Camberwell. The Amendment also proposes to alter two existing precincts.

A total of 99 submissions to the Amendment were received by the planning authority and 84 of these opposed the Amendment. In response to the submissions Council made a number of changes to the Amendment, the most significant of which was the removal of the Sunnyside and Rowell Avenues Precinct from the exhibited amendment.

The Amendment is based on the City of Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell. This work is part of a municipal wide study which implements a priority action graded as very high in the Council’s Heritage Action Plan. The intent of the study is to identify and protect heritage properties and precincts through inclusion of properties in the Heritage Overlay.

The key issues raised in submissions were:

- whether the proposed gradings for individual buildings were appropriate
- whether the application of the Heritage Overlay to places and precincts was appropriate
- whether the Heritage Overlay would have an impact on the value of the property
- whether the restrictions on alterations and demolition were appropriate.

The submissions to the Amendment mainly related to individual buildings, some of which were proposed as individually significant and others that were part of a precinct. The Panel considered all written submissions made in response to the exhibition of the Amendment as well as further submissions, evidence and other material presented to it during the Hearing.

The Panel concludes that the Amendment is well founded and strategically justified, and should proceed subject to addressing the more specific issues raised in submissions, discussed in the following chapters.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Boroondara Planning Scheme Amendment C274 Part 2 Part 2 be adopted as exhibited subject to the following:

1. Review the provisions and schedules of the Amendment during the finalisation of the Amendment, to ensure they are consistent with the changes to the planning scheme introduced by Amendment VC148.

2. Amend 22.05 to make the corrected City of Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell dated 13 February 2018 a reference document.

3. Amend the exhibited Schedule to Clause 43.01 and the exhibited maps to reflect the following changes:
   a) grade 22 Milverton Street, Camberwell as non-contributory
b) include the properties on the south side of Riversdale Road in the Hassett’s Estate Precinct.

4. Amend the exhibited Schedule to Clause 43.01 and the exhibited maps to delete the Sunnyside and Rowell Avenues Precinct.

5. Amend the City of Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell, the exhibited Schedule to Clause 43.01 and the exhibited maps to reflect the following changes:
   a) remove 30 and 32 Sunnyside Avenue, Camberwell from the City of Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell
   b) remove 1245 Toorak Road, Camberwell (HO728)
   c) remove the Burke Road Precinct extension (HO144)
   d) remove 25, 27, 29, 31 and 33 Lockhart Street, Camberwell from the Lockhart Street Residential Precinct (HO736)
   e) grade the rear half of 868 Riversdale Road, Camberwell and Unit 3, rear of 868 Riversdale Road, Camberwell as non-contributory within the Lockhart Street Residential Precinct (HO736)
   f) remove 134 Wattle Valley Road, Camberwell (HO730)
   g) grade the flats, laundry building, rear 1990s dining hall and front fence non-contributory within the heritage place at 718 Riversdale Road, Camberwell. (HO713)
   h) grade 718 Riversdale Road as non-contributory within the Hassett’s Estate and Environ Precinct Extension (HO191)
   i) remove 34, 36 and 38 Glyndon Road and 3-5 Hampton Grove, Camberwell from the Hampton Grove Precinct (HO735).

6. Grade the caretaker’s residence at 576 Riversdale Road, Camberwell as non-contributory and remove the outbuilding controls.
1 Introduction

1.1 The Amendment

(i) Amendment description

Boroondara Planning Scheme Amendment C274 Part 2 Part 2 (the Amendment), as exhibited, proposes to:

- Amend the schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps to apply the Heritage Overlay to the following 21 individual places:

<table>
<thead>
<tr>
<th>HO Number</th>
<th>Description of Place</th>
<th>Properties included in HO</th>
</tr>
</thead>
<tbody>
<tr>
<td>710</td>
<td>Neath</td>
<td>486 Burke Road</td>
</tr>
<tr>
<td>711</td>
<td>Oswaldene</td>
<td>544 Burke Road</td>
</tr>
<tr>
<td>712</td>
<td>Carrington Hall</td>
<td>832-834 Burke Road</td>
</tr>
<tr>
<td>713</td>
<td>Camberwell Fire Station &amp; Flats (former)</td>
<td>575 Camberwell Road</td>
</tr>
<tr>
<td>714</td>
<td>Conference Hall (Open Brethren)</td>
<td>25 Cookson Street</td>
</tr>
<tr>
<td>715</td>
<td>Nazareth House</td>
<td>16 Cornell Street</td>
</tr>
<tr>
<td>716</td>
<td>Hartwell Railway Station (formerly Walhalla Station)</td>
<td>Fordham Avenue</td>
</tr>
<tr>
<td>717</td>
<td>Hartwell Hill Shops</td>
<td>112-128 Fordham Avenue</td>
</tr>
<tr>
<td>718</td>
<td>Duplex</td>
<td>27-29 George Street</td>
</tr>
<tr>
<td>719</td>
<td>East Camberwell Baptist Church</td>
<td>137-139 Highfield Road</td>
</tr>
<tr>
<td>720</td>
<td>House</td>
<td>30 Hunter Road</td>
</tr>
<tr>
<td>721</td>
<td>Hartwell Primary School</td>
<td>4 Merton Street</td>
</tr>
<tr>
<td>722</td>
<td>Camberwell High School</td>
<td>100A Prospect Hill Road</td>
</tr>
<tr>
<td>723</td>
<td>Hatfield Flats</td>
<td>576 Riversdale Road</td>
</tr>
<tr>
<td>724</td>
<td>Siena Convent</td>
<td>815 Riversdale Road</td>
</tr>
<tr>
<td>725</td>
<td>South Camberwell Methodist Church (former)</td>
<td>906-912 Toorak Road</td>
</tr>
<tr>
<td>726</td>
<td>Halcyon</td>
<td>927 Toorak Road</td>
</tr>
<tr>
<td>727</td>
<td>Harwin Lodge</td>
<td>930 Toorak Road</td>
</tr>
<tr>
<td>728</td>
<td>Burnie Brae</td>
<td>1245 Toorak Road</td>
</tr>
<tr>
<td>729</td>
<td>Riversdale Railway Station and Signal Box</td>
<td>2R Wandin Road</td>
</tr>
<tr>
<td>730</td>
<td>Redcourt</td>
<td>134 Wattle Valley Road</td>
</tr>
</tbody>
</table>

- Amend the schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps to apply the Heritage Overlay to the following 11 new precincts:
<table>
<thead>
<tr>
<th>HO Number</th>
<th>Name of Precinct</th>
<th>Properties included in HO</th>
</tr>
</thead>
<tbody>
<tr>
<td>731</td>
<td>Bellett Street Precinct</td>
<td>47-71 Bellett Street</td>
</tr>
<tr>
<td>732</td>
<td>Camberwell Links Estate Precinct</td>
<td>1-17 &amp; 2-18 Christowel Street 638-646 Riversdale Road 2A-18 Westbourne Grove 1A &amp; 2-14 Stodart Street</td>
</tr>
<tr>
<td>733</td>
<td>Camberwell Road Estate Precinct</td>
<td>458-486 Camberwell Road 1-1A &amp; 2-6 Acheron Avenue</td>
</tr>
<tr>
<td>734</td>
<td>Hampton Grove Precinct</td>
<td>1-5 &amp; 2-4 Hampton Grove 34-46 Glyndon Road 123 &amp; 128-132 Wattle Valley Road</td>
</tr>
<tr>
<td>735</td>
<td>Harley Estate &amp; Environ Precinct</td>
<td>29-77 &amp; 28-92 Cooloongatta Road 2-8 Bonville Court 8-92 Fordham Avenue 1-7 &amp; 2-4 Gowar Avenue</td>
</tr>
<tr>
<td>736</td>
<td>Lockhart Street Precinct</td>
<td>1-33 &amp; 2-34 Lockhart Street 864-868 Riversdale Road</td>
</tr>
<tr>
<td>737</td>
<td>Milverton Street Precinct</td>
<td>17-35 &amp; 20-36 Milverton Street</td>
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<tr>
<td>738</td>
<td>South Camberwell Commercial Precinct</td>
<td>964-984 Toorak Road</td>
</tr>
<tr>
<td>739</td>
<td>St John's Wood &amp; Sage's Paddock Precinct</td>
<td>7-53 &amp; 6-28 Avenue Road 7-45 &amp; 2-48 St Johns Avenue</td>
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<td>740</td>
<td>Sunnyside &amp; Rowell Avenues Precinct</td>
<td>1A-39 &amp; 2-44 Sunnyside Avenue 4-42 &amp; 17-39 Rowell Avenue</td>
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<tr>
<td>749</td>
<td>War Service Homes Precinct</td>
<td>1-13 &amp; 2A-12 Acacia Street</td>
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- Amend the schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps to amend the extent of the Heritage Overlay for the following precincts:

<table>
<thead>
<tr>
<th>HO Number</th>
<th>Name of Precinct</th>
<th>Properties added to HO</th>
</tr>
</thead>
<tbody>
<tr>
<td>144</td>
<td>Burke Road Precinct</td>
<td>488-520 Burke Road</td>
</tr>
<tr>
<td>191</td>
<td>Hassett's Estate &amp; Environ Precinct</td>
<td>693-721B &amp; 704-724 Riversdale Road 1D Cooloongatta Road 2A Elphin Grove</td>
</tr>
</tbody>
</table>

- Amend Clause 22.05 Heritage Policy to include the statement of significance for the eleven (11) heritage precincts and one (1) of the precinct extensions at Sub-Clause 22.05-5 and include the Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell (the Camberwell Gap Study) as a reference document at sub-Clause 22.05-7.
In response to submissions Council proposed the following post exhibition changes to the Amendment:

- deletion of the Sunnyside and Rowell Avenues Precinct
- regrading 30 and 32 Sunnyside Avenue as individually significant buildings
- grading 22 Milverton Street, 25 and 27 Lockhart Street as non-contributory
- removal of outbuilding controls for 576 Riversdale Road
- inclusion of the properties on the south side of Riversdale Road in the Hassett’s Estate Precinct
- a number of corrections and changes to the Camberwell Gap Study.

(ii) The subject land

The Amendment applies to land shown in Figure 1 which is the suburb of Camberwell.

Figure 1 The subject land with the existing Heritage Overlay (source: Camberwell Gap Study)
1.2 Panel process

The Amendment was prepared by the City of Boroondara as Planning Authority and Proponent. As exhibited, the Amendment proposes to apply the Heritage Overlay to a number of places and precincts in the suburb of Camberwell.

The Amendment was authorised by the Department of Environment, Land, Water and Planning (DELWP) by letter dated 6 October 2017.

The Amendment was placed on public exhibition between 9 November and 11 December 2017, with 84 opposing submissions received.

At its meeting of 3 April 2018, Council resolved to refer the submissions to a Panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 18 April 2018 and comprised Michael Ballock (Chair) and Lorina Nervegna.

A Directions Hearing was held in relation to the Amendment on 15 June 2018. The Panel then met in the offices of Maddocks and the City of Boroondara from 28 to 31 August 2018 to hear submissions about the Amendment. Those in attendance at the Panel Hearing are listed in Appendix B. Following the Hearing, the Panel undertook an unaccompanied inspection of the individual buildings and precincts.
1.3 Background to the proposal

At its ordinary meeting on 25 July 2016, Council resolved to engage heritage consultancy firm Context Pty Ltd (Context) to prepare the Municipal-Wide Heritage Gap Study for the City of Boroondara.

The study sought to implement a priority action graded as ‘very high’ in the Council’s adopted Heritage Action Plan 2016 by identifying and protecting heritage properties and precincts through inclusion of properties in the Heritage Overlay.

Camberwell was the second suburb to be assessed as part of the Municipal Wide Heritage Gap Study. The Camberwell Gap Study was undertaken during 2016 and 2017.

The draft Camberwell Gap Study recommended the application of the Heritage Overlay to 21 individually significant heritage places and 11 heritage precincts (including a mix of significant, contributory and non-contributory places). It also recommended the extension of the existing Burke Road Residential Precinct (HO144) and Hassett’s Estate and Environs Precinct (HO191) to include additional properties.

Council advised the Panel that the significance of the individual properties and precincts was assessed against the criteria set out in Planning Practice Note 1 Applying the Heritage Overlay (PPN01) and if they met these criteria, they were considered to meet the requirements and threshold for local protection through the Heritage Overlay.

Preliminary consultation on the draft Camberwell Gap Study was undertaken from 28 April to 29 May 2017 and took the following form:

- letters were sent to all property owners and occupiers in Camberwell including all affected properties
- letters were sent to relevant community groups and historical societies
- notice of the Camberwell Gap Study was published in the Progress Leader on 2, 9, 16 and 23 May 2017
- documentation was publicly available at Council’s Camberwell office
- documentation was publicly accessible online.

In response to the preliminary consultation, Council received 103 submissions.

Council’s officers considered the submissions received and recommended a number of changes to the draft Camberwell Gap Study, including:

- minor text changes to a number of the heritage citations to reflect new information received during the preliminary consultation period
- re-grading of the property at 984 Toorak Road from contributory to non-contributory in the South Camberwell Commercial Precinct
- re-grading of the properties at 6, 11, 26 and 37 Sunnyside Avenue from contributory to non-contributory following demolition
- a mapping correction for the Sunnyside and Rowell Avenues Precinct citation.

A revised draft Camberwell Gap Study was then prepared.

At its meeting on 21 August 2017, Council’s Urban Planning Special Committee (UPSC) considered a report prepared on the outcomes of the preliminary consultation process,
including the key issues raised, Council officers’ response and recommendations. The UPSC resolved, amongst other things, to:

- endorse the Council officers’ response to the preliminary feedback received and recommended changes to the draft Camberwell Heritage Gap Study
- adopt the revised draft Camberwell Gap Study
- write to the Minister for Planning (Minister) and request authorisation to prepare Amendment C274
- write to and request the Minister prepare, adopt and approve an amendment (C275) to the Scheme under s 20(4) of the Act to introduce interim heritage controls to the properties recommended for inclusion in the Heritage Overlay in the revised Draft Camberwell Gap Study.

Amendment C275, which introduced interim heritage controls to the properties recommended for inclusion in the Heritage Overlay in the revised Draft Camberwell Gap Study was gazetted on 8 February 2018. These controls expire on 1 March 2019.

1.4 Summary of issues raised in submissions

The key issues raised in the submissions of the various parties are briefly summarised as follows:

- Does the Camberwell Gap Study provide an appropriate basis for applying the Heritage Overlay?
- Is the application of the Heritage Overlay to the places and precincts warranted and appropriate?
- Are the gradings applied to individual buildings justified?
- The impact the Heritage Overlay will have on the future development of the affected properties.

The Panel considered all written submissions made in response to the exhibition of the Amendment, as well as further submissions, evidence and other material presented to it during the Hearing.

The Panel made two separate inspections of the proposed places and precincts and observed the buildings proposed for inclusion under the Overlay. It has reviewed a large volume of material. The Panel has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- The Camberwell Gap Study
- Precincts and individual places – submitters appearing
- Precincts and individual places – submitters not appearing
- Other matters
2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council’s response and the policy context of the Amendment and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

The Amendment was based on the planning scheme as it was at that time. The Panel notes that Amendment VC148 was gazetted on 31 July 2018 and has generated substantial change to the structure and content of policy in the scheme. The Panel has assessed the Amendment based on the planning scheme as it was before Amendment VC148.

2.1 Policy framework

(i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the State Planning Policy Framework:

- The Amendment is consistent with the State Planning Policy Framework, in particular Clause 15.03-1 (Heritage) and implements the policy by including places and precincts which have been identified and assessed as having local cultural heritage significance in the Schedule to the Heritage Overlay. The overarching objective is to ensure the conservation of places of heritage significance and the strategy seeks to:
  
  *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*

(ii) Local Planning Policy Framework

Council submitted that the Amendment supports the following local planning objectives:

- The Amendment is consistent with the Local Planning Policy Framework, particularly Clauses 21.05 (Heritage, Landscapes and Urban Character) and 22.05 (Heritage Policy), which relate specifically to the cultural heritage significance of places within the City of Boroondara. These policies seek to identify, protect and enhance the cultural heritage significance of places within the municipality.

(iii) Other planning strategies or policies used in formulating the Amendment

Council submitted the following policy forms the framework for the Panel’s determination in this hearing:

- Direction 4.4 of Plan Melbourne (2017-2050) to “respect our heritage as we build for the future”
- the ‘overarching objective’ relating to heritage conservation set out at s 4(1)(d) of the Planning and Environment Act 1987 (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 Panel accepts the Council’s brief analysis and acknowledges that the policy context supports the Amendment. The Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified places and precincts.

2.2 Ministerial Directions and Practice Notes

Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of:

- Ministerial Direction on the form and content of Planning Schemes as identified at s 7(5) of the Act.
- Ministerial Direction No. 9 Metropolitan Planning Strategy which requires amendments to have regard to Plan Melbourne 2017-2050. The Amendment is consistent with Direction 4.4 which recognises the contribution heritage makes to Melbourne’s distinctiveness and liveability and advocates for the protection of Melbourne’s heritage places.
- Ministerial Direction No. 11 – Strategic Assessment of Amendments.

Planning Practice Notes

Council submitted that the Amendment is consistent with:

Planning Practice Note 1 Applying the Heritage Overlay, January 2018. The Practice Note states the following places should be included in a Heritage Overlay:

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

Importantly, the Practice Note describes the threshold for determining ‘local significance’ (and as a result, being identified in a local heritage study) as:

...those places that are important to a particular community or locality.

2.3 Discussion and conclusions

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

Amendment VC148 was introduced into the Victoria Planning Provisions and all planning schemes on 31 July 2018. It replaces the State Planning Policy Framework with an integrated Planning Policy Framework, changes clause numbers throughout the planning scheme and makes other changes arising from the Smart Planning program. The Amendment was exhibited before Amendment VC148 was introduced. Any planning
scheme clause numbers referred to in this report reflect clauses which existed before Amendment VC148 was introduced.

Council should review the Amendment against the new planning provisions before progressing it further.

2.4 **Recommendation**

1. Review the provisions and schedules of the Amendment during the finalisation of the Amendment, to ensure they are consistent with the changes to the planning scheme introduced by Amendment VC148.
3 The Camberwell Gap Study

3.1 The issue

The issue is whether the Camberwell Gap Study provides an appropriate basis for assessing the places and precincts proposed to be included in the Heritage Overlay.

3.2 Background

The Camberwell Gap Study states that it:

...was prepared in accordance with The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Heritage Significance (rev. 2013) and the Victoria Planning Provisions Practice Note No. 1 ‘Applying the Heritage Overlay’ (2015).

Context was the lead consultant with support from Trethowan Architecture and Design (Trethowan). The Camberwell Gap Study explains the roles of both consultants as:

Context’s team project managed the entire study process, carried out the initial suburb survey, assessed all precincts of potential heritage significance and assessed half of the individual places. Context Pty Ltd also prepared this background report. Trethowan’s team assessed the other half of the individual places of potential heritage significance. The individual places were divided between the consultant teams by built era, to make comparative analysis easier. Context assessed mainly Victorian and Edwardian-era places, while Trethowan assessed most of the interwar and post-war places.

Council advised the Panel that, in response to submissions and further checking of the exhibited Amendment documents, some minor corrections had been made to the Camberwell Gap Study. The corrected document dated 13 February 2018 was provided in Attachment 4 of Council’s Part A submission (Document 1).

3.3 Evidence and submissions

Council informed the Panel that Camberwell was the second suburb to be assessed as part of the Gap Study and the work was undertaken in 2016 and 2017. Council submitted:

An important foundational element of the heritage process leading to the identification of the places that Council proposes be included in the Heritage Overlay which goes to the question of whether the application of the Heritage Overlay is justified is that of methodology. This includes the consistency and ‘rigor’ of the strategic work informing the Amendment.

Council stated that the expert witness reports of Ms Schmeder from Context and Mr Stephenson from Trethowan detailed the “extensive methodology of the heritage studies undertaken by the City of Boroondara”. Council submitted that this “staged and robust” approach was an appropriate methodology.
Council added that the Amendment C266 Panel, considering the Canterbury Heritage Gap Study, concluded that a “sound methodology” has been applied to the identification of places and precincts. The same methodology was applied to the Camberwell Gap Study.

Ms Schmeder, in her evidence, informed the Panel that Council had adopted an updated Heritage Action Plan in May 2016. The Heritage Action Plan identified the preparation of the Gap Study as a high priority for the suburbs of Boroondara, except for Balwyn and Surry Hills which had been recently completed. Ms Schmeder informed the Panel that she was the project leader of the Gap Study.

Ms Schmeder outlined the methodology used in the selection of individual places and precincts assessed for their heritage significance. She explained that this approach was based on the methodology outlined in the Camberwell Gap Study while her evidence focused on her role in the project.

The methodology detailed in the Camberwell Gap Study involved the following steps:

- stage 1 – preliminary identification of places and precincts
- stage 2 – assessment and reporting
- consultation.

Ms Schmeder explained that the preliminary investigation of places and precincts involved a survey of the whole suburb of Camberwell, except for those places already in the Heritage Overlay and areas recently assessed by Context. This survey of Camberwell was informed by:

- places and precincts assessed by the Camberwell Conservation Study 1991
- places identified by Council’s heritage advisors
- places identified in the Boroondara Thematic Environmental History 2012
- places nominated by community members and organisations.

This fieldwork formed the basis for the delineation of preliminary precinct boundaries to include “standout streetscapes in proximity to one another”, to balance the following goals:

- Include as many properties of high heritage value (usually meaning high architectural quality and high intactness);
- Include streetscapes of high integrity (low number of non-contributory properties and/or much altered buildings) and high visual cohesion (depending on the area, this could be buildings of a similar era, similar setbacks and scale, and/or unusually high architectural quality).

Ms Schmeder stated that further research was undertaken for places “earmarked for individual assessment” identified as part of the fieldwork. The places and precincts were then assessed in a workshop with herself and Context Director Ms Louise Honman using photographs as well as any research material. A second workshop was held with Trethowan. At the conclusion Trethowan undertook further site inspections and research for the interwar and post-war places and precincts. At the end of this preliminary identification process a number of places and precincts were recommended for further assessment.

Ms Schmeder advised the Panel that the assessment and recommendations were carried out by Context and Trethowan. She added:
Context assessed all but one of the precincts, all of the Victorian and Edwardian-era houses, one interwar block of flats (Hatfield Flats), and a number of the interwar-era community-use places (e.g., churches and halls). Trethowan assessed one commercial precinct (South Camberwell Commercial Precinct), all interwar and post-war houses and shops, and the remaining community-use places (churches and a former fire station).

Ms Schmeder informed the Panel that the Context assessments were divided between herself and Ms Honman and involved additional site visits. She added that these site visits were also used to confirm precinct boundaries and identify contributory buildings as appropriate. Histories of the confirmed places and precincts were then prepared by Context staff which were then reviewed by either Ms Schmeder or Ms Honman.

Ms Schmeder then described the process of preparing the citations where she:

...sought to provide a description of the public domain and any contributory elements in it, the street layout, discussions of the major building periods and styles present with mention of specific examples of such buildings in the precinct, and an indication of alterations to them visible from the public domain. For individual places, I described the setting and any contributory elements (such as fences, outbuildings, trees), the principal façade(s) and any other visible elevations of the building, grounding its form, details and materials against what was typical of that architectural style. External alterations were also noted, whether visible from the public domain, extensions visible in aerials, and in some cases, alterations documented by past building permit plans.

Her evidence was that Ms Honman followed a similar process.

For each precinct a summary of the character and reasons for significance was prepared which formed the basis for the comparative analysis. Ms Schmeder described this process where she:

...identified HO precincts which contain development of a similar era (or eras) and level of pretension (i.e., comparing mansion estates with mansion estates, but middle-class housing with middle-class housing, etc.). I then summarised how the proposed precinct compared against these examples: in the integrity of streetscapes, the quality of design, whether the proposed precinct was unique in any way, etcetera.

For individually significant places the HERMES heritage database was used to generate lists of comparable places. She added that the HERCON criteria were used to assess the significance of the place or precinct. Council provided the following useful summary of the HERCON criteria:

- 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).

Ms Schmeder stated that the “standard three-part approach (what, how and why)” was then used to determine the final statement of significance. She added that each individual place was assessed if it “stood out”:

... most often due to their notably high architectural quality (sometimes paired with substantial size), or as places likely to be important in the community (either historically or also to the present day) such as churches and halls.

Places and precincts were compared with similar examples in Boroondara. For precincts she:

... compared the visual cohesion of streetscapes and level of overall integrity (proportion of non-contributory properties), the average intactness of individual buildings, and the architectural quality of those buildings against precincts with a similar make-up (built era, building use, social class of original owners). When the precincts I assessed were clearly as good as or better than several existing precincts in Boroondara, I judged them to meet the threshold of local significance.

Ms Schmeder explained that in determining whether a building was significant, contributory or non-contributory, the period as well as the intactness of the structure were important. The test she applied was whether “an interested community member could successfully identify it as, for example, a Victorian semi-detached pair, an Edwardian villa, an interwar bungalow.” In addition, she added:

Whether a property is significant in a precinct usually relies on its architectural quality – as compared to the suburb or municipal-wide contact, though it may also be related to its historical credentials (e.g., the oldest house in the area).

The Camberwell Gap Study used the following definitions for grading buildings:

• significant heritage places are of State, municipal or local cultural heritage significance that are individually important in their own right. When in a precinct, they may also contribute to the cultural heritage significance of the precinct. Significant graded places within a precinct are of the same
cultural heritage value as places listed individually in the Schedule to the Heritage Overlay.

- contributory heritage places contribute to the cultural heritage significance of a precinct. Contributory heritage places are not considered to be individually important places of State, municipal or local cultural heritage significance in their own right, however when combined with other significant and/or contributory heritage places, they play an integral role in demonstrating the cultural heritage significance of a precinct.

- non-contributory places are those within a heritage precinct that have no identifiable cultural heritage significance. They are included within a Heritage Overlay because any development of the place may impact on the cultural heritage significance of the precinct or adjacent significant or contributory heritage places.

The places and precincts were graded using these definitions and a background report and citations were prepared and reviewed by Council. The draft version of the study was then released for community consultation.

Ms Schmeder advised that following the preliminary consultation process, the Camberwell Gap Study was adopted by Council and then exhibited as part of Amendment C274. In response to the 99 submissions a number of changes were recommended to the exhibited Amendment including:

- removal of the Sunnyside and Rowell Avenues Precinct
- retention of 30 and 32 Sunnyside Avenue as individually significant buildings
- removal of 2 Fairfield Avenue
- downgrading 22 Milverton Street, 25 and 27 Lockhart Street to non-contributory
- removal of outbuilding controls for 576 Riversdale Road
- inclusion of properties on the south side of Riversdale Road in the Hassett’s Estate Precinct.

Council advised the Panel that that Camberwell Gap Study had been updated and the following places and precincts were recommended for inclusion in the Heritage Overlay:

<table>
<thead>
<tr>
<th>Description</th>
<th>Address or location</th>
<th>HO</th>
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<tbody>
<tr>
<td>Individually significant places</td>
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<tr>
<td>Neath</td>
<td>486 Burke Road, Camberwell</td>
<td>710</td>
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<tr>
<td>Oswaldene</td>
<td>544 Burke Road, Camberwell</td>
<td>711</td>
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<tr>
<td>Carrington Hall</td>
<td>832-834 Burke Road, Camberwell</td>
<td>712</td>
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<tr>
<td>Camberwell Fire Station &amp; Flats (former)</td>
<td>575 Camberwell Road, Camberwell</td>
<td>713</td>
</tr>
<tr>
<td>Conference Hall (Open Brethren)</td>
<td>25 Cookson Street, Camberwell</td>
<td>714</td>
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<tr>
<td>Nazareth House</td>
<td>16 Cornell Street, Camberwell</td>
<td>715</td>
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<tr>
<td>Hartwell Railway Station (formerly Walhalla Station)</td>
<td>Fordham Avenue, Camberwell</td>
<td>716</td>
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<tr>
<td>Location</td>
<td>Address</td>
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<tr>
<td>Hartwell Hill Shops</td>
<td>112-128 Fordham Avenue, Camberwell</td>
<td>717</td>
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<tr>
<td>Duplex</td>
<td>27-29 George Street, Camberwell</td>
<td>718</td>
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<tr>
<td>East Camberwell Baptist Church</td>
<td>137-139 Highfield Road, Camberwell</td>
<td>719</td>
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<tr>
<td>House</td>
<td>30 Hunter Road, Camberwell</td>
<td>720</td>
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<tr>
<td>Hartwell Primary School</td>
<td>4 Merton Street, Camberwell</td>
<td>721</td>
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<tr>
<td>Camberwell High School</td>
<td>100A Prospect Hill Road, Camberwell</td>
<td>722</td>
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<tr>
<td>Hatfield Flats</td>
<td>576 Riversdale Road, Camberwell</td>
<td>723</td>
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<tr>
<td>Siena Convent</td>
<td>815 Riversdale Road, Camberwell</td>
<td>724</td>
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<tr>
<td>South Camberwell Methodist Church (former)</td>
<td>906-912 Toorak Road, Camberwell</td>
<td>725</td>
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<tr>
<td>Halcyon</td>
<td>927 Toorak Road, Camberwell</td>
<td>726</td>
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<tr>
<td>Harwin Lodge</td>
<td>930 Toorak Road, Camberwell</td>
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<tr>
<td>Burnie Brae</td>
<td>1245 Toorak Road, Camberwell</td>
<td>728</td>
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<tr>
<td>Riversdale Railway Station &amp; Signal Box</td>
<td>2R Wandin Road, Camberwell</td>
<td>729</td>
</tr>
<tr>
<td>Redcourt</td>
<td>134 Wattle Valley Road, Camberwell</td>
<td>730</td>
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<tr>
<td>Houses</td>
<td>30 &amp; 32 Sunnyside Avenue</td>
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<tr>
<td><strong>Precincts</strong></td>
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<tr>
<td>Bellett Street Precinct</td>
<td>Includes Canterbury Road (part)</td>
<td>731</td>
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<tr>
<td>Camberwell Links Estate Precinct</td>
<td>Includes Christowel Street (part), 638-646</td>
<td>732</td>
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<td></td>
<td>Riversdale Rd (part), Westbourne Grove (part)</td>
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<td></td>
<td>and Stodart Street (part)</td>
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<tr>
<td>Camberwell Road Estate Precinct</td>
<td>Includes Camberwell Rd (part) and Acheron</td>
<td>733</td>
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<td></td>
<td>Avenue (part)</td>
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<tr>
<td>Hampton Grove Precinct</td>
<td>Includes Hampton Grove Glyndon Rd 123 &amp; 128-</td>
<td>734</td>
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<tr>
<td></td>
<td>132 Wattle Valley Road</td>
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<tr>
<td>Harley Estate &amp; Environs Precinct</td>
<td>Includes Cooloongatta Road (part), Bonville</td>
<td>735</td>
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<td></td>
<td>Court (part), Fordham Avenue (part) and Gowar</td>
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<tr>
<td></td>
<td>Avenue (part)</td>
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<tr>
<td>Lockhart Street Precinct</td>
<td>Includes Lockhart Street and Riversdale Road</td>
<td>736</td>
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<tr>
<td></td>
<td>(part)</td>
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<tr>
<td>Milverton Street Precinct</td>
<td>Includes Milverton Street (part)</td>
<td>737</td>
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<tr>
<td>South Camberwell Commercial Precinct</td>
<td>Includes Toorak Road (part)</td>
<td>738</td>
</tr>
<tr>
<td>St John’s Wood &amp; Sage’s Paddock Precinct</td>
<td>Includes Avenue Road (part) and St Johns</td>
<td>739</td>
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<tr>
<td></td>
<td>Avenue (part)</td>
<td></td>
</tr>
<tr>
<td>War Service Homes Precinct</td>
<td>Includes Acacia Street</td>
<td>749</td>
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</tbody>
</table>
Mr Stephenson’s evidence outlined the process undertaken by Trethowan, which was similar to that detailed by Ms Schmeder. Mr Stephenson explained that both primary sources (building permit records, title certificates, street directories, rate books, newspapers, maps and plans, and historic images) and secondary sources (Thematic Environmental History, previous heritage studies, and local histories) were used.

Mr Stephenson informed the Panel that Heritage Victoria’s standard brief for heritage studies notes that “local significance can include places of significance to a town or locality.” He added that whether this threshold of local significance is achieved “depends upon how relevant heritage criteria are applied and interpreted.” Mr Stephenson’s evidence was that the Advisory Committee Report on the Review of Heritage Provisions in Planning Schemes, 2007 provides some guidance on how to apply thresholds. He explained:

On the basis that the concept of thresholds is an integral component of assessing heritage significance, the Committee concluded that the threshold for inclusion of a place in the Heritage Overlay in Planning Schemes should be a positive answer to the question ‘Is the place of sufficient import that its cultural values should be recognised in the planning scheme and taken into account in decision-making?’

Firstly, there should be something to be managed, evident in the fabric of the place. Secondly, there should be a criterion for assessment, and for this the HERCON Criteria have been accepted. It is also accepted that the threshold will vary according to the comparative analysis in the locality. The municipalities’ Thematic History should also be considered when assessing whether a place contributes towards the significance of the municipality.

Mr Stephenson’s evidence was that the Thematic Environmental History established a “range of historical themes by which the historical significance of places in the municipality can be assessed (Criterion A).” He added that the current Heritage Overlay and the HERMES database provided a thorough basis for comparative analysis. Mr Stephenson stated:

Thresholds are to be used to ‘sieve’ places identified as of some significance by the above criteria and determine those that should be listed under the Heritage Overlay. Comparative analysis is thus crucial.

Mr Stephenson then went on to explain how this process was used to assess and reject a number of properties. He stated:

To warrant inclusion in the Heritage Overlay, a place should exhibit at least one criterion to a quality as high as existing comparable places in the Heritage Overlay.
This was a view also expressed by Mr Raworth in his evidence; he stated in both of his evidence statements:

To be identified as a place of local significance sufficient to warrant application of the Heritage Overlay, a place should meet one or more of these criteria to a degree that meets a threshold of local significance. This is to say, the criteria in question should be met not just in a simple or generic manner, but to a degree that is better than many or most other examples at a local level, or to a degree that is comparable to other examples that are subject to the Heritage Overlay.

In response to questions from the Panel, Ms Schmeder stated that she supported Mr Raworth’s view on this matter.

Council concluded that its methodology in preparing the Amendment had been “professional, thorough and objective.”

Mr Goodenough submitted that the methodology was flawed because the inspection of the buildings was undertaken from the public realm. He added that, because of the dense vegetation it was virtually impossible to see his house from the street. Mr Krishnan questioned the independence of the work.

### 3.4 Discussion

The Panel notes that few of the submissions challenged the methodology employed in the Camberwell Gap Study. One submission argued that the Gap Study was a waste of “ratepayers’ money” whilst another challenged the independence of the consultants engaged to undertake the work. The Panel finds that there is no basis for either submission.

As detailed in Chapter 4, submissions opposing the Amendment were focused on individual buildings and generally argued that, for varying reasons, the dwelling was not suitable for inclusion on the Heritage Overlay. The arguments against inclusion in the Heritage Overlay generally were along the lines of:

- the structural integrity of the building
- alterations to the building
- devaluation of the property
- insufficient justification
- level of heritage significance.

Almost all of the submissions and the evidence presented to the Panel did not argue that the process undertaken to produce the Camberwell Gap Study was incomplete or flawed. The submissions focused on the interpretation of the assessments and recommendations of the Camberwell Gap Study.

The Panel agrees with Ms Schmeder that the Camberwell Gap Study was based on a standard and sound methodology that is consistent with Heritage Victoria’s Model Consultants Brief for Heritage Studies. It accepts her evidence that the process detailed in the methodology is thorough, comprehensive and robust. The statements of significance are consistent with PPN01 in assessing the criteria in the ‘Why is it significant?’ section of the statements.
The Panel agrees with the submission of the Council, particularly advanced in cross examination, that the process involves a level of judgement in the application of the criteria of PPN01 as well as the preparation of the comparative analysis and the statements of significance.

The Panel adopts the views expressed by Mr Stephenson and Mr Raworth and supported by Ms Schmeder that to meet the threshold of local significance, the place or precinct should meet at least one criterion better than many or most comparable examples at the local level.

The Panel supports the post exhibition changes to change the grading of 22 Milverton Street to non-contributory and the inclusion of the properties on the south side of Riversdale Road in the Hassett’s Estate Precinct.

The Panel acknowledges that Council has identified and made some editorial corrections to both the statements of significance and the Camberwell Gap Study as the result of further information that has come to light through the Amendment process. In the Panel’s view, these corrections have strengthened and not diminished the work. To avoid any potential confusion the Panel has based its assessment and recommendations on the corrected 13 February 2017 version of the Camberwell Gap Study.

3.5 Conclusions

The Panel concludes:

- The Camberwell Gap Study provides an appropriate basis for assessing the properties and precincts proposed to be included in the Heritage Overlay.
- The post exhibition changes proposed to the Camberwell Gap Study documentation are appropriate.

3.6 Recommendations

2. Amend 22.05 to make the corrected City of Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell dated 13 February 2018 a reference document.

3. Amend the exhibited Schedule to Clause 43.01 and the exhibited maps to reflect the following changes:
   a) grade 22 Milverton Street, Camberwell as non-contributory
   b) include the properties on the south side of Riversdale Road in the Hassett’s Estate Precinct.
4 Precincts and individual places – submitters appearing

4.1 30 and 32 Sunnyside Avenue, Camberwell and Sunnyside and Rowell Avenues Precinct (HO740)

(i) Background

The exhibited Amendment proposed applying a heritage overlay to the Sunnyside and Rowell Avenues Precinct. The Precinct comprises Sunnyside Avenue and the northern section of Rowell Avenue. Both had formed part of two large subdivisions dating from 1912 to 1938: the Sunnyside Estate and the Camberwell Town Hall Estate. Nominated within the Precinct were 22 Non-contributory and 47 Contributory sites. Three significant sites were nominated at 24, 30 and 32 Sunnyside Avenue. One existing site-specific heritage overlay (HO187) exists within the Precinct, located at 23 Sunnyside Avenue.

Post exhibition, Council proposed that the precinct be removed from the Amendment, having found the precinct-wide heritage overlay was no longer warranted, but that the two houses at 30 and 32 Sunnyside Avenue should be included in a heritage overlay and graded as significant.

Statement of significance: 30 and 32 Sunnyside Avenue, Camberwell

What is Significant?

30 and 32 Sunnyside Avenue, built in 1920-21 are significant as two unusual and fine examples of the variations within the Arts and Crafts bungalow style.

How is it significant?

The properties are of local historic, architectural, aesthetic significance to the City of Boroondara.

Why is it significant?

30 and 32 Sunnyside Avenue, Camberwell are historically significant as houses constructed for the same owner, Isabel Crawford who purchased adjoining lots in Sunnyside Avenue in 1919 and 1921. Historical significance is attached to the architectural practice of Schreiber and Jorgensen within Boroondara for their work at Xavier College Chapel and the Burke Hall campus. More broadly, Justus Jorgensen is better known as an artist and one of the founders of Montsalvat. (Criterion A)

30 and 32 Sunnyside Avenue demonstrate in their modest proportions, the tenets of the Arts and Crafts movement whereby there was virtue in the handmade and the unpretentious. Furthermore, the two bungalows exhibit a plainness of wall surface that is advanced for its time, looking towards this feature of modernism. The Arts and Crafts character is demonstrated in the composition of No.30 with its chimneys and low, proportions enhanced by wall buttressing. In No.32 this is demonstrated through the plain wall surface, the five tall chimneys and the emphasis on the structural piers. (Criterion D)

30 and 32 Sunnyside Avenue are aesthetically significant for their different expressions of the small Arts and Crafts bungalow. This is embodied in the picturesque composition of No. 30 including the large stepped chimneys as a dramatic counterpoint to the low horizontal proportions of the house further anchored to the ground with corner buttresses. The use of engaged wall piers to articulate the front façade and the characteristic use of porch piers as used on Schreiber and Jorgensen’s 57 Droop Street provide integrated, rather than applied, decorative detail. The characteristics for which
No. 32 is notable include the porch piers with repeated decorative motifs, tall chimneys, eaves brackets and roughcast wall surface (also at No.30), Timber-framed sash windows on both houses are typical of the period but add to their overall integrity. (Criterion E)

(ii) The issues

The issues are whether:

• the removal of the Sunnyside and Rowell Avenues Precinct from Amendment C274 is justified
• the inclusion of 30 and 32 Sunnyside Avenue for a site-specific Heritage Overlay is warranted and meets the relevant HERCON criteria.

(iii) Evidence and submissions

Council submitted that the removal of the Sunnyside and Rowell Avenues Precinct from the Amendment was based on a number of demolition permits that had been issued since the Camberwell Gap Study had been prepared. A revised assessment undertaken post-exhibition found that it no longer represented a coherent precinct.

Council submitted that the two houses at 30 and 32 Sunnyside Avenue, identified as significant in the precinct, were recommended for a site-specific heritage overlay post-exhibition. Council did not propose to include 24 Sunnyside Avenue in an individual heritage overlay post-exhibition even though it had been exhibited as significant within the precinct along with 30 and 32.

Ms Schmeder’s evidence was that the inclusion of 30 and 32 Sunnyside Avenue was based on the revised Statement of Significance (above) showing that the houses meet the thresholds of criteria A, D and E.

The statement of significance, referencing Criterion A, refers to the two houses as having been built for the same owner and designed by Schreiber and Jorgensen architects, with the latter being Justus Jorgensen. Ms Schmeder stated that the reference to Justus Jorgensen was incorrect and that the citation should be altered. Ole Jorgensen (his brother) was in fact the business partner of Schreiber, and not Justus Jorgensen as had previously been identified. Ms Schmeder stated that this did not affect the recommendation, but the citation should be altered accordingly.

The reference to Criterion D (representativeness) cites the stripped back Arts and Crafts style as being advanced for the time as well as being compositionally representative of the movement. Criterion E (aesthetic significance) describes the smaller bungalow forms as being well assembled and Ms Schmeder described the “lack of fussy detailing” being a key feature, with the two houses being a “fine example of the Arts and Crafts tradition being applied to a suburban bungalow”.

Submissions made by the owners of 30 and 32 Sunnyside Avenue, Messrs Gong, Cheng and Lai (submissions 26 and 51 respectively) opposed the inclusion of their properties in the Heritage Overlay on several grounds. They relied on evidence by Mr Raworth and Mr Briggs who both agreed that the two houses did not meet the threshold for inclusion in a site-specific overlay.
Ms Bisucci, appearing on behalf of the owners of both properties on day one of the Hearing, questioned why only 30 and 32 Sunnyside Avenue were retained in the proposal to remove the precinct. She submitted that insufficient information had been provided to the Panel other than a number of demolition permits had been issued. Ms Cincotta, appearing on behalf of the owners of both properties on day three of the Hearing, submitted that the process for imposing the Heritage Overlay to 30 and 32 Sunnyside Avenue had been unfair for the following reasons:

- **It has used the same heritage consultant and firm throughout the entire process (from informal feedback to evidence) – there is no independent scrutiny of this process;**
- **It recommended a Precinct for Sunnyside/Rowell Avenue which was expanded (i.e. more properties were included) by Ms Honman prior to formal exhibition after having undertaken detailed site analysis and research;**
- **It abandoned the Precinct after receiving formal submissions, which were generic submissions when one properly analyses them, notwithstanding, that the extent of demolition (5 properties) was known prior to exhibition and no decision to abandon the amendment occurred at that time;**
- **It retrofitted the heritage status of the subject properties from significant in a precinct to individually significant in their own right without any formal re-exhibition or providing the owners with an opportunity to make submissions on this quite different and more onerous level of heritage protection;**
- **The evidence makes assumptions and suppositions.**

Mr Briggs’ evidence was that there were no verifiable grounds for application of heritage controls over the subject houses in isolation from any wider heritage context. He stated that with regards to Criterion A (historical significance), the fact that the two properties had been in purchased and developed by one owner, or that the owner was Isabel Crawford was not of historical importance and limited historical interest.

> There is no demonstration that Isabel Crawford exists with any prominence in public perception today, in the past or that she will have importance to Boroondara and its identity in the future.

With respect to the architects, Mr Briggs’ opinion was that:

> ...there had been no demonstration that either Jorgensen or the architectural practice moved forward from their 1919 work in Sunnyside Avenue to develop an œuvre that included an interest in modernism style or practice.

In his view, the buildings ‘...can be considered relatively dull examples of this period...’ (Criterion E, aesthetic significance). He also commented that regarding Criterion D (representativeness) the pattern of development of the houses at 30 and 32 Sunnyside Avenue were similar in the stripped back styling of the house at 38 Sunnyside Avenue which was built about the same time as 32 Sunnyside Avenue and before the house at 30 Sunnyside Avenue. He also noted that several other Arts and Crafts style houses in the
street remain intact, and are as demonstrative of the variety of expression found in the Arts and Crafts style as are the subject properties.

Mr Raworth’s evidence was that, even though a place only needed to meet one criterion:

...the criterion in question should be met not just in a simple or generic manner, but to a degree that is better than many or most other examples at a local level, or to a degree that is comparable to other examples that are subject to a heritage overlay.

His evidence was that the dwellings in question only have limited interest to the City of Boroondara in terms of their historical, architectural or aesthetic values.

His reasons included that in terms of Criterion A (historical significance), the association with Isabel Crawford was not of any historical interest in any meaningful way. He also noted the incorrect reference in the citation for the architect attributed to the design of the house at 32 Sunnyside as being Justus Jorgensen, which he concluded was in fact his older brother Ole Jorgensen as by that time, Justus had left architectural practice to pursue his artistic career under Max Meldrum.

Mr Raworth also stated that there was insufficient evidence to decisively conclude that the house at 30 Sunnyside had also been designed by Schreiber and Jorgensen, which casts doubt on its architectural provenance. While Schreiber and Jorgensen were best known for a number of institutional buildings associated with the Catholic Church (most notably in Boroondara, the Xavier College Chapel listed on the Victorian Heritage Register H0893), their most celebrated residential work is the house known as The Pebbles at 57A Droop Street Footscray (H1318). Other lesser known residential work includes houses at 24 Monaro Road Toorak (Graded B within HO181 – Kooyong Precinct), and 11 Toorak Avenue (Graded B within HO180 – Power Street Precinct). Mr Raworth’s evidence was that, in comparison to these buildings, 30 and 32 Sunnyside can only be considered very minor works within the firm’s oeuvre.

With respect to Criterion D (representativeness) Mr Raworth referred to several examples in his evidence which he described as illustrating the range of better bungalows in the municipality and offered that:

Interwar bungalows are well represented throughout the Boroondara municipality and while both 30 and 32 Sunnyside Avenue may have been architect designed, they should be seen as modest and broadly typical building examples which contributes little that is unusual or unknown to an understanding of architectural forms within the area during the interwar period. The dwellings do not have significance arising from their architectural character that is any greater than the significance of countless other single storey interwar bungalows in the Boroondara municipality.

With respect to Criterion E (aesthetic significance) Mr Raworth’s opinion was that accepting the description of Council’s citation, there nonetheless was nothing remarkable about the architectural composition that elevated them to a threshold worthy of being promoted to a level of local significance.
Mr Raworth’s evidence concluded that in his opinion the two houses at 30 and 32 Sunnyside Avenue:

... are neither of sufficient integrity nor sufficient historic, representative or aesthetic significance to warrant an individual heritage control as part of Amendment C274 part 2 to the Boroondara Planning Scheme. The buildings do not meet a threshold of local significance with regard to any of the criteria cited in Council’s citation.

(iv) Discussion

The Panel agrees that the Sunnyside and Rowell Avenues Precinct does not meet the threshold for inclusion in a precinct-wide Heritage Overlay. Referring to an extract from the Camberwell Urban Conservation Study 1991 (Document 27), all properties in Sunnyside Avenue had been previously graded as C or D except for one property, 23 Sunnyside Avenue which was A-graded and now is the subject of a site-specific Heritage Overlay, HO187. At the time of this 1991 study, it appears that there were extant examples of original interwar housing at least in Sunnyside Avenue.

The Panel conducted a site inspection of the Precinct and observed several recent dwellings and additions as well as vacant sites. The streetscape is not consistent and the Panel observed new dwellings both recent and under construction that do not contribute to the heritage character of the remaining interwar housing or the streetscape.

The Panel viewed the houses at 30 and 32 Sunnyside Avenue as well as walking the length of the street in both directions to gain an appreciation from different views as well as their context. What the Panel observed was consistent with the evidence provided by Ms Schmeder that the houses at 30 and 32 were modest and unfussy low-slung bungalows in a relatively intact state. However, the Panel found that there were other houses that were of a similar style and ilk, most notably a few doors away at 38 Sunnyside Avenue.

The Panel also noted other houses in the street that are not recommended for heritage protection that present as much more richly composed and detailed bungalows such as 15, 28, 40 Sunnyside and others. As part of the exhibited Amendment these houses were recommended as contributory in the Sunnyside and Rowell Avenues Precinct. However, the Panel accepts the evidence of Ms Schmeder that it is not only highly detailed and executed architecture that is worthy of protection, but also modest and unassuming buildings and places for other reasons.

Nevertheless, the Panel is not persuaded that the houses at 30 and 32 Sunnyside Avenue meet the threshold for local significance and accepts the evidence of Messrs Briggs and Raworth which was prepared without knowledge of each other’s involvement. Both drew the same conclusion.

The Panel finds that Criterion A (historical significance) has not achieved the required threshold and that the association with Isabel Crawford is not of any importance in the municipality. As Mr Raworth observed, under cross examination, the fact that two adjoining sites had been developed by the same person is not a significant point and the same can be said of large areas of Melbourne and is not an exception but the standard way in which the city has evolved.
The Panel is also concerned that the error in attribution of the architect as Justus and not Ole Jorgensen was not discovered during the development of the Camberwell Gap Study, but by Mr Raworth in his research for the preparation his evidence. The Panel disagrees with Ms Schmeder that this is a moot point and that altering the citation is all that is required. The citation does more than name Justus. It also refers to his founding of Montsalvat and disregards historical records that he abandoned architectural practise to pursue an artistic career well before these building were designed.

The Panel is not persuaded that Criteria D (representativeness) and E (aesthetic significance) have met the threshold of local significance, given the number of other interwar bungalows both modest and richly detailed in the immediate environs as well as throughout the municipality.

The Panel’s concern arises in part from the grouping of these two houses as a micro precinct. As Mr Raworth observed, there is no minimum number of places that, strictly speaking, form a precinct. However, this grouping does little to demonstrate the “importance of demonstrating the principal characteristics of a class of cultural or natural places or environments” (Criterion D) or “importance in exhibiting particular aesthetic characteristics”. The Panel finds that there is nothing notable about two modest houses being built next door to each other that assists in gaining an appreciation of any local heritage value (Criterion E).

The Panel appreciates that the architectural features of 30 and 32 Sunnyside Avenue have some interest in their detail, composition and assemblage, however there is insufficient evidence before us to determine that they are of sufficient aesthetic merit to warrant individual heritage protection. The stripped back aesthetic could be understood as being deliberate gestures and perhaps a nod to the modernist era that was emerging. However, they could also be described as steeped in nostalgic pre-and inter-war bungalow prototypes that held on to motifs of the past without the confidence of the modern era, resulting in architecturally insignificant examples of their time.

Prior to the proposal to remove the Sunnyside and Rowell Streets Precinct from the Amendment 24 Sunnyside Avenue was graded as individually significant in the precinct. However, the house was not proposed to be included in a site specific Heritage Overlay as was 30 and 32 Sunnyside Avenue. In the Panel’s view this decision was inconsistent with the approach Council adopted for 30 and 32 Sunnyside Avenue.

The Panel finds that 30 and 32 Sunnyside Avenue do not meet Criteria A, D or E to a degree that is better than many or most other examples at a local level, or to a degree that is comparable to other examples that are subject to the Heritage Overlay.

(v) **Conclusions**

The Panel concludes:

- The removal of the Sunnyside Estate from Amendment C274 Part 2 is justified.
- The inclusion of 30 and 32 Sunnyside Avenue in a site-specific Heritage Overlay is not justified as the houses are not individually significant. Both houses should be excluded from Amendment C274 Part 2.
4.2 **Burnie Brae, 1245 Toorak Road, Camberwell (HO728)**

(i) **Background**

The single storey house, “surgery/garage” and hard landscaping at 1245 Toorak Road have been nominated for a site-specific heritage overlay extending to the site boundaries. The residence was built in 1921 (architect unknown) and with later additions occurring in 1930 and 1939. The residence also accommodated a doctor’s surgery as it was owned and occupied by medical practitioners until about the late 1950s.

**Statement of significance 1245 Toorak Road, Camberwell**

**What is Significant?**

‘Burnie Brae’, 1245 Toorak Road, Camberwell, including the main house and surgery/garage, built in 1921 for Dr Hildred Carlile, with additions, including a new surgery, and hard landscaping undertaken by subsequent owner Dr F. Elliot True from 1930.

**How is it significant?**

‘Burnie Brae’ is of local historical and aesthetic significance to the City of Boroondara.

**Why is it significant?**

‘Burnie Brae’ is significant as it illustrates the pattern of development of combined doctors’ residences and surgeries and the provision of health services within the burgeoning suburbs during the early twentieth century. Constructed as a doctor’s residence and surgery in 1921 for Dr Hildred Carlile, the property demonstrates a pattern of service of this type of health care as it served as the home and place of work of multiple doctors during its history. This included Dr Elliot True, who based his general practice there from 1923 and extended it to incorporate a surgery. The property is uncommon in that while it is apparent that the main house accommodated the surgery as did many doctors’ residences from the nineteenth century onwards, there is evidence that the surgery was originally accommodated in a specific stand-alone building prior to it being extended to incorporate a garage in 1930. Dr True’s significant roles with hospitals, most notably the Royal Women’s Hospital as a member of the Honorary Staff and honorary inpatient surgeon, saw him play a key role in the establishment of, and ongoing fundraising for, the Burwood and Hartwell branch of the Royal Children’s Hospital (RCH) Auxiliary in 1925, being the second oldest RCH Auxiliary in the City of Boroondara after that of Hawthorn established in 1922 (Criterion A).

The 1921 main house is aesthetically significant as a fine and externally intact example of the Californian Bungalow style with Federation undertones in the use red brick and render dressings and Arts and Crafts influences in the prominence of the chimney detail to the principal façade and the render reveals to the window openings. Significant bungalow details include the timber work front porch that exhibits Japanese influences in its carpentry details. The outbuilding, incorporating the garage and former surgery of Dr Carlile, exhibits similar render details as the house. Additional details of note include the little-known application of the single sash window, the detail of which saw the sash retract into a wall cavity above the window opening. (Criteria D and E)

(ii) **The issue**

The issue is whether 1245 Toorak Road meets the criteria to warrant the inclusion of a site-specific Heritage Overlay for an individually significant place.
(iii) Evidence and submissions

Mr Stephenson giving expert evidence on behalf of Council provided the following description of Burnie Brae:

*The historic use of the site as a doctor’s surgery is evident in the built fabric, and is directly associated with Dr Carlile, who constructed and initially occupied the site, before it was sold to Dr True as an established practice. Dr True was associated with the property until 1957. Further, the building is also identified to be historically important in its association with the work of child welfare and fundraising in Boroondara. This association is clearly and directly linked with Dr True, and the founding and fundraising events that took place at the property.*

In addition to the historical references and associations (Criterion A, historical significance), Mr Stephenson’s evidence was that the “*fine and externally intact*” architecture displayed a transition from a Federation to an Arts and Crafts bungalow design and included notable detailing such as the Japanese influenced carpentry features and the uncommon (to the municipality) concealed cavity single sash windows (Criteria D, representativeness and E, aesthetic significance). The Camberwell Gap Study commented on views to the dwelling from the public domain being accessible through the driveway and to a lesser extent the pathway that would have been to the surgery entrance.

Mr Passarella, on behalf of the owners of the property (submission 94), informed the Panel that they opposed the proposed heritage listing. During the exhibition of the Amendment the owners had sought an opinion from Emeritus Professor Peter McIntyre AO. Prof McIntyre prepared a statement that included the following:

*... the existing residence does not have architectural significance to justify heritage listing.*

Mr Raworth’s evidence was that, in his opinion, the reference to the doctor’s residence and surgery was more a “*thematic footnote*” rather than a matter of any local historical significance. Furthermore, Dr True’s work in infant welfare and obstetrics had largely occurred off-site. He cited several other heritage listed residences combined with a home-based surgery, noting that most were located in a heritage precinct rather than individually listed. Mr Raworth argued that the comparative analysis included an individually listed dwelling at 9 Rochester Road Canterbury designed by Arthur W Plaisted. He stated that its significance was due to it being one of the finest exemplars of Spanish Mission Revival architecture, rather than its association with medical uses. Another dwelling used in the comparative analysis was described as follows:

*The building at 174 Union Road, Surrey Hills, is broadly comparable as a modest and representative bungalow home and surgery. This said, it is relatively early, having been constructed 1911, and can still be understood as having a surgery function. It is within the Union Road residential Precinct, Surrey Hills (HO534), and warrants a Heritage overlay as a ‘significant’ element that contributes to the precinct as a whole, rather than as a building that is individually significant in its own right.*
In reviewing the citation prepared for *Burnie Brae*, Mr Raworth stated the following:

*The citation further suggests that the property is particularly uncommon in that while the main house accommodated the surgery, as did other doctors’ residences, there is evidence to suggest that the surgery was originally accommodated in a specific stand-alone building prior to the outbuilding being extended to incorporate a garage in 1930. In reality it seems clear that the present outbuilding is a garage with modest flat and bathroom facilities only, and that the surgery was within the main body of the house, entered through the doorway on the west side of the facade that was removed some years ago. The removal was sensitively handled insofar as it is now far from obvious that a doorway was ever located in that area, and this renders interpretation of the house difficult, as is evidenced by the citation, which proposed a different location for the surgery.*

Mr Raworth stated that he had authored a publication for the National Trust on interwar housing as well as completing his Masters thesis on the topic. Mr Raworth’s opinion was that *Burnie Brae* displays a simple transverse ridge villa and its only architectural interest was a plug-on porch which expresses the bungalow character. He also stated that *Burnie Brae* had been overlooked by both Lovell and Butler in previous studies for grading as significant. In his opinion there were much more picturesque examples with more complete expressions of the interwar bungalow style throughout the municipality. For comparable examples of bungalow typologies, Mr Raworth stated that 10 Logan Street Canterbury designed by AEH Carleton, although not a former doctor’s surgery but graded significant within a heritage overlay, is a far superior, reasonably intact early bungalow that engages much more with the style in a profound way.

When asked whether the front landscaping to *Burnie Brae* was of interest, Mr Raworth stated that it appeared to be a modus operandi of the consultants to not comment on vegetation, in this case the high dense mature hedgerow which largely obscures the dwelling from the public domain, but only the hard landscaping.

Furthermore, the former pedestrian and patient entrance to the surgery had been filled in some decades prior and the legibility of the separate entrance to the medical use of the dwelling was no longer apparent.

*The subject site is not an important exemplar of the bungalow idiom in any comparable manner, and its association with medical practitioners is no longer able to be interpreted due to the loss of its surgery door and the associated pathway.*

Mr Raworth’s opinion is that *Burnie Brae* does not meet a threshold of local significance through any of the HERCON criteria, and has insufficient integrity or architectural, aesthetic or associative significance to warrant individual heritage control.

*(iv) Discussion*

The Camberwell Gap Study states that *Burnie Brae* is a distinctive example of a doctor’s residence and surgery within the municipality with what appears to have been originally a free-standing surgery later converted to a garage. However, the Panel was given no
conclusive evidence that the outbuilding built by Dr Carlile was used as a doctor’s surgery either by Dr Carlile or Dr True. The Panel notes the discrepancy between the Camberwell Gap Study referring to the structure as ‘the potential surgery’ of Dr Carlile and the statement of significance that states:

... there is evidence that the surgery was originally accommodated in a specific stand-alone building prior to it being extended to incorporate a garage in 1930.

The Panel accepts the evidence of Mr Raworth, that the likely location of the surgery was in fact within the residence with its own separate entrance and dedicated path from the front boundary and footpath. This is supported by floor plans of the dwelling in Mr Raworth’s evidence showing the floor layout prior to renovations in the 1990s nominating the front two rooms at the southwest (or front of the dwelling) as a waiting room and surgery with a separate entrance. The Panel was not provided with sufficient evidence to conclude that the surgery was ever located in the garage.

The Panel finds there is no discernible reading of the frontage of the dwelling as having had a separate entrance. Upon close inspection to the trained eye it is possible to see where brickwork has filled in what was once a recessed entry, creating a flush face brickwork façade to the west of the porch and principal entrance. The Panel finds that this distinction would not be legible to any appreciable degree from the public domain as the building is well set back from the front boundary and currently obscured by mature vegetation, in this case a dense high hedgerow.

Other Panel reports have found that dwellings with continuous use as combined residences and doctor’s surgeries are significant. In the case of 627 Whitehorse Road Surrey Hills (which was recommended as individually significant by Amendment C277 to the Boroondara Planning Scheme), the site is on a prominent corner and the two entrances to the late Arts and Crafts bungalow are extant. In that case the Panel found that:

The Panel agrees that the location, siting, form, scale and surviving detailing of the house do demonstrate its dual uses as a doctor’s surgery and residence and those make it significant architecturally.

It is difficult for this Panel to make the same conclusion in the case of Burnie Brae due to the removal and infill of the original surgery entrance. In the Panel’s view, the dwelling does not meet the threshold of significance required by Criterion A (historical significance) with respect to the “importance to the course or pattern of our cultural or natural history”. Further, the significant height, depth and density of the mature hedgerow at Burnie Brae provides a solid visual barrier to the grounds of the property from the public domain, further reducing its significance.

The Panel noted during the site inspection that the hedgerow is the main appreciation of the property from the public domain, whether as a pedestrian or from a vehicle. The driveway, and to a much lesser extent the almost overgrown entrance of the former path to the surgery entrance, are where the visual appreciation of the dwelling and outbuildings are gained.

Ms Schmeder detailed the approach taken to the heritage value of landscape elements:
In cases where the Heritage Overlay does not provide clear protection, for example, with the layout of garden beds, small plantings like shrubs, if these elements are believed to be original or very early we mention them in the Statement of Significance.

The Panel notes that this prominent hedgerow has not been referred to in the Statement of Significance, whereas the hard landscaping within the property has. The Panel questions this approach, given Ms Schmeder’s comments above and the possibility that the hedgerow is “very early or original”.

The Panel accepts the evidence of Mr Raworth that the dwelling, while of some interest in detailing, is a minor example of the Californian Bungalow typology. The Panel finds that while some detailing such as the cavity sash windows and carpentry detailing of the porch with Japanese undertones are also of interest, the composition and arrangement of the buildings do not elevate them in meeting a threshold of architectural or aesthetic significance (Criteria D and E).

The Panel concludes that 1245 Toorak Road Camberwell does not meet the threshold for an individually significant heritage overlay which is “of State, municipal or local cultural heritage significance that are individually important in their own right”, although it could possibly be considered as contributory within a precinct.

(v) Conclusions

The Panel concludes:

• 1245 Toorak Road does not meet the criteria to warrant the inclusion of a site-specific Heritage Overlay for an individually significant place.

4.3 Burke Road Precinct Extension (HO144) and 492 Burke Road, Camberwell

(i) Background

Burke Road was the original north-south boundary between the former Cities of Camberwell to the east and Hawthorn to the west. It is a major road serviced by the number 72 tram to the City and described in the Camberwell Gap Study as a ‘gateway’ and ‘boulevard’. The 57-acre Sunnyside Estate was one of the largest subdivisions in Camberwell, encompassing 476-520 Burke Road. It was developed and subdivided by noted stage actress and philanthropist Amelia Tallis (1874-1933), wife of theatrical entrepreneur George Tallis (1869-1948).

The Burke Road Precinct Extension (HO144) affects 16 properties on the east side of Burke Road in Camberwell. Currently, the west side of Burke Road, directly across from these properties and extending north to Denmark Hill Road, is within the HO144.

Of these 16 properties, four are nominated as non-contributory and one, at the corner of Currajong Avenue and Burke Road (508 Burke Road) is nominated as significant. The remaining 11 properties are nominated as contributory, which includes 492 Burke Road.
Figure 3: Burke Road Precinct Extension

Statement of significance Burke Road Precinct Extension

What is Significant?
The Burke Road Precinct, comprising 86-92 Campbell Road, Hawthorn East, 36A-38 Tourello Avenue, 603-675 & 488-520 Burke Road, Camberwell/Hawthorn East is significant. The precinct comprises a notable collection of 1920s interwar development in combination with earlier Victorian and Federation examples. The precinct was in part subdivided by Amelia Tallis as a part of the Sunnyside Estate. The Arts and Crafts and Californian bungalows within the precinct are some of the finest and most substantial within Camberwell/Hawthorn, due to the prime location. The residential suburban landscape has been retained, despite being located next to a major thoroughfare. The suburban landscape is enhanced by the intact nature strips, the garden settings, and where they occur, the original front fences.

Furthermore, the interwar development along Burke Road illustrates the importance of the fixed-rail public transport to Camberwell’s and Hawthorn’s interwar suburban growth and development.
How is it significant?

The precinct is of local historic, architectural and aesthetic significance to the City of Boroondara.

Why is it significant?

The Burke Road Precinct is historically significant as tangible evidence of federation and interwar development of the nineteenth century subdivisions of Camberwell and Hawthorn. The range of building forms, consistent setbacks, and material consistency within the precinct reflects the use of covenant controls. Such building controls were a distinguishing characteristic of many Camberwell subdivisions, including the Sunnyside Estate. The Burke Road precinct is also historically significant as being in part (the east side) subdivided by the Tallis family, an influential family within the City of Boroondara. (Criterion A)

Architecturally, the Burke Road Precinct is representative of early nineteenth Century and interwar suburban development. The expression is predominately interwar, with the majority development occurring in the 1920s. The material consistency is representative of the interwar architectural styles and the development of the City of Boroondara as a whole. Variation is achieved through the decorative elements such as porch placement, fenestration and gable features. The fine examples of Arts and Crafts and Californian Bungalows are complemented by earlier development, two Victorian dwellings, one Queen Anne example and two Federation examples. The east side of Burke Road was developed in a short period of years, resulting in an uncharacteristically homogenous group of 1920s bungalows. (Criterion D)

Aesthetically, the Burke Road Precinct is of significance as a collection of particularly fine 1920s bungalows which in combination with larger villas and mansions of the Victorian and Federation era create an impressive streetscape. The majority of the houses are 1920s bungalows with varying Arts and Crafts or Californian bungalow details. The homogenous use of material enhances the aesthetic significance of the precinct, almost all roofs feature Marseilles patterns terra cotta tiles, the gables are decorated with timber shingles, roughcast, or half timbering, materials which are seen in various combinations along Burke Road. Where they occur the examples of original brick and roughcast interwar fences are particularly elaborate and varying in design.

Individually Significant houses in the precinct have their own aesthetic significance. The mixture of elements and designs in the decorative detailing of the Victorian Mansion at 649 Burke Road, ‘Colthurst’, reflects the Boom Style of the 1880s. The architect designed villa at 675 Burke Road, built 1912, features a multitude of gables and bays. The dwelling reflects the picturesque and asymmetrical expression of the eclectic Queen Anne style.

‘Buccleugh’, the timber dwelling at 631 Burke Road is a Federation bungalow, simple in form and detailing. The deep veranda, simple roof form, and large garden setting is characteristic of the style. The architect designed red brick mansion, ‘Linlithgow’ was built in 1915-16. The asymmetrical form and brickwork detail, in combination with the two storey return verandah and complex roof form, represents the transitional style of this substantial mansion.

The substantial Arts and Crafts bungalow at 508 Burke Road was built in 1920-21. The asymmetrical form and dominating roof form is representative of the style. Similarly, the Arts and Crafts bungalow at 603 Burke Road is a particularly fine example of the style, featuring a triple gable front and a combination of brick and timber details.

‘Irrewarra’ at 667 Burke Road, dates from 1924, is an attic style rendered bungalow. The form and detailing is unusual for this part of Camberwell/Hawthorn featuring classical elements in its decoration. ‘Mirrabooka’, 671 Burke Road, is a particularly fine example of a 1920s Attic Bungalow, featuring a typical gable fronted form with a major and minor gable, tapered roughcast piers to the veranda, timber shingle gable ends and a roughcast and brick exterior. 621 Burke Road from c.1924 is a fine example of a brick Californian Bungalow with an original low brick fence and fine arched
front porch. The house is highly intact, retaining its leadlight windows and Marseilles pattern terra cotta roof cladding. 673 Burke Road, a Californian Bungalow also built in 1924 is significant for its unusual shingled window hoods over the bay and bow windows. (Criterion E)

(ii) The issues
The issues are whether:
- the Burke Road Precinct Extension (HO144) is warranted
- 492 Burke Road is justified as contributory within the Precinct.

(iii) Evidence and submissions
Burke Road Precinct Extension
Council submitted that during the development of the Camberwell Gap Study, the Burke Road Precinct (HO144) was reviewed and several properties on the east side of Burke Road were identified as appropriate for inclusion within the precinct. The citation for the Burke Road Precinct Extension provided an overview of dwellings within the Precinct and was not intended to cover every possible variation amongst them. Ms Schmeder’s evidence was that:

As noted … the properties along the east side of Burke Road, which are encompassed in this precinct extension, were originally recommended as part of the larger Precinct 8. Sunnyside Estate by the 1991 ‘Camberwell Conservation Study’. As most streets in Sunnyside Estate have been extensively redeveloped since that time, I identified the Burke Road streetscape as one that contained a row of high-quality interwar dwellings worthy of assessment. As these dwellings were of a similar development period and quality to those in the existing HO144 Burke Road precinct on the west side of the street (formerly in the City of Hawthorn), my colleague Louise Homan and I recommended that this section of the Sunnyside Estate be assessed as an extension to HO144.

Mr Bick, providing evidence for property owners at 492 Burke Road (submission 95), stated that in his view the citation for the Burke Road Precinct extension contained a number of anomalies and inconsistencies that warranted further investigation. His opinion was that several more worthy potential properties that could have been included in the precinct south along Burke Road, were overlooked, and he provided the Panel with an extensive photographic essay (Document 19).

His opinion was that the grouping of the 16 properties comprised four properties, or 25 percent of the precinct extension, which were non-contributory which adversely affected the coherence of the proposed heritage overlay. He also stated that the remaining properties, apart from 510 Burke Road, represented minor bungalow examples.

With respect to Criterion A, Mr Bick’s opinion was that the historical significance had not been established as:

... according to the Heritage Gap Study, the Tallis family lived elsewhere, so this was a development by them. Hawthorn, Kew and the higher parts of
Camberwell attracted affluent residents ... so it was not unusual for them to undertake developments in the suburbs where and near where they lived.

With respect to the “uncharacteristically homogenous group of 1920s bungalows” on the east side of Burke Road (Criterion D, architectural significance), Mr Bick’s evidence was that:

In reality the Camberwell suburb still contains a sizable number of streets or parts of streets (as in this location of Burke Road) where there is a line or near line of 1920s bungalows, such as Acheron Crescent, Acheron Avenue, George Street, all of the streets in the HO1 area, the HO154 part of Burke Road, the proposed HO731 and HO 740 Precincts, and so on.

Mr Bick disagreed that “… the Burke Road precinct is of significance as a collection of particularly fine 1920s bungalows” (Criterion E, aesthetic significance) when in his opinion:

The reality is that the proposed Precinct contains a line of quite standard and mostly very basic 1920s bungalows, the only exception being number 508-510.

492 Burke Road, Camberwell

Council submitted that 492 Burke Road, which has a contributory grade in the Burke Road Precinct Extension, formed “… part of a row of high quality interwar houses that faced a very similar group of houses across the road”. Ms Schmeder referred to 492 Burke Road as being “very logically an important house in the precinct”.  

Ms Vlahos and Mr Tozzi, the owners of 492 Burke Road (submission 95) objected to the inclusion of their property in the proposed precinct extension. They described carport additions to the front façade in the 1980s as having altered the presentation to the street as an intact bungalow and submitted the dwelling had not been of high quality detailing or construction. Mr Bick’s evidence was that the entire precinct extension was unjustified, but agreed that if the Heritage Overlay for the precinct was adopted then it was reasonable for 492 Burke Road to be graded as contributory within it.

(iv) Discussion

Council revised the 1991 citation and Statement of Significance, including the text relating to the precinct extension on the east side Burke Road as part of the Camberwell Gap Study. The Panel notes the extensive discussion in the citation on the west side of Burke Road, which is understandable due to large variation of building types from modest interwar bungalows to Victorian mansions such as Linlithgow by noted architect JJ Clark.

Ms Schmeder’s evidence was:

I identified the Burke Road streetscape as one that contained a row of high-quality interwar dwellings worthy of assessment. As these dwellings were of a similar development period and quality to those in the existing HO144 Burke Road precinct on the west side of the street (formerly in the City of Hawthorn), my colleague Louise Homan and I recommended that this section of the Sunnyside Estate be assessed as an extension to HO144.

Site inspections confirm a different character on the west side of Burke Road compared to the east. This can be attributed to the acknowledged different character and pattern of
development on each side of Burke Road, which once delineated and separated the distinctive suburbs of Hawthorn and Camberwell to the west and east respectively. The Panel observed the west side was characterised by larger more ornate and highly detailed dwellings of varying eras comprising a mix of substantial Arts and Crafts bungalows, Federation and Victorian mansions and interwar bungalows.

The east side of Burke Road presents a contrasting streetscape to the west side, particularly from Currajong Avenue to Pine Avenue, with 492 Burke Road located in this area characterised by more subdued architectural forms. There are examples of these types of contrasts or delineation in character all over Melbourne, where former city boundaries once abutted. The Panel finds that this contrasting presentation of two sides of a road or street do not necessarily preclude applying a heritage overlay in a precinct. In the case of the Burke Road Precinct Extension the issue is whether thresholds have been met to warrant the Heritage Overlay.

Ms Schmeder’s evidence refers to the properties in the precinct extension as being “of a similar development period and quality to those in the existing HO144 ... on the west side of the street”. The Panel acknowledges that while both sides of the street where developed at a similar time, the quality differs and the row of bungalows on the east side of Burke Road are not all high quality but comprise mostly modest and minor bungalow examples.

The Panel observed the dwelling at 492 Burke Road formed part of a row of bungalows but does not present a strong example of the bungalow idiom. The dwelling is austere and lacks sufficient detailing or composition to elevate it beyond an example of a typical interwar building of its time. The timber posts set in roughcast piers are standard and typical construction details of the era. The building’s massing and arrangement is competent in its assemblage and construction. The architecture is unremarkable and the urban design contribution to the street, in context of the adjoining and nearby properties along this side of Burke Road, is typical of the 1920s, with generous setbacks and garden settings. Notwithstanding this critique of 492 Burke Road, the Panel finds that it does contribute to the understanding of the pattern of development of the east side of Burke Road and would be appropriately graded as such.

The Panel inspected both sides of Burke Road as well as the east side between 522 Burke Road and Inglesby Road and noted other properties containing an eclectic mix of dwellings from the Victorian era onwards that could be considered for further investigation for heritage significance, such as 522, 524 and 39 Alma Road on the corner of Alma and Burke Road. As Mr Bick observed, it was unclear why some properties had been overlooked while others had been included such as other properties to the south.

While the development of Sunnyside Estate is attributed to the Tallis family, the Panel notes that the precinct extension as proposed does not accurately reflect or represent the former western edge of it, which extended along the east side of Burke Road from Fairfield Avenue to Sunnyside Avenue. The proposed precinct extension starts at Pine Avenue (a block past the original estate boundary to the south) and reaches beyond the original boundary Sunnyside Estate on Burke Road to the north by two properties past Sunnyside Avenue. The Both corners of Sunnyside Avenue and Burke Road have been redeveloped in recent years with non-contributory architecture. The result is that the northwest edge of the Sunnyside
Estate is no longer legible in any meaningful way from Burke Road nor is it at the southwest edge at the corner of Fairfield Avenue.

The Panel finds that the remnants of the Sunnyside Estate edge on the west of Burke Road comprising 11 properties interspersed with non-contributory places cannot be understood from the public realm as having been part of a former significant development pattern in Camberwell. The historical association with the Tallis family, while of interest, describes a development trend of influential affluent families replicated throughout most of Melbourne and the Panel gives limited weight to this historical association. The Panel finds that the threshold for Criterion A (historical significance) has not been met.

The Panel accepts the evidence of Mr Bick and finds that the reference to the “uncharacteristic homogenous group of 1920s bungalows” is replicated throughout the municipality and there is little about this particular portion of Burke Road that is not found in many examples elsewhere. That said, the large allotments, consistent setbacks and consistent era dwellings in this portion of the precinct could be understood as having heritage significance, but the question is whether the threshold of significance has been met. The Panel finds that the threshold has not been met (for architectural and aesthetic significance (Criteria D and E).

(v) Conclusions

The Panel concludes:

- The Burke Road Precinct Extension does not meet a threshold of significance to justify the application of the Heritage Overlay.

4.4 25, 27 and 29 Lockhart Street, Camberwell and the Lockhart Street Residential Precinct (HO736)

(i) Background

The Lockhart Street Precinct extends from Riversdale Road to the north, to Hunter Street to the south. It was originally part of the Highfield Estate, established in 1886. The Lockhart Street residences date from 1927 to 1942 when the last house was built.

The exhibited form of the precinct included two properties as non-contributory (at 9 and 29 Lockhart Street) and all other 34 properties as contributory within the precinct. Following the demolition of the dwelling at 25 Lockhart Street and a revised grading for 27 Lockhart Street post-exhibition, two additional properties were included as non-contributory (i.e. 25 and 27) with the remaining 32 as contributory within the precinct.

<table>
<thead>
<tr>
<th>Statement of significance Lockhart Street Residential Precinct</th>
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<tbody>
<tr>
<td>What is Significant?</td>
</tr>
<tr>
<td>Lockhart Street Precinct, formerly part of the Highfield Estate and developed between 1927 and 1942 is significant. The precinct includes 1-33, 2-34 Lockhart Street, and 864-868 Riversdale Road, Camberwell.</td>
</tr>
<tr>
<td>How is it significant?</td>
</tr>
<tr>
<td>Lockhart Street Precinct is of local historic, architectural and aesthetic significance to the City of Boroondara.</td>
</tr>
</tbody>
</table>
Why is it significant?

Lockhart Street Precinct is historically significant as part of the former Highfield Estate with allotments of 3, 5, 7 and 10 acres around the Highfield farmhouse (situated at 150 Highfield Road), put up for sale between 1886 and 1927. Bounded by Riversdale Road, Warrigal Road, and Toorak Road, Highfield Estate was, like many other estates in Camberwell, created from the subdivision of farmland. Created in 1925-26, Lockhart Street is part of the last subdivisions of the Highfield Estate with the development of individual lots proceeding apace from 1927 until the completion of the street in 1942. Historically Lockhart Street Precinct represents the trend toward all brick houses as a result of the ‘brick only’ areas declared in certain streets by the former Camberwell City Council in the 1920s. The intention was to create Camberwell as a place of perceived higher quality building (i.e. more expensive) houses. (Criterion A)

Lockhart Street Precinct represents a typical but highly intact street from the interwar period, developed with within a relatively short period and exhibiting examples several interwar styles including Californian Bungalow in timber, brick and shingle; Old English, and later war time austerity styles. Lockhart Street comprises a gradation in style from north to south with a higher proportion of Californian Bungalows toward Riversdale Road, leading to later and simpler styles toward the southern end. As an interwar precinct, Lockhart Street has representative examples of common residential styles. The Californian Bungalows at 5, 7, 16 and 18 Lockhart Street are good examples of their type as is the Old English house at number 28. (Criterion D)

Lockhart Street Precinct is aesthetically significant for its range of consistent materials including red and clinker brick walls and featuring areas of smooth render with terra cotta tiled roofs and limited use of timber shingle to gables. The roofs are within a formal vocabulary of gabled (both transverse and front facing), and hipped, including the pyramidal hipped roof model. The Old English houses show a preference for clinker brick and render and have somewhat steeper pitched rooflines with an emphasis on decorative porches. Later designs have typical hipped roof lines and lower roof pitches but reflect the forms of earlier styles, albeit in simpler form and detail. The street is enhanced through the use of generally low fences in brick, timber and occasionally, woven wire, and the concrete road surface. (Criterion E)
(ii) The issues

The issues are whether:

- the Lockhart Street Residential Precinct meets the threshold of significant in a heritage overlay
- the Lockhart Street Residential Precinct boundary is justified
- 25, 27 and 29 Lockhart Street should be included in the precinct as non-contributory.

(iii) Evidence and submissions

Council submitted that the Lockhart Street precinct is a small but highly intact precinct that extends along the full length of Lockhart Street to the corners of Riversdale Road to the north.
Houses are mostly single storey bungalows and date from the interwar period (1927-40). A range of styles from the Interwar period are represented in the street, but usually a simple version of the style. Roof forms are transverse gabled or pyramidal hipped forms and mostly clad in terracotta tiles. The majority of the houses are constructed of brick - possibly in response to regulations enforcing brick construction that applied to a number of streets in the area at that time. The exceptions are numbers 31 as a timber Californian Bungalow, and 33 at the southern end of the street that is also built of timber. All houses are single storey, with the exception of number 21 which was built as a two storey dwelling.

Submissions were made by property owners and residents of Lockhart Street. The owners of 16 Lockhart Street (submission 14) supported the Amendment, while the owners of 27 Lockhart Street (submissions 8, 18, 47, 83 and 91) opposed it for the following reasons:

- the precinct was no longer intact and had undergone significant change over many years
- renovations in the street have altered the character of the street with the inclusion of second storey extensions, aluminium framed windows, brick and steel framed carports at the front of dwellings and numerous recent front fences of non-heritage character
- the rear addition to 868 Riversdale Road fronting Lockhart Street, constructed in 2017 in a contemporary two storey form with under croft parking, could not be reasonably understood as adding anything to the heritage fabric of Lockhart Street and questioned how this could be contributory to the heritage precinct
- most original residences have poor thermal performance which are difficult to upgrade, are environmentally wasteful to heat, are not orientated in regard to sunlight, have poor internal daylighting and have reached the end of their useful life
- there is no justification for preserving houses that are simply old and do not have any architectural merit and are in many cases ‘cookie cutter’ versions of each other.

Submitter 8 opposed the restrictions that a heritage overlay would add to his property at 27 Lockhart Street, given that he had recently demolished the original dwelling and was in the process of preparing a planning application for a new two storey dwelling at 25 Lockhart Street. He submitted that Council’s heritage consultant had recently advised that a two storey façade for his new dwelling fronting Lockhart Street would not be supported. He added that advice contradicted earlier advice from a previous Council heritage officer.

Mr Briggs, giving evidence on behalf ofSubmitter 8, stated that a non-contributory grading of 25, 27 and 29 Lockhart Street near the southern end of the precinct was inappropriate, as the three properties could reasonably considered to no longer be part of a heritage precinct. In his opinion, even a non-contributory grading would impose onerous planning considerations, particularly for 25 Lockhart Street. Mr Briggs was also of the opinion that the statement of significance should be altered to address the double storey presence of built form that already exists within the precinct. In his evidence Mr Briggs noted the following:

The steep incline in Lockhart St adds to the topography as well as the double storey presence in the streetscape, both of heritage character and introduced,
and the location of the gap in the heritage place close to the southern end, all act to isolate the subject group from any clear sense of being ‘within’ a heritage streetscape. Accordingly as they do not contribute to the character of the heritage place or to its visual cohesion there is minimal requirement for any new building to ‘complement’ that heritage character beyond the normal application of the planning scheme.

Ms Schmeder did not agree that it could reasonably be argued that 25 Lockhart Street is at the end of the precinct. She also stated that 27 Lockhart Street had been downgraded to non-contributory due to the level of alterations that had occurred.

(iv) Discussion

The Panel finds that the Heritage Overlay proposed for the Lockhart Precinct is justified, with some variations outlined below. The precinct has a number of intact brick bungalows worthy of heritage protection and of historical, architectural and aesthetic significance (Criteria A, D and E).

The Panel inspected Lockhart Street and observed the single storey presentation of dwellings along the street with several exceptions. At the northeast edge of the proposed precinct boundary, the substantial two storey former flats at 868 Riversdale Road presents as a sideage to the entrance of Lockhart Street. Here a recent double storey extension and under croft car space is highly visible, in dark grey cladding with large glazed elements arranged in a contemporary rectilinear architectural expression. The Panel finds that this rear portion of 868 Riversdale Road does not contribute to the heritage fabric of the street.

Directly abutting this rear addition, there is a red brick dwelling that appears to date from the 1940s or 1950s with little of the heritage attributes described in the statement of significance and not noted in the Camberwell Gap Study. The roof forms are more consistent with later roof framing conventions of the 1950s onwards and do not reflect the architectural expression described in the statement of significance. This property does not contribute to the proposed precinct.

The Panel also observed two storey forms visible along the length of Lockhart Street on both sides at 1, 8, 9, 13, 15, 21, 29, 30, along with the abovementioned entire sideage of 868 Riversdale Road fronting Lockhart Street. Extant double storey forms, whether original or later additions, do feature in the Lockhart Street Precinct alongside original single storey dwellings. In the Panel’s view the statement of significance should be amended to reflect the predominately single storey dwellings present in the precinct interspersed with two storey built form. The Panel acknowledges that new double storey dwellings or additions in Lockhart Street could be acceptable either within or adjoining the precinct boundary.

At the south end of the precinct the legibility of the heritage fabric becomes less clear. The row of three properties at 25, 27 and 29 Lockhart Street are respectively vacant land awaiting redevelopment, a largely altered original dwelling and a recently constructed two storey dwelling. Immediately south of this row of three, the abutting properties at 31 and 33 are weatherboard dwellings. At 31 Lockhart Street, the weatherboard bungalow with terracotta roof tiles was constructed in 1927 and, apart from a recent carport located in line with the front façade, is relatively intact. However, along with 31 next door, it is at odds and
inconsistent with the masonry construction along the rest of the street. Arguably, both 31 and 33 do not contribute to the understanding of the precinct, which “represents the trend toward all brick houses as a result of the ‘brick only’ areas” (Criterion A).

The dwelling at 34, noted as being built in 1940, is a departure in style from the architecture in Lockhart Street. It has manganese sub-floor brick coursing with conventional red brick face brickwork above, which is more reflective of the emerging post war architectural expressions that were evolving.

The Panel finds that properties must “play an integral role in demonstrating the cultural heritage significance of a precinct” to meet the threshold as contributory within a precinct. The weatherboard dwellings at 31 and 33 are inconsistent with criteria A, D and E and the Panel finds that they should be excluded from the precinct. The Panel finds that it would also be logical to exclude 25, 27 and 29 from the precinct boundary as the new dwelling at 29, the largely altered façade of 27 and the vacant land at 25 do not meet the threshold of contributory within the precinct.

The Panel also finds that the rear half of 868 Riversdale Road fronting Lockhart Street and the later dwelling next door (unidentified in the citation, but shown as Unit 3 of 868 Riversdale Road and fronting Lockhart Street next door to 2 Lockhart Street – a likely result of later subdivision of the rear of 868), do not contribute to the Lockhart Street Residential precinct and should be graded as non-contributory within the precinct.

(v) Conclusions

The Panel concludes:
- the Lockhart Street Residential Precinct meets the threshold of significance required to justify the application of a Heritage Overlay
- the Precinct boundary should be modified to exclude 25, 27, 29, 31 and 33 Lockhart Street
- the rear half of 868 Riversdale Road, which includes a recent contemporary 2-storey extension and a residence shown as Unit 3 next door to 2 Lockhart Street, should be graded as non-contributory within the precinct
- the statement of significance should be revised to reflect the number of second storey forms in the street.

4.5 Redcourt, 134 Wattle Valley Road, Camberwell (HO730)

(i) Background

The single storey timber Federation villa known as ‘Redcourt’ at 134 Wattle Valley Road Camberwell was constructed in 1908 as a family residence. A number of alterations and additions occurred in the 1920s and 1930s and the residence was converted into flats in the mid-1930s. When the current owner purchased the property in 1970, the house was reinstated as a family residence.

134 Wattle Valley Road has been recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as an individually significant place.
Statement of significance 134 Wattle Valley Road, Camberwell

What is Significant?

‘Redcourt’, 134 Wattle Valley Road, Camberwell, and its setting including the front and side garden is significant. The house was built c.1908-09 for the Bucknill family of Camberwell.

How is it significant?

134 Wattle Valley Road is of local historical, architectural and aesthetic significance to the City of Boroondara.

Why is it significant?

Historically, ‘Redcourt’, dated 1908-09, reflects the early twentieth Century development of the City of Boroondara. The late nineteenth Century subdivisions, which in this case laid out Wattle Valley Road, shaped the suburb of Camberwell. The large corner lot is set next to more regular twentieth century subdivision patterns, which in combination exemplifies the transition from semi-rural to a suburban setting. (Criterion A)

Architecturally, ‘Redcourt’ is a relatively intact example of a single storey timber Federation villa, displaying the typical features of this type, such as the asymmetrical form with multiple gables and bays, a complex roof form, the deep verandah with turned timber posts, and a variation of decorative timber details. (Criterion D)

Aesthetically, the house is a picturesque example of a timber Federation villa. At a time when brick was preferred, the house is particularly substantial in size compared to other timber houses of the same era, which tend to be more modest than their brick counterparts. The multiple gables are ornately decorated with a combination of materials, half timbered, scalloped shingles, and roughcast. The asymmetrical form highlighted by the irregular fenestration and variety of timber detailing. The roof, clad with Marseilles pattern terra cotta roof tiles, is adorned with terra cotta ridge cresting and finials, adding to the elaborate expression of the Federation style. (Criterion E)

(ii) The issue

The issue is whether ‘Redcourt’ at 134 Wattle Valley Road and its setting, including the front and rear garden, meets the threshold as individually significant.

(iii) Evidence and submissions

Council submitted that the dwelling is individually significant as it is an intact timber Federation villa, of which there are relatively few in Camberwell. The citation for 134 Wattle Valley Road reads as follows:

‘Redcourt’, 134 Wattle Valley Road, is a single storey, asymmetrical Federation Villa, dating from c.1908-09. The original lot was subdivided in 1957, reducing the side set back to create Wiringa Avenue. However, the front setback facing Wattle Valley Road is intact, with examples of mature trees. The garden is defined by a modest contemporary timber picket fence.

The villa has two sections with two separate entrances, one facing Wattle Valley road, and a smaller entrance facing Wiringa Avenue to the north. The asymmetrical composition addresses its corner siting and double entrances; however, the principal facade is to the west with a secondary elevation to the north.

...
The level of intactness is generally high, the earlier extension at the south west corner complements the original dwelling in detailing and material. The 2014 extension is equally sympathetic in its use of materials.

... The large site and garden provide a complementary setting to the house but the fence and garden elements are not noted as significant. Whilst the owner may have restored the garden and improved the amenity of the land, there are no heritage controls proposed for the land or any other areas of the gardens or grounds.

In terms of the intactness of the dwelling and subsequent alterations and additions, Ms Schmeder’s evidence was that at the north east, visible from Wiringa Avenue, a small sunroom had been built in 1937 (and altered and repaired in 1951 and 1957). Recent alterations and additions had demolished what had been a separate flat:

The rear extension in 2014, which retained the eastern-most gable and the original window whilst providing internal living space, has been sympathetically designed. It features a small extension to the east that extends the main east-west gable.

At the south of the east façade of the dwelling (Wattle Valley Road elevation), a flat roof extension to a corner curved bay built in 1928 “… tucks under the main roof line of the verandah. It projects forward of the main frontage and curves around to the south.” Ms Schmeder accepted that this extension was not part of the original house but justified it as follows:

The location and form of this extension is not ideal in that it is located on the front of the house and projects forward of the front wall and has a flat(ish) roof. It has been built in matching materials of weatherboard and roughcast to complement the materials of the original house. The windows match the period of the house in design (casement and highlight), the squared leadlight patterning and in their proportions and sizes. This room extension was factored in assessing overall integrity and it was considered that there were mitigating circumstances of its relative age (being built shortly after the house was completed), the matching materials and window joinery and its visual obscurity when the principal elevations are viewed from Wattle Valley Road (where landscaping largely conceals the extension) and Wiringa Avenue.

The owner of the property (submission 42), opposed the proposed Heritage Overlay, stating that there had been several incorrect historical and factual errors in the assessment prepared by Context. He submitted that there had never been a sunroom on the north east (it was a flat built in 1935) and that the south east addition did not have the same quality of materials as the original house (e.g. pressed metal cladding was used in lieu of roughcast and half of the leadlight windows had been replaced with clear glass).

Mr Mossman disagreed that the asymmetrical composition addresses the corner siting and submitted that when the dwelling was built it only had one frontage to Wattle Valley Road.
Wiringa Avenue was a “sewer-lane about 15 feet wide” and was not subdivided until the mid-1950s.

Expert evidence from Mr Kelly on behalf of Mr Mossman was that, in his opinion, 145 Wattle Valley Road does not meet the criteria for heritage listing for the following reasons:

- **The Heritage Gap Study has failed to carry out a proper heritage assessment of the subject property at 134 Wattle Valley Road, Camberwell, and failed to consider the substantial destruction of heritage qualities which should disqualify it from inclusion in the Study.**
- **In particular, the Study has failed to acknowledge that approximately 70 percent of the perimeter façade of the original house has been destroyed by subsequent extensions and alterations of dubious design and construction quality, leaving only a small fragment of the original which happens to be conveniently visible from the open gateway.**
- **The Study has failed to consider a number of comparable properties of similar type which are in good heritage and structural condition and are therefore properly qualified to be included in the Study.**
- **It is noted that the subject property was rejected in the 1991 Butler Study and not included in the 2007-09 Lovell Chen Studies.**

The comparative analysis undertaken by Context included three examples of timber Federation villas and stated that there are relatively few examples like 134 Wattle Valley Road. Mr Bick disagreed with this analysis and stated in his evidence that “…a cursory survey of the immediate neighbourhood provides numerous examples which meet the above heritage criteria, which are in excellent condition, and which provide text book examples for heritage purposes”. Mr Mossman submitted a number of examples of timber Federation villas in the nearby environs which he believed compared well to his dwelling.

With regards to intactness, Ms Schmeder disagreed with Mr Bick that only 30 percent of the perimeter of the dwelling was original and in her estimation was more like 80 percent. Mr Bick stated that, unlike Context, he had measured the entire perimeter and argued that on site measurements would confirm his evidence. Mr Bick stated that there was “no question that the house is prominent or charming, but whether it had heritage value … and not to confuse what is charming and what is heritage.”

Mr Bick noted that the garden setting was mentioned in the citation and statement of significance. His view was that the concealment of the early south west addition was contingent upon the generous vegetation. In Mr Mossman’s view, if the garden was cleared then the visibility of the southwest addition would be greater.

(iv) **Discussion**

The Panel undertook a site inspection of 134 Wattle Valley Road and observed the principal facades at Wattle Valley Road and Wiringa Avenue. Clearly what is appreciated from the public domain is a large allotment, generous garden setting and the Federation features of the large timber villa. The asymmetrical composition is easily understood and the detailing consistent with the evidence of Ms Schmeder.
The Panel observed other large allotments and dwellings in the street and environs and finds that the pattern of subdivision representing a transition from rural to suburban is not one that is clearly exemplified by this property. For example, in the immediate environs and diagonally across the road, is the heritage listed dwelling at 125 Wattle Valley Road. Although this dwelling is not Federation, it is located on a corner with a similar size allotment and other generous sites are extant in the City of Boroondara. The Panel finds that the threshold of historical significance (Criterion A) has not been met.

The Panel notes the emphasis placed on the asymmetrical architecture of the dwelling and its context on the corner site. The Panel accepts Mr Mossman’s submission that the dwelling was not designed for a corner site and that the asymmetry is a feature common in how Federation villas were organised.

The Panel agrees that the later additions to the original building, specifically to the south west and north east, undermine the integrity of the original dwelling design. The south west corner of the building was originally flanked by a primary south facing gable end and building wall. This wall is interrupted by the curved bay, altering the original design. As the reading of the principal street façade includes additions that interrupt the original understanding of the south edge of the building, the Panel finds the level of intactness is not high on this principal facade.

The north east additions and alterations to the roof have resulted in the original east hip and valley roof form being replaced with an east facing gable end that has a new ridge higher than the original ridge line. The Panel agrees that the design is sympathetic to the original dwelling, but the physical form no longer represents the original composition of this facade. The Panel finds that the reading of the Wiringa Avenue façade cannot be understood as having a high level of intactness. We find that the threshold for Criteria D has not been met for a grading of individually significant.

The Panel agrees the remaining extant features of the Federation villa are aesthetic, and the façade details and roof forms of the original compare well with other examples provided by both Ms Schmeder and Mr Mossman. However, the question is whether the threshold for meeting the aesthetic level can be considered “not just in a simple or generic manner, but to a degree that is better than many or most other examples at a local level”, particularly given other criteria have not been met. In the Panel’s view it has not. The Panel finds that 134 Wattle Valley Road should not be included in a site-specific Heritage Overlay, as it has not reached the threshold of individually significant.

(v) Conclusions

The Panel concludes:

- 134 Wattle Valley Road does not meet the threshold as individually significant in the Boroondara Planning Scheme.
4.6 575 Camberwell Road, Camberwell (HO713)

(i) Background

The former Camberwell Fire Station and flats at 575 Camberwell Road are located next to Fordham Gardens to the south east and residences to the north west and rear of the site. The fire station complex was built in 1938 and was decommissioned by the Metropolitan Fire Brigade in 1995. It is now owned and occupied by the Leezen Buddhist Association Incorporated, a not for profit organisation.

Statement of significance 575 Camberwell Road Camberwell

What is Significant?
The former Camberwell Fire Station, 575 Camberwell Road, Camberwell, built in 1938 by L.J. Owen to a design by Seabrook and Fildes, consisting of the fire engine hall with first floor flats, separate senior officers’ residences, separate laundry building and front boundary fence to Camberwell Road. The rear extension added in the 1990s is not contributory.

How is it significant?
The former Camberwell Fire Station is of local historical and architectural significance to the City of Boroondara.

Why is it significant?
The former Camberwell Fire Station was constructed to replace an existing aged facility constructed in Riversdale Road in 1899. Its construction occurred at a time of significant expansion by the Metropolitan Fire Brigade (MFB), following the implementation of the Fire Brigades Act of 1890, into the developing south-east suburbs during the early 20th century. Constructed in 1938, on land purchased in 1937 by the MFB, the new station represents a small residential precinct within the suburban context, being a direct result of the number of engines and associated crews required to service the growing suburbs. (Criterion A)

The former fire station, the extant buildings constituting those originally constructed in 1938, is significant as a fine and relatively intact example of Modernist architecture adapted for the suburban context, thereby reflecting the development of the City and its response to the need to provide adequate emergency service facilities for residents. The complex is an important example of the work of the architectural practice Seabrook and Fildes, a firm well regarded for their Modernist design across their oeuvre of architectural work. (Criteria D and E)

(ii) The issue

The issue is whether the inclusion of the former Camberwell Fire Station complex (including the flats, laundry building and front fence) to all site boundaries as an individually significant place is justified.

(iii) Evidence and submissions

Council submitted that the former Camberwell Fire Station and Flats was individually significant as a heritage place:

*Completed in 1938, the complex today retains the three buildings detailed in Seabrook and Fildes documentation: the fire engine hall and associated flats above, senior officer’s residences and the laundry building that remains as a free-standing building immediately behind the officers’ residences.*
The proposed Heritage Overlay applies to all site boundaries and includes the three buildings, as well as the front cyclone wire fence. The comparative analysis and expert evidence provided by Mr Stephenson on behalf of Council gave examples of other fire stations in Kew, Brunswick (by the same architect) and Brighton. Mr Stephenson stated that it was important to understand the complex and that the modest two storey flat building (the senior officer’s quarters) and the laundry building were important to the understanding of the entire heritage place.

Mr Lee, representing the Leezen Buddhist Association (submission 58), did not object to the engine hall building being recommended for heritage listing but objected to the heritage listing applying to the flat and laundry buildings and front cyclone wire fence. He submitted that they displayed little aesthetic quality and that the laundry building was not visible from the street and had been altered from its original form and use. Mr Lee sought advice from Ms Riddett (the Anthemion Group) who agreed that the flats and laundry buildings had little architectural or historic value. In advice provided to Mr Lee, Ms Riddett submitted that in her opinion:

*The officer’s flats building is plain and exhibits almost no aesthetic features of any interest although its function can be discerned from its form. Nevertheless, noting that minimalism was a characteristic of the Moderne style, the plainness of this building is extreme.*

Ms Riddett referred to an academic thesis (by Christine Phillips) that noted the “modest budget, form and scale” of the Camberwell fire station complex and that:

*The station’s most prominent element was simply the fire station doors… The residential component of the Camberwell Station is a more subtle gesture compared with Brunswick Station and sits separately from and adjacent to the main station. …The modesty of the project (i.e. the whole complex) was perhaps its strength, holding true to Seabrook’s desire to create a building which looked like its function and where the prominence of the station doors was its dominating element.*

Ms Riddett also stated that the laundry building is “utilitarian in function and appearance” and not visible from Camberwell Road and is a minor element of the station complex. The front low cyclone fence, mentioned in the citation as “completing the presentation of the complex”, does not in Ms Riddett’s opinion “exhibit any particular aesthetic characteristics”. Mr Stephenson agreed that the cyclone fence could be excluded from the heritage place.

(iv) Discussion

A site inspection confirmed that the former engine hall doors and building are the key aesthetic and architectural features of the site. The Panel observed the low cyclone wire fence and is of the opinion that it was a simple cost effective detail of the times and remains so today, offering little towards the understanding of the heritage place. The Panel finds that the cyclone wire fence does not meet any threshold of significance to be included in the heritage overlay.

The Panel’s observation of the flats building was that it is inconsequential to the overall heritage setting architecturally, other than it exists and is part of the original complex. It
could be read as a non-response or silent player in the composition of the complex where the fire station building (and doors) is the central focus and key to understanding the site’s heritage value. The same can be said of the laundry building, which cannot be said to offer any appreciable aesthetic or representativeness contribution to the complex other than it survives in its original form.

The Panel agrees with the opinion of Ms Riddett that the flats, laundry building and front cyclone fence do not display representative or aesthetic characteristics and do not meet the threshold of Criteria A, D and E.

The Panel finds that the engine hall and doors are representative of the time and oeuvre of the architects Seabrook and Fildes, although not in any way a major work in their extensive portfolio or when compared to the Brunswick fire station. The Panel finds that although more restrained than other comparators provided by Mr Stephenson, the Camberwell fire station engine hall meets the threshold of Criteria A, D and E.

(v) Conclusions

The Panel concludes:

- the Camberwell fire station is individually significant and the Heritage Overlay should apply to the entire site
- the fire engine hall is significant within the place
- the flats, laundry building, rear 1990s dining hall and front fence are non-contributory within the heritage place.

4.7 64 Cooloongatta Road, Camberwell (HO735)

(i) Background

The property at 64 Cooloongatta Road is contained within the Environs portion of the Harley Estate and Environs Precinct, which is discussed in more detail at section 5.1(iv) in this Report. The Environs encompasses residences in Cooloongatta Road that were built as part of the Camberwell Estate subdivision, which allowed only the construction of houses roofed in either slate or tiles.

The owner of 64 Cooloongatta Road made a submission at the Panel hearing. No other Cooloongatta Road property owners appeared at the Hearing.

Statement of significance Harley Estate and Environs Precinct

What is Significant?

The Harley Estate & Environs Precinct is significant. It comprises 2-8 Bonville Court; 29-77 & 28-92 Cooloongatta Road; 78-92 Fordham Avenue; and 1-7 & 2-4 Gowar Avenue, Camberwell.

Most of Cooloongatta Road was part of the Camberwell Estate, on land released in 1921 and 1924. Houses in this part of the precinct were built between 1925 and 1940. At the south end of the precinct is the Harley Estate, which was created in 1935 by the Colonial Mutual Life Assurance Society to assist employees of the society to obtain their own homes, and then opened to the general public. Homes were architect-designed in the English cottage style to recreate an English village feel, and were constructed 1935-40.

The houses at 75 Cooloongatta Road and 78 Fordham Avenue are Significant to the precinct. Non-contributory houses at 29, 34, 36, 37, 41, 42, 48, 54, 60, 62, 68 & 82 Cooloongatta Road and 7 Gowar
Avenue. The remaining properties, including the Methodist Church at 58 Cooloongatta Road, are contributory. Original front fences and garages are contributory.

### How is it significant?

The Harley Estate & Environs Precinct is of local historical, architectural and historical significance to the City of Boroondara.

### Why is it significant?

The precinct as a whole is historically significant for exemplifying the important role of public transport in the suburban development of Camberwell prior to widespread car ownership by its proximity to Hartwell Station which was mentioned in advertisements for the Camberwell Estate subdivisions. (Criterion A)

Harley Estate is significant as an example of an unusual interwar employer-sponsored housing development in Boroondara. While there are many examples from the 19th century through to the 1950s of manufacturing businesses, such as brickworks and factories, building workers housing in Hawthorn, Canterbury and many other Melbourne suburbs, these were usually located so that employees could live near their place of work. In the Harley Estate, created for CBD office workers, we see the acceptance of the ideal of the suburban lifestyle which involved a daily train commute by fathers. (Criterion A)

Architecturally, the houses in the precinct are fine representative examples of styles popular during the 1920s and the 1930s, including California Bungalow, Art Deco, Tudor Revival/Old English, and Georgian Revival. The houses generally exhibit a high level of intactness, including the retention of many original front fences. (Criterion D)

The Harley Estate is of aesthetic significance for its high-quality architecture and visual unity. The estate was planned to resemble an English village, full of ‘English cottage style’ dwellings, which were the work of the most prominent designer of this style, Robert Bell Hamilton. These designs are distinguished by their quality design and details, including many that are repeated to indicate their inter-relatedness, including cut-outs of a pine tree or a simple flower seen on timber shutters and the gables of timber houses, gable vents created of brick headers set on an angle for clinker brick houses, and massive brick chimneys with corbelling at the top. The Significant dwellings at 75 Cooloongatta Road and 78 Fordham Avenue are fine two-storey examples of Georgian and half-timbered Old English dwellings, respectively. They are distinguished by their picturesque massing and distinctive details. As a whole, its serves as a showcase of the English-inspired domestic architecture for which Robert Bell Hamilton is so renowned. (Criteria E & H)

(ii) The issue

The issue is whether 64 Cooloongatta Road meets the threshold as contributory within the Harley Estate and Environs Precinct.

(iii) Evidence and submissions

Submitter 67, the owner and resident of 64 Cooloongatta Road, opposed to the inclusion of his property as contributory within the Harley Estate and Environs Precinct. His concerns were:

- The two portions of the precinct are distinct in history and style and attributing the entire precinct to the work of noted architect Robert B Hamilton was incorrect as his work was contained to within the Harley Estate portion. The Environs portion was designed and constructed by a builder without architects.
• The Environs portion of the precinct has styles of houses that were typical of the times and did not result in any special design style linking them to the proximity of rail services.

• The percentage of non-contributory houses in the precinct is approximately 24 percent and if substantially modified houses are counted in then only about 60 percent of houses are in original intact form.

• The comparative analysis used examples of much more intact precincts such as the Camberwell Golf Links Estate. The Environs portion of the precinct is not comparable with such examples.

• The 1991 Camberwell Conservation Study only nominated two properties as C-grade (at 30 and 77 Cooloongatta Road) and did not even mention the precinct as a potential candidate for heritage consideration.

• The threshold for a contributory property should be consistent with planning permit guidelines and if upper roof forms are highly visible then a property should not be considered as contributory (such as his own house, which had an upper level addition constructed in recent years).

Ms Schmeder disagreed that the percentage of non-contributory properties in the precinct was as high as Submitter 67 submitted and stated that it was in the order of 18 percent. In her opinion this fell within acceptable levels for the inclusion of a precinct based on intactness. Her response to Submitter 67's objections are lengthy and are not repeated in full here and can be found in her expert evidence submitted at the Panel hearing but she stated that:

*I have considered all of the altered original houses noted in the submission – nos. 45, 46, 51, 64 and 73 Cooloongatta Road – and concluded that they are all sufficiently legible as interwar houses to contribute to the precinct. For this reason, I have not changed my original grading of Contributory for all of them.*

(iv) Discussion

The Panel understands 64 Cooloongatta Road falls within the original boundary of the Camberwell Estate at the north west edge, where three properties along the east side of Cooloongatta Road and north of Gowar Avenue are shown on the original Estate advertisement (Figure 45, Camberwell Estate, East Camberwell, 1924, page 113 Camberwell Gap Study). The Camberwell Gap Study includes 64 Cooloongatta Road in the Environs portion of the precinct, and whether this is materially of any significance for the citation is unclear. The Panel finds that the Camberwell Gap Study precinct description should further reconcile and define the properties that lie within the Environs precinct portion and where the edge of the defined former Estate boundaries are located.

Regardless, 64 Cooloongatta Road has clearly been altered with a two storey addition, which is highly visible when viewed from the public domain. However the original heritage fabric is still clearly legible and the Panel accepts the contributory grading within the precinct.

(v) Conclusions

The Panel concludes:
64 Cooloongatta Road meets the threshold as contributory the Harley Estate and Environs Precinct, and should be part of the Heritage Overlay for the precinct.

4.8 718 Riversdale Road, Camberwell and the Hassett’s Estate and Environs Precinct Extension (HO191)

(i) Background

The property at 718 Riversdale Road Camberwell is included as contributory in the Hassett’s Estate and Environs Precinct Extension. The precinct is discussed in section 5.3(vii) of this Report.

<table>
<thead>
<tr>
<th>Statement of significance Hassett’s Estate and Environs Precinct</th>
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</thead>
<tbody>
<tr>
<td>1991 Camberwell Conservation Study statement of significance</td>
</tr>
<tr>
<td>Hassett’s Estate with its range of 1920s-30s house styles, concrete roads, roadway plantations, and custom-made lighting, was one of the outstanding subdivisions of 1920s Camberwell and inspired much of the later building form, subdivision and street design for the suburb. Historically the estate exemplifies the high-quality estates of the eastern suburbs, many of which were designed around the new transport facilities provided by electric tramways.</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Expanded statement of significance, January 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hassett’s Estate, Canterbury/Camberwell, is an area of heritage significance for the following reasons:</td>
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<tr>
<td>- The place was one of the outstanding subdivisions in Camberwell in the 1920s and inspired much of the later built form, subdivision patterns and street design within the former City of Camberwell.</td>
</tr>
<tr>
<td>- The place is a particularly intact and notable collection of the prevailing house styles of the period 1920s to early 1940s, with an emphasis on the interwar Mediterranean architectural style, and containing also a series of advanced Moderne designs that read as prototypes for general suburban development in post-war Australia.</td>
</tr>
<tr>
<td>- The place retains a consistency gained through municipal by-laws on house siting, lot sizes and materials.</td>
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<tr>
<td>- The place is a predominantly intact interwar landscape containing concrete roads, landscapes medians with concrete lamp standards and mature street trees.</td>
</tr>
<tr>
<td>- The place is representative of the high quality estates developed in the Eastern suburbs during the interwar period to cater for an influx of middle-class householders. The estate is also conspicuously geared to commuting, fronting a tram line and located quite close to a railway.</td>
</tr>
</tbody>
</table>

(ii) The issue

The issue is whether the grading of 718 Riversdale Road as contributory within the Hassett’s Estate and Environs Precinct Extension is justified.

(iii) Evidence and submissions

Council submitted that the dwelling at 718 Riversdale Road was assessed as contributory following assessment undertaken from the public realm.

_The brick bungalow at 718 Riversdale Road was built in 1919-20. It was poorly visible through the garden overgrowth in 1991 (as it still is in 2017), so the_
The study gave it a tentative B-C grading (i.e., possibly of individual significance) but did not describe it.

The owner of 718 Riversdale Road (Submitter 10) told the Panel the dwelling was built in 1918 by his grandmother and that it had been in the family for 100 years. He described his grandmother as wanting a large English style front garden and located the residence well back from Riversdale Road, which he submitted resulted in a poorly sited house set on an area of the land prone to inundation. He provided several photos of the building’s interior showing signs of cracking and dilapidation and submitted that an engineer’s advice provided to his mother 30 years prior was that the cause of the cracks in the house were a result of stormwater runoff down the site from front to back settling under the house causing subsidence.

Ms Schmeder refutedSubmitter 10’s submission stating that:

...no evidence has been provided by the submitter to document that the condition of the house at 718 Riversdale Road is at a point where demolition is an inevitable outcome.

Submitter 10 expressed concern with the consultation process for the Amendment. He submitted that he had repeatedly requested that Council visit his property and discuss the proposed Heritage Overlay with him on site and inspect the advanced state of dilapidation of the dwelling. He informed the Panel that no one from Council had taken up the offer to inspect his property.

With respect to the extension of the precinct Ms Schmeder stated that the “buildings within the precinct extension are highly intact, with a few exceptions.”

(iv) Discussion

The Panel viewed 718 Riversdale Road from the footpath and observed that the front elevation of the dwelling is almost fully obscured by mature vegetation, located and planted directly in front of the principal (front) street façade and what appears to be an entrance porch. From this inspection it was not possible to say what the building was constructed of or whether there were any decorative features or finishes of note to the dwelling. Aerial images online are of little assistance other than showing the roof material is not iron.

The Panel finds that there is insufficient evidence from the Camberwell Gap Study or from visual inspections from the public domain to discern what features or characteristics are being sought to be ‘managed’. The Practice Note requires a planning authority to identify what contribution a building makes in terms of the criteria. Given that this building cannot be seen from the public realm, and that a closer inspection and an assessment has not been undertaken, the Panel finds there is no basis for grading the building as contributory in the Heritage Overlay. In the absence of any detailed assessment of the building, 718 Riversdale Road should be graded as non-contributory within the Hassett’s Estate and Environments Precinct Extension.
(v) Conclusions
The Panel concludes:
- 718 Riversdale Road should be included in the Heritage Overlay and graded as non-contributory within the Hassett’s Estate and Environs Precinct Extension.

4.9 34 Glyndon Road, Camberwell and the Hampton Grove Precinct (HO734)

(i) Background
The property at 34 Glyndon Road is located at the northwest edge of the Hampton Grove Precinct. This small precinct comprising 16 properties (three of which are units subdivided from one original title at 38 Glyndon Road) is discussed in detail in section 5.3(viii). To the north Glyndon Road is not covered by the Heritage Overlay and there are new dwellings and altered original dwelling forms along the street. The same can be said for the properties across the road to the west, which also fall outside the precinct boundaries and have no heritage controls. Immediately to the south at 36 Glyndon Road is another contributory property. The next property south at 38 Glyndon Road and at the corner of Glyndon Road and Hampton Grove is the three unit subdivision of recent decades.

Figure 5: Hampton Grove Precinct
Statement of Significance Hampton Grove Precinct

What is Significant?
The Hampton Grove Precinct, comprising 34-46 Glyndon Road; 1-5 & 2-4 Hampton Grove; 123 & 128-132 Wattle Valley Road, Camberwell, is significant. The precinct comprises a relatively small but notable collection of fine 1920s and 1930s dwellings, set within a characteristic interwar landscape. Of significance is the combination of curved and straight streets, nature strips, street trees, garden settings, original front fences, which are all typical of the interwar suburban landscape. This is complemented by the uniform use of architectural materials, giving the precinct a consistent character.

How is it Significant?
The precinct is of local historic, architectural and aesthetic significance to the City of Boroondara.

Why is it Significant?
The Hampton Grove precinct illustrated the interwar development of the 1920s and 1930s, two important growth periods in Camberwell’s history. The building condition ensured a minimum value of 750 pounds of the newly erected houses. This contributed to a consistent streetscape and the architectural quality visible along Wattle Valley Road and Glyndon Road.

The interwar landscape of Glyndon Road, Wattle Valley Road and Hampton Grove exemplify the importance of the fixed-rail public transport to Camberwell’s interwar suburban growth and development. The proximity to the electric tram along Riversdale Road (1916) as well as Hartwell station (1909) was an important factor in the growth of the precinct and surrounds. The intact interwar landscape also exemplifies the ‘Garden Suburb’ ideal, which is characteristic of Camberwell. (Criterion A)

The precinct is highly representative of architectural and suburban development during the interwar era of the 1920s and 1930s. The precinct contains a notable collection of house styles of the period, with an emphasis on the Old English architectural style, and some examples of Arts and Crafts and Californian bungalows, as well as the Moderne style. The large detached houses are complemented by the characteristic garden settings, examples of original front fences, mature street trees and nature strips. (Criterion D)

The precinct is of aesthetic significance as a collection of architecturally notable 1920s and 1930s dwellings, as well as the intact interwar suburban landscape. The fine examples of the Old English architectural style are complemented by examples of the Arts and Crafts and Moderne style as well as more representative examples of Californian Bungalows. The uniform use of materials, such as terra cotta tiled roofs and clinker brick, examples of original fences, and garden settings all enhance the streetscape.

The Individually Significant house at 44 Glyndon Road has its own aesthetic significance. It is a grand example of the picturesque Old English style. With multiple front facing gables, clinker brick, half timbering, terracotta shingles, leadlight windows and decorative brickwork, the asymmetry and charming quality of the style is clearly represented. (Criterion E)

(ii) The issues

The issues are whether

- the grading of 34 Glyndon Road as contributory within the precinct is warranted
- the precinct boundary is appropriate.
(iii) Evidence and submissions

Council submitted that the properties at 34 and 36 Glyndon Road are appropriate for inclusion in the precinct as they remain relatively intact. Ms Schmeder’s evidence was:

I agree that 34 Glyndon Road is a representative example of an interwar dwelling and that finer examples do exist elsewhere. As its grading is contributory, this has been taken into account. In my opinion 34 Glyndon Road contributes to the precinct as an intact illustration of the area’s interwar development as set out in the statement of significance.

34 & 36 Glyndon Road share characteristics of form, period of construction, style and architectural characteristics. The development period of the precinct spans the late 1920s to the late 1930s, and these two dwelling are from the beginning of this period, both constructed in 1927.

Mr Gurney, appearing on behalf of the owners of 34 Glyndon Road (submission 24) did not oppose the Heritage Overlay for the precinct but opposes the inclusion of this property in the Heritage Overlay. He submitted that the neighbour, at 36 Glyndon Road, is 90 years old and did not want to make a submission but that he also opposes the inclusion of his property in the heritage overlay.

Mr Gurney had sought an opinion from Mr Raworth who advised that he thought the precinct boundaries were “somewhat contrived” and could exclude 34, 36 and 38 (the latter being the three lot subdivision nominated as non-contributory). Mr Gurney submitted that Mr Raworth advice was:

34 Glyndon Road’s peripheral location and modest architectural character (which is distinct from that of other buildings in the precinct) could be excluded from the precinct … there are better examples of interwar dwellings elsewhere in the municipality.

Mr Gurney submitted that he had searched the definition of a precinct and “whether this property can be read as a part of whole and whether it plays integral role and the answer to both was that it did not”. 34 Glyndon Road “is part of the precinct, which has shown extensive replacement and alteration of interwar properties and is not in any meaningful way part of the proposed Hampton Grove Precinct”. He also questioned the grouping of two properties (34 and 36), which are isolated from the rest of the precinct with a non-contributory property (38) and geographically from the rest of the precinct boundary. The street curves and rises at this point which accentuates the separateness from the rest of the precinct. Mr Gurney submitted that:

The requirement that “buildings that are not individually significant in their own right must be grouped together in large enough and consistent enough streetscapes in order to form a precinct of local significance” is not met in this case.

(iv) Discussion

The Panel inspected the Hampton Grove Precinct including all the properties and the precinct boundary. The Panel observed that 34 and 36 Glyndon Road are modest bungalows
that are relatively intact and agrees they could contribute to a heritage precinct. However, these properties are quite isolated from the rest of the precinct geographically and are flanked with non-contributory properties to each side and across the road. The topography also rises at the curve in Glyndon Road further isolating this grouping of two.

The Panel is persuaded by the information contained within the Camberwell Gap Study (at section 2.3.2), and cited by Mr Gurney, that buildings must be group in “large enough and consistent enough” streetscapes to warrant being nominated as a precinct of local significance if buildings are not individually significant. The Panel observed the properties in the immediate area surrounding 34-38 Glyndon Road and observed a large amount of recent architecture and alterations to existing dwellings that are not candidates for heritage listing. This part of Glyndon Road is one where new architecture has emerged. It is difficult to find that the buildings at 34, 36 and 38 will contribute to the proposed heritage precinct as it sits squarely in the section of Glyndon Road that has been appropriately excluded from heritage considerations.

The Panel finds that the precinct boundary of the Hampton Grove Precinct should exclude 34, 36 and 38 (including the rear units of 3-5 Hampton Grove) Glyndon Road as they do not meet the threshold for inclusion of local significance within the Hampton Grove Precinct.

(v) Conclusions

The Panel concludes:

- the precinct boundary should be modified to exclude 34, 36 and 38 Glyndon Road and 3-5 Hampton Grove from the Hampton Grove Precinct.

4.10 Recommendations

4. Amend the exhibited Schedule to Clause 43.01 and the exhibited maps to delete the Sunnyside and Rowell Avenues Precinct.

5. Amend the City of Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell, the exhibited Schedule to Clause 43.01 and the exhibited maps to reflect the following changes:

a) remove 30 and 32 Sunnyside Avenue, Camberwell from the City of Boroondara Municipal-Wide Heritage Gap Study Volume 2 Camberwell

b) remove 1245 Toorak Road, Camberwell (HO728)

c) remove the Burke Road Precinct extension (HO144)

d) remove 25, 27, 29, 31 and 33 Lockhart Street, Camberwell from the Lockhart Street Residential Precinct (HO736)

e) grade the rear half of 868 Riversdale Road, Camberwell and Unit 3, rear of 868 Riversdale Road, Camberwell as non-contributory within the Lockhart Street Residential Precinct (HO736)

f) remove 134 Wattle Valley Road, Camberwell (HO730)

g) grade the flats, laundry building, rear 1990s dining hall and front fence non-contributory within the heritage place at 718 Riversdale Road, Camberwell. (HO713)
h) grade 718 Riversdale Road as non-contributory within the Hassett’s Estate and Environs Precinct Extension (HO191)

i) remove 34, 36 and 38 Glyndon Road and 3-5 Hampton Grove, Camberwell from the Hampton Grove Precinct (HO735).
5  Precincts and individual places – submitters not appearing

This Chapter deals with submissions in relation to a number of properties and/or precincts where the submitter did not appear at the Hearing.

5.1  Properties within precincts

(i)  The issues

The issue for each of these properties is whether the proposed grading of the building and the application of the Heritage Overlay to the precinct is appropriate.

(ii)  War Service Homes Precinct (HO749)

<table>
<thead>
<tr>
<th>Statement of significance War Service Homes Precinct</th>
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<tbody>
<tr>
<td><strong>What is Significant?</strong></td>
</tr>
<tr>
<td>The War Service Homes Precinct, 1-13, 2A-12 Acacia Street, Camberwell is significant. Part of the Highfield estate subdivided in stages from 1886, Acacia Street was formed in the latter stages of the land releases during the 1920s and the houses reflect the War Service Homes Commission requirements for new homes. Nos 8 and 9 are non-contributory (9 as a result of a large second storey addition), but all other places within the precinct are contributory.</td>
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</table>

**How is it significant?**

The War Service Homes Precinct is of local historic, architectural and aesthetic significance to the City of Boroondara.

**Why is it significant?**

Acacia Street is historically significant as part of a group of 100 houses built as Group 29 under the Housing and Reclamation Act 1920 and the War Services Home Act 1918-20. The War Service Homes Commission was an important part of the social welfare net in Australia, being responsible for the construction of over 20,000 homes throughout Australia by 1929 and continuing in several different formats until well into the 1960s. Historically, the War Service Homes precinct in Acacia Street Camberwell forms part of the Highfield Estate subdivided in a number of different land releases from 1886-1927. The precinct is associated with the War Services Home Commission established in 1918 that enabled ex-service men and women to secure loans for the purchase of homes at concessional rates. Acacia Street is significant for its association with the first phase of the scheme whereby the homes were built by the State Savings Bank but owned by the Commission. Houses in Acacia Street are from the period before 1927 when all War Service Commission Homes were under the ownership of the State Savings Bank and illustrates a number of the house designs published in catalogues by the State Savings Bank in the 1920s and 30s. (Criterion A)

The timber residences constructed in Acacia Street represent a range of house designs selected from the State Savings Bank catalogues in the 1920s and 30s, and built within the £800 limit imposed by the Housing and Reclamation Act loans. These include a number of the popular designs including the ‘cottage’ and the ‘bungalow’, described as having five rooms (kitchen, dining or breakfast room, lounge room and two bedrooms) with a wide central passageway, and an internal bathroom and external toilet. The War Service Homes Precinct is notable for its representative house designs including the T7, T10, and T9. (Criterion D)
The War Service Homes Precinct Street is aesthetically significant for its notable consistency in the dwellings’ size, scale, style and materials, with varying combinations of transverse gabled roofs and hipped roofs, projecting gabled wings or entry porches; and with a mixture of both asymmetrical and symmetrical designs. There is a rhythm and pattern to the street that is evident through the same architectural vocabulary adapted in different combinations. The timber weatherboard walls and terra cotta tile roof combination is highly consistent and decorative interest is provided through the use of overhanging eaves with exposed rafter ends, pillars to the porch, timber framed windows with multi-paned top sashes, eaves brackets and the sparing use of timber shingles as cladding to specific elements. (Criterion E)

Figure 6: War Services Homes Precinct (Camberwell Gap Study)

3 Acacia Street

3 Acacia Street is graded as contributory within the War Service Homes Precinct.

Submitter 78 submitted that all the houses in Acacia Street had “undergone extensive modification and changes and no longer fit the State Bank designs.” He added that the windows were not of original design, and nor were the steps to the porch. He stated that he intended to demolish the dwelling and the Heritage Overlay would devalue the property.

5 Acacia Street

5 Acacia Street is graded as contributory within the War Service Homes Precinct.
Submitter 74, the owner of 5 Acacia Street, submitted that he understood the reasons for the proposal but did not support the controls for contributory heritage places. He added that the “local planning policies set out under clause 22.03 describe controls that represent an unreasonable restriction on future use of the existing dwellings in Acacia Street.” In addition, he did not support the exclusion of 9 Acacia Street because the addition to the dwelling was “largely sympathetic in terms of design and materials with the dominant materials and styles used in the subject houses in Acacia Street”. He argued that the building contributed to an intact streetscape which was consistent with Criteria A, D and E.

He also did not support the non-contributory grading for 8 Acacia Street because any double storey redevelopment would be “very destructive of the street aesthetic” and inconsistent with Criterion E.

**7 Acacia Street**

7 Acacia Street is graded as contributory within the War Service Homes Precinct.

Submitter 82 submitted that the provisions of Clause “23.03 are unnecessarily restrictive especially when covering an entire street and given our steep incline.” She stated that several houses have been altered which impacted on the original presentation of the War Service Homes design. She also argued that 8 and 9 Acacia Street should be included in the Heritage Overlay.

Ms Schmeder’s evidence was:

*The citation notes that the dwellings in the precinct are consistent in dwelling size, scale, style and materials. All houses are timber and most roofs have terracotta tiles and feature brick in chimneys. The houses are typically small bungalows with varying combinations of transverse gabled roofs and hipped roofs, projecting gabled wings or entry porches, with a mixture of both asymmetrical and symmetrical designs. Most houses have an entry porch or front verandah with either a separate roof or enclosed within a main roof. Houses in the precinct may have undergone some alterations over time but those are not generally visible from the street or are not considered to undermine the integrity of the properties and therefore the Contributory grading for most of the houses.*

Ms Schmeder added that the restrictive nature of the planning controls was not a matter for the Panel. She stated that the gradings of contributory and non-contributory had been correctly assigned according the Camberwell Gap Study methodology. She noted that 8 Acacia Street was a “modern brick, single storey multi-unit development.” With respect to 9 Acacia Street she stated that the “first-floor addition compromises the heritage fabric of the property to such an extent that very little of the original house is discernible and its heritage contribution”.
(iii)  St John’s Wood and Sage Paddock Precinct (HO739)

Statement of significance St John’s Wood and Sage Paddock Precinct

What is Significant?
St John’s Wood & Sage’s Paddock Precinct is significant. It comprises 6-28 & 7-53 Avenue Road and 2-48 & 7-45 St Johns Avenue, Camberwell. Development in the precinct began in the early 1880s, associated largely with two suburban subdivisions: ‘St John’s Wood Estate’ of 1882, which formed St Johns Avenue, and ‘Sage’s Paddock Estate’ of 1888, which formed the west side of Avenue Road. Development occurred rapidly, with almost all Contributory houses built by 1891. The houses on St John’s Avenue are mainly timber cottages, while there are more dwellings of brick construction along Avenue Road. On both streets there is a mix of detached houses and rows of identical cottages, both single and double-fronted.

The bluestone laneway and bluestone kerbing are contributory elements of the precinct.

How is it significant?
St John’s Wood & Sage’s Paddock Precinct is of local historical, architectural and aesthetic significance to the City of Boroondara.

Why is it significant?
St John’s Wood & Sage’s Paddock Precinct is significant for demonstrating the presence of early modest housing development in Camberwell, a suburb best known for its prosperous middle-class (and upper-middle class) residents and their fine villas (many of them architect-designed). Early residents were largely in building and other trades (such as printers, bootmakers, wheelwrights, and drapers), and they would have provided services to other Camberwell residents, as well as owning and working in shops and other businesses in the adjacent Camberwell Junction commercial area.

The precinct is also significant for demonstrating the major impact which the coming of the railway in 1882 had on the start of suburban development in the once-rural Camberwell. The proximity of the new Camberwell Station to the north stimulated the first suburban subdivisions in the area, one of which was the 1882 ‘St John’s Wood Estate’. Construction in the precinct began soon after, with the first dwellings completed in 1884. (Criterion A)

The houses in the precinct demonstrate the principal characteristics of modest late Victorian Italianate dwellings, many of which were constructed across Melbourne’s suburbs during the boom years of the 1880s. The typical features of these dwellings are a low-line hipped roof (with an internal valley for the double-fronted houses, creating the classic M-profile roof), slate roof cladding, rendered chimneys with a classical cornice, bracketed eaves, a front verandah supported on slender Corinthian columns or stop-chamfered posts with a convex profile corrugated-iron roof, narrow double-hung sash windows, many with sidelights, and a four-panelled front door with raised mouldings and a highlight and sidelights. The houses in the precinct demonstrate the range of cladding materials for this type of dwellings, ranging from simple square-edged weatherboards, to more decorative ashlar boards, ruled render (to resemble stone ashlar), and bichrome brickwork. (Criterion D)

The precinct is of aesthetic significance for its visual cohesion, created by the rapid construction of almost all Contributory houses in the space of less than 10 years, as well as by the development of many rows of identical houses by a small group of local builder-developers. Appreciation of the rhythm of the roofs and chimneys is enhanced by the slight downhill slope from Riversdale Road. This cohesion is enhanced by the survival of typical 19th-century paving treatments (asphalt) and the use of bluestone for the kerbs and rear laneway. Its aesthetic significance is enhanced by a number of fine double-fronted Italianate houses which have a higher than average level of decorative detail and intactness, including 7 Avenue Road, and 7, 11, 13, 14, 32 and 36 St Johns Avenue, as well as the notable late Federation Bungalow at 48 St Johns Avenue. (Criterion E).
**17 Avenue Road**

17 Avenue Road is graded as contributory within the St Johns Wood and Sage Paddock Precinct.

Submitter 87 submitted that his property was not of significant interest because there would be "hundreds of better examples of double fronted Victorian properties within Boroondara." He added that several modifications had been made to the front of the building and he questioned the selection criteria that identified his house.

Ms Schmeder’s evidence was that she had considered the alterations to the front verandah of 17 Avenue Road which is why the “house was graded as contributory and not higher”. She added:

> Despite the loss of the verandah posts and cast-iron frieze, the house is still clearly recognisable as a Victorian Italianate dwelling through such things as its massing, roof form, chimneys, eaves brackets, ashlar-block timber cladding, front door and front windows.

> I should also note that, while not correct from a historical viewpoint, the new turned timber posts and reproduction cast-metal frieze now seen at 17 The Avenue are sympathetic and help retain the visual integrity of the streetscape.

> In my profession opinion, this is very far from a Non-contributory house, as it makes a clear contribution to the important Victorian Italianate character of the precinct.
37 Avenue Road

37 Avenue Road is graded as contributory within the St Johns Wood and Sage Paddock Precinct.

Submitter 5 submitted that his house was made of timber and termite infested. He argued that the Heritage Overlay was arbitrary and that he could not extend or renovate.

Ms Schmeder informed the Panel that routine maintenance of a timber property that does not change the appearance does not require permission under the Heritage Overlay. She stated:

*The property is a contributory graded building constructed in 1887. While the area may be affected by termites, this is not a matter of concern to whether the property is recommended for the Heritage Overlay. In particular, no evidence has been presented to demonstrate that ‘demolition is an inevitable outcome’ for this building.*

(iv) Bellett Street Precinct (HO731)

<table>
<thead>
<tr>
<th>Statement of Significance Bellett Street Precinct</th>
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<tbody>
<tr>
<td><strong>What is Significant?</strong></td>
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<tr>
<td>The Bellett Street Precinct, comprising 47-71 Bellett Street, Camberwell, is significant. While the southern half of Bellett Street existed since the 19th century, the northern half was only created by a 1921 subdivision of much of the land from the Riversdale Road-facing mansions Warrawee and Astolat. The subdivider, Samuel Whitehead, placed a restrictive covenant on the lots, on both sides of Bellett Street, specifying freestanding houses with tile or slate roofs and brick walls, at a cost of no less than £750. The subdivision developed rapidly, with ten houses constructed between 1921 and 1925, and then one each in 1926, 1927 and 1933, giving the precinct a consistent character. Whitehead, recorded as a farmer in 1921, became a builder in the Boroondara area, and likely constructed his own home at no. 57 (Contributory). The Brown family also made a substantial mark on Bellett Street. David Austin Brown (no. 69) and his parents, Emma and James Brown (no. 71), were the first people to purchase allotments from Samuel Whitehead. Another son of Emma and James Brown, Clifford Willis Brown, was the designer-builder of five distinctive houses in the precinct: his own house at no. 67, those for his parents and brother, as well as two others (nos. 47 and 65). Clifford Brown advertised frequently in the late 1920s and early 1930s, indicating that he was both a designer-builder and a small-scale property developer in the Camberwell area. Remaining houses are of contributory significance to the precinct. The curved street alignment and the mature camphor laurel trees also contribute to its significance.</td>
</tr>
<tr>
<td><strong>How is it significant?</strong></td>
</tr>
<tr>
<td>The Bellett Street Precinct is of local historical, architectural and aesthetic significance to the City of Boroondara.</td>
</tr>
<tr>
<td><strong>Why is it significant?</strong></td>
</tr>
</tbody>
</table>
| Historically, the precinct illustrates the influence of the electrification of the tramways and railway on the subdivision and development of housing in Camberwell during the interwar period, which spread north, east and south from Camberwell Junction during this period. While the southern half of Bellett Street, between Camberwell Road and King Street, was created during the 19th century, the northern part was only created by a 1921 subdivision. This part of the street demonstrates the curved street form that was lauded by town planners in the early 20th century, made necessary here to bypass the rear of Victorian mansions Astolat and Warrawee. The houses designed and built by...
builder Clifford W Brown, at 47 and 65-71 Bellett Street also demonstrate the role of craftsman-builders on the creation of Boroondara’s interwar character, as they designed and built high-quality housing that transcended the typical styles of their era, adding visual interest and variety to the streetscapes. (Criterion A)

Architecturally, the houses in the precinct are representative of styles popular during the 1920s and early 1930s, including accomplished examples of Attic Bungalows, Arts & Crafts Bungalows and California Bungalows, as well as the Georgian Revival, all of which exhibit a high level of intactness. They also represent the high quality of construction, with brick walls and slate or tile roofs, specified by subdivider and resident Samuel Whitehead’s restrictive covenant on the housing lots, which was typical for residential development interwar in Camberwell. (Criterion D)

Aesthetically, the precinct is significant thanks to the picturesque curved street, surviving camphor laurel trees, the consistency of garden setbacks, and the survival of many original fences. The group of houses designed and built by Clifford W Brown at nos. 65-71 recognisable by the distinctive chimney designs, with a variety of tapered concrete caps, often with tile details below or at the base of them. Truro of 1927, at no. 67, was designed by Brown as his home and is of Individual Significance for its French Provencal design with picturesque massing of projecting hip-roof rooms at the ground and first floor levels set against the very high main hip roof, and a prominent front chimney with curved buttresses. No. 71 of 1925, designed by Brown for his parents, is an Attic Bungalow also of Individual Significance for its picturesque massing and jerkin-head roof. (Criterion E)

Figure 8: Bellett Street Precinct
47 Bellett Street

47 Bellett Street Road is graded as contributory within the Bellett Street Precinct.

Submitter 40 submitted that one of the key limitations of the Camberwell Gap Study was that buildings were only inspected “externally and most often from the public domain only.” He stated that the building suffered from structural defects, that the stumps were rotten and the walls were cracking. He added that the building has been substantially altered from 2002 to 2005 which added front carports, a storage room, shed and rear extension.

Submitter 40 stated that:

*The designer-builder Clifford Willis Brown just built my original building but none of the Brown family has lived in my property which means that there is no historically connection with my property to historically persons.*

In addition, he stated that the Camberwell Gap Study:

*... claims that the Bellett Street Precinct has a very high level of intactness, including the retention of original masonry fences that harmonise with the houses they front, comparable or higher than in the existing interwar precincts in Boroondara.*

However, he argued that his house has no front fence and consequently the house is “not in significant design/feature/pattern in the description for Bellett Street Precinct.” He added that in September 1921 Samuel Whitehead subdivided the land, creating the north end of Bellett Street and the lots that are now numbered 36-50, 49-63 and 69-71 which sold between 1921 and 1925. Whitehead placed restrictive covenants on the house allotments to ensure high-quality development. He added that there is no “covenant in my property which is another fact to prove that my property is not in the same group of Bellett Street Precinct Heritage Overlay and should be excluded from it”.

Submitter 40 submitted that his house failed to meet Criteria A, D and E because it was the “least significant property in Bellett Street Precinct” and did not have “have covenants created by Samuel Whitehead to restrict brick walls and slate or tile roofs.”

Ms Schmeder stated that buildings were only inspected from the public domain because no internal controls were proposed and contributory houses are protected based on their appearance in the streetscape. She added:

*... the house at 47 Bellett Street is no less important than the many other contributory houses in the precinct. The houses in the Bellett Street Precinct are representative of styles popular during the 1920s and early 1930s, including accomplished examples of Attic Bungalows, Arts & Crafts Bungalows and California Bungalows. The precinct is also distinguished by the number of eclectic designs by designer-builder and resident Clifford W Brown, and 47 Bellett Street is the final example of his work in the precinct.*

She acknowledged that the Brown family did not live in the house, but it was the final house constructed by that builder (Criterion A). She added that it is “a representative design of the 1930s, with the same high-quality tiled roof and masonry walls as the rest of the houses (Criterion D).”
(v) Camberwell Links Estate Precinct (HO732)

**Statement of significance Camberwell Links Estate Precinct**

**What is Significant?**

The Camberwell Links Estate Precinct, comprising 1-17 & 2-18 Christowel Street; 638-646 Riversdale Road; 2A-18 Westbourne Grove and 1A & 2-14 Stodart Street, Camberwell, is significant. The Camberwell Links Estate Precinct comprises a relatively wide selection of houses, both in terms of period of construction (1915-1930s), and a variety of substantial residences built in interwar styles. The combination of straight and curved streets, the garden settings and the row of Bhutan cypress (Cupressus torulosa) along Westbourne Grove are all of significance, giving the precinct a characteristic interwar character.

**How is it significant?**

The precinct is of local historic, architectural and aesthetic significance to the City of Boroondara.

**Why is it significant?**

Historically, the Camberwell Links Estate Precinct illustrates the influence of the electrification of the tramways and railway on the subdivision and development of housing in Camberwell during the interwar period. The railways and tramways were essential to suburban development, this is exemplified in the Camberwell Links Estate, which has a close proximity to both the tram and railway line. The cypress row along Westbourne Grove, planted to screen the railway line from the new housing, is of contributory significance as a historic link to the housing development of the precinct. The Camberwell Links Estate also demonstrates the suburban growth and subdivisions made possible by the easing of bank finance and the existence of loan schemes in the interwar period. As such the precinct shows a strong expression from Camberwell’s major growth period. (Criterion A)

The Camberwell Links Estate is highly representative of the interwar era of the mid-1910s to the late 1930s, showing excellent examples of architectural styles of the period, including Arts and Crafts Bungalows, but also Californian and Attic Bungalow styles with some Old English, Spanish Mission and Moderne examples. With most development occurring during the early to mid-1920s, the character of the precinct is derived from the high level of integrity of its houses in garden settings. The precinct is also representative of the inter-war suburban development, where the combination of curved and straight streets, was popular among town planners in the early 20th century. (Criterion D)

The Camberwell Links Estate Precinct is of aesthetic significance as a collection of houses with a high level of intact decorative detail, especially among the Arts and Crafts, Attic and Californian Bungalows. Elements of high aesthetic value include the garden settings, original fences, complex roofs, tall chimneys, leadlight windows, porches and balustrades and the consistent use of contrasting materials such as roughcast render, timber, terra cotta tile and shingles with red brick. The streetscape is enhanced by the combination of curved and straight streets and generally consistent setbacks. The row of mature Bhutan cypress (Cupressus torulosa) along Westbourne Grove form a significant landscape element in its own right.

Individually Significant houses in the precinct have significant aesthetic characteristics described below:

The Individually Significant houses within the precinct have their own aesthetic significance. 8 Christowel Street is a Federation/Arts and Craft Bungalow with decorative quoining brick work and a roughcast front and side gable. The tapered roughcast chimneys with terracotta chimney tops are common within the Arts and Crafts style. The combination of the materials red brick, roughcast, and terracotta tiles create visual interest.

The Attic Bungalow at 2 Stodart Street is a substantial example of the eclectic and irregular form of the Arts and Crafts style. Although overpainted, the contrasting materials, roughcast, brick and...
timber shingles are still visible. The Arts and Crafts details are also noticed in the corner buttressing and the tall engaged chimney.

12 Stodart Street has an impressive hip roof with flaring hips, giving the house much of its height and Oriental character. The roof is clad with terracotta shingles and a smaller pyramidal roof over the central front porch mirrors the main roof. Soaring chimneys with quarter turned shafts sit on either side of the house, adding to the impressive roof height. The house is architect designed, however the architect is unknown.

14 Stodart Street is a fine example of the Old English style with overlapping gables, a steeply pitched roof and decorative half-timbered details. The aesthetic details of the style are also evident in the stepped chimney, original clinker brick fence, and vertical gable vent detail. **(Criterion E)**

**Figure 9: Camberwell Links Estate Precinct**

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**16 Christowel Street**

16 Christowel Street is graded as contributory within the Camberwell Links Estate Precinct.

Submitter 70 submitted that she had been advised that purchasers of her house would only be interested in the land and not the building. She added that the house needed renovation and that any purchaser would prefer a new home.

Ms Schmeder’s evidence was that the house at 16 Christowel Street was “an intact example of an attic-storey Arts & Crafts bungalow built in 1925”. She added that it “clearly
contributes to the significance of the precinct as one of a number of such bungalows that characterise the precinct.”

642 Riversdale Road

642 Riversdale Road is graded as contributory within the Camberwell Links Estate Precinct.

The owners (submission 77) opposed the inclusion of their property in a new heritage precinct and the application of the Heritage Overlay. They argued that the Camberwell Gap Study did not establish the significance of the place and did not satisfy five of the eight HERCON criteria.

With respect to Criterion A, Submitters 77 argued that the Camberwell Gap Study provided:

... little more than cursory references to the estate being developed contemporaneously with the electrification of the railway and tramway, a reflection of the state of the home financing market at the time and to the Westbourne Grove Bhutan Cypress, as a justification for the historical significance of the estate.

They submitted that the Camberwell Gap Study did not provide any justification why the precinct was representative of the interwar period (Criterion D), particularly when the precinct displayed a large variety of different architectural styles. They submitted that in terms of Criterion E, the Camberwell Gap Study:

... does no more to justify the aesthetic significance of the estate that to provide a list of generic architectural features that are present on some properties within the estate but not others, again highlighting the lack of temporal and architectural representativeness of the estate, which in turn contributes to its lack of significance for the purpose of the practice note.

Submitters 77 added that their property at 64 Riversdale Road had been altered in the 1970s and these alterations included:

- a carport and garaging which is visible from the street
- extensions to both sides which is visible from the street
- a large rear extension

They added that substantial alteration was the justification “for 4 Christowel Street (built in 1920) being afforded a non-contributory grading.”

With respect to Criterion A, Ms Schmeder stated:

Historic significance is a concise analysis of the factors that have influenced the development of the Camberwell Links Estate, which is consistent with other precincts in Boroondara. It demonstrates suburban expansion - part of the course and pattern of growth and development in Boroondara.

Her evidence was that the section of Riversdale Road within the Camberwell Links Estate is “reflective of the development within the rest of the precinct” consisting of interwar housing styles, from 1915 to 1935. The property at 642 Riversdale Road, built in 1924, is constructed in the middle of the precinct’s development phase. She added the “three houses at 640, 642 and 644 Riversdale Road are related stylistically and represent variations of bungalows”.
Ms Schmeder stated that the alterations to the house at 642 Riversdale Road, that were visible from the public realm, were sympathetic with its character whereas the non-contributory house at 4 Christowel Street had “been painted and the front windows altered making it less legible as a house of this period.”

646 Riversdale Road

646 Riversdale Road is graded as contributory within the Camberwell Links Estate Precinct.

Submitter 3 submitted that she did not agree that “the varying housing styles in this nominated precinct are collectively a cluster of significant property styles, or that they exhibit a high level of intactness.”

She added that there were not enough significant buildings in the precinct grouping to be of local significance.

Ms Schmeder argued that the Camberwell Links Estate Precinct had a coherent character like comparable precincts in the Heritage Overlay. She added:

*It is not necessary for a precinct to have any individually significant places to be considered as a precinct, however, the Camberwell Links Estate has four graded Significant places and there are examples of precincts in Boroondara that have none.*

(vi) Harley Estate and Environs Precinct (HO735)

The statement of significance for the Harley Estate and Environs Precinct is contained in section 4.7. The following description is taken from the citation.

This precinct contains two areas of interwar residential development: development along Cooloongatta Road (and the north side of Gowar Avenue) which began in the 1920s, and a distinct 1930s development at the south ends known as the Harley Estate.

The houses in the subject precinct in Cooloongatta Road were constructed by individual builders from 1925 in the Camberwell Estate on land most likely released in 1921 and 1924. Most houses at 28-56 Cooloongatta Road were built by 1930, with houses at 62-90 Cooloongatta Road mostly dating from the period 1927-37 (BP various). Houses at 31-63 Cooloongatta Road were built in the period c1930-37, with some residences constructed in the 1950s and early 1960s to replace earlier houses.

Generally, the intactness of the houses within the precinct is very high. The most dramatic alteration has been construction of double-storey extensions to several the single-storey dwellings (45, 46, 51, 64 & 73 Cooloongatta Road; and 1 Gowar Avenue), but the original proportions and roof forms are still legible as most sit back from the ridgeline.

Harley Estate is significant as an example of an unusual interwar employer-sponsored housing development in Boroondara. Architecturally, the houses in the precinct are fine examples of styles popular during the 1920s and the 1930s, including California Bungalow, Art Deco, Tudor Revival/Old English, and Georgian Revival.
32 Cooloongatta Road

32 Cooloongatta Road is graded as contributory within the Harley Estate and Environs Precinct.

Submitter 41 submitted that the application of the Heritage Overlay would limit his ability to alter the front of the house which would result in “multiple steps, therefore no room for wheelchair access and makes access for elderly people extremely difficult”. He added that it would prevent the future redevelopment of the property to create additional dwellings.

43 Cooloongatta Road

43 Cooloongatta Road is graded as contributory within the Harley Estate and Environs Precinct.

Submitter 20 submitted that the Camberwell Gap Study had been approached from the “perspective of identifying the maximum number of properties across Camberwell that could be added to a Heritage Overlay.” This is explicit in the description of the approach to the study.
He added that the Harley Estate was not a coherent precinct “but rather has two or three houses of each of multiple styles, with many of the houses having been redeveloped, extended or otherwise modified over the years”.

He described the houses around his property as:

... number 41 is a modern, architect-designed house, number 43 is a California bungalow with a 1990s extension, number 45 is a McMansion with probably twice the internal floor space of any of the other nearby houses, number 47 is a completely different style brick property, number 49 is described as ‘the quirkiest example’, etc. Directly across, number 46 has been demolished and rebuilt in the last two years and is now huge.

58 Cooloongatta Road

58 Cooloongatta Road (Camberwell Methodist Church) is graded as contributory within the Harley Estate and Environs Precinct.

Submitter 76 advised the Panel that the Camberwell Methodist Church is “a growing faith community and requires more space for expansion in the future.” The application of the Heritage Overlay would limit the Church’s capacity to physically grow and meet the needs of its congregation. In turn this would limit the Church’s ability to meet the needs of the local community.

60 Cooloongatta Road

60 Cooloongatta Road is graded as non-contributory within the Harley Estate and Environs Precinct.

Submitter 1 submitted that “there are few if any houses on Cooloongatta Road that are of any significance.” He added that any new development would be scrutinised and not approved if inappropriate.

84 Cooloongatta Road

84 Cooloongatta Road is graded as contributory within the Harley Estate and Environs Precinct.

Submitter 62 submitted that the Camberwell Gap Study did not demonstrate that “the heritage significance of the Harley Estate and Environs Precinct extends beyond the Harley Estate itself.” He added that boundary of the Environs is not adequately explained or justified.

He added that an “investigation of the Environs would demonstrate that most of the dwellings have undergone alterations and that many of the front fences are in fact not original or are simply more recent reproductions”. He argued:

There is no doubt an interesting history to the subdivision and suburban development of Camberwell. However, it is not a history that is consistently reflected in the architecture and construction of the buildings in the Environs. The real history is in the subdivision pattern of the area along with the historical documents such as the old estate advertisements reproduced in the citation. The appropriate place to document and celebrate this history is in an
historical record, not in development regulation. If this analysis in the citation justifies the application of the Heritage Overlay to the Environs, then most of Boroondara would also be included, along with most of Melbourne’s middle suburbs within cooee of a train station.

76 Fordham Avenue

76 Fordham Avenue is graded as contributory within the Harley Estate and Environs Precinct. Submitter 2 submitted that the house did not have heritage value and that the brickwork was loose and weak and the building should be demolished. The Heritage Overlay would force the owners to renovate the building at a considerable cost.

Ms Schmeder advised the Panel that the Council’s heritage policies discourages full demolition of a contributory building but did not prohibit the redevelopment of the land. She stated:

The goal of the Camberwell Heritage Gap Study was to identify as many individual properties and areas (precincts) that are of a quality to be of local heritage significance. This means that they are individual properties or streetscapes that are an above-average illustration of that which makes Camberwell special. Overall, only a very small percentage of the buildings and streetscapes in the suburb have been identified as such by the Camberwell Gap Study, as many areas have undergone extensive redevelopment and what were once large areas of cohesive interwar housing has been fragmented to the point where it does not meet the required threshold.

Her evidence was that this part of Cooloongatta Avenue and the Harley Estate was “one of the most intact and cohesive areas of surviving interwar residential development identified in the suburb”. In response to the description of the houses around 43 Cooloongatta Avenue, she observed:

- 41 Cooloongatta Road – graded non-contributory as it is a modern house
- 43 Cooloongatta Road – the 1990s extension is not visible from the street, so does not diminish its contributory status in any way
- 45 Cooloongatta Road – this is not a French Provincial house, but a 1930s Art Deco house with an upper-storey addition
- 47 Cooloongatta Road – an intact and attractive example of the Old English style, common in the 1930s. This is an excellent example of a contributory dwelling
- 49 Cooloongatta Road – a 1930s Art Deco house which is intact and distinguished by a semi-circular porch with scalloped parapet. This is an excellent example of a contributory dwelling
- 46 Cooloongatta Road – this is a 1920s bungalow that has a large new rear addition (clearly visible due to its corner site) and changes to the façade (such and new front door and rendered walls). As it still retains its typical California Bungalow front section, it is judged to make a contribution to the precinct.
She added that 18 percent of the precinct was graded as non-contributory and this did not shape the overall character of the area.

Ms Schmeder noted that only the 1933 original Methodist Church was graded as contributory in the citation and stated that this should provide scope to plan for the redevelopment of the site.

(vii) Hassett’s Estate and Environs Precinct (HO191)

The statement of significance for the Hassett’s Estate and Environs Precinct is contained in section 4.8. The following description is taken from the citation.

Hassett's Estate (or Hassett’s Paddock Estate) is, with the Golflinks, Sunnyside and Riverside Estates, one of the most expressive of the post First War era residential areas. Sold in three sections, the first (Catherine, Elphin, Quantock, Riversdale) was declared in 1920 by H. Parsons, while the rest followed four years later, being the eastern section of the estate (Lodged Plans 8325, 10331).

Historically the estate exemplifies the high-quality estates of the eastern suburbs, many of which were designed around the new transport facilities provided by electric tramways.

**Figure 11: Hassett’s Estate Precinct extension**

2A Elphin Grove

2A Elphin Grove is graded as contributory within the Hassett’s Estate and Environs Precinct.

Submitter 73 submitted that the Heritage Overlay should not apply to his property because of its “location on the main road, the absence of historical characteristics of the buildings”.

Ms Schmeder stated:
While I agree that this type of dwelling is typical of its era and would not be individually significant in Boroondara, it is the type of dwellings that is contributory in the Hassett’s Estate Precinct currently, and the type of dwellings recommended to be added to this precinct. Together, the many contributory dwellings in the existing precinct and the extension form a place that is significant and warrants protection in the Heritage Overlay.

697 Riversdale Road

697 Riversdale Road is graded as contributory within the Hassett’s Estate and Environs Precinct.

Submitter 17 submitted that a significant reason in his purchase of the property was that it was not in a Heritage Overlay. He added that is property was on a main road and a tram line where the State Government encouraged more intensive redevelopment. He informed the Panel that he had made several alterations and additions to the dwelling which were inconsistent with the Heritage Overlay.

Ms Schmeder’s evidence was that she considered the alterations to the building visually intrusive, but the original roof form of the house was still legible.

Moreover, the remaining design features of the house are intact, including the roughcast rendered walls with decorative clinker brick quoins to corners and the front door, the overall transverse gabled roof form as well as the two minor gables facing the street, both finishes in timber shingles, and the box-framed timber sash windows.

701 Riversdale Road

701 Riversdale Road is graded as contributory within the Hassett’s Estate and Environs Precinct.

Submitter 46 submitted that the Heritage Overlay “would significantly diminish the value of the property, financially and personally with building restrictions”. She added that the building is in disrepair and her intention was to redevelop the site for three dwellings, given its location on a tram line.

Ms Schmeder stated that this bungalow with Tudor Revival details and a columned front porch is highly intact as viewed from Riversdale Road. She added:

The structural integrity and maintenance issues of a building are not matters for consideration in heritage assessments. The assessment is focussed on intactness of a building as viewed from the public realm. This includes the extent of external alterations to a building which may result in a building being graded.

707 Riversdale Road

707 Riversdale Road is graded as contributory within the Hassett’s Estate and Environs Precinct.
Submitter 21 opposed the application of the Heritage Overlay because it would impact on the value of his property. He informed the Panel that he is currently selling the property and the Heritage Overlay “would make it near impossible” to sell.

Ms Schmeder stated the house:

… is part of a consistent row of 1930s dwellings, bordered by 1920s buildings, on the north side of Riversdale Road. These are the same kind of dwellings that are contributory in the existing area of HO191 Hassett’s Estate Precinct. No. 707 is clearly of the intactness, style and built-era to be contributory to the enlarged precinct.

710 Riversdale Road

710 Riversdale Road is graded as contributory within the Hassett’s Estate and Environs Precinct.

Submitter 23 submitted that he purchased the property without a Heritage Overlay and paid a premium for that. He argued that the Heritage Overlay will devalue his property.

Ms Schmeder’s evidence was:

This is part of a semi-detached pair with 708 Riversdale Road built in 1938. Walls are of brick with a band of render beneath the eaves, and a complex tiled hipped roof. Both halves of the pair are highly intact as viewed from Riversdale Road.

720-724 Riversdale Road and 1D Cooloongatta Road

720-724 Riversdale Road is graded as contributory within the Hassett’s Estate and Environs Precinct.

Submitter 75 submitted that the commercial use of the building as a café may conflict with the provisions of the Heritage Overlay. He argued that the age and condition of the buildings meant that substantial alterations were required to bring it up to a modern commercial standard.

Ms Schmeder stated that there are a number of Victorian, Edwardian and interwar commercial buildings that house successful businesses and “there is no inherent contradiction between protection in the Heritage Overlay and food-service regulations”. She added that a planning permit can be obtained for alterations to the building which would deal with accessibility issues. She observed that “compromises between disabled access and heritage can typically be found”.

(viii) Hampton Grove Precinct (HO734)

The statement of significance for the Hampton Grove Precinct is contained in section 4.9. The following description is taken from the citation.

Wattle Valley Road contains notable examples from the Victorian and Edwardian Era, such as HO418, 125 Wattle Valley Road, ‘Warrambine’, built in 1892, and the Federation Villa at no. 134 Wattle Valley road, ‘Redcourt’, both depicted on the 1927 MMBW plan.
The building permit for 128 Wattle Valley Road was granted in 1934, built by L. R. Whitehead for owner and first occupant William J. McDonald. The estimated cost was £1240 pounds. L. R. Whitehead also constructed no. 660 Riversdale Road (HO402) in 1938.

128 Wattle Valley Road

Barretts Lawyers (submission 96) on behalf of the owners submitted that the owners, at the time of signing the contract to purchase the property, were not made aware of the interim Heritage Overlay. Consequently, the owners now require a planning permit to demolish the building.

(ix) Milverton Street Residential Precinct (HO737)

<table>
<thead>
<tr>
<th>Statement of significance Milverton Street Residential Precinct</th>
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<tbody>
<tr>
<td><strong>What is Significant?</strong></td>
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<tr>
<td>Milverton Street Precinct, 17-35, 20-36 Milverton Street, Camberwell subdivided as part of the Highfield Estate c.1925-6 and developed between 1927 and 1942 is significant. The houses within the precinct are developed by 1937.</td>
</tr>
<tr>
<td><strong>How is it significant?</strong></td>
</tr>
<tr>
<td>Milverton Street Precinct is of local historic, architectural and aesthetic significance to the City of Boroondara.</td>
</tr>
<tr>
<td><strong>Why is it significant?</strong></td>
</tr>
<tr>
<td>Milverton Street Precinct is historically significant as part of the former Highfield Estate with allotments of 3, 5, 7 and 10 acres around the Highfield farmhouse (situated at 150 Highfield Road), put up for sale between 1886 and 1927. Bounded by Riversdale Road, Warrigal Road, and Toorak Road, Highfield Estate was, like many other estates in Camberwell, created from the subdivision of farmland. Created in 1925-26, Lockhart Street is part of the last subdivisions of the Highfield Estate with the development of individual lots proceeding apace from 1927 until the completion of the street in 1942. <em>(Criterion A)</em></td>
</tr>
<tr>
<td>Milverton Street Precinct represents a typical but relatively intact street from the interwar period, developed within a relatively short 10-year period and comprising mainly modest Californian Bungalows, some of which have been built from the standard designs issued by the State Savings Bank. As well as typical bungalows in timber and in brick, Milverton Street Precinct demonstrates several late interwar styles including a two storey ‘austerity’ example at number 20 and a rendered duplex with typical brick patterning at number 33-35. <em>(Criterion D)</em></td>
</tr>
<tr>
<td>Milverton Street Precinct is aesthetically significant for its shaded setting provided by the street plantings of Pin Oaks trees (Quercus palustris), although the trees do not form a highly consistent avenue, having been variously pruned. Milverton Street Precinct is aesthetically significant for its consistent palette of materials and building elements such as porches with pillars or piers, gabled (both transverse and front facing), and hipped roofs, and use of clinker brick and render, timber and terra cotta tile. Fine examples of Californian Bungalows include numbers 26 and 34 with a later example at number 21. The street is enhanced through the use of generally low fences in hedging, brick, stone, timber and occasionally, woven wire. <em>(Criterion E)</em></td>
</tr>
</tbody>
</table>
Richard and Jeanette Fone (submission 80) submitted that they did not support the application of the Heritage Overlay to Milverton Street. They argued that the heritage value of the precinct was unclear because “most of the houses have been classified as having contributory heritage significance, is a short section of an unremarkable sidestreet containing residential houses most of which have been extended or otherwise modified.”

They added that the original streetscape was one of mostly modest single storey weatherboard homes. They concluded:

> Given the very loose concept of heritage that has clearly been applied in this Heritage Gap assessment, it would be easy to conclude that a key driver of the Heritage Overlay concept is simply to keep developments out of as many areas as possible, using “heritage value” as a pretext. We hope this is not the case.

Ms Schmeder’s evidence was:

> The Milverton Street Precincts and others recommended for inclusion in the Heritage Overlay have been assessed with a rigorous methodology and can justifiably be recommended for inclusion in the Heritage Overlay.

### 5.2 Individual buildings

#### (i) The issues

The properties discussed in this section were graded as individually significant and are not part of a precinct. The issue for each of these properties, is whether the proposed grading of the building and the application of the Heritage Overlay is appropriate.
(ii) 576 Riversdale Road, Camberwell (HO723)

Statement of significance Hatfield Flats 576 Riversdale Road Camberwell

What is Significant?
The flats complex was designed by architect F. Scott Mackay for owner Lilian Cassidy. It was constructed in stages with the main, three-storey, wing on the east side of the site built in 1935-36. Mackay also designed the western wing of 1939. While the original plans show a three-storey extension, it was built as just two storeys, creating a symmetrical composition with the two-storey eastern wing.

The flats building, constructed in the 1930s, is significant. The associated front fence, and garages are contributory.

How is it significant?
Hatfield Flats is of local historical, architectural and aesthetic significance to the City of Boroondara.

Why is it significant?
Hatfield Flats illustrates the slow penetration of flats into the City of Camberwell during the interwar period, development which was resisted by planning laws which sought to preserve its expansive suburban character. There were very few flats built in the area in the 1920s, but the depression of the 1930s resulted in a need for higher density living, and flats were introduced to Camberwell, mainly along the main thoroughfares such as Riversdale Road. While many flats buildings of the 1930s were quite small and designed to appear like single-family homes, Hatfield Flats represents a fully-fledged flats design which is clearly recognisable as such, but which seeks in its stepped design to minimise its visual impact on the surrounding streetscape as well as provide a high level of amenity to the occupants. (Criterion A)

Hatfield Flats is a highly intact and well-detailed example of an interwar flats building in an eclectic mixture of the Moderne and Georgian Revival styles. The 1935 eastern and central wings demonstrate typical features of the Moderne, including the use of contrasting clinker brick and render to the walls, horizontal speed lines to solid balconies and horizontal glazing bars to windows, which is balanced by a number of vertical elements such as the parapeted stair tower. (Criterion D)

Hatfield Flats is distinguished by its skilful planning and massing, and by its idiosyncratic design elements typical of F. Scott Mackay’s designs. In plan, the flats comprise five linked pavilions that form an irregular ‘V’ in plan, with the higher three-storey pavilions set deep into the centre of the site to diminish their impact on the streetscape. There are numerous setbacks to the façade which provided a sense of privacy to each balcony and access to light and air for each flat. The design is enlivened by Mackay’s idiosyncratic vertical projecting bays and towers. The retention of the original dwarf brick front fence and rear garages enhance the setting of the flats building. (Criterion E)

Glossop Planning on behalf of the owners raised concerns about the inclusion of the caretaker’s cottage and garages in the Statement of Significance. This submission was supported by a Memorandum of Advice prepared by Nigel Lewis Pty Ltd.

Glossop Planning added that:

…it should be noted that the flats at the front of the site were built in two stages. The first stage (Flats 1 to 8) were constructed as per the architect Frederick Scott Mackay’s original plans as a three storey building featuring numerous design embellishments representative of the era in which it was constructed, whilst the second stage (Flats 9 to 12) was a pared down design which was constructed as a double storey building and is of a simpler appearance in comparison with the first stage. We consider that the first
stage is of greater heritage significance than the second stage, and believe that the Statement of Significance should be amended to reflect this.

Nigel Lewis Pty Ltd expressed the opinion that the “Heritage Gap Assessment citation for this property has provided a thorough and well-argued case”, and that the comparative analysis provided a clear justification for the listing and inclusion in the Heritage Overlay. However, the conclusion reached in this submission was that:

The Statement of Significance should be amended to more accurately reflect the eclectic style. The lower level of significance of the 1939 wing (Flats 9-12), as well as the rear garages and caretaker’s cottage should also be noted.

This may allow for the replacement of the garages and caretaker’s cottage, and further development at the rear of the site. An addition to the 1939 block may also be possible, subject to retaining the significant sections visible from Riversdale Road including the roof.

Ms Schmeder agreed with this submission and stated that while the garages were only partly visible form the street and were not significant, they were a contributory element of the site. Her evidence was:

The caretaker’s residence has been remodelled a number of times. The photo provided in the submission confirms that the 1957 alterations, documented in the Building Permit, have been carried out and that they obliterate most of the 1930s character of the dwelling. On this basis I consider it reasonable to downgrade the caretaker’s residence to Non-contributory, noting this in the Statement of Significance and removing it from the recommended Outbuilding Controls in the HO Schedule.

(iii) 927 Toorak Road, Camberwell (HO726)

**Statement of significance 927 Toorak Road, Camberwell**

**What is Significant?**

The dwelling and fence of 927 Toorak Road, Camberwell is significant to the City of Boroondara as an interwar dwelling constructed in 1925 for the Lum family.

**How is it significant?**

927 Toorak Road, Camberwell, is of historical, architectural and aesthetic significance to the City of Boroondara.

**Why is it significant?**

927 Toorak Road is historically significant as it demonstrates the growth and residential development of Camberwell during the interwar period. *(Criterion A)*

927 Toorak Road is architecturally significant as an intact example of a transitional interwar bungalow that successfully combines the characteristics of the earlier Federation Queen Anne with the later Californian Bungalow style to produce an interesting interwar dwelling type. As an intact California Bungalow, the dwelling is an example of the influence of aspects of American life and culture, mixed into the Australian context. *(Criterion D)*

The building is aesthetically significant for its adoption and successful use of rocked-face concrete stonework, unusual to Californian Bungalows within the municipality. *(Criterion E)*
Submitter 79 opposed the inclusion of this property in the Heritage Overlay because it was “not that well maintained and there are a few similar houses built by the same builder”. He added that the building would be an eyesore.

Submitter 90 submitted that the house was “completely run down and is extremely unattractive for the area.”

Mr Stephenson’s evidence was:

In response to the condition matter, the site visit found that the dwelling appeared to be in good condition but identified that repair works would need to be undertaken to the front boundary wall to the joints and the need to arrest the deterioration of the rock-faced concrete blocks. Whilst the condition was noted in the citation, the heritage assessment did not, nor does it have to, consider issues of structural integrity or maintenance costs of the land.

He added that through the assessment process and the comparative analysis, the dwelling was determined to demonstrate historical, architectural and aesthetic significance. Whilst detailed in the citation, he summarised it as:

- **Historically** the property demonstrates the residential growth of Camberwell during the interwar period, which attracted a class of society who desired homes that adopted emerging architectural styles and individual architectural expression in picturesque settings.
- **Architecturally**, the property is identified as a notable and intact example of a transitional dwelling that successfully combines the characteristics of the earlier Federation Queen Anne style with the later Californian Bungalow style to produce an interesting interwar dwelling type. It is also an example of the influence of aspects of American life and culture, mixed into the Australian context that is delivered through the Bungalow style.
- **Aesthetic significance** is derived from the combination of materials not commonly seen in the municipality. The key component that this refers to is the unusual use of rock-faced concrete blocks that across the property which creates a unified aesthetic.

### (iv) 30 Hunter Road Camberwell (HO720)

**Statement of significance 30 Hunter Street, Camberwell**

**What is Significant?**

The dwelling at 30 Hunter Road, Camberwell is significant for a picturesque two storey Old English style dwelling constructed in 1936.

**How is it significant?**

30 Hunter Road, Camberwell is of local historical, architectural and aesthetic significance to the City of Boroondara.

**Why is it significant?**

30 Hunter Road is historically significant as it demonstrates the popularity of the Old English style during the interwar phase of residential development in Camberwell. (Criterion A)
30 Hunter Road is architecturally significant as a fine and intact representative example of Old English style domestic architecture. The dwelling embodies the principal characteristics of the style through its large asymmetrical massing and set of well executed detailing. It is characteristic of the class of residences designed and constructed for its location for owners that had the means to adopt emerging styles and display their affluence in an emerging suburb. **(Criterion D)**

30 Hunter Road is of aesthetic significance for its demonstration of the Old English style with individual characteristics. The details seen in the gables, brickwork and openings demonstrate the skill of the design through the successful composition of the gable and tower forms. The northern gable and its intersection with the main two-storey form creates a layering of the façade and gives prominence to the gabled form contributing to its picturesque form. Of particular note are the distinctive double height window openings on the north-western corner aspect of the building, which add to the stylistic quality of the dwelling, while displaying the function of an internal space. **(Criterion E)**

The owners (submission 99) submitted that they opposed the proposed external paint controls on their property, particularly when this level of control did not apply to other properties.

Mr Stephenson’s evidence was:

External Paint Controls have been applied to the property to ensure any proposed change in colour to the exterior does not diminish its aesthetic significance. The property has been identified to be a fine and intact example of a picturesquely-composed house in the Old English revival style. The Old English style derives its aesthetic interest from the English Arts and Craft Movement that is characterised through details such as half timbering of upper storeys and gables, exposed brickwork and contrasting roughcast render. The combination of the detailing to this dwelling is not seen on other examples put forward in the Amendment. To conserve and enhance the significance of the heritage place it is important to protect the unpainted brickwork, the dark colour of the half-timbering detail and maintain a contrast between the render and the timber / brickwork to ensure any proposed colour placement is appropriate to the traditional character of the dwelling.

He concluded that the detailing on this dwelling was not seen in other examples and that it was important to maintain the render and half-timber detailing.

**5.3 Properties not part of the Amendment**

A number of submissions, including those from Gerard Williamson and Stephen Whiteside, argued that the following buildings which were not included in the Amendment, should be included in the Heritage Overlay:

- 570 Riverdale Road
- 612 Riversdale Road
- 620 Riversdale Road
- 634 Riversdale Road
- Commercial strip 1114-1128, 1121-1149 and 1154-1172 Toorak Road
- 721B-737 Burke Road
- 540-542 Riversdale Road
• 25 Prospect Hill Road
• Fairholm Grove (west)
• 36-48 and 11 and 15 and 10-18 Bellett Street
• 107 Burke Road.

5.4 Discussion

The Panel has generally adopted Ms Schmeder’s and Mr Stephenson’s evidence. As discussed in Chapter 3 above, the Panel found that the Camberwell Gap Study was a sound piece of work and included a suitable and robust methodology for the identification of places and precincts for inclusion in the Heritage Overlay.

Several submissions referred to the loss of development opportunity, the defective structure of the dwelling or the financial hardship the application of the Heritage Overlay would impose. These matters are discussed in more detail in Chapter 6.

The primary role of the Panel is to assess the basis for the application of the Heritage Overlay. PPN01 provides the basis for that assessment. As observed above, the statements of significance for properties proposed for the Heritage Overlay and discussed in this Chapter are consistent with PPN01.

The Panel agrees with Council’s submission that the place and precinct citations are, with some minor corrections, detailed and thorough, and include a description of the historical context, comparative analysis and statement of significance and an assessment against the PPN01 criteria. In the absence of any evidence to the contrary the Panel finds Ms Schmeder’s and Mr Stephenson’s evidence compelling.

The Panel’s role is to assess the places and precincts exhibited as part of the Amendment. Some submissions recommended other places for inclusion in the Heritage Overlay. Indeed, some of the evidence presented to the Panel included extensive photographs of buildings that were not in the Heritage Overlay and were not proposed to be included as part of the Amendment. Many of these houses, on the basis of the photographs provided, appeared to be strong candidates for inclusion in the Heritage Overlay.

Whilst the Panel found that the exclusion of these buildings was curious, it is not in a position to make any further assessment and comment. As outlined in Chapter 3, the methodology employed by Council is accepted, thorough and robust and requires a considerable amount of inspection, research and assessment. The Panel is not in a position to consider other properties where a detailed assessment has not been provided to the Panel.

Because a number of submissions raised similar concerns the following matters are discussed in more detail in the following Chapter:
• impacts on property values
• restriction of development
• the structural integrity of a building.
5.5 Conclusions

The Panel concludes:

- That the Heritage Overlay, as proposed in the Amendment, is appropriately applied to the following properties:
  - 3 Acacia Street, Camberwell
  - 5 Acacia Street, Camberwell
  - 7 Acacia Street, Camberwell
  - 17 Avenue Road, Camberwell
  - 37 Avenue Road, Camberwell
  - 47 Bellett Street, Camberwell
  - 16 Christowel Street, Camberwell
  - 642 Riversdale Road, Camberwell
  - 646 Riversdale Road, Camberwell
  - 32 Cooloongatta Road, Camberwell
  - 43 Cooloongatta Road, Camberwell
  - 32 Cooloongatta Road, Camberwell
  - 58 Cooloongatta Road, Camberwell
  - 60 Cooloongatta Road, Camberwell
  - 84 Cooloongatta Road, Camberwell
  - 76 Fordham Avenue, Camberwell
  - 2A Elphin Grove, Camberwell
  - 697 Riversdale Road, Camberwell
  - 701 Riversdale Road, Camberwell
  - 707 Riversdale Road, Camberwell
  - 710 Riversdale Road, Camberwell
  - 720, 722, 724 Riversdale Road and 1D Cooloongatta Road, Camberwell
  - 927 Toorak Road, Camberwell
  - 30 Hunter Road, Camberwell

- the Heritage Overlay is appropriately applied to 576 Riversdale Road, Camberwell; however, the caretaker’s residence should be graded as non-contributory.

5.6 Recommendations

6. Grade the caretaker’s residence at 576 Riversdale Road, Camberwell as non-contributory and remove the outbuilding controls.
6 Other matters

6.1 Property values and financial implications

(i) The issue

The issue is whether any impacts on property values because of the application of the Heritage Overlay is a relevant consideration for the Panel.

(ii) Submissions

A number of submissions raised the issue of the impact of the Heritage Overlay on property values and the ability to sell a property. Council submitted that:

While Council acknowledges financial impacts may be considered if they overlap with, or translate into public economic effects, it submits the financial matters raised in the submissions are expressed on a site-by-site basis and not at a broader community level.

Council referenced several panel reports in its submission on this matter. In the Panel’s view, the most salient is the Panel report for Melbourne Planning Scheme Amendment C207 where the Panel concluded in relation to the application of section 12(2)(c) of the Act:

Where the social and economic effects raised in submissions are of a community nature, they may well be relevant matters.

Council informed the Panel that the Melbourne C207 Panel report and the consideration of economic effects was considered by Justice Garde in Dustday Investments Pty Ltd v Minister for Planning [2015] VSC 101. In response to extensive submissions from the Plaintiff, Justice Garde found that the Plaintiff had failed to show any legal error on the part of the Panel which heard Amendment C207 to the Melbourne Planning Scheme or the Planning Authority.

In relation to the question of social and economic effects, Justice Garde determined:

Where planning authorities are directed to consider conservation or heritage matters, or social and economic effects, consideration must inevitably be given as to the stage in the planning process that has been reached, and the nature of the consideration that is to be given to these matters or effects at that stage. The nature and level of information available at the rezoning or amendment stage will often be significantly less than that available at the permit stage. By the time of a permit application, much more detail is likely to be available as to the proposed use and development including development plans, building specifications, site information, expert reports and the like. At the permit application stage, the considerations the responsible authority is required to take into account include the matters listed in s 60 of the Act, the decision and comments of referral authorities and the considerations relevant to the application under the operative planning scheme.
Council concluded:

*Council submits in accordance with the above Panel reports and judicial authority, social and economic considerations of a personal or property-specific nature are not to be taken into account at the planning scheme amendment stage and may be considered at the time a planning permit is applied for.*

(iii) **Discussion**

The Panel was not presented with any evidence which demonstrated an individual or community economic effect of the application of the Heritage Overlay. Most of the submissions that raised economic effects had based that conclusion on the verbal advice of a local real estate agent, friend or colleague. These impacts were not quantified or tested and consequently the Panel is unable to form a view as to whether there is an effect, or the severity of that effect.

In addition, the Panel agrees with the view expressed by other panels that, with respect to section 12(2)(c) of the Act, the economic effects considered as part of an Amendment should be of a broader or community nature and not individual circumstances. The Panel acknowledges that the Amendment should deal with the significance of the place or precinct and whether it is suitable for inclusion in the Heritage Overlay. A permit application is the appropriate stage for the consideration of individual issues concerning the conservation, alteration, adaption or demolition of the place, including the economic implications for the individual concerned.

The Panel notes that the Explanatory Report for the Amendment states that Council has considered economic effects and concluded that the “amendment is not expected to have any adverse environmental or economic effects”.

(iv) **Conclusions**

The Panel concludes:

- individual or personal economic effects are not a matter for consideration by the Panel.

6.2 **Restricting development**

(i) **The issue**

The issue is whether the application of the Heritage Overlay restricts the development potential of a property and whether this is a relevant consideration for the Panel.

(ii) **Submissions**

Several submitters raised concerns that the Heritage Overlay would limit redevelopment opportunities and make altering and maintaining these properties too onerous.

Council acknowledged that “the Heritage Overlay introduces another layer of control for property owners by imposing additional permit triggers and relevant considerations to a future planning permit application”. Council submitted that its role is to ensure that those
places and precincts with the appropriate level of heritage value are recognised and appropriately managed.

Council argued that concerns relating to future redevelopment opportunities of heritage properties “are also immaterial to this stage of the planning process and more appropriately considered at the time a planning permit is applied for”.

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

(iii) Discussion

The argument that the application of the Heritage Overlay restricts the development potential of land is one that could equally be applied to several planning controls, particularly zones and overlays. The question that this concern raises is, just what is the development potential of the land? Any development is generally subject to a number of controls and requirements, each of which may reduce that absolute maximum level of development that a site can accommodate. Generally, the rationale behind the controls is the protection of the amenity and environment of the property and its neighbours, and that protection often requires restriction of development potential.

In effect, the Heritage Overlay is another element of the suite of controls that apply to the development of land. The Heritage Overlay does not preclude buildings and works or demolition. Nevertheless, Council’s heritage policy does not support the demolition of significant or contributory buildings and from this perspective the Heritage Overlay can impact on the development potential of land.

Just because a control limits development, on its own, is not sufficient justification to abandon the control. The question as to whether this is appropriate then goes to the basis for applying the Heritage Overlay which, in this case, is the Camberwell Gap Study.

As discussed above the Panel accepts that the Camberwell Gap Study provides an appropriate basis for assessing the properties and precincts proposed to be included in the Heritage Overlay. In addition, the precinct citations are detailed and thorough and the places and precincts have been assessed against the PPN01 criteria. In the Panel’s view this provides an appropriate basis and justification for the application of the Heritage Overlay.

(iv) Conclusions

The Panel concludes:

- the application of the Heritage Overlay may restrict the development potential of a property, but this is not a justification for recommending against the application of the Heritage Overlay.
6.3 Structural integrity

(i) The issue

The issue is whether the structural integrity of a building is a relevant consideration for the Panel.

(ii) Submissions

A number of submissions stated that the structure of the house was in poor condition and should be demolished and consequently the Heritage Overlay should not be applied to the site.

Council acknowledged that not all buildings covered by the Amendment were “in perfect condition”. Council advised the Panel that the Advisory Committee Report on the Review of Heritage Provisions in Planning Schemes, 2007 had considered this matter and concluded:

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

Council submitted that should the Panel refuse to recommend heritage controls for a property on the basis of its poor condition, “this may motivate some property owners potentially subject to heritage controls to allow remnant heritage fabric to fall into a state of disrepair”. Council concluded:

This is not to say that the structural integrity or condition of a building is irrelevant in the planning system. Such factors are highly relevant at the planning permit stage. However, to consider such matters at this stage of the Amendment process would undermine the ‘longer term consideration’ of heritage protection.

(iii) Discussion

The basis of the Amendment is to assess whether the building is suitable for inclusion in the Heritage Overlay. The tests nominated in PPN01 go to the value and importance of the place and not its condition. In the Panel’s view this is an appropriate approach.

The structural integrity of a building is a matter that is relevant to whether it can or should be retained. In the Panel’s view this assessment should be undertaken by a suitably qualified professional and appropriately undertaken as part of the detailed assessment of a planning permit application.

In the case of the Amendment, the Panel notes that it has not been presented with any independent assessment of the integrity of the buildings.
(iv) Conclusions

The Panel concludes:

- the structural integrity of a building is not a relevant consideration for the Panel.
# Appendix A  Submitters to the Amendment

<table>
<thead>
<tr>
<th>No.</th>
<th>Submitter</th>
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<tr>
<td>1</td>
<td>Stephen Trask</td>
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<td>Tzewah Lam</td>
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<td>3</td>
<td>Bernadette Vaughan</td>
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<td>4</td>
<td>Chris Johnson</td>
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<td>Philip Danby</td>
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<td>Michael E Humphries</td>
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<td>Margaret Ross Paul</td>
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<td>Nuwan Kalpage</td>
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<td>Anna Carina</td>
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<td>Henry Goodenough</td>
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<td>Owners Corporation 18780</td>
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<td>12</td>
<td>Gerard Williamson</td>
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<td>13</td>
<td>David Birrell</td>
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<td>Heinz and Andrea Kreutz</td>
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<td>Rita Werden</td>
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<td>Ann Kemeny</td>
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<td>Andrew Robison</td>
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<td>Ruth Rosenbaum</td>
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<td>Meredith Trist</td>
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<td>Brian Proctor</td>
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<td>Johnny Kadlecik</td>
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<td>David and Diane Gurney</td>
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<td>Terry Christofides</td>
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<td>Jane Doyle</td>
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<td>29</td>
<td>Ian Scott</td>
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<td>30</td>
<td>Glossop Town Planning on behalf of Eugene Samerelli and the owners of 576 Riversdale Road, Camberwell</td>
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</table>
Best Hooper Lawyers on behalf of Richard Millington

Jeffrey and Siew Hon Wilson

Douglas Williams

Peter and Robyn Liddell

Robert Bicknell

Russell Anderson

Siobhan Khan

Ann O’Connell

Jane Doyle

Peng Zhang

Tony Gibbs

Andrew Mossman

Mary Drost

Michael O’Kane

National Trust of Australia (Victoria)

Anna Dragonetti

Anthony and Andrew Moschini

Bettina Bacolas

Christine Allandale

Clelia Pirie

Mooi C Cheng & Hong K Lai

D Zhang

Daniel Linsten

David Wu

Hunt & Hunt Lawyers on behalf of Xiaoyan (Sylvia) Zheng,

Jim Bacolas

L Oliva

Andrew Lee

Mrs Lily Li

Maree Mullins

Nick Trevlopooulos

Peter Ryan

Shuo Yang
97  Rupeshraj Vittalraj

98  Diana Emry

99  Helle and Stephen Barkla
# Appendix B  Parties to the Panel Hearing

<table>
<thead>
<tr>
<th>Submitter</th>
<th>Represented by</th>
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<td>City of Boroondara</td>
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## Appendix C  Document list

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