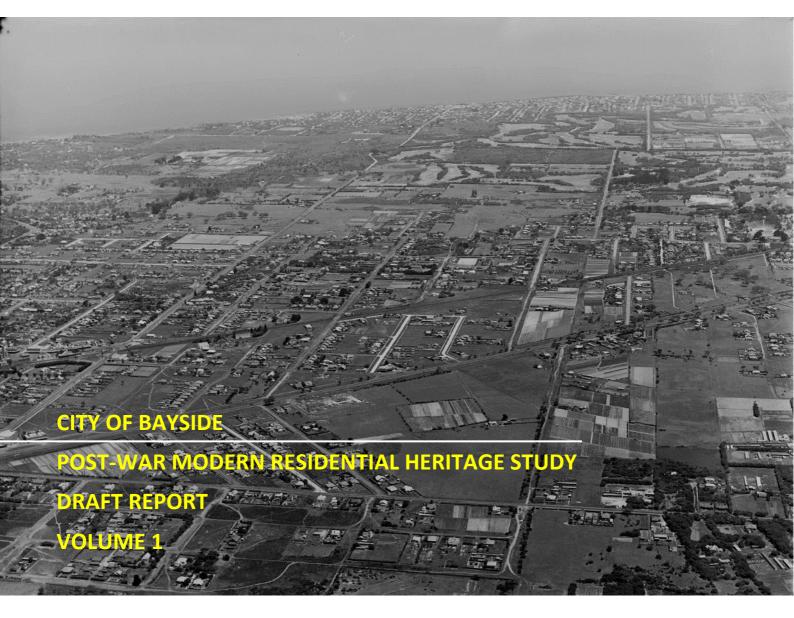


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This report comprises:

- Volume 1
 Methodology, Findings & Recommendations
- Volume 2 Contextual History: Post-War Modernism in the City of Bayside
- Volume 3 Citations & Statements of Significance

DOCUMENT VERSIONS

Project No.	Version	Issued To	Date Issued
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We would like to acknowledge the valuable information provided by Bayside City Council to assist us in undertaking this study. Our particular thanks go to Rachael Hudson and Tom Vercoe.

The study area forms part of the traditional lands of the Bunurong People, who are represented by the Bunurong Land Council Aboriginal Corporation. This study is limited in its scope to consideration of post-contact cultural heritage and does not specifically address Aboriginal cultural heritage significance. Nonetheless, we acknowledge the Bunurong People as the Traditional Owners of the land and pay our respects to their Elders past, present and emerging. For more information on the Bunurong People, please visit https://www.bunuronglc.org/.

1. INTRODUCTION

Bayside City Council ("Council") commissioned GJM Heritage to undertake the *City* of Bayside Mid-Century Modern Heritage Study in December 2020. In consultation with Council, the name of the study was revised to the Post-War Modern Residential Heritage Study (hereafter referred to as "the Study") to accurately reflect the scope of the Study. The purpose of the Study was to identify residential buildings and precincts constructed within the municipality in the postwar period (between 1945 and 1975) and to determine whether they satisfy the threshold for local heritage significance and inclusion in the Heritage Overlay of the Bayside Planning Scheme.

The Study comprised various phases: documentation review, desktop fieldwork, onsite fieldwork, detailed heritage assessments, and preparation of Statements of Significance.

This report (Volume 1) documents the methodology for the Study, and provides a summary of its findings and recommendations. Volume 2 contains the *Contextual History: Post-War Modernism in the City of Bayside*, and Volume 3 contains the heritage citations and Statements of Significance for those places recommended for inclusion in the Heritage Overlay.

2. BACKGROUND

The following background summary is drawn from Council's project specifications.

Initial identification of Interwar and Post-War buildings in the City of Bayside was documented in the *Bayside Heritage Review 1999* by Allom Lovell and Associates Pty Ltd (the "Allom Lovell Study").

Amendments C37 & C38 to the Bayside Planning Scheme sought to implement the findings of the *Bayside Heritage Review 1999*. However, the Panel Report made a recommendation that the Heritage Overlay should not be permanently applied to the Interwar and Post-War properties until a more comprehensive study of these typologies was undertaken. Council agreed with the Panel Report's recommendation, and resolved to exclude the 47 Interwar and Post-War buildings until a further study had been undertaken. However, the interim heritage controls applied to these properties remained in place.

In 2007, Council appointed Heritage Alliance Pty Ltd to prepare the *City of Bayside Inter-War and Post-War Heritage Study 2008* (the "Heritage Alliance Study"). The first volume of this study reviewed the properties identified in the Allom Lovell Study and identified new heritage precincts. The second volume contained data sheets/citations for additional Interwar and Post-War properties.

In June 2008, Council resolved to not prepare a planning scheme amendment that would include all places identified in the Heritage Alliance Study, and only move forward with actions that related to the 47 Inter-War and Post-War buildings that had been previously identified.

Stage 3 of the Heritage Alliance Study, which was to assess an additional 120 places, was halted before its completion.

Subsequently, Amendment C75 (part 1) was progressed and permanently included 26 properties and 2 precincts that had interim controls upon them in the Heritage Overlay. The amendment also removed the interim controls on 18 properties, as it was found these properties did not warrant inclusion within the Heritage Overlay.

In 25 July 2017, the *Bayside Heritage Action Plan* was adopted by Council. At this Ordinary Meeting, Council also resolved to:

- Commence the preparation of a Mid-Century Modern Heritage Study with a particular focus on the Beaumaris area.
- Immediately commence preparation of an application for interim heritage controls for Mid-Century Modern houses in Beaumaris based on the Heritage Alliance Study.

Following strong community opposition to the application of interim heritage controls and divided views on the need for a study, at its Ordinary Council Meeting on 24 April 2018, it was resolved that Council would:

- Not proceed with the Mid-Century Modern Heritage Study;
- Abandon Planning Scheme Amendments C158 and C159 and advise the Minister for Planning of Council's decision;
- Seek voluntary nominations from property owners of mid-century modern properties in Beaumaris and Black Rock for investigation to ascertain historic significance of the property;
- Develop a process to support the inclusion of suitable mid-century modern properties in a Heritage Overlay through a voluntary nomination process; and
- Write to property owners and occupiers of properties included in Planning Scheme Amendments C158 and C159 and interested stakeholders to advise of Council's decision.

Following this resolution, Council undertook a voluntary nomination approach for Mid-Century Modern homes in Beaumaris and Black Rock, with nine properties assessed as warranting inclusion in the Heritage Overlay through the *Mid-Century Modern Heritage Study – Residential Places 2020* by Context Pty Ltd (the "Context Study"). The planning scheme amendment to implement the Heritage Overlay to these properties (Amendment C178bays) has been prepared and is currently on hold.

At its meeting on 23 June 2020, it was reported to Council that the Minister for Planning wrote to Council on 24 May 2020 expressing his concerns about the voluntary nomination process that Council had undertaken. The Minister's letter highlighted Council's responsibilities to ensure that places of scientific, aesthetic, architectural or historical interest are conserved in accordance with *Planning and Environment Act 1987*.

At its meeting on 23 June 2020, Council resolved to:

• Adopt the revised *Heritage Action Plan 2020*, which set out a holistic approach to assessing and managing heritage, including:

• a. Prioritisation of the Mid-Century Modern Heritage Study to commence in 2020/21.

Council has progressed this Study to deliver its commitments made in the Heritage Action Plan and to the Minister for Planning.

3. METHODOLOGY

The methodology adopted for the Study accords with the Victorian Planning Provisions *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018) ('PPN1') and the principles of the ICOMOS Burra Charter (including its guidelines for identifying and assessing places).

3.1 Defining a Heritage Place

The term 'heritage place' is applied in the Study as per the definition in PPN1:

A heritage place could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land. It cannot include movable or portable objects such as machinery within a factory or furniture within a house.

3.2 Defining a 'Locally Significant' Heritage Threshold

As per PPN1, in order to establish if a place meets the threshold for local significance, the Study involved the completion of historical, physical and comparative analysis of each place in order to establish if the place meets one or more of the heritage criteria set out in PPN1 (see Appendix 1).

PPN1 defines the appropriate thresholds as follows:

The thresholds to be applied in the assessment of significance shall be 'State Significance' and 'Local Significance'. 'Local Significance' includes those places that are important to a particular community or locality.

3.3 Clarification of Project Scope

At the Project Inception meeting it was agreed that the project scope was to review and assess (where relevant) residential properties within the City of Bayside that were constructed in the post-war period (defined as the period between 1945 and 1975) and constructed in the Modern architectural style.

It was agreed that the study name would be revised to *Post-War Modern Residential Heritage Study* to accurately reflect the scope of the Study.

3.4 Documentation Review

Council property data

During the Project Inception stage, Council provided property data for the municipality which formed the basis for the Study. This data listed all extant residential properties (as at 9 December 2020) within the City of Bayside that were constructed between 1945 and 1975 according to Council valuation data. The data listed just over 14,700 properties constructed within this period. This property data

formed the Master List for the Study. The accuracy of the Master List was contingent on the accuracy of Council's property data.

Heritage resources

In addition to Council's property data, the following sources were reviewed to identify places constructed between 1945 and 1975 that have been subject to previous heritage assessments (at a local and State-level):

- Municipal heritage studies for the current City of Bayside:
 - A Ward, City of Brighton Urban Character and Conservation Study, 1986.
 - A Ward, City of Sandringham Heritage and Conservation Study, 1989.
 - Allom Lovell & Associates, *City of Bayside Heritage Review*, 1999 & revisions: 2003, 2006, 2008 & 2010.
 - Heritage Alliance, *Bayside Inter-War & Post-War Heritage Study*, vols 1 & 2, 2008.
 - Heritage Alliance, *City of Bayside Inter-War & Post-War Heritage Study* Stage 3, 2008 (incomplete).
 - David Helms Heritage Planning, *Mid-century Modern Heritage Study Stage 1 Assessment*, 2019.
 - Context, *Mid-Century Modern Heritage Study Residential Places, Stage* 2, 2020.
- HERMES heritage database records managed by Heritage Victoria.
- Non-statutory heritage registers and lists: National Trust of Australia (Victoria) Register and the Register of the National Estate.

Other references

A search of identified and available references was undertaken to identify houses constructed in the 1945 to 1975 period in the City of Bayside which had not been previously identified in heritage studies.

Particularly useful sources were the *Small Home Service of RVIA* [Royal Victorian Institute of Architects] *Modern Houses: a guide to residential architecture in and around Melbourne*, 1965 and the Royal Australian Institute of Architects (RAIA) Victorian Chapter's *Homebuilders' Handbook*, 1968, which both listed self-nominated architect-designed houses constructed in the 1950s and early 1960s. A large number of these houses had not been identified in previous studies.

Other sources reviewed included the following:

Primary sources:

- B Guertner (ed), *Gregory's 100 Home Plan Ideas*, Sydney, 1970.
- RVIA & Architects' Registration Board, *Guide to Victorian Architecture*, 1956.

Secondary sources:

• F Austin et al, Beaumaris Modern, 2018.

- Bayside City Council, Bayside Architectural Trail.
- Beaumaris Modern Facebook page,
 https://facebook.com/beaumarismodern>.
- Beaumaris Modern website, <<u>https://beaumarismodern.com.au/</u>>.
- N Clerehan, Best Australian Houses, Melbourne, 1961.
- N Day, *Modern Houses*, Armadale, 1976.
- P Goad, Melbourne Architecture, Sydney, 1999.
- P Goad, 'The Modern House in Melbourne 1945-75', PhD thesis, 1992.
- Heritage Alliance Survey of Post-War Built Heritage in Victoria, 2008.
- Modernist Australia website (with links to real estate sale notices), <<u>https://modernistaustralia.com/</u>>.
- RMIT Design Archives, <<u>https://www.rmit.edu.au/about/our-locations-and-facilities/facilities/research-facilities/rmit-design-archives</u>>.
- RMIT Design Archives Journal, <<u>https://www.rmit.edu.au/about/our-locations-and-facilities/facilities/research-facilities/rmit-design-archives/journal</u>>.
- H Tanner, Australian Housing in the 70s, Sydney 1976.

For a full list of references used during the study, see the heritage citations.

3.5 Contextual History

Following the documentation review, it was determined that a more detailed Contextual History was required to assist the preparation of the study. This history builds on the Thematic History contained with the Allom Lovell Study and the Revised Thematic History contained in the Heritage Alliance Study and helps to place the Modernist movement within the City of Bayside's developmental history. The *Contextual History: Post-War Modernism in the City of Bayside* is provided as Volume 2 to this Study.

3.6 Desktop Fieldwork

A desktop street-by-street "walk" of the entire municipality was conducted using Google Streetview[©], in conjunction with Nearmap[©] and recent real estate website listings to identify what appeared to be substantially intact Modernist houses throughout the municipality. These places were cross-checked against the Master List and the information obtained from the documentation review to determine whether an on-site inspection was warranted to further review the property.

3.7 On-Site Fieldwork

The on-site fieldwork comprised site inspections from the public realm of places identified through the desktop fieldwork. During site inspections, photographs of each place were taken and the integrity and current condition of each place was noted. The properties were also inspected for additional elements such as outbuildings, fences, trees, landscaping or plantings that potentially contributed to the significance of the place – this was supplemented using aerial photography,

where necessary, when the place was not clearly visible from the public realm. Any visible alterations and extensions that potentially altered the intactness or integrity of the place, when compared to the original design (when known), were also noted.

Some sites were not visible from the public realm, either in full or part. These places were concealed from the public realm due to fences, topography and/or vegetation. In order to complete the physical analysis to a reasonable standard, the following approach was taken:

- Aerial and other available photographs were reviewed (for example, photographs included in historical and local publications and online via real estate websites);
- Available heritage documentation was reviewed; and
- Some additional desktop historical review was conducted.

Recommendations have therefore been provided on the basis that future investigations may be required to finalise the recommendations arising from this Study.

Following the on-site fieldwork, 128 individual properties and three (3) potential precincts were identified for detailed heritage assessment (see the list of places for detailed assessment at Appendix 2 to this report).

3.8 Detailed Assessments

Detailed heritage assessments were undertaken for the 128 individual properties and three (3) potential precincts identified in the first stages of the Study. The findings from the detailed assessment process are detailed in Section 4.

Those places that were assessed as meeting the threshold of local significance are identified in Sections 4.1 and 4.2 of this report, with the heritage citations and Statements of Significance provided in Volume 3. It is recommended that these citations and Statements of Significance be uploaded to the Hermes database to inform the future management of these places, as recommended in PPN1 guidance.

Those places that were assessed and considered <u>not</u> to meet the threshold of local significance are identified in Sections 4.3 and 4.4 of this report with reasons provided for their exclusion. It is recommended that these reasons be uploaded to the Hermes database for future reference.

During the course of the detailed assessments, four further places were identified as warranting detailed assessment. These are:

- 19 Haywood Street, Beaumaris
- 18 Hutchison Street, Beaumaris
- 82 Reserve Road, Beaumaris
- 2 Te Hongi Court, Beaumaris.

These places have been assessed as warranting inclusion in the Heritage Overlay (see Sections 4.1 and Volume 3).

The approach for undertaking the detailed heritage assessment is summarised below.

Historical Research

A range of primary and secondary sources were consulted as part of the historical research into each place. The aim of the historical research was to determine, where possible:

- The build date of each place;
- The owner of the place when built;
- A builder, designer and/or architect;
- Whether the place had any significant associations with events or people;
- The development of the place; and
- The current level of intactness compared to the original design (where known).

Key sources reviewed included:

- Previous studies and assessments, for existing documentation;
- Building and planning permit records, provided by Council;
- Architectural, building and design journals;
- Municipal rate and valuation cards;
- Sands and McDougall Melbourne and Suburban Directories;
- Key local histories;
- Trove digitised newspapers, pictures and photos collections;
- Newspapers.com digitised newspaper archives;
- State Library of Victoria online picture and map collection; and
- Historical aerial photographs.

Limitations to Historical Research

The Study was conducted during the Covid-19 pandemic and this prevented or limited access to various resources, for both the initial documentation review and the historical research for heritage assessments.

The following sources were not accessible during this review:

Primary Sources:

- Various architectural and design journals [State Library of Victoria].
- Collection of architectural drawings by Neil Clerehan [State Library of Victoria].
- Collection of architectural drawings by John & Phyllis Murphy, John & Phyllis Murphy Collection of Architectural Drawings [State Library of Victoria].

• K McDonald, *The New Australian Home*, 1954 [State Library of Victoria] (includes 90 plates and photos by Sievers & Dupain).

Secondary sources:

- J Baird, By Design: changing Australian housing, Melbourne, 1984.
- H Edquist & R Black, The Architecture of Neil Clerehan, Melbourne, 2009.
- D Evans et al, Kevin Borland: architecture from the heart, Melbourne, 2006.
- S Reeves, Gentle Modernist: the nine lives of Anatol Kagan, Fremantle, 2014.

Historic Themes

Research and assessment determined that the places within the Study represent the following key historic theme, as drawn from *Victoria's Framework of Historical Themes* (2010):

6 Building towns, cities and the garden state

- 6.7 Making homes for Victorians

The themes associated with each place are identified in the individual heritage citations.

Physical Analysis

Informed by the site visits conducted and available photographic or documentary evidence, a physical description was compiled for each place noting the components of the place, architectural detail and the level of integrity. The physical descriptions also note any contributory elements such as outbuildings, fences and trees.

Comparative Analysis

A comparative analysis was undertaken for each place to establish its context within the municipality and its significance threshold. Places were compared in terms of their period of construction, architectural expression and their level of integrity (as relevant). Places were compared against similar places that are currently protected by the Heritage Overlay of the Bayside Planning Scheme on an individual basis. In addition, due to the small number of post-war residential places included in the Heritage Overlay of the Bayside Planning Scheme, places were also compared against other similar places that have been retained with sufficient integrity to demonstrate the particular class of place and reflect their importance in the historical development of the City of Bayside. The comparative analysis for each place is included within the heritage citations provided in Volume 3 of this report.

Assessment Against Criteria

Drawing upon the historical research, physical investigation and comparative analysis, an assessment against the heritage criteria set out in PPN1 was undertaken.

Statement of Significance

A separate Statement of Significance was prepared for each individually significant place in accordance with PPN1. The Statements of Significance follow the format of 'What is significant?', 'How is it significant?' and 'Why is it significant?'. The

Statement of Significance clearly defines the heritage values of the place and identifies contributory elements to guide future management.

Extent of Heritage Curtilage

Where a place was found to meet the threshold for local significance, an aerial photograph was marked up to indicate the recommended extent of the Heritage Overlay (heritage curtilage). The recommended heritage curtilages are included in the individual citations (see Volume 3). The recommended heritage curtilages have been determined in accordance with the guidance provided in PPN1 and capture all elements that are considered to contribute to the significance of the place.

Schedule to the Heritage Overlay Triggers

Where a place was found to meet the threshold for local significance, consideration was given to the following:

- Whether tree controls, paint controls or internal alteration controls should be triggered in the Schedule to the Heritage Overlay;
- Whether outbuildings and fences should be subject to the notice and review requirements of the *Planning and Environment Act 1987;* and
- Whether provisions for allowing prohibited uses should be made.

In accordance with the guidance provided in PPN1, the following approach was taken:

- Tree controls were recommended where trees were identified as contributing to the significance of the place, generally by virtue of them likely being a remnant of an early planting scheme or where documentation indicated that the building was designed with landscape elements specifically in mind. Where relevant, specific trees or tree species have been identified to provide greater specificity to owners and regulators.
- Where external painting of previously painted surfaces could impact the significance or legibility of the heritage place, external paint controls were recommended.
- Where outbuilding or fences were determined to contribute to the significance of the place, it has been recommended that these elements be subject to permit notice and review requirements.
- As interiors could not be inspected, no places have been identified as warranting the application of internal alteration controls. It is noted that PPN1 cautions that this control should only be used sparingly for "special interiors of high significance".

Group Listing

One place – the Bellaire Court Estate, Beaumaris – has been determined to be "group", as defined by PPN1. The properties – all constructed by prominent builder Martin Sachs from 1962 – 1968 in the Modernist style – share a common history and significance but do not all adjoin each other. As per PPN1, a single Statement of

Significance has been prepared which is proposed to apply to a number of individual buildings (see Section 4.2).

3.9 Community Consultation

Consultation on the draft Heritage Citations and Statements of Significance will be led by Council, with GJM in attendance for meetings with owners and stakeholders as required. Feedback from the consultation program will be reviewed and the heritage citations and Statements of Significance will be updated where appropriate.

4. FINDINGS & RECOMMENDATIONS

The detailed heritage assessment process has resulted in the following findings and recommendations:

- Ninety-eight (98) places were assessed as being of local individual significance and warrant inclusion in the Heritage Overlay (listed in Section 4.1).
- One (1) group listing was identified and assessed as being of local significance. It was established that the houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris were constructed by builder, Martin Sachs between 1962-68. They were all owned by Sachs, who subsequently on-sold them following development, and they exhibit similar aesthetic characteristics to one another. The eight (8) residences were found to be of local significance as a group (listed in Section 4.2).
- Thirty-four (34) places were found *not* to meet the threshold of local individual significance and do *not* warrant inclusion in the Heritage Overlay (listed in Section 4.3).
- Two (2) potential precincts were found *not* to meet the threshold of local significance and do *not* warrant inclusion in the Heritage Overlay (listed in Section 4.4).

4.1 Individual Places Recommended for the Heritage Overlay

The following places are recommended for inclusion in the Heritage Overlay. The Heritage Citations and Statements of Significance for each place are included in Volume 3 of this report.

Name	Address	Photo
BEAUMARIS		
Acott House	26 Anita Street, Beaumaris	
House	40 Anita Street, Beaumaris	

Name	Address	Photo
Spencer House	24 Balcombe Park Lane, Beaumaris	
The Point	1-15/405 Beach Road, Beaumaris	
Powe House	12 Bolton Street, Beaumaris	
Crichton House	2 Clonmore Street, Beaumaris	

Name	Address	Photo
Halliday House	23 Clonmore Street, Beaumaris Note: A site visit is required to fully assess this property.	
Nissen House	56 Cloris Avenue, Beaumaris	
Mahoney House	9 Coreen Avenue, Beaumaris	
Dearie House	14 Cromer Road, Beaumaris	

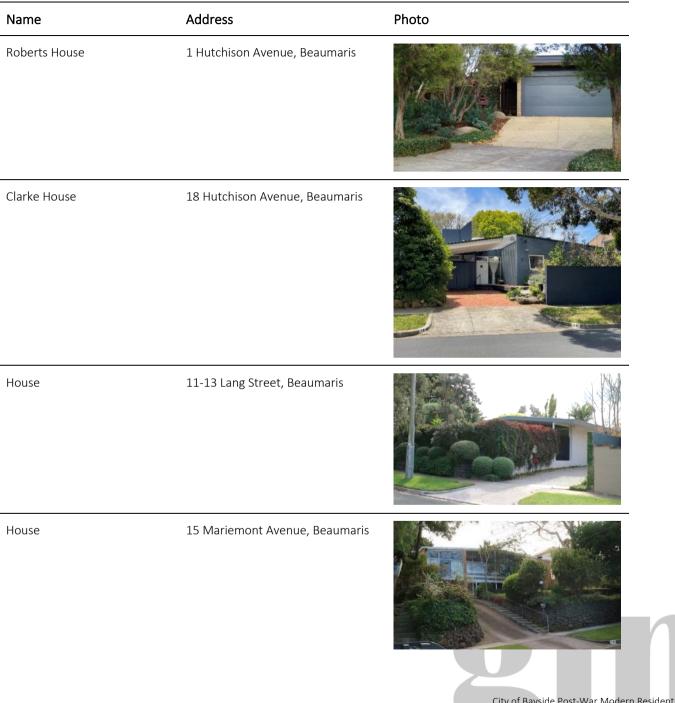


Name	Address	Photo
Gye House	19 Florida Avenue, Beaumaris	
House	50 Gareth Avenue, Beaumaris	
Hellier House	19 Gramatan Avenue, Beaumaris	
Hales House	22 Gramatan Avenue, Beaumaris	

Name	Address	Photo
Durham House	9 Gray Court, Beaumaris	
Units	1-4/2-4 Haldane Street, Beaumaris	
Hanmer House	19 Haldane Street, Beaumaris	
Hardcastle House	54 Haldane Street, Beaumaris	



Name	Address	Photo
Muckle Flugga	2 High Street, Beaumaris	
Baird House	15 Hume Street, Beaumaris	
Leckey House	18 Hume Street, Beaumaris	
		OTI



Name	Address	Photo
House	22 Michael Street, Beaumaris	
Manning House	25 Oak Street, Beaumaris	
House	89 Oak Street, Beaumaris	

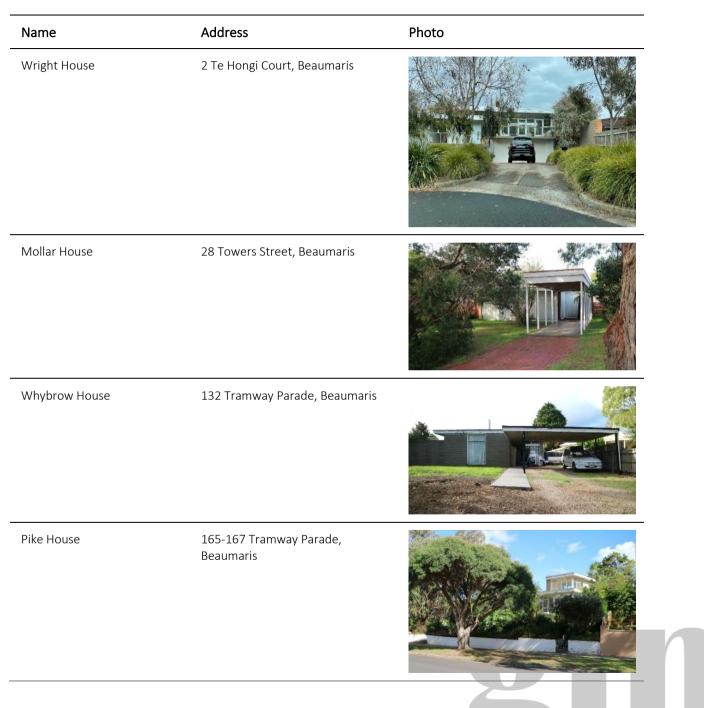






Name	Address	Photo
Kirk House	82 Reserve Road, Beaumaris	
Tutt House	142 Reserve Road, Beaumaris	
Jennings House	50 Scott Street, Beaumaris	
		City of Bayside Post-War Mode

Name	Address	Photo
Atkins House	53 Scott Street, Beaumaris	
Andrews House	78 Scott Street, Beaumaris	
Weate House	11 Summerhill Road, Beaumaris	
Smith House	16 Surf Avenue, Beaumaris	



Name	Address	Photo
House	166 Tramway Parade, Beaumaris	
Ahern House	171 Tramway Parade, Beaumaris	
Deutscher House	175-177 Tramway Parade, Beaumaris	
House	21 Vardon Avenue, Beaumaris	

Name	Address	Photo
Longworth House	24 Victor Street, Beaumaris	
Iggulden House	50 Wells Road, Beaumaris	
		Peter Wille Collection (State Library of Victoria)

Name	Address	Photo
BLACK ROCK		
Bridgford House	242 Beach Road, Black Rock	
Saade House	344 Beach Road, Black Rock	
Units	1-8/114 Bluff Road, Black Rock	
Veale House	13A Ebden Avenue, Black Rock	City of Bayside Post-War Modern Re

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Name	Address	Photo
Mew House	13 Fifth Street, Black Rock	
Units	1-6/5-7 Red Bluff Street, Black Rock	
Lamb House	3 Seaview Crescent, Black Rock	



Name	Address	Photo
Neilson House	15 Third Street, Black Rock	
BRIGHTON		
Opat House	25 Chatsworth Avenue, Brighton	
Winton Court	1-8/175 Church Street, Brighton	
Widawski House	56A Dendy Street, Brighton	

Name	Address	Photo
Abrahams House	21 Dudley Street, Brighton	
Lipson House	3 Exon Street, Brighton	
Biderman House	45 Hanby Street, Brighton	



Name	Address	Photo
Mollard House	48 Hanby Street, Brighton	
House	35 Kinane Street, Brighton	
Roubicek House	51 Lynch Crescent, Brighton	
Grace House	9 Merton Avenue, Brighton	

Abrahams House 42 North Road, Brighton	
Fox House 6 Norwood Avenue, Brighton	
Eletcher House 3 Roslyn Street, Brighton	
Paynter House 5 Sandown Street, Brighton	

Name	Address	Photo
McGibbony House	18 South Road, Brighton	
Sayle House	40 Sussex Street, Brighton	
Mylius House	9 Wolseley Grove, Brighton	
Townhouses	1-8/16-20 Yuille Street, Brighton	

Name	Address	Photo
BRIGHTON EAST		
Flats	1-6/16 Clive Street, Brighton East	
Stewardson House	28 Clonaig Street, Brighton East	
Pruzanski & Jenkie Houses	32 Clonaig Street & 1 Meyer Court, Brighton East	
		671



Name	Address	Photo
Hirsh House	1 Sara Avenue, Brighton East	

CHELTENHAM

Cohen House

14 Fairway Avenue, Cheltenham



House

4 Mernda Avenue, Cheltenham





Address	Photo
19 Olympic Avenue, Cheltenham	
22 Weatherall Road, Cheltenham	
148 Weatherall Road, Cheltenham	
27 Bolton Avenue, Hampton	
	19 Olympic Avenue, Cheltenham 22 Weatherall Road, Cheltenham 148 Weatherall Road, Cheltenham

Name	Address	Photo
SANDRINGHAM		
Units	1-4/94 Bay Road, Sandringham	
Flats	1-7/150 Beach Road, Sandringham	
Perkins House	28 Gladstone Street, Sandringham	
Sedger House	22 Harold Street, Sandringham	City of Bayside Post-War Modern Resi

Name	Address	Photo
Units	1-6/57 Royal Avenue and 1-6/64 Victoria Street, Sandringham	



4.2 Group Listing Recommended for the Heritage Overlay

The following group of places are recommended for inclusion in the Heritage Overlay as the 'Bellaire Court Estate, Beaumaris' (see Heritage Citation and Statement of Significance in Volume 3):

Address	Image	Address	Image
2 Bellaire Court, Beaumaris		4 Bellaire Court, Beaumaris	
8 Bellaire Court, Beaumaris		9 Bellaire Court, Beaumaris	
10 Bellaire Court, Beaumaris		15 Bellaire Court, Beaumaris	

Address	Image	Address	Image
18 Bellaire Court, Beaumaris	Google Streetview 2019)	19 Bellaire Court, Beaumaris	



4.3 Individual Places Not Recommended for the Heritage Overlay

Name	Address	Reason	Image/s
BEAUMARIS			
	372 Beach Road, Beaumaris	The design of this house is attributed to architectural firm McGlashen & Everist but alterations to the Beach Road frontage occurred in the late 1980s, altering the original design intent for the property. No further assessment of this place was recommended by <i>Heritage</i> <i>Alliance in City of Bayside Inter-War &</i> <i>Post-War Heritage Study, Stage 3</i> and we concur with this position.	
	84 Dalgetty Road, Beaumaris	Additions have been made to either end of the house, obscuring the original design intent for the property and diminishing the integrity of this Small Homes Service-type dwelling.	

The following places were found not to meet the threshold for inclusion in the Heritage Overlay:

(realestate.com.au)



Name	Address	Reason	Image/s
	107 Dalgetty Road, Beaumaris	A substantial second-storey addition has been constructed, obscuring the original design intent for the property and diminishing the integrity of this Small Homes Service-type dwelling.	

18 Emily Street, Beaumaris

Recent alterations to the property, including the modification of the front entry arrangement (see comparison images), has obscured the original design intent for the property and diminished the integrity of this Small Homes Service-type dwelling.



Presentation of the property in 2015 (https://www.realestate.com.au/sold/propert y-house-vic-beaumaris-121152674)



Presentation of the property in 2021 (GJM Heritage)

Name	Address	Reason	Image/s
	20 Gramatan Avenue, Beaumaris	A first-floor addition (1988) and additional modifications have been made to the house, obscuring the original design intent for the property and diminishing the integrity of this Small Homes Service-type dwelling.	

64 Haydens Road, Beaumaris

Overpainting/rendering of the brick walls and chimney has diminished the integrity of this Small Homes Servicetype dwelling.



67 Haydens Road, Beaumaris

Historical research has determined that a substantial addition to the front of the property (to the north of the original rectangular volume) was undertaken in the early 1970s. These changes have altered the original design intent of the residence and the house is not considered to be of sufficient integrity to meet the threshold for inclusion in a site-specific Heritage Overlay.



Original form of 67 Haydens Road, Beaumaris (SLV, Peter Wille Collection)

Name Address Reason Image/s



Presentation of the property in 2021 (GJM Heritage)

82 Haydens Road, Beaumaris	Historical research has determined that a substantial addition to the front of the property (above the carport) was undertaken in the mid 1980s and, either at that time or subsequently, all original windows have been replaced with aluminium framed glazing. These changes have altered the original design intent of the residence and the house is not considered to be of sufficient integrity to meet the threshold for inclusion in a site-specific Heritage Overlay.	(Google Streetview, image dated 2019)
17 Kirkwood Street, Beaumaris	The residence is an unassuming and is not a particularly well-resolved example of a Small Homes Service-type dwelling.	

Name	Address	Reason	Image/s
	25 Mariemont Avenue, Beaumaris	No historical information on this property could be sourced during the course of this study (for example an architect or designer or original plans). While appearing to be reasonably intact to its original form, the place is not considered to demonstrate particular architectural merit and is not as well- resolved as other examples recommended for inclusion in the Heritage Overlay.	
		The house was identified as a 'significant' place within the proposed Mariemont Avenue Precinct by Heritage Alliance in the <i>City of Bayside Inter-War</i> <i>and Post-War Heritage Study</i> . While the property would contribute to an intact Post-War precinct, it is noted that further demolitions and alterations within the proposed precinct since the 2008 study have reduced the cohesion of the precinct such that it no longer warrants inclusion in the Heritage Overlay.	
	18 Nautilus Street, Beaumaris	A substantial second-storey addition has been made to the house, obscuring the original design intent for the property and diminishing the integrity of this Small Homes Service-type dwelling.	

Name	Address	Reason	Image/s
	1 Olinda Avenue, Beaumaris	The original form and date of construction of this house could not be accurately determined during the course of this study. It is known that in 1983 the property was owned by architect Andre Piotrowski and that in 1984 substantial works were undertaken to the original property, including the extension of – and alteration to – the principal elevation facing Bruce Street, and the addition of a second storey. On the basis of the known changes, it is considered that the design intent of the original residence has been substantially obscured.	(https://www.realestate.com.au/sold/proper y-house-vic-beaumaris-122200822)
	2 Scott Street, Beaumaris	The broad gable-fronted brick veneer house at 2 Scott Street, Beaumaris does not appear to be the house previously assumed to have been designed by J Spears in 1949 and listed in RVIA and RAIA publications and on the Beaumaris Modern website. The 1949 house (see image opposite) appears to have either been demolished in c1960 and the existing house built, or the original Spear's house may have been extended and substantially altered (see image below). The existing house – while appearing to be reasonably intact to its c1960s form – does not demonstrate particular architectural merit and is not considered to meet the threshold for inclusion in a site-specific Heritage Overlay.	Fresentation of the property in 2021 (GIA Heritage)

Name	Address	Reason	Image/s
	33 Scott Street, Beaumaris	The house was identified as a Small Homes Service Plan No T345 in the <i>Survey of Post-War Built Heritage in</i> <i>Victoria</i> prepared by Heritage Alliance in 2008, one of four notable Small Homes Service examples which was included in the 1956 <i>Guide to Victorian</i> <i>Architecture</i> . Research has determined that this attribution is incorrect.	
	70 Scott Street, Beaumaris	An addition has been made to the south side of the house and the carport has been converted into a sunroom, obscuring the original design intent for the property and diminishing the integrity of this Small Homes Service- type dwelling.	
	26 Tramway Parade, Beaumaris	A substantial addition has been made to the side of the house, obscuring the original design intent for the property and diminishing the integrity of this Small Homes Service-type dwelling.	

Name	Address	Reason	Image/s
	104 Tramway Parade, Beaumaris	A substantial and unsympathetic addition has been made to the front of the house (c1982), obscuring the original design intent for the property.	

(Google Streetview, image dated 2019)

15 Vardon Street, Beaumaris

While appearing to be reasonably intact to its original form, the composition of this owner-designed residence is somewhat awkward and is not considered to be sufficiently refined to warrant inclusion in a site-specific Heritage Overlay.



7 Ward Street, Beaumaris

No historical information on this property could be sourced during the course of this study (for example an architect or designer or original plans). While appearing to be reasonably intact to its original form, the place is not considered to demonstrate particular architectural merit and is not as wellresolved as other examples recommended for inclusion in the Heritage Overlay.



(Google Streetview, image dated 2019)

Name	Address	Reason	Image/s
	1 Wells Road, Beaumaris	The residence is an unassuming and not particularly well-resolved example of a Small Homes Service-type dwelling when compared to other examples recommended for inclusion in the Heritage Overlay.	

21 Wells Road, Beaumaris

This house has been incorrectly identified in the Beaumaris Modern 'Walking Tour' as the house occupied by architect Ian Freeland at 21 Wells Road. The street has been re-numbered and Freeland's house was renumbered as no. 25. It has since been demolished (see image opposite).

The house at the current 21 Wells Road, Beaumaris (see below) was designed and constructed in various stages by the original owners, with a third storey added after the original owners left. The house is not considered to be of sufficient integrity to meet the threshold for inclusion in a site-specific Heritage Overlay.



Original 21 Wells Road, Beaumaris (renumbered as 25 Wells Road, now demolished) (SLV, Peter Wille Collection)



Presentation of the property in 2021 (GJM Heritage)

BLACK ROCK

19 Clarice Beckett Lane, Black Rock

Research has revealed that this house was constructed outside the study period (in 1978) and has therefore not been assessed further.



BRIGHTON

29 Clive Street, Brighton

The residence is an unassuming and not particularly well-resolved example of a Small Homes Service-type house when compared to other examples recommended for inclusion in the Heritage Overlay.



Presentation of the property in 2021 (GJM Heritage)



3 Keith Court, Brighton

Although architect designed (Peter Spier, 1959), the residence does not display the range of refined details normally associated with an architectdesigned building and is not considered to warrant inclusion in the Heritage Overlay.



1 Miller Street, Brighton

Alterations have been made to the original Chancellor & Patrick designed house, including extensions at both ends to the upper level which has involved the removal of the prominent vertical chimney element and the modification of the 'wrap around' window treatment. These changes have significantly altered the original design intent for the residence. The original enclosed courtyard to the east of the front setback has also been removed with a high fence now extending the length of the northern elevation and this has further impacted on the legibility of the original design. As such, the place is not considered to meet the threshold for inclusion in a site-specific Heritage Overlay.



Original form of 1 Miller Street, Brighton (SLV, Peter Wille Collection)



Presentation of the property in 2021 (GJM Heritage)

BRIGHTON EAST

1 Bayview Road, Br	ighton East	Although architect designed (Kurt	
i bayview koad, bi	ignion Lust	Popper, 1967), the residence is unassuming and does not display the range of refined details normally associated with an architect-designed building and is not considered to warrant inclusion in the Heritage Overlay.	
3 Dunoon Court, Br	ighton East	The residence is an unassuming and not particularly well-resolved example of a Small Homes Service-type dwelling when compared to other examples recommended for inclusion in the Heritage Overlay.	

1A Regent Street, Brighton East

Alterations have been made to the original David Godsell designed house including changes to the eastern end of the house with removal of the original carport and construction of a large double garage and entrance structure, infilling of windows to the western elevation, and the application of a cement wash to the concrete block walls. These changes have significantly altered the original design intent for the residence and as such, the place is not considered to meet the threshold for inclusion in a site-specific Heritage Overlay.



Original form of 1A Regent Street, Brighton East (SLV Peter Wille Collection)



Presentation of the property in 2021 (GJM Heritage)



Presentation of the property in 2021 (GJM Heritage)

CHELTENHAM

5 Coape Street, Cheltenham

The residence is an unassuming and not particularly well-resolved example of a Small Homes Service-type dwelling when compared to other examples recommended for inclusion in the Heritage Overlay.





HAMPTON

8 Bronte Court, Hampton

An altered façade remains of the Neil Clerehan designed house. As such, the place is not considered to meet the threshold for inclusion in a site-specific Heritage Overlay.



Presentation of the property in 2017 (Domain.com.au)



Presentation of the property in 2021 (GJM Heritage)

10 Kelsall Court, Hampton

A substantial two-storey addition has been made to the rear of the property, obscuring the original design intent and diminishing the integrity dwelling place.



HAMPTON EAST

15 Besant Street, Hampton East	Although architect designed (I Anderson, 1961), the residence is unassuming and does not display the range of refined details normally associated with an architect-designed building and is not considered to warrant inclusion in the Heritage Overlay.	

HIGHETT

23 Noyes Street, Highett

The residence is an unassuming and not particularly well-resolved example of a Small Homes Service-type house when compared to other examples recommended for inclusion in the Heritage Overlay.



(Google Streetview 2019)

SANDRINGHAM

44 Harold Street, Sandringham

The residence is an unassuming and not particularly well-resolved example of a Small Homes Service-type house when compared to other examples recommended for inclusion in the Heritage Overlay.



4.4 Precincts not recommended for the Heritage Overlay

The following precincts were found not to meet the threshold for inclusion in the Heritage Overlay:

Address

Reason

Image

BALCOMBE ROAD, BEAUMARIS PRECINCT

442 Balcombe Road 444 Balcombe Road

Units 1-7/446 Balcombe Road

456 Balcombe Road

440 Balcombe Road

458 Balcombe Road

The properties indicated in red on the opposite aerial photograph were assessed to determine if inclusion in the Heritage Overlay as part of a heritage precinct was warranted. An aerial photograph dated 1972 indicated that all of the places highlighted had been constructed by this time.

The group of houses at 440-446 and 456-458 Balcombe Road, Beaumaris, are not considered to warrant inclusion in the Heritage Overlay as a heritage precinct for the following reasons:

- many of the houses have been subject to alterations that have reduced the architectural integrity of the individual properties and the precinct as a whole (see image below for an example);
- the majority of the houses are not well-resolved examples of their type; and
- the precinct lacks a cohesive Modern architectural form.

The houses are of insufficient architectural merit to warrant inclusion in the Heritage Overlay in their own right.



Aerial photograph pf Balcombe Road, 2021 (Nearmap)



Real estate photo showing alterations made to 440 Balcombe Road (realestate.com.au)

Address

Reason

MICHAEL STREET, BEAUMARIS PRECINCT

31 Michael Street

33 Michael Street

34 Michael Street

36 Michael Street

Four properties arranged around the north end of Michael Street forming a court were assessed to determine if inclusion in the Heritage Overlay as part of a heritage precinct was warranted. Council records indicate that the house were built between 1957 and 1958.

The four houses are not considered to warrant inclusion in the Heritage Overlay as a heritage precinct for the following reasons:

- no evidence could be sourced to indicate the properties were developed as a group or by the same builder/developer;
- the houses are unassuming and not particularly well-resolved examples of Modernist design compared with other examples recommended for inclusion in the Heritage Overlay; and
- the houses do not read as a cohesive group that share similar architectural characteristics.

The houses are of insufficient architectural merit to warrant inclusion in the Heritage Overlay in their own right.



Aerial view of north end of Michael Street, with subject properties circled. (Source: Nearmap, accessed 21 December 2021, dated 22 November 2021).



Looking north up Michael Street from the intersection with Cave Street.

Address	Reason	Image
		31 Michael Street.
		33 Michael Street.
		34 Michael Street.
		36 Michael Street.
		OTIM

APPENDIX 1 – PLANNING PRACTICE NOTE 1

Applying the Heritage Overlay

Planning Practice Note 1

AUGUST 2018

This practice note provides guidance about the use of the Heritage Overlay.

What places should be included in the Heritage Overlay?

- Any place that has been listed on the Australian Heritage Council's now closed Register of the National Estate.
- Any place that has been referred by the Heritage Council for consideration for an amendment to the planning scheme.
- Places listed on the National Trust Heritage Register of the National Trust of Australia (Victoria), provided the significance of the place can be shown to justify the application of the overlay.
- Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Places listed on the former *Register of the National Estate* or on the *National Trust Heritage Register* of the National Trust of Australia (Victoria) do not have statutory protection unless they are protected in the planning scheme.

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

What are recognised heritage criteria?

The following recognised heritage criteria shall be used for the assessment of the heritage value of the heritage place. These model criteria have been broadly adopted by heritage jurisdictions across Australia and should be used for all new heritage assessment work.

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 understanding 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).

The adoption of the above criteria does not diminish heritage assessment work undertaken before 2012 using older versions of criteria.

The thresholds to be applied in the assessment of significance shall be 'State Significance' and 'Local Significance'. 'Local Significance' includes those places that are important to a particular community or locality. Letter gradings (for example, "A', "B', "C') should not be used.

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

Places of significance for historical or social reasons

Planning is about managing the environment and its changes. An appropriate test for a potential heritage place to pass in order to apply the Heritage Overlay is that it has 'something' to be managed. This 'something' is usually tangible but it may, for example, be an absence of built form or the presence of some other special characteristic. If such things are present, there will be something to manage and the Heritage Overlay may be applied.

If not, a commemorative plaque is an appropriate way of signifying the importance of the place to the local community.

Group, thematic and serial listings

Places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place. Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay Schedule and a single Heritage Overlay number. This approach has been taken to the listing of Chicory Kilns on Phillip Island in the Bass Coast Planning Scheme. The kilns are dispersed across the island but share a common significance. Group listing of the kilns also draws attention to the fact that the kilns are not just important on an individual basis but are collectively significant as a group.

The group approach has also been used for the former Rosella Factory Complex in the Yarra Planning Scheme. This important factory complex had become fragmented through replacement development making it hard to justify a precinct listing. The group listing, with a single Heritage Overlay number, has meant that the extent and significance of the complex can still be appreciated.

Writing a statement of significance

For every heritage place (that is, a precinct or individual place) a statement of significance must be prepared using the format of 'What is significant?'; 'How is it significant?' and 'Why is it significant?'.

What is significant? – This section should be brief, usually no more than one paragraph or a series of dot points. There should be no doubt about the elements of the place that are under discussion. The paragraph should identify features or elements that are significant about the place, for example, house, outbuildings, garden, plantings, ruins, archaeological sites, interiors as a guide to future decision makers. Clarification could also be made of elements that are not significant. This may guide or provide the basis for an incorporated plan which identifies works that may be exempt from the need for a planning permit.

How is it significant? – Using the heritage criteria above, a sentence should be included to the effect that the place is important. This could be because of its historical significance, its rarity, its research potential, its representativeness, its aesthetic significance, its technical significance and/or its associative significance. The sentence should indicate the threshold for which the place is considered important.

Why is it significant? – The importance of the place needs to be justified against the heritage criteria listed above. A separate point or paragraph should be used for each criterion satisfied. The relevant criterion reference should be inserted in brackets after each point or paragraph, for example "(Criterion G)". An example statement of significance has been prepared for guidance, see Appendix A.



The explanatory report for an amendment that includes a place in the Heritage Overlay (or other supporting documentation accompanying a planning scheme amendment) should:

- state whether the place is a precinct or an individual place
- identify if further controls allowed by the schedule to the overlay are required such as external paint controls or tree controls (the identification of further controls should be based on the explanation of why a heritage place is significant).

Incorporating, saving and displaying statements of significance

A statement of significance must be incorporated in the planning scheme for each heritage place included in the schedule to the Heritage Overlay after 31 July 2018. This requirement does not apply to a heritage place included in the schedule by an amendment prepared or authorised by the Minister for Planning under section 8(1)(b) or section 8A(4) of the *Planning and Environment Act 1987* before 31 October 2018.

However, a statement of significance may be incorporated for any heritage place included in the schedule before 31 July 2018 or by an amendment that the exemption applies to.

If a statement of significance is incorporated in the planning scheme, the name of the statement must be specified in the schedule to the overlay.

All statements of significance (incorporated or otherwise) should be securely stored in the HERMES heritage database.

Where a planning scheme amendment has resulted in the inclusion of, or amendments to, places in the Heritage Overlay, the strategic justification (that is, the heritage study documentation and statements of significance) needs to be updated. A statement of significance that has been incorporated into the planning scheme can only be changed by an amendment to the planning scheme. If the heritage place does not have a statement of significance that has been incorporated, then any changes should be entered into the department's HERMES heritage database.

Where a place (either a precinct or individual place) is included in the Heritage Overlay, the statement of significance for that place should be publicly viewable through the department's Victorian Heritage Database.

Additional resources may be required

When introducing the Heritage Overlay, a council should consider the resources required to administer the heritage controls and to provide assistance and advice to affected property owners. This might include providing community access to a heritage adviser or other technical or financial assistance.

Drafting the Heritage Overlay schedule

What is a heritage place?

A heritage place could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land. It cannot include movable or portable objects such as machinery within a factory or furniture within a house.

What is the planning scheme map reference number?

In column one of the schedule, the Planning Scheme Map Reference prefix should read HO1, HO2, HO3 and so on. Each heritage place in the schedule will have its own identifying number. The planning scheme maps should also record these numbers as a cross reference between the maps and the schedule.

Street numbers and location descriptions

Street numbers and locality addresses should be included for properties wherever possible. Where a street address is not available, plan of subdivision details (for example, Lot 1 of PS12345) should be used. Avoid using Crown Allotment details, Certificate of Title details or obscure location descriptions if possible.

How should the Heritage Overlay schedule be arranged?

There are three preferred options for arranging the schedule:

- Heritage places may be arranged in ascending numerical order by their planning scheme map reference number (eg HO1, HO2, HO3 and so on).
- Heritage places may be grouped according to their suburb, town or location and then arranged alphabetically by street address within each grouping.
- All places may be listed alphabetically by their street address irrespective of their location.

Use the method which most assists users of the planning scheme to find the relevant property by a simple search through the schedule.



An example of a schedule to the Heritage Overlay is included at **Appendix B**.

Application requirements

The schedule allows for application requirements to be specified.

Incorporated plan

Clause 43.01-3 of the Heritage Overlay allows an incorporated plan to be prepared to identify works to a heritage place that are exempt from the need for a planning permit. To do so, the plan must be specified in the schedule to the overlay and must also be listed in the schedule to Clause 72.04.

Statements of significance

Where a statement of significance is incorporated in the planning scheme, it must be given a title which includes the name of the heritage place or if there is no name specified, the full address of the heritage place. The title of the statement of significance must be specified in the schedule to the overlay. The title of the statement must also be listed in the schedule to Clause 72.04.

Heritage design guidelines

Where detailed heritage design guidelines have been prepared for a heritage place, they may be incorporated into the planning scheme. The title of the incorporated document must be specified in the schedule to the overlay and must also be listed in the schedule to Clause 72.04.

Applying external painting controls

External painting controls over particular heritage places can be applied in the schedule by including a 'yes' in the External Paint Controls Apply? column.

Applying internal alterations controls

Internal alteration controls over specified buildings can be applied in the schedule by including a 'yes' in the Internal Alteration Controls Apply? column. This provision should be applied sparingly and on a selective basis to special interiors of high significance. The statement of significance for the heritage place should explain what is significant about the interior and why it is important.

Applying tree controls

The schedule can apply tree controls over heritage places. The tree controls could apply to the whole of a heritage place (for example, over a house site or an area) or a tree or group of trees could be specifically nominated as the heritage place.

Tree controls are applied by including a 'yes' in the Tree Controls Apply? column. Tree controls should only be applied where there has been a proper assessment. The statement of significance for the heritage place should identify the particular trees that are significant (under "What is significant?") and why the tree or trees are important.

If only one, or a few trees within a large property are considered significant, the 'Tree Controls Apply' column can be qualified with the relevant details. A planning permit would then only be required to remove, destroy or lop the trees that were specifically identified in the column.

This control is designed to protect trees that are of intrinsic significance (such as trees that are included on the National Trust Heritage Register), or trees that contribute to the significance of a heritage place (for example, trees that contribute to the significance of a garden or area). The control is not meant to protect trees for their amenity value. See *Planning Practice Note 7 – Vegetation Protection in Urban Areas* for alternative methods of vegetation protection.

Outbuildings and fences

Councils may consider that certain outbuildings and/or fences on heritage sites are significant and can therefore require that these be subject to the notice and review requirements of the *Planning and Environment Act 1987.* This is achieved by including the word 'yes' in the column headed 'Outbuildings or fences which are not exempt under Clause 43.01-4?'.

It is helpful to landowners and users of the planning scheme if the column in the schedule identifies the particular outbuildings and/or fences that are considered to be significant. The statement of significance for the heritage place should also identify the particular outbuildings and/or fences that are significant (under "What is significant?") and why they are important.

How should places in the Victorian Heritage Register be treated in the schedule and map?

Section 56 of the *Heritage Act 2017* (Heritage Act) requires that the Minister for Planning must 'prepare and approve an amendment to any planning scheme applying to a place which is included or amended in the Heritage Register to identify the inclusion or amendment of that place in the Heritage Register'. This is intended as an alert to planning scheme users of restrictions that might apply to land under the Heritage Act.

Planning authorities should not amend the schedule or maps as they relate to places in the Victorian Heritage Register and certainly not without the prior approval of Heritage Victoria. This is to ensure that



planning schemes accurately reflect the Heritage Register as required by the Heritage Act.

Under Clause 43.01-2, places on the Victorian Heritage Register are subject to the requirements of the Heritage Act and not the planning provisions of the Heritage Overlay. Where Places included in the Victorian Heritage Register are listed in the schedule, a dash should be recorded in columns three (external paint controls), four (internal alteration controls), five (tree controls) and six (outbuildings and fences) to avoid any possible confusion as to whether planning provisions apply to these properties. In column seven ('Included on the Victorian Heritage Register ...') the reference number of the property on the Victorian Heritage Register should be included as an aid to users of the planning scheme.

Allowing a prohibited use of a heritage place

It is possible to make a prohibited use permissible at a specific place by including a 'yes' in the Prohibited uses may be permitted? column.

This provision should not be applied to significant areas because it might result in the de facto rezoning of a large area. The provision should only be applied to specific places. For example, the provision might be used for a redundant church, warehouse or other large building complex where it is considered that the normally available range of permissible uses is insufficient to provide for the future conservation of the building. Currently this provision applies in the metropolitan area of Melbourne to places that are included on the Victorian Heritage Register.

Aboriginal heritage places

Scarred trees, stone arrangements and other places significant for their Aboriginal associations can be identified by including a 'yes' in the Aboriginal Heritage Place? column. As with any place listed in the Schedule to the Heritage Overlay, supporting justification is expected to apply this provision.

The standard permit requirements of Clause 43.01-1 of the Heritage Overlay apply to Aboriginal heritage places included in the schedule. Clause 43.01-10 reminds a responsible authority that the requirements of the *Aboriginal Heritage Act 2006* apply to these places.

How are heritage precincts and areas treated?

Significant precincts and areas should be identified in the schedule and be mapped.

How are individual buildings, trees or properties of significance located within significant areas treated?

The provisions applying to individual buildings and structures are the same as the provisions applying to areas, so there is no need to separately schedule and map a significant building, feature or property located within a significant area.

The only instance where an individual property within a significant area should be scheduled and mapped is where it is proposed that a different requirement should apply. For example, external painting controls may be justified for an individual building of significance but not over the heritage precinct surrounding the building.

Alternatively, tree controls may be justified for a specific tree or property within a significant precinct but not over the whole precinct. In such situations the individual property or tree should be both scheduled and mapped.

Significant buildings or structures within a significant precinct can be identified through a local planning policy.

Curtilages and Heritage Overlay polygons

The Heritage Overlay applies to both the listed heritage item and its associated land. It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any development, including subdivision, does not adversely affect the setting, context or significance of the heritage item. The land surrounding the heritage item is known as a 'curtilage' and will be shown as a polygon on the Heritage Overlay map. In many cases, particularly in urban areas and townships, the extent of the curtilage will be the whole of the property (for example, a suburban dwelling and its allotment).

However, there will be occasions where the curtilage and the Heritage Overlay polygon should be reduced in size as the land is of no significance. Reducing the curtilage and the polygon will have the potential benefit of lessening the number of planning permits that are required with advantages to both the landowner and the responsible authority. Examples of situations where a reduction in the curtilage and polygon may be appropriate include:

• A homestead on a large farm or pastoral property where it is only the house and/or outbuildings that is important. In most cases with large rural properties, the inclusion of large areas of surrounding farmland is unlikely to have any positive heritage benefits or outcomes.



- A significant tree on an otherwise unimportant property.
- A horse trough, fountain or monument in a road reservation.
- A grandstand or shelter in a large but otherwise unimportant public park.

Suggested steps in establishing a curtilage and polygon include:

- 1. Review the heritage study documentation and ask the question 'What is significant?'. The polygon should capture those elements of the place that are significant. If there are multiple elements that are widely dispersed on the property, one option may be to have multiple polygons which share the same Heritage Overlay number.
- 2. In addition to capturing the elements that are significant, it is almost always necessary to include a curtilage (see definition above) to:
 - retain the setting or context of the significant building, structure, tree or feature
 - regulate development (including subdivision) in proximity to the significant building, tree or feature.
- 3. Where possible, uncomplicated and easily recognised boundaries (such as a fence line) leave little room for potential dispute in terms of the land affected by any future Overlay.
- 4. Use aerial photos where they exist to assist in identifying a reduced curtilage.
- 5. Where access is possible, 'ground truthing' may be of assistance.

- 6. Explain the basis for the reduced curtilage polygon in the heritage study documentation
- 7. Where questions might arise in the future as to the extent of the polygon shown on the planning scheme map, use the entry in the Schedule to the Heritage Overlay (i.e. column two) to specify the area covered by the polygon. For example:

"The heritage place is the Moreton Bay Fig Tree and land beneath and beyond the canopy of the tree and extending for a distance of five metres from the canopy edge."

Mapping heritage places

All heritage places must be both scheduled and mapped.

In each case, care should be taken to ensure that there is an accurate correlation between the Heritage Overlay schedule and the Heritage Overlay map.

The need for care is exemplified by the fact that the Heritage Overlay map will be the determining factor in any dispute as to whether a control applies (for example, in cases where there is conflict between the Heritage Overlay map and the property description or address in the Heritage Overlay schedule).

Councils are encouraged to review their planning schemes to ensure that all heritage places are correctly mapped and that there are no discrepancies between how places are identified in the Heritage Overlay schedule and Heritage Overlay maps.

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APPENDIX A. Example statement of significance

GUMNUT PLANNING SCHEME

Wombat Flats Precinct Statement of Significance

Heritage Place:	Wombat Flats Precinct	PS ref no:	HO26
[Insort photo and	arman if annlicable		

[Insert photo and or map, if applicable]

What is significant?

The following features contribute to the significance of the precinct:

The houses constructed from c.1855 to c.1910, as shown on the precinct map.

- The overall consistency of housing form (hipped roofs, single storey wall heights), materials and detailing (weatherboard, face brick or stucco external cladding, corrugated metal roofs, wide verandahs facing the street, brick chimneys), and siting (generous and consistent front and side setbacks).
- Streetscape materials such as bluestone kerb and channel and concrete footpaths. Features that do not contribute to the significance of this place include non-original alterations and additions to the contributory buildings shown on the precinct map and the houses at 32, 24 & 36 Wattle Avenue.

Contributory buildings:

Wattle Avenue: 3,5,7,9,11,13,15,17,19

Myrtle Street: 7,11,12

Features that do not contribute to the significance of this place include non-original alterations and additions to the contributory buildings shown on the precinct map and the houses at 32, 24 & 36 Wattle Avenue.

How is it significant?

The Wombat Flats Precinct is of local, historic and aesthetic significance to Gumnut Shire.

Why is it significant?

Historically, the precinct demonstrates how the gold rush encouraged the residential development of this area in the mid-nineteenth century. The later Victorian and Edwardian housing demonstrates the next stage of development, which resulted from the establishment of improved transport links and industries such as the Butterscotch Factory in near-by Lilly Pilly Street. (Criterion A)

The precinct is significant for the way it demonstrates the key phases of development prior to World War I, characterised by mid to late Victorian era housing, supplemented by Edwardian infill, set within a nineteenth century subdivision with a regular allotment pattern. It is representative of the way residential areas in Gumnut developed during this era. (Criterion D)

The mid to late Victorian and Federation/Edwardian houses with characteristic form, materials and detailing are complemented by traditional public realm materials such as concrete footpaths and bluestone kerb and channel. (Criterion E)

Primary source

[Insert applicable study and/or citation, if applicable]

[Insert grading table for large precincts]

Number	Address	Grade
7	Wattle Avenue	Contributory

This document is an incorporated document in the Gumnut Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987



PS map ref	Heritage Place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	House 1 Albert Street, Belmont	Yes	No	No	Yes, front fence	No	No	No
HO2	Althol House 57 Albert Street, Belmont	-	,	ı		Yes Ref No H456	Yes	No
НОЗ	Moreton Bay Fig Tree 26 Bryant Street, Ceres The heritage place is the Moreton Bay Fig Tree and land beneath the canopy edge of the tree for a distance of five metres from the canopy edge	No	ON	Yes	ON	° Z	о <u>х</u>	°2
HO4	Barwon River Bridge Station Street, Geelong	ı	1	1	- -	Yes Ref No H789	No	No
HO5	William Street Precinct William Street, Geelong Incorporated plan:	Yes	N	No	°N	No	N	N N
	William Street Precinct permit exemptions Statement of significance:		An incorporated plan, statement of significance and design guidelines are listed in column 2, under the relevant heritage place name	n incorporated plan, statement o gnificance and design guideline are listed in column 2, under the relevant heritage place name		Heritage places listed in the schedule before 31 July 2018 are not required to include a statement of significance	in the 2018 are de a ince	

APPENDIX B. Example schedule to the Heritage Overlay

GUMNUT PLANNING SCHEME

----20- SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

- 1.0 Application requirements

2.0 Heritage places



	Heritage Place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Williams Street Precinct Statement of Significance Heritage design guidelines: William Street Precinct streetscape design guidelines							
	Wombat Flats Precinct	No	No	No	No	ON	No	No
	1-35 & 2-36 Wattle Avenue and 1-29 & 2-30 Blue Gum Statement of significance: Wombat Flats Precint Statement of Significance	A state listed in relevar	A statement of significance is listed in column 2, under the relevant heritage place name	ance is ler the e name				
1	Mount Rothwell Stone Arrangement Mount Rothwell Station	No	No	No	No	No	No	Yes
	Little River-Ripley, Little River Statement of significance: Mount Rothwell Stone Arrangement Statement of Significance							



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Department of Environment, Land, Water and Planning



APPENDIX 2 – PLACES IDENTIFIED FOR DETAILED ASSESSMENT

ALL RECOMMENDED FOR FURTHER ASSESSMENT		
Address	Architect	Built date
86 Dalgetty Road BEAUMARIS	Robin Boyd	1949
2 Scott Street BEAUMARIS	J F Spears	1949
19 Haldane Street BEAUMARIS	B K Hanmer	1950s
19 Olympic Avenue CHELTENHAM	Rex Patrick	1951, 1956, 1960s
53 Scott Street BEAUMARIS	Ken Atkins	1953
166 Tramway Parade BEAUMARIS	Berg & Alexandra	1953 / 1950s
21 Wells Road BEAUMARIS	Ian Freeland	1953
14 Cromer Road BEAUMARIS	timber (?) Kevin Knight	1950s >>> 1953
67 Haydens Road BEAUMARIS	Don Jenner	1954-55
242 Beach Road BLACK ROCK	Robin Boyd	1954
15 Mariemont Avenue BEAUMARIS	John Baird	1955
78 Scott Street BEAUMARIS	John & Phyllis Murphy, with G Stuart	1955
148 Weatherall Road CHELTENHAM	C R Crook	1955-56
54 Haldane Street BEAUMARIS	James (Jim) Earle	1956
165-167 Tramway Parade BEAUMARIS	Allan Pike	1956
50 Wells Road BEAUMARIS	Chancellor & Patrick	1956-57
19 Florida Avenue BEAUMARIS	James (Jim) Earle	1957
15 Hume Street BEAUMARIS	John Baird	1957
11-13 Lang Street BEAUMARIS	Yuncken Freeman	1950s/60s?
28 Towers Street BEAUMARIS	Kevin Borland	1957
7 Roosevelt Court BRIGHTON EAST	McGlashan & Everist	1957
2 High Street BEAUMARIS	Chancellor & Patrick	1958
11 Summerhill Road BEAUMARIS	Neil Clerehan	1958
6 Norwood Avenue BRIGHTON	Keith Batchelor	1958
50 Gareth Avenue BEAUMARIS	Bruce Barbour	1959
3 Keith Court BRIGHTON	Peter Spier	1959
Unit 1-6/16 Clive Street BRIGHTON EAST		
2 Clonmore Street BEAUMARIS	Linton W Reynolds, Woodfall &	1960-62, c1983
19 Gramatan Avenue BEAUMARIS	Geoffrey Woodfall	1960
171 Tramway Parade BEAUMARIS	Anatol Kagan	1960
Unit 1-4/94 Bay Road SANDRINGHAM		
Unit 1-7/150 Beach Road SANDRINGHAM		
25 Mariemont Avenue BEAUMARIS		
23 Clonmore Street BEAUMARIS	Eric Rice	1961
56 Cloris Avenue BEAUMARIS	Bernard K Hanmer	1961
14 Fairway Avenue CHELTENHAM	Gerald McKeown	1961
15 Besant Street HAMPTON EAST	I Anderson	1961
372 Beach Road BEAUMARIS	McGlashan & Everist (attrib.)	1962c ? Or 1950s?
89 Oak Street BEAUMARIS	Sylvia Tutt	1962-64
132 Tramway Parade BEAUMARIS	Ronald G Monsbourgh	1962
1 Miller Street BRIGHTON	Chancellor & Patrick	1962
1 Sara Avenue BRIGHTON EAST	Harry Ernest	1962
1 Regent Street BRIGHTON EAST	David Godsell	1963
27 Bolton Avenue HAMPTON	Bernard Joyce	1963
21 Point Avenue BEAUMARIS	William Collinson Kerr	1964
142 Reserve Road BEAUMARIS	Sylvia Tutt	1964?
Unit 1-8/175 Church Street BRIGHTON		
Unit 1-4/2-4 Haldane Street BEAUMARIS		

56A Dendy Street BRIGHTON	Michael R E Feldhagen	1965
Unit 1-15/405 Beach Road BEAUMARIS		
82 Haydens Road BEAUMARIS		
104 Tramway Parade BEAUMARIS		
175-177 Tramway Parade BEAUMARIS	Unknown	
24 Balcombe Park Lane BEAUMARIS	J Carmichael	1966
9 Gray Court BEAUMARIS	Chancellor & Patrick	1966-67
15 Vardon Avenue BEAUMARIS	Royle	
51 Lynch Crescent BRIGHTON	UNKNOWN	c.1966
5 Sandown Street BRIGHTON	John Baird	1967
9 Wolseley Grove BRIGHTON	McGlashan & Everist	1967
Unit 1-8/16 Yuille Street BRIGHTON	Graeme C Gunn	1967-68
1 Bayview Road BRIGHTON EAST	Kurt Popper	1967
3 Seaview Crescent BLACK ROCK		1967
1 Reid Street BEAUMARIS	Chancellor & Patrick	1968
9 Merton Avenue BRIGHTON	Dr Ernest Fooks	1968
18 South Road BRIGHTON	David Godsell	1968
2 Davey Avenue BRIGHTON EAST		
13 Fifth Street BLACK ROCK	Chancellor & Patrick	1969
3 Exon Street BRIGHTON	Walter Grodski	1969
9 Coreen Avenue BEAUMARIS	William Collinson Kerr	
1 Hutchison Avenue BEAUMARIS	S G L Baker	1970
21 Dudley Street BRIGHTON	UNKNOWN	
42 North Road BRIGHTON	Peter Crone	1970-72
40 Sussex Street BRIGHTON	Neil Clerehan	1970
32 Clonaig Street & 1 Meyer Court BRIGHTON EAST	UNKNOWN	
Unit 1-6/57 Royal Avenue SANDRINGHAM		
7 Ward Street BEAUMARIS		
13A Ebden Avenue BLACK ROCK	Мах Мау	1971-73
3 Roslyn Street BRIGHTON	Edgard Pirotta	1971
25 Chatsworth Avenue BRIGHTON	Alistair Knox, Gordon Ford (garden)	1972
45 Hanby Street BRIGHTON		
48 Hanby Street BRIGHTON	Geoffrey Woodfall	1972
344 Beach Road BLACK ROCK	Holgar & Holgar	1973-75
28 Gladstone Street SANDRINGHAM	Neil Clerehan	1973
Unit 1-8/114 Bluff Road BLACK ROCK		
19 Clarice Becketts Lane BLACK ROCK	UNKNOWN	
Unit 1-6/5-7 Red Bluff Street BLACK ROCK	Educate Director	
35 Kinane Street BRIGHTON	Edgard Pirotta	
1 Olinda Avenue BEAUMARIS	laba Paird	1076
16 Surf Avenue BEAUMARIS	John Baird	1976
Unit 1-4/16 Gillard Street BRIGHTON EAST	Not known	1055
26 Anita Street BEAUMARIS	Not known Builder: E McLean & Co	1955
40 Anita Street BEAUMARIS		1957
12 Bolton Street BEAUMARIS	Not known	1954
84 Dalgetty Road BEAUMARIS	Not known	1956 57
105 Dalgetty Road BEAUMARIS	Not known	1956-57
107 Dalgetty Road BEAUMARIS		
18 Emily Street BEAUMARIS	Not known	1958
20 Emily Street BEAUMARIS		

20 Gramatan Avenue BEAUMARIS		
22 Gramatan Avenue BEAUMARIS	Not known	1963-65
97 Haldane Street BEAUMARIS		
64 Haydens Road BEAUMARIS		
1 Herbert Street BEAUMARIS	Not known	1962
18 Hume Street BEAUMARIS	Not known	1957
17 Kirkwood Street BEAUMARIS		
22 Michael Street BEAUMARIS		
18 Nautilus Street BEAUMARIS		
82 Pellatt Street BEAUMARIS	George Spencer for E McLean & Co	
82 Reserve Road BEAUMARIS	John Kirk	1961
33 Scott Street BEAUMARIS	Small Homes Service	1955?
50 Scott Street BEAUMARIS		1956
70 Scott Street BEAUMARIS		
26 Tramway Parade BEAUMARIS		
21 Vardon Avenue BEAUMARIS		
24 Victor Street BEAUMARIS	Not known	1959
1 Wells Road BEAUMARIS		
29 Clive Street BRIGHTON		
28 Clonaig Street BRIGHTON EAST	Small Homes Service	
3 Dunoon Court BRIGHTON EAST	Small Homes Service	
5 Coape Street CHELTENHAM		
4 Mernda Avenue CHELTENHAM		
22 Weatherall Road CHELTENHAM		
8 Bronte Court HAMPTON	Small Homes Service	1956
10 Kelsall Court HAMPTON		
23 Noyes Street HIGHETT		
22 Harold Street SANDRINGHAM		
44 Harold Street SANDRINGHAM		
25 Oak Street BEAUMARIS	Jon Friedrich for the RAIA Housing	1972-73
15 Third Street BLACK ROCK	Nino Sydney for Lend Lease	1964

POSSIBLE PRECINCT 1 OF 3 - BALCOMBE ROAD

456 Balcombe Road BEAUMARIS	John Baird	1960
458 Balcombe Road BEAUMARIS		
444 Balcombe Road		
442 Balcombe Road BEAUMARIS		
Unit 1-7/446 Balcombe Road BEAUMARIS		
440 Balcombe Road BEAUMARIS		

POSSIBLE PRECINCT 2 OF 3 - BELLAIRE COURT

8 Bellaire Court BEAUMARIS	Martin Sachs	
19 Bellaire Court BEAUMARIS	Martin Sachs	
18 Bellaire Court BEAUMARIS	Martin Sachs	
15 Bellaire Court BEAUMARIS	Martin Sachs	1963-1968
2 Bellaire Court BEAUMARIS	Martin Sachs	

POSSIBLE PRECINCT 3 OF 3 - MICHAEL STREET

31 Michael Street BEAUMARIS	1957

33 Michael Street BEAUMARIS	1957
34 Michael Street BEAUMARIS	1958
36 Michael Street BEAUMARIS	1958