



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

TUESDAY 23 NOVEMBER 2021

MINUTES

**Meeting was held remotely and streamed live
via Council's website at 7:32pm**

Present

The Mayor, Councillor Jim Magee
Councillor Anne-Marie Cade
Councillor Margaret Esakoff
Councillor Sam Parasol
Councillor Li Zhang
Councillor Simone Zmood
Councillor David Zyngier

**8.5 POST-WAR AND HIDDEN GEMS HERITAGE REVIEW AND THEMATIC ENVIRONMENTAL HISTORY (REFRESH)
PLANNING PANEL REPORT
PLANNING SCHEME AMENDMENT C214**

Moved: Cr Zmood

Seconded: Cr Cade

That Council :

1. notes the recommendations of the Independent Panel in relation to Planning Scheme Amendment C214;
2. resolves to split Amendment C214 into three parts being:

Part 1 which:

- Amends the Municipal Strategic Statement at Clause 21.10 (Heritage) and
- Amends the Heritage Policy at Clause 21.01-6 to:
 - remove reference to the Heritage Management Plan Volume 1 and
 - include the following documents as reference documents to these clauses:
 - *City of Glen Eira Thematic Environmental History (Refresh) 2020* and
 - *City of Glen Eira Post-war and Hidden Gems Heritage Review 2020, Stage 2: Citations*; and
 - remove reference to superseded heritage studies.
- Amends the Schedule to Clause 43.01 (Heritage Overlay) and
- Amends Planning Scheme Maps 1HO, 2HO and 3HO to apply the Heritage Overlay to the following new places and precincts:

HO Number	Description of Place	Properties included in HO
HO204	Duplex	325/325a Bambra Road, Caulfield South
HO205	Olgita - flats	440 Dandenong Road, Caulfield North
HO206 External paint controls applied	Shops	158-166 Hawthorn Road, Caulfield North
HO208	Linden Flats	575 Inkerman Road, Caulfield North
HO209	Meldrum House (former)	35 Labassa Grove, Caulfield North
HO210	Flats	1 Lockerbie Court, St Kilda East
HO211	Bundara - house	475 Neerim Road, Murrumbeena
HO213	Orrong Court - flats	213 Orrong Road, St Kilda East

HO214	Craigellachie Flats	273 Orrong Road, St Kilda East
HO215	St Elmo - house	133 Tucker Road, Bentleigh
HO217	House	386 Alma Road, Caulfield North
HO222	House	16 Cantala Avenue, Caulfield North
HO224	House	14-16 Clee Street, McKinnon
HO225	House	2 Edinburgh Avenue, Caulfield
HO226	House	23 Edinburgh Avenue, Caulfield
HO229	St Margaret's Presbyterian Church	106 Hotham Street, St Kilda East
HO230	House	6 Keeron Street, Caulfield South
HO231	Robert Lodge - flats	218 Kooyong Road, Caulfield
HO232	House	6 Labassa Grove, Caulfield North
HO236	Fountain Court - flats	70 Orrong Crescent, Caulfield North
HO238	Aroona Road Modernist Precinct	Aroona Road, Caulfield North: 43, 45, 47, 49

- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statements of Significance for the proposed 20 individual heritage places and 1 heritage precinct.
- Amends the Schedule to Clause 72.08 (Background Documents) to add the *City of Glen Eira Thematic Environmental History (Refresh) 2020* and *City of Glen Eira Post-war and Hidden Gems Heritage Review 2020, Stage 2: Citations* as background documents.

Part 2 which:

- Amends the Schedule to Clause 43.01 (Heritage Overlay); and
- Amends Planning Scheme Maps 1HO and 3HO to apply the Heritage Overlay to the following new places and precincts:

HO Number	Description of Place	Properties included in HO
HO212	Clarence Lodge - house	58 Norwood Road, Caulfield North
HO219	Greyfriars - flats	53 Balaclava Road, Caulfield North
HO220	House	64 Balaclava Road, Caulfield North
HO223 Internal alteration controls applied	St John's Anglican Church	624 Centre Road, Bentleigh East
HO227	Popper House & Gordonlea Flats	61-63 Gordon Street, Elsternwick
HO239	Wimbledon Estate Precinct	Alexandra Street, St Kilda East: 1/8, 2/8 Bickhams Court, St Kilda East: 1, 1a, 3, 4, 9 Wimbledon Court, St Kilda East: 2

HO240	Findon Avenue Precinct	Findon Avenue, Caulfield North: 2, 4, 6, 8, 10, 12, 14, 16
HO241	Grimwade Court Precinct	Grimwade Court, Caulfield North: 1-6

- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statements of Significance for the proposed 5 individual heritage places and 3 heritage precincts.
- Amends the Schedule to Clause 72.08 (Background Documents) to add the *City of Glen Eira Post-war and Hidden Gems Heritage Review 2020, Stage 2: Citations as a background document*.

3. Part 3 which:

- Amends the Schedule to Clause 43.01 (Heritage Overlay); and
- Amends Planning Scheme Maps 1HO and 2HO to apply the Heritage Overlay to the following new places and precincts:

HO Number	Description of Place	Properties included in HO
HO207	Houses (pair)	195-197 Hawthorn Road, Caulfield North
HO216	House	335 Alma Road, Caulfield North
HO218	House	30 Aroona Road, Caulfield North
HO221	Flats	124 Balaclava Road, Caulfield North
HO228	House	30 Griffiths Street, Caulfield South
HO233 Internal alteration controls applied	House	40 Lumeah Road, Caulfield North
HO234 Internal alteration controls applied	House	82 Lumeah Road, Caulfield North
HO235	Murrumbeena Baptist Church	44 Murrumbeena Road, Murrumbeena
HO237	House	49 Rosemont Avenue, Caulfield North

- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statements of Significance for the proposed 9 individual heritage places.
 - Amends the Schedule to Clause 72.08 (Background Documents) to add the *City of Glen Eira Post-war and Hidden Gems Heritage Review 2020, Stage 2: Citations as a background document*.
4. adopts Planning Scheme Amendment C214 Part 1 in accordance with Section 29(1) of the *Planning and Environment Act 1987* as exhibited (noting that no recommendations were made by the Panel that affect Amendment C214 Part 1) and with one additional change and reasoning as follows:
- retain the *City of Glen Eira Post-War and Hidden Gems Heritage*

Review 2020, Stage 2: Citations as exhibited, but include on the front page of all citations relating to places affected by resolution 6 the following statement: "Council determined to remove this place from inclusion in the Heritage Overlay on 23 November 2021" to make clear to future readers the process undertaken by Council.

5. adopts Planning Scheme Amendment C214 Part 2 in accordance with Section 29(1) of the *Planning and Environment Act 1987* as exhibited but amended in accordance with Recommendation 3 and the 'Further Recommendation' of the Panel Report (in part and as it relates to C214 Part 2) as follows:

Amend the Statement of Significance for:

- 58 Norwood Road, Caulfield North (HO212) to note alterations identified by the owners;
- 64 Balaclava Road, Caulfield North (HO220) to identify the cantilevered overhang with altered fascia and potentially altered skylights;
- 624 Centre Road, Bentleigh East (HO223) to delete references to the organ, revise details about the altar wall to reflect actual materials and to correct the reference to the spire;
- 61-63 Gordon Street, Elsternwick (HO227) to delete reference to Criterion F;

'Further recommendation of the Panel': Amend the relevant heritage citations in the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* to make consequential changes resulting from recommendations in this report to Glen Eira Planning Scheme C214 as they relate for C214 Part 2.

6. abandons Planning Scheme Amendment C214 Part 3 in accordance with Section 28 of the *Planning and Environment Act 1987* for reasons outlined as follows:

- a. Abandon HO207 195-197 Hawthorn Road, Caulfield North - Council does not agree with Recommendation 3 of the Panel in this instance. Council agrees with the submitter that the Heritage Overlay should not apply to this place;
- b. Abandon HO216 335 Alma Road, Caulfield North - Council agrees with Panel Recommendation 1. The recommendation reflects this through the abandonment of the Heritage Overlay from 335 Alma Road, Caulfield North;
- c. Abandon HO218 30 Aroona Road, Caulfield North - Council does not agree with Panel Recommendation 3. Council agrees with the submitter that the Heritage Overlay should not apply to this place;
- d. Abandon HO221 124 Balaclava Road, Caulfield North - Council agrees with the submitter that the Heritage Overlay should not apply to this place;
- e. Abandon HO228 30 Griffiths Street, Caulfield South - Council agrees with Panel Recommendation 1. The recommendation reflects this through the abandonment of the Heritage Overlay from 30 Griffiths Street, Caulfield South;
- f. Abandon HO233 40 Lumeah Road, Caulfield North - Council agrees with Panel Recommendation 1.

The recommendation reflects this through the abandonment of the Heritage Overlay from 40 Lumeah Road, Caulfield North;

- g. Abandon HO234 82 Lumeah Road, Caulfield North – Council agrees with Panel Recommendation 2 to delete internal controls from this heritage overlay. Council also agrees with the submitter’s verbal submission to Panel that the Heritage Overlay should not apply to this place;
 - h. Abandon HO235 44 Murrumbeena Road, Murrumbeena - Council agrees with Panel Recommendation 1. The recommendation reflects this through the abandonment of the Heritage Overlay from 44 Murrumbeena Road, Murrumbeena;
 - i. Abandon HO237 49 Rosemont Avenue, Caulfield North - Council does not agree with Panel Recommendation 3. Council agrees with the submitter that the Heritage Overlay should not apply to this place;
 - j. In relation to Amendment C214 Part 3, Council does not agree with the further recommendation of the Panel that the relevant heritage citations in the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* be amended to make consequential changes resulting from recommendations in the Panel Report given that the part of the Amendment that proposed to apply the Heritage Overlay to the above properties is abandoned.
- 7. authorises the Manager City Futures to undertake all changes to the amendment documentation in accordance with Council’s resolution and to make any administrative changes required where changes do not affect the purpose or intent of the adopted amendment;
 - 8. submits the adopted Amendment C214 Parts 1 and 2 to the Minister for Planning for approval in accordance with Section 31(1) of the *Planning and Environment Act 1987* and notifies the Department of Environment, Land, Water and Planning of Council’s decision to abandon Amendment C214 Part 3;
 - 9. advises all submitters to the Amendment of Council’s determination in relation to Amendment C214.

Procedural motion

Moved: Cr Zyngier

Seconded: Cr Zhang

That Council grants Cr Zmood a 3 minute extension of speaking time.

CARRIED UNANIMOUSLY

Procedural motion

Moved: Cr Zyngier

Seconded: Cr Parasol

That Council grants Cr Zhang a 3 minute extension of speaking time.

CARRIED UNANIMOUSLY

For the Motion: Crs Esakoff, Cade, Parasol and Zmood (4)

Against the Motion: Crs Magee, Zhang and Zyngier (3)

The Motion Moved by Cr Zmood and Seconded by Cr Cade was
PUT and **CARRIED**



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

TUESDAY 23 NOVEMBER 2021

AGENDA

**Meeting to be streamed live via
Council's website at 7.30pm**

*"The role of a Council is to provide good governance
in its municipal district for the benefit and
wellbeing of the municipal community."*

- S8(1) Local Government Act 2020

Councillors: The Mayor, Councillor Jim Magee
Councillor Tony Athanasopoulos
Councillor Anne-Marie Cade
Councillor Margaret Esakoff
Councillor Sam Parasol
Councillor Neil Pilling
Councillor Li Zhang
Councillor Simone Zmood
Councillor David Zyngier

Chief Executive Officer: Rebecca McKenzie

**8.5 POST-WAR AND HIDDEN GEMS HERITAGE REVIEW AND THEMATIC ENVIRONMENTAL HISTORY (REFRESH)
PLANNING PANEL REPORT
PLANNING SCHEME AMENDMENT C214**

Author: Jacqui Brasher, Principal Strategic Planner

Trim No: 21/1249152

Attachments: 1. C214glen All Exhibited Amendment Maps [↓](#)
2. C214glen All Exhibited Statements of Significance [↓](#)
3. C214glen Submissions Summary Table and Panel Recommendations [↓](#)
4. Glen Eira C214glen Panel Report [↓](#)

EXECUTIVE SUMMARY

Council adopted the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* and *City of Glen Eira Thematic Environmental History (Refresh) 2020* on 20 August 2020.

Planning Scheme Amendment C214 was authorised and exhibited in November 2020. The amendment and all submissions were subsequently referred to an independent panel for consideration in July 2021.

The Planning Panel report was released in September 2021 and concluded the amendment is well founded and strategically justified. The Panel has recommended adoption of this amendment, subject to limited changes discussed within this report.

Council officers recommend that Amendment C214 is adopted in accordance with the recommendations of the Independent Panel.

RECOMMENDATION

That Council:

1. notes the recommendations of the Independent Panel in relation to Planning Scheme Amendment C214;
2. resolves to split Amendment C214 into two parts being:

Part 1 which :

- Amends the Municipal Strategic Statement at Clause 21.10 (Heritage) and
- Amends the Heritage Policy at Clause 21.01-6 to:
 - remove reference to the Heritage Management Plan Volume 1 and
 - include the following documents as reference documents to these clauses:
 - *City of Glen Eira Thematic Environmental History (Refresh) 2020* and
 - *City of Glen Eira Post-war and Hidden Gems Heritage Review 2020, Stage 2: Citations*; and
 - remove reference to superseded heritage studies.
- Amends the Schedule to Clause 43.01 (Heritage Overlay) and

- Amends Planning Scheme Maps 1HO, 2HO and 3HO to apply the Heritage Overlay to the following new places and precincts:

HO Number	Description of Place	Properties included in HO
HO204	Duplex	325/325a Bambra Road, Caulfield South
HO205	Olgita - flats	440 Dandenong Road, Caulfield North
HO206 External paint controls applied	Shops	158-166 Hawthorn Road, Caulfield North
HO208	Linden Flats	575 Inkerman Road, Caulfield North
HO209	Meldrum House (former)	35 Labassa Grove, Caulfield North
HO210	Flats	1 Lockerbie Court, St Kilda East
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HO213	Orrong Court - flats	213 Orrong Road, St Kilda East
HO214	Craigellachie Flats	273 Orrong Road, St Kilda East
HO215	St Elmo - house	133 Tucker Road, Bentleigh
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HO222	House	16 Cantala Avenue, Caulfield North
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HO225	House	2 Edinburgh Avenue, Caulfield
HO226	House	23 Edinburgh Avenue, Caulfield
HO229	St Margaret's Presbyterian Church	106 Hotham Street, St Kilda East
HO230	House	6 Keeron Street, Caulfield South
HO231	Robert Lodge - flats	218 Kooyong Road, Caulfield
HO232	House	6 Labassa Grove, Caulfield North
HO236	Fountain Court - flats	70 Orrong Crescent, Caulfield North
HO238	Aroona Road Modernist Precinct	Aroona Road, Caulfield North: 43, 45, 47, 49

- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statements of Significance for the proposed 20 individual heritage places and 1 heritage precinct.
- Amends the Schedule to Clause 72.08 (Background Documents) to add the *City of Glen Eira Thematic Environmental History (Refresh) 2020* and *City of Glen Eira Post-war and Hidden Gems Heritage Review 2020, Stage 2: Citations* as background documents.

Part 2 which:

- Amends the Schedule to Clause 43.01 (Heritage Overlay); and
- Amends Planning Scheme Maps 1HO, 2HO and 3HO to apply the Heritage Overlay to the following new places and precincts:

HO Number	Description of Place	Properties included in HO
HO207	Houses (pair)	195-197 Hawthorn Road, Caulfield North
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HO219	Greyfriars - flats	53 Balaclava Road, Caulfield North
HO220	House	64 Balaclava Road, Caulfield North
HO221	Flats	124 Balaclava Road, Caulfield North
HO223 Internal alteration controls applied	St John's Anglican Church	624 Centre Road, Bentleigh East
HO227	Popper House & Gordonlea Flats	61-63 Gordon Street, Elsternwick
HO228	House	30 Griffiths Street, Caulfield South
HO233 Internal alteration controls applied	House	40 Lumeah Road, Caulfield North
HO234 Internal alteration controls applied	House	82 Lumeah Road, Caulfield North
HO235	Murrumbeena Baptist Church	44 Murrumbeena Road, Murrumbeena
HO237	House	49 Rosemont Avenue, Caulfield North
HO239	Wimbledon Estate Precinct	Alexandra Street, St Kilda East: 1/8, 2/8 Bickhams Court, St Kilda East: 1, 1a, 3, 4, 9 Wimbledon Court, St Kilda East: 2
HO240	Findon Avenue Precinct	Findon Avenue, Caulfield North: 2, 4, 6, 8, 10, 12, 14, 16
HO241	Grimwade Court Precinct	Grimwade Court, Caulfield North: 1-6

- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statements of Significance for the proposed 14 individual heritage places and 3 heritage precincts.
- Amends the Schedule to Clause 72.08 (Background Documents) to add the *City of Glen Eira Post-war and Hidden Gems Heritage Review 2020, Stage 2: Citations as a background document*.

3. adopts Planning Scheme Amendment C214 Part 1 in accordance with Section 29(1) of the *Planning and Environment Act 1987* as exhibited but amended in accordance with the 'further recommendation' of the Panel Report as follows:
 - 'Further recommendation of the Panel': Amend the relevant heritage citations in the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* to make consequential changes resulting from recommendations in this report to Glen Eira Planning Scheme Amendment C214.
4. adopts Planning Scheme Amendment C214 Part 2 in accordance with Section 29(1) of the *Planning and Environment Act 1987* as exhibited but amended in accordance with Recommendations 1, 2 and 3 and the 'Further Recommendation' of the Panel Report as follows:
 1. *Delete the Heritage Overlay from:*
 - 335 Alma Road, Caulfield North (HO216)
 - 30 Griffith Street, Caulfield (HO228)
 - 40 Lumeah Road, Caulfield North (HO233)
 - 44 Murrumbeena Road, Murrumbeena (HO235).
 2. *Amend the Heritage Overlay Schedule to not apply internal controls to 82 Lumeah Road, Caulfield North (HO234).*
 3. *Amend the Statement of Significance for:*
 - 195-197 Hawthorn Road, Caulfield (HO207) to identify the non-original front fence of 195 Hawthorn Road and the non-original dwarf wall between the two properties along the driveway
 - 58 Norwood Road, Caulfield North (HO212) to note alterations identified by the owners
 - 30 Aroona Road, Caulfield North (HO218) to delete reference to the driveway paving as a significant element
 - 64 Balaclava Road, Caulfield North (HO220) to identify the cantilevered overhang with altered fascia and potentially altered skylights
 - 624 Centre Road, Bentleigh East (HO223) to delete references to the organ, revise details about the altar wall to reflect actual materials and to correct the reference to the spire
 - 61-63 Gordon Street, Elsternwick (HO227) to delete reference to Criterion F
 - 82 Lumeah Road, Caulfield North (HO234) to:
 - delete references to the building interiors being significant
 - identify alterations, namely removal of the front door, skylight and outside metal lamp post, new tiles at the front door and new crazy paving, the non-contributory front fence, the three timber framed single sliding glass doors located on the first floor verandah, large lattice soffit over the main entry (subject to further investigation and confirmation).
 - 49 Rosemont Avenue, Caulfield North (HO237) to note the added white metal security gate located at the front entrance.

'Further recommendation of the Panel': Amend the relevant heritage citations in the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* to make consequential changes resulting from recommendations in this report to Glen Eira Planning Scheme Amendment C214.

5. authorises the Manager City Futures to undertake all changes to the amendment documentation in accordance with Council's resolution and to make any administrative changes required where changes do not affect the purpose or intent of the adopted amendment;
6. submits the adopted Amendments C214 Parts 1 and 2 to the Minister for Planning for approval in accordance with Section 31(1) of the *Planning and Environment Act 1987*; and
7. advises all submitters to the Amendment of Council's determination in relation to Amendment C214.

BACKGROUND

PROPONENT	Glen Eira City Council
PROPOSED PLANNING CONTROLS	<p>a) The amendment proposes to implement the recommendations of the <i>City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations</i> by introducing the Heritage Overlay to four (4) proposed heritage precincts and 34 proposed individual heritage places. The Amendment also seeks to implement the municipal wide heritage methodologies by including the <i>City of Glen Eira Thematic Environmental History (Refresh) 2020</i> as a background document within the <i>Glen Eira Planning Scheme</i>.</p> <p>The amendment proposes to make changes to the <i>Glen Eira Planning Scheme</i> to implement the recommendations of the above listed heritage reports — through changes to the <i>Municipal Strategic Statement</i>, local planning policy, Heritage Overlay, operational provisions and planning scheme maps. The detailed list of all planning scheme changes is included in the <i>Explanatory Report</i>.</p>
MUNICIPAL STRATEGIC STATEMENT	<i>"To protect, identify, enhance and promote understanding of Glen Eira's Heritage."</i>

Theme One of the *Glen Eira Council and Community Plan 2017–2021*: 'Liveable and Well Designed' includes a commitment to *protect and celebrate Glen Eira's cultural heritage through a range of planning policies and controls*.

Council has achieved the performance measure for this commitment by publicly exhibiting the Post-War and Hidden Gems planning scheme amendment.

Recent feedback from the community engagement on the draft *Council Plan 2021-2025* indicates strong support for enhancing and protecting heritage assets throughout the City. This amendment supports the value the community places on protecting local heritage.

Council's adoption of the Consultant's Reports

Built Heritage Pty Ltd was appointed to undertake both the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020* and the *City of Glen Eira Thematic Environmental History (Refresh) 2020*. Both reports were adopted by Council on 11 August 2020 after extensive pre-amendment consultation during which all owners were notified of Council's heritage review.

A thematic environmental history assists Council with the identification of places or precincts that illustrate one or more historic themes of importance for the municipality. The *City of Glen Eira Thematic Environmental History (Refresh) 2020* which forms part of this amendment, builds upon and replaces Council's original history - the *City of Glen Eira Heritage Management Plan 1996 Volume 1* as a Background Document within the Planning Scheme.

Authorisation and Exhibition

On 18 September 2020, Council received authorisation to prepare and exhibit Amendment C214glen. The proposed Heritage Overlay Maps are provided in **Attachment 1**. And the Statements of Significance are provided in **Attachment 2**.

The Amendment was exhibited from 29 October to 30 November 2020. Exhibition involved:

- 254 notices posted to owners and occupiers as well as referral authorities, prescribed ministers, the National Trust and the Glen Eira Historical Society;
- 1 notice in *The Age*;
- 1 notice in the *Government Gazette*;
- 1 article in the *Glen Eira News*; and
- amendment documentation available on Council's website.

Nineteen submissions were received at this time. To safeguard against the possibility of any confusion between the informal (pre-amendment) engagement process and the formal exhibition of the amendment, on 2 February 2021, Council resolved to:

- defer consideration of submissions;
- direct officers to write to respondents to the informal (pre-amendment) consultation asking if they wish to make a late submission to the amendment;
- request a further report from officers to consider all submissions received.

Submissions received

A summary of submissions together with the Panel's comments and recommendations (taken from the Panel Report) is provided at **Attachment 3**.

Council received 24 submissions in total (19 within the exhibition period and five following further advertising of the Amendment) as follows:

- 21 submissions objected to or questioned some aspect of the amendment;
- two submissions supported the amendment;
- one submission of 'no comment'.

Key issues raised in objecting submissions include:

- overstating of cultural or architectural heritage significance;
- restricting re-development potential, including in areas where higher density is encouraged;
- economic impacts on property owners/impacts on property values;
- Council must retain heritage that is widely recognised and admired by the broader community;
- previous alterations, renovations have altered the character of the place or precinct;
- perceived errors within citations;
- request for increased external paint controls;

- individually significant properties located within precincts – should they have their own individual heritage overlay?
- the issue of citations referring to the proposed Thematic Environmental History (TEH) which is not yet approved as Background Document within the Glen Eira Planning Scheme;
- the TEH discusses houses of the 1950s/60s/70s and no information or supporting references are provided to support inclusion of 40 Lumeah Road.

Council decision to proceed to Panel

At the 27 April 2021 Council meeting, Council resolved to:

- *consider the submissions received, including late submissions received up until 10 March 2021;*
- *request the Minister for Planning to appoint a Planning Panel to consider submissions received during the exhibition period for Amendment C214 and the late submissions received until 10 March 2021 for Amendment C214 - in accordance with section 23 of the Planning and Environment Act 1987; and*
- *for the purpose of advocacy before a planning panel, note Council's intention of abandoning the application of the heritage overlay to the following places and precincts:*
 - a) 195-197 Hawthorn Road, Caulfield North
 - b) 58 Norwood Road, Caulfield North
 - c) 53 Balaclava Road, Caulfield North
 - d) 124 Balaclava Road, Caulfield North
 - e) 61-63 Gordon Street, Elsternwick
 - f) 40 Lumeah Road, Caulfield North
 - g) 44 Murrumbeena Road, Murrumbeena
 - h) Wimbledon Estate Precinct, St Kilda East
 - i) Grimwade Court Precinct, Caulfield North
 - j) 335 Alma Road, Caulfield North
 - k) 30 Aroona Road, Caulfield North
 - l) 64 Balaclava Road, Caulfield North
 - m) 624 Centre Road, Bentleigh East
 - n) 30 Griffiths Street, Caulfield South
 - o) 82 Lumeah Road, Caulfield North
 - p) 49 Rosemont Avenue, Caulfield North
 - q) Findon Avenue Precinct, Caulfield North

Planning Panel Hearing

An Independent Planning Panel, comprised of two members, convened an online Panel Hearing on 26 July 2021.

Council was represented by Adeline Lane of Marcus Lane Group who advocated for the adopted position of Council as resolved at the 27 April 2021 Council meeting.

Eight submitters made presentations to the Panel at the Hearing.

The Panel Report was received on 2 September 2021 and is found at **Attachment 4**. The Panel Report was made available to the public on 16 September 2021 by placing a copy of the report on Council's website and notifying all submitters by email.

Panel Report

In relation to strategic justification of the amendment, the Panel Report concluded:

- *The Heritage Review has applied a robust methodology and is generally based on well researched assessments to reach its findings;*
- *There is no apparent reason to question the Council adopted Thematic history 2020 report, and it can be considered when assessing properties subject to the Amendment;*
- *The Amendment is:*
 - *Supported by, and implements relevant sections of the Planning Policy Framework;*
 - *Consistent with the relevant Ministerial Directions and Practice Notes;*
 - *Well founded and strategically justified.*
- *The Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters (of the Panel Report);*
- *Council's intention to abandon applying the Heritage Overlay based on objecting submissions rather than strategic merit does not align with the PE Act objectives, State and local planning policy and Clause 71.02-3 of the Planning Scheme.*

The Panel concluded that the amendment process was sound. The Panel agreed with Council's heritage consultant that the vast majority of places and precincts proposed for heritage protection are worthy of this control and satisfy the relevant heritage criteria demonstrating local heritage significance.

The following are the specific recommendations of the Panel:

1. Delete the Heritage Overlay from:
 - a) 335 Alma Road, Caulfield North (HO216)
 - b) 30 Griffith Street, Caulfield (HO228)
 - c) 40 Lumeah Road, Caulfield North (HO233)
 - d) 44 Murrumbeena Road, Murrumbeena (HO235).
2. Amend the Heritage Overlay Schedule to not apply internal controls to 82 Lumeah Road, Caulfield North (HO234).
3. Amend the Statement of Significance for:
 - a) 195-197 Hawthorn Road, Caulfield (HO207) to identify the non-original front fence of 195 Hawthorn Road and the non-original dwarf wall between the two properties along the driveway
 - b) 58 Norwood Road, Caulfield North (HO212) to note alterations identified by the owners
 - c) 30 Aroona Road, Caulfield North (HO218) to delete reference to the driveway paving as a significant element

- d) 64 Balaclava Road, Caulfield North (HO220) to identify the cantilevered overhang with altered fascia and potentially altered skylights
- e) 624 Centre Road, Bentleigh East (HO223) to delete references to the organ, revise details about the altar wall to reflect actual materials and to correct the reference to the spire
- f) 61-63 Gordon Street, Elsternwick (HO227) to delete reference to Criterion F
- g) 82 Lumeah Road, Caulfield North (HO234) to:
 - delete references to the building interiors being significant
 - identify alterations, namely removal of the front door, skylight and outside metal lamp post, new tiles at the front door and new crazy paving, the non-contributory front fence, the three timber framed single sliding glass doors located on the first floor verandah, large lattice soffit over the main entry (subject to further investigation and confirmation).
- h) 49 Rosemont Avenue, Caulfield North (HO237) to note the added white metal security gate located at the front entrance.

The Panel further recommends:

Amend the relevant heritage citations in the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* to make consequential changes resulting from recommendations in this report to Glen Eira Planning Scheme Amendment C214.

ISSUES AND DISCUSSION

Strategic justification and Council's resolution of 27 April 2021

The Panel commended Council for acknowledging its responsibility as set out in the *Planning and Environment Act 1987* and in considering planning policy to identify, assess and appropriately protect heritage of local significance. The methodology carried out by Council's consultant was considered by the Panel to be *'robust, well founded and strategically justified'*.

The Panel Report contains commentary about Council's resolution to "*note its intention to no longer apply the Heritage Overlay to the three precincts and 14 properties which received objections*". The Panel notes that some of these submissions did not actually object to the Heritage Overlay but were merely raising issues with the content of the citation or elements of the Statement of Significance.

The Panel says:

Council's intention to abandon applying the Heritage Overlay based on objecting submissions rather than strategic merit does not align with the PE Act objectives, State and local planning policy and Clause 71.02-3 of the Planning Scheme. The PE Act and Planning Scheme require strategic planning to consider the social, economic and environmental effects at a broader community level for present and future generations. Generally, they do not extend to private individual impacts which are separate to broader community concerns.

The Panel accepts there may be strategic reasons for Council to no longer support the Heritage Overlay for some properties. This may include new information which questions the significance of these properties. No such information was presented.

Council has based its resolution on whether objections were received or not. The Panel considers this approach to be fundamentally flawed and inconsistent with its Council Plan, local heritage planning policies, state planning policy, the objectives of the PE Act and Clause 71.02-3 of the Planning Scheme.

Council Plan

The Council Plan responds to the broader Glen Eira community identifying heritage as an issue. Not applying the Heritage Overlay to properties with identified heritage significance would not enable Council to achieve its Objective 1 commitment to ensure development respects and celebrates heritage. Heritage would need to be appropriately recognised through the Heritage Overlay to enable Council to assess whether new development respects the heritage fabric.

Officer response:

Once Council resolves to adopt a consultant report in relation to heritage and commences an amendment, any subsequent removal of places or precincts should ideally be well justified and strategically based. For example, exhibition of the amendment may bring to light information about a property which, upon further review by Council's consultant, may demonstrate the property no longer meets the threshold for local heritage significance. This provides the justification for the subsequent removal.

In the case of Amendment C214, Council flagged its intention to remove various properties from the amendment at adoption stage because the property owner made a submission opposing its inclusion in the Heritage Overlay or questioned an element of the proposal. The decision was not made on the basis of heritage.

The Panel concluded that to remove properties from the amendment because they had received an objection from that property owner was "*fundamentally flawed and inconsistent with its Council Plan, local heritage planning policies, state planning policy, the objectives of the PE Act and Clause 71.02-3 of the Planning Scheme*".

In addition:

- 1 As noted in the Panel Report, not all submissions actually objected to the application of the Heritage Overlay.
- 2 Some places with multiple owners eg. apartment complexes or precincts that are proposed to be removed by Council are based on objections from only one or two property owners. The remaining owners were provided with an opportunity to make a submission during exhibition but made no submission.

Examples include (but are not limited to) the following:

- Wimbledon Estate Precinct (HO239). This precinct proposes to include eight dwellings in the Heritage Overlay (HO) but received two submissions opposed to their inclusion in the HO. Council's resolution proposes to remove the precinct containing all eight dwellings. The owners of the remaining dwellings within the precinct were offered the opportunity to make a submission but did not submit. The Panel concluded that this precinct is highly intact and achieves Criterion A*, E* and H* in relation to local significance. The Panel also recommended that Council consider including two additional properties within this overlay (as part of a separate process).

- 53 Balaclava Road, Caulfield North (HO219). Council received one submission from a complex of 43 (separately owned) apartments. The remaining owners did not make a submission. The single submission supported the property's inclusion in the Heritage Overlay in relation to the historic significance (Criterion A*) however they were questioning whether the building complied with Criterion E* (aesthetic significance). The submission did not actually object to this property being included within the Heritage Overlay. The property was found by the Panel to achieve local significance in relation to both Criterion A and E.
- The submission received from St John's Anglican Church at 624 Centre Road, Bentleigh East (HO223) conceded that the exterior of the building was worthy of heritage significance (subject to minor suggested changes to the description of the building which are included within the Panel's recommendations). The submission objected to the proposed internal controls for this church. The Panel concluded that the place has sufficient local heritage significance to justify the heritage overlay, including internal controls.

**Criterion A - Importance to the course, or pattern of our cultural or natural history*

**Criterion E - Importance in exhibiting particular aesthetic characteristics*

**Criterion H - Special association with the life or works of a person, or group of persons, of importance in our history.*

Council officers agree with Panel that Amendment C214 is strategically justified and worthy of approval. Council officers also agree with the Panel's assertion that not all submitters actually objected to the application of the Heritage Overlay.

If Council is inclined to pursue its resolution of 27 April 2021 and abandon the application of the Heritage Overlay on places where it received a submission, it should not remove properties where the submission did not seek to be excluded from the Heritage Overlay. In other words, it is recommended that the HO be applied to 53 Balaclava Road. It is also recommended that the HO be applied to St John's at 624 Centre Road, but if Council is so inclined, the internal controls would not be included.

Changes to the amendment proposed by the Panel

Places proposed to be removed from the Amendment:

The Panel has recommended the removal of only four individual places from the amendment.

The Panel Report discusses each place or precinct (for which submissions were received) in detail and provides an analysis as to why the place/precinct should/should not be included within the Heritage Overlay. Four properties were recommended for removal from the amendment. The following three were found to not meet the threshold for local heritage significance:

- 335 Alma Road, Caulfield North (HO216)
- 30 Griffiths Street, Caulfield South (HO228)
- 44 Murrumbeena Road, Murrumbeena (HO235)

With respect to 40 Lumeah Road, this property was recommended for removal from the amendment as the Panel considered that the property is not of sufficient age to warrant heritage controls, stating *"The Panel accepts that the building has an innovative and unusual design. Council will be in a better position to assess whether this translates into heritage significance at the appropriate time in the future"*.

Council officers accept the rationale for recommendations in relation to the removal of these four properties.

Proposed changes to Statements of Significance:

A number of Statements of Significance are proposed to be altered after the Panel read and listened to submissions and inspected all properties. These are listed above (see Panel Recommendation) and all are considered reasonable. Most of the changes proposed were included as part of suggested changes in the officer recommendation for the 27 April 2021 Ordinary Council Meeting. Other changes were proposed by the Panel after they carried out inspections of each property and precinct.

Officers agree with the changes to Statements of Significance recommended by the Panel.

Panel's response to general issues:

The Panel Report discusses and responds to general issues which were raised by more than one submitter and include:

- Building condition

The Panel concludes that building condition is not relevant when assessing the heritage significance of an individual place or precinct.

- Development opportunity, building alterations and maintenance

The Panel concludes that development opportunity, building alterations and maintenance are not relevant when assessing the heritage significance of a place or precinct...and these issues...should be considered during the planning permit application process when potential impacts can be assessed with available proposal details.

- Heritage significance and neighbourhood character

The Heritage Overlay should be applied to identified heritage with local significance and not for the sole purpose of achieving neighbourhood character. Neighbouring properties do not affect the heritage significance of an individual places with the Heritage Overlay.

- Heritage Overlay curtilage

The Heritage Overlay should be applied to the entire extent of properties, consistent with Planning Practice Note 1, unless there is a special circumstance such as for 58 Norwood Road, Caulfield North.

- Paint controls;

The Panel agrees with GEHS (Glen Eira Historical Society) that the unpainted brick exterior of the identified houses is a key feature of their heritage significance. It agrees with Council that the Heritage Overlay addresses this through the requirement for a planning permit to paint an unpainted surface.

- Property value and financial implications

The Panel concludes that the property value and private individual financial impacts are not relevant when assessing heritage significance or when deciding whether to apply a Heritage Overlay.

Uncontested heritage places and the Thematic Environmental History

The Panel provides very limited discussion in relation to the remaining 20 individual properties, the Aroona Road Precinct and the *City of Glen Eira Thematic Environmental History (Refresh) 2020* (TEH) as no objecting submissions were received in relation to these aspects of the amendment. The Panel did make note that it is appropriate to use the exhibited TEH to assess the relevant historic themes for each place or precinct proposed to be included in the Heritage Overlay.

Final comments:

Council's Resolution of 27 April 2021 effectively separated the amendment into two separate processes. It resolved that, for the purpose of advocacy before the planning panel, to note Council's intention to abandon the application of the heritage overlay to 14 individual places and three precincts. At the C214 Panel Hearing, Council's legal counsel prepared and spoke in favour of Council's advocacy position that sought to include the non-contested places and precincts into the Heritage Overlay and did not seek the inclusion of the contested places and precincts as per Council's resolution.

The Panel has recommended that all places and precincts with the exception of four properties are worthy of inclusion in the Heritage Overlay. The Panel has also recommended internal controls for 82 Lumeah Road are not implemented and minor changes are made to Statements of Significance of a number of places. All recommendations of the panel are considered reasonable and should be adopted.

The officer recommendation for the current report is also to split into two parts to directly respond to Council's position of 27 April 2021. The layout of the officer recommendation, though complex, follows the format of the previously resolved position.

The resolution is set out as follows:

Recommendation 1: notes the recommendations of the Independent Panel;

Recommendation 2: describes how the amendment is to be separated as follows:

- C214 Part 1 includes all the minor local policy changes, the thematic environmental history, 20 uncontested places and one uncontested precinct; and
- C214 Part 2 includes all 14 places and three precincts for which submissions were received (and to which Council's previous Resolution 3 of Council Report 8.6 of the 27 April 2021 Ordinary Council Meeting relates);

Recommendation 3: proposes to adopt C214 Part 1 in accordance with the relevant Panel recommendation as it relates to the aspects included within Part 1;

Recommendation 4: proposes to adopt C214 Part 2 in accordance with the relevant Panel recommendations as they relate to the aspects included within Part 2;

Recommendations 5-7: will allow officers to make the required changes to the amendment documentation prior to submitting the amendments (Parts 1 and 2) to the Minister for Planning and notifying all submitters of Council's determination.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

Heritage protection does not prevent improvements to buildings to make them more sustainable and climate-resilient though planning permission may be required for external alterations and additions in a Heritage Overlay.

More specifically, the following items do not require planning permission if they are not visible from the street:

- Electric vehicle charging station
- Rainwater tank
- Solar energy system

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Costs associated with undertaking the amendment include those for exhibition, panel representation and Department of Environment, Land, Water and Planning fees. The amendment costs are being covered by the City Futures operational budget.

POLICY AND LEGISLATIVE IMPLICATIONS

The *Planning and Environment Act 1987* requires that councils use their planning scheme to implement the objectives of planning in Victoria, including:

To conserve and enhance buildings, areas and other places which are of scientific, aesthetic, architectural or historic interest, or otherwise of special cultural value (Section 4(1)(d) Planning and Environment Act 1987).

The approach outlined in this report accorded with the requirements of the *Planning and Environment Act 1987*.

COMMUNICATION AND ENGAGEMENT

The amendment underwent an extensive public consultation process. All owners and occupiers of affected properties received a letter by mail together with prescribed ministers and referral authorities. A notice was placed in *The Age*, the *Government Gazette* and an extensive article was placed in the November edition of the *Glen Eira News* to coincide with commencement of exhibition which was open from 29 October 2020 to 30 November 2020. Further letters were sent to 28 previous submitters (to the pre-amendment consultation phase of this project) inviting a late submission. Relevant documentation was placed on Council's website.

LINK TO COUNCIL AND COMMUNITY PLAN

Strategic Direction 3: A liveable and well planned city

Our planning aims to balance population growth with enhancing the unique character and heritage of our city

Commitment: *We will continue to protect and celebrate Glen Eira's cultural heritage through a range of planning policies and controls.*

Performance Measure: *We will publicly exhibit and review community and stakeholder submissions for the Hidden Gems Planning Scheme Amendment and Bentleigh, Carnegie and Elsternwick Planning Scheme Amendments.*

Recent feedback from the community engagement on the draft Council Plan 2021-2025 indicates strong support for enhancing and protecting heritage assets throughout the City.

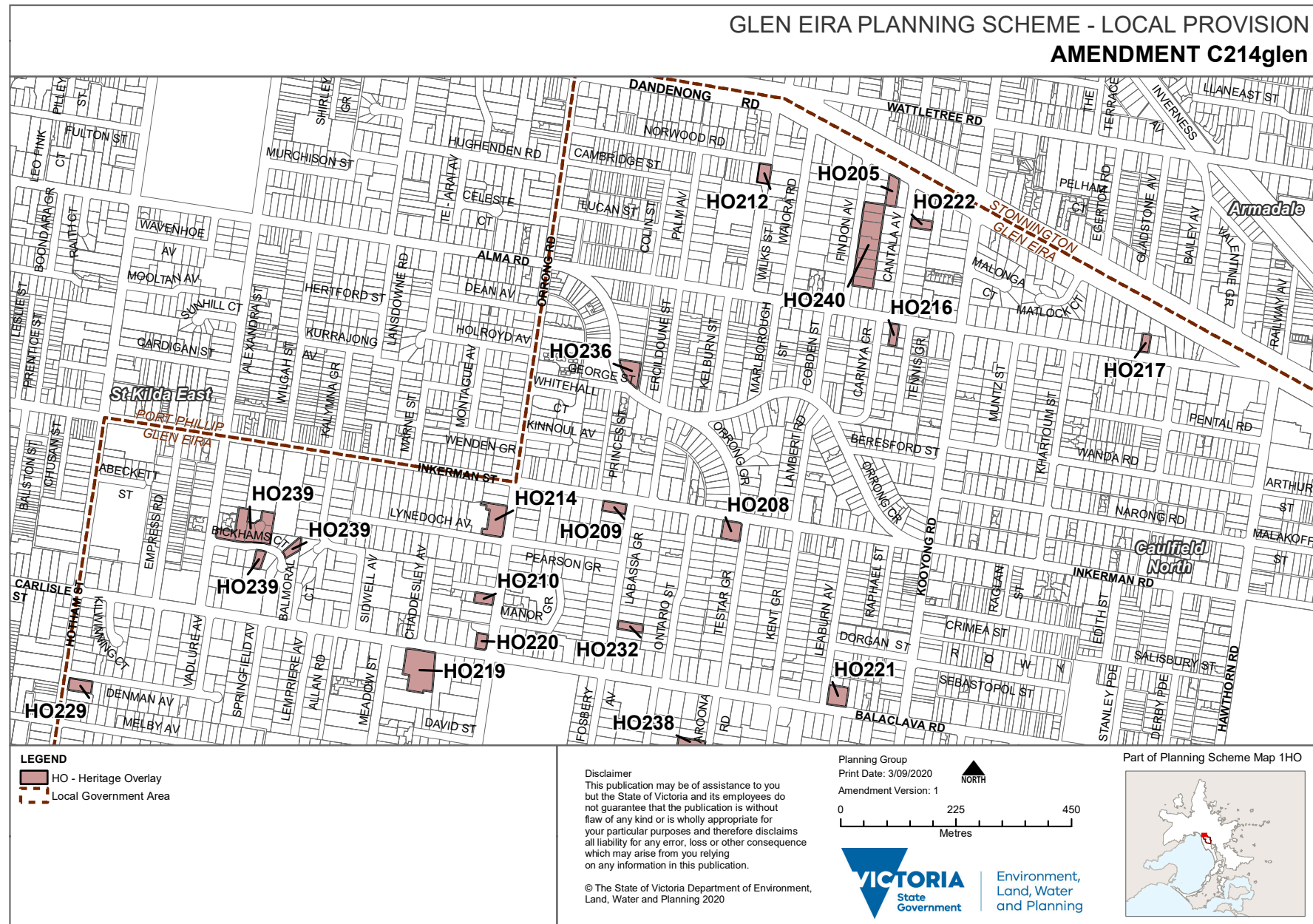
OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

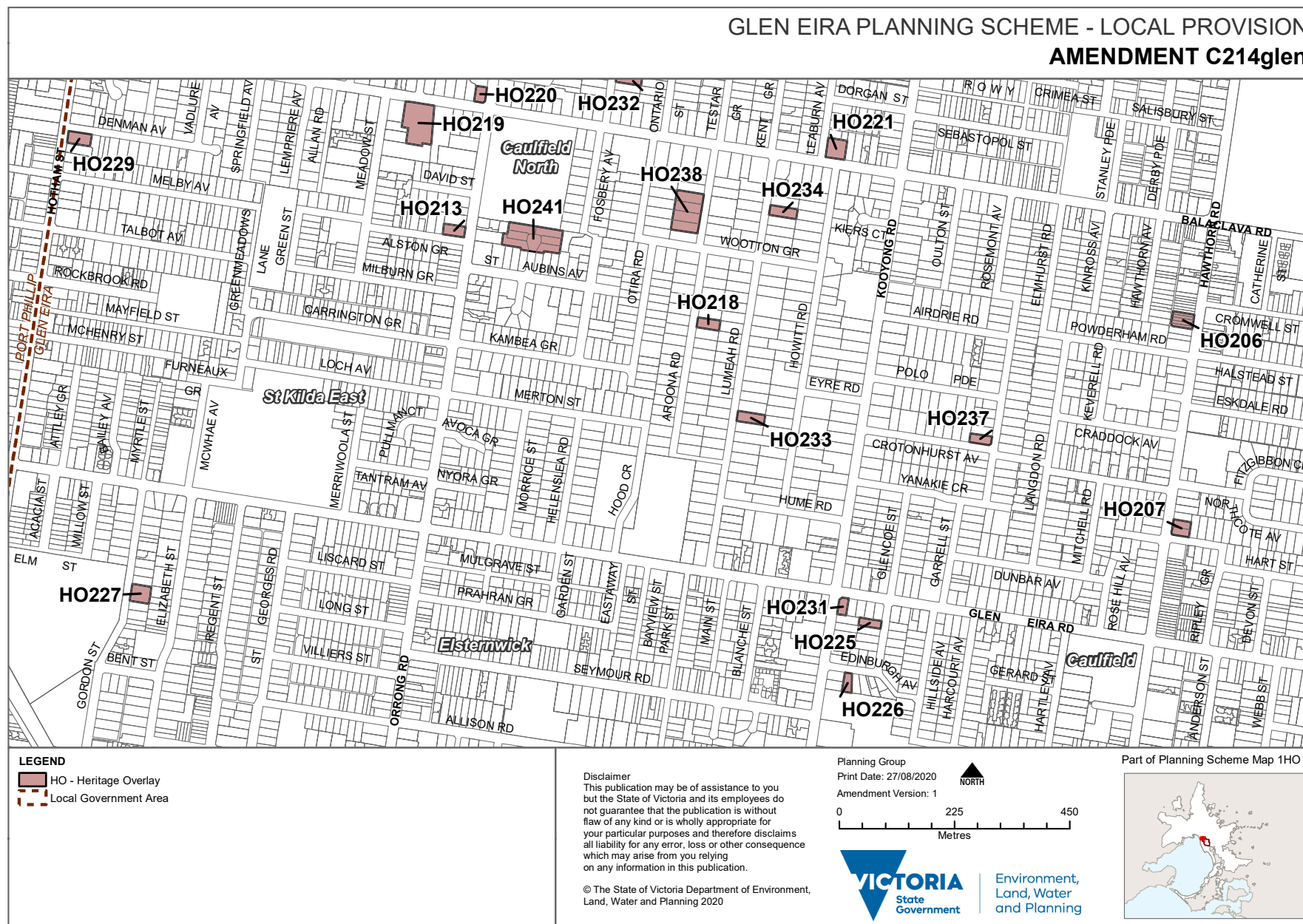
CONCLUSION

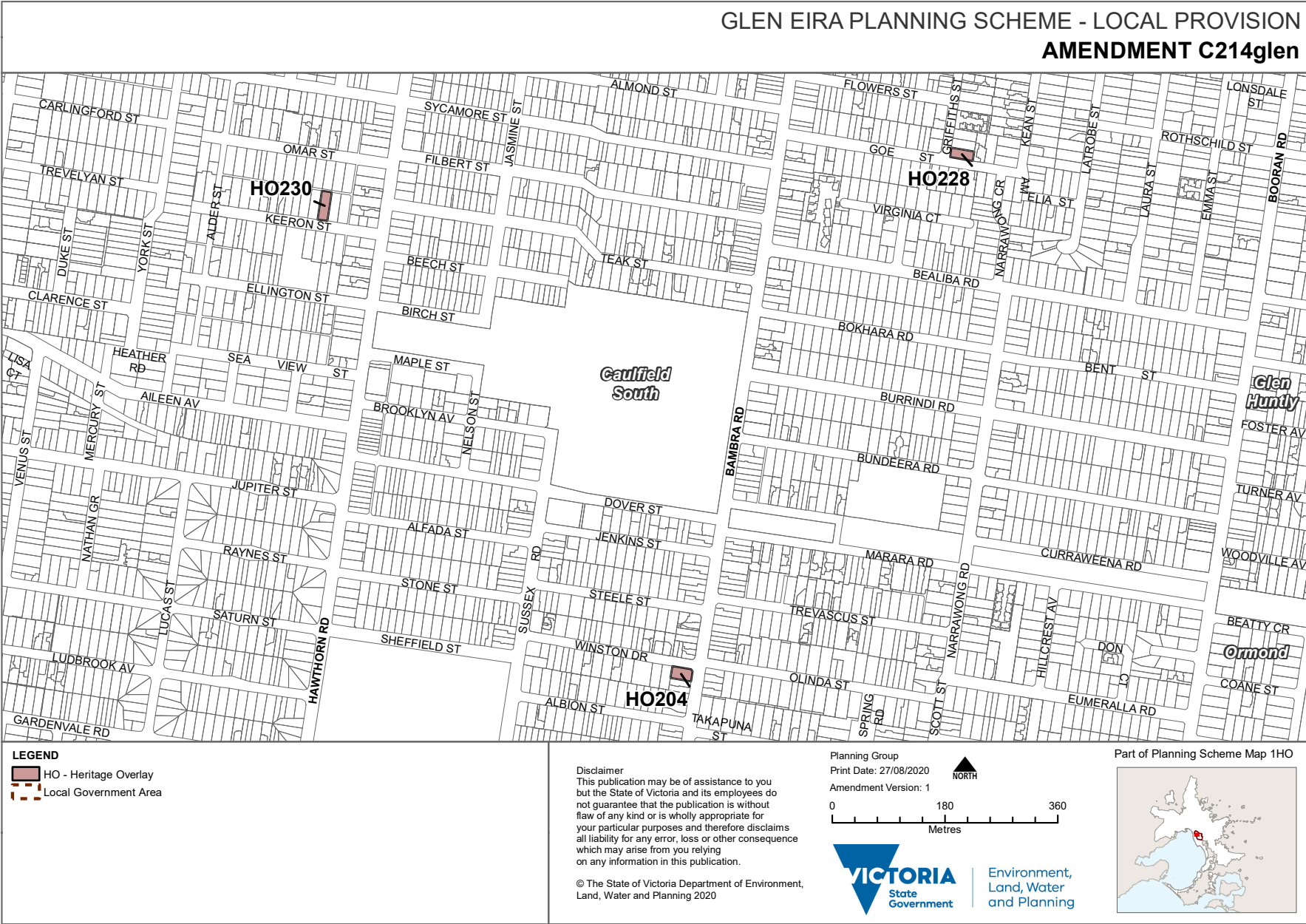
Amendment C214 has been found by an independent panel to be well founded, strategically justified and worthy of adoption by Council. Approval of this amendment by the Minister for Planning will result in the protection of Glen Eira's premier Post-war places and precincts together with outstanding pre-WW2 examples from the Victorian, Edwardian and Interwar periods that demonstrate various important themes in Glen Eira's history.

Inclusion of the *City of Glen Eira Thematic Environmental History (Refresh) 2020* as a Background Document within the planning scheme will assist Council officers and heritage consultants with future heritage reviews throughout the municipality by illustrating the important historic themes in Glen Eira.

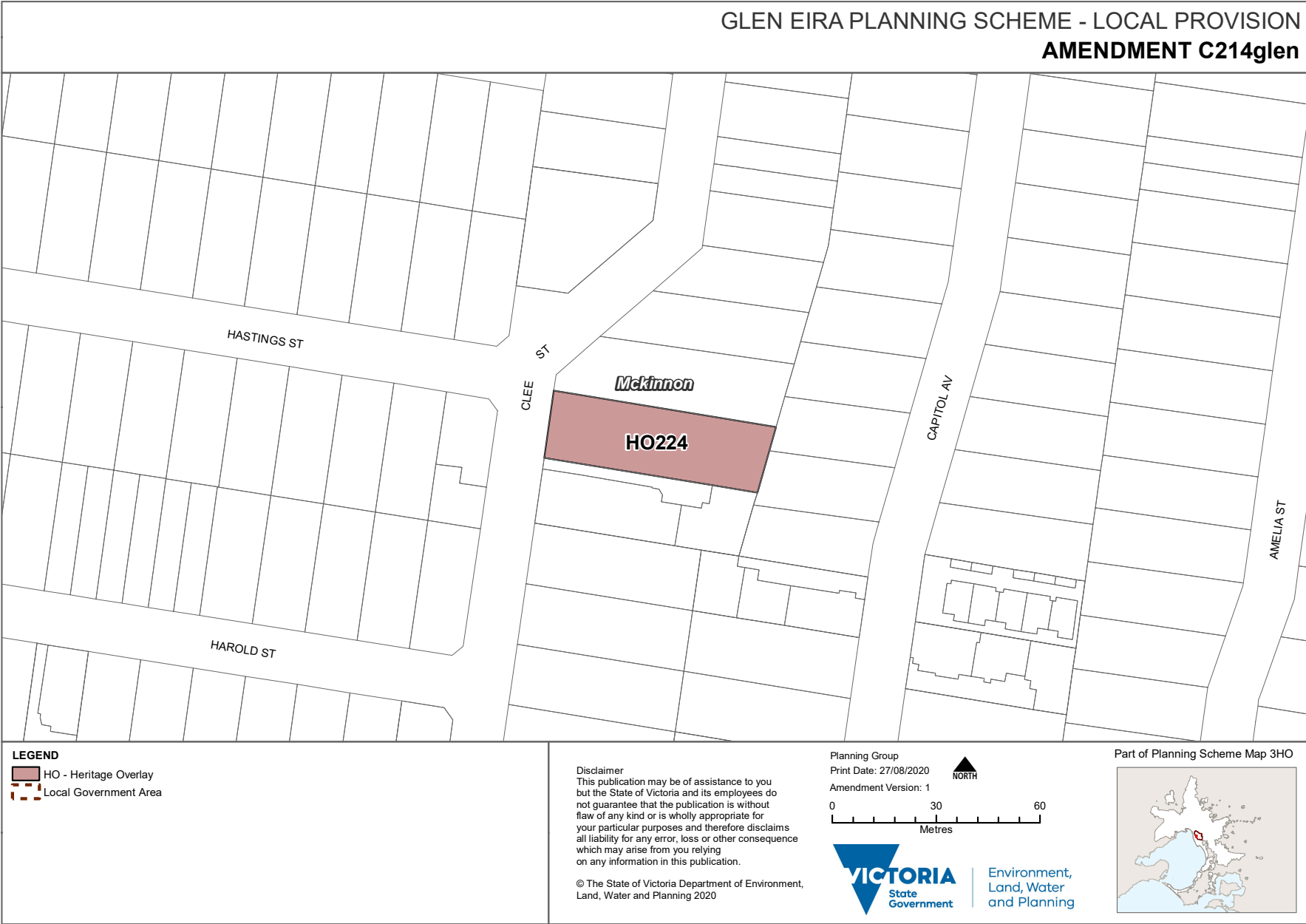


GLEN EIRA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C214glen











GLEN EIRA PLANNING SCHEME

Statement of Significance: 2 Edinburgh Avenue, Caulfield

Date of Statement: August 2020

Address:	2 Edinburgh Avenue, Caulfield	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO225	Constructed:	1962-63



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The house at 2 Edinburgh Avenue, Caulfield, is a two-storey butterfly-roofed brick house in the post-WW2 modernist style, expressed as a stark rectilinear volume (with continuous window wall and full-width balcony), elevated on columns to form an open undercroft below. Built in 1962-63 for a Polish-born clothing manufacturer and Holocaust survivor, the house was designed by architect Bernard Slawik, also a Polish émigré and Holocaust survivor, and a resident of Caulfield.

The significant fabric is defined as the exterior of the entire building.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as an exceptional example of high-end modernist residential architecture of the early 1960s. Boldly articulated as a stark rectilinear volume, raised on columns to form an open undercroft, with a low butterfly roof, uncommonly broad timber-lined eaves and a continuous full-height window wall opening onto an expansive front balcony, it represents a particularly bold and confident distillation of European Modernism. It must also be considered as a truly authentic example, being designed by a Polish-born architect (who had worked in Europe, including a stint in Sweden) for a well-heeled compatriot couple who would have been familiar with such progressive architecture in pre-war Europe. (*Criterion E*)

Primary sources

Heritage Citation PW10, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 6 Keeron Street, Caulfield South**Date of Statement: August 2020**

Address:	6 Keeron Street, Caulfield South	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO230	Constructed:	1971

*Photograph by Built Heritage Pty Ltd, June 2019***What is significant?**

The house at 6 Keeron Street, Caulfield South, is a double-storey brick dwelling on an elongated stepped plan, with an asymmetrical skillion roofline and stark façade incorporating projecting half-round stairwell, tall chimney, strip windows and double garage with matching garden walls and a bluestone driveway. The house was erected in 1971 for an estate agent and his wife, and was designed by architects Andrew Reed & Associates.

The significant fabric is identified as the exterior of the entire house and garage, and the matching recycled brick garden walls and bluestone driveway.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.

Why is it significant?

The house is aesthetically significant as a distinctive example of residential architecture of the 1970s. A textbook example of the highly individualistic style adopted by architect Andrew Reed, the house deftly combines the bold sculptural expression of the Brutalist idiom (with its jagged roofline, half-round stairwell and slit windows) with an organic approach more commonly associated with the work of Alistair Knox (expressed here through a palette of earthy materials including second-hand bricks, stained timber and bluestone).

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

GLEN EIRA PLANNING SCHEME

paving). Still occupied by the original owners at the time of writing, the house remains in a remarkably intact state. (*Criterion E*)

Primary sources

Heritage Citation PW15, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 14-16 Clee Street, McKinnon

Date of Statement: August 2020

Address:	14-16 Clee Street, McKinnon	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO224	Constructed:	1962-63



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The house at 14-16 Clee Street, McKinnon, is a flat-roofed post-WW2 modernist house starkly expressed as a glass-fronted box-like volume that, occupying a sloping site, incorporates an undercroft carport to one side, where the land falls away. The house was erected in 1962-63 for a Polish businessman and his wife, and was designed by the compatriot husband-and-wife architectural partnership of Holgar & Holgar.

The significant fabric is defined as the exterior of the entire house, and the detached cabana that was later designed for the original owners, by architect Theodore Berman.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as an exceptional example of high-end modernist residential architecture of the early 1960s. Built across a sloping site, the house is boldly articulated as a stark rectilinear volume that appears to hover above the ground at one end, incorporating an undercroft carport. With its bold massing, broad eaves and continuous window wall, it represents a particularly confident distillation of European Modernism. It must also be considered as a truly authentic example, being designed by Polish-born architects for a well-heeled compatriot couple who would have been familiar with such progressive architecture in pre-war Europe. (*Criterion E*)

The house is historically and architecturally significant for associations with the Polish-born husband-and-wife architectural partnership of Holgar & Holgar, which was notably active in Caulfield and environs in the 1960s, '70s and '80s. Dating from 1962, this house was one of the partnership's first major private residential commissions in what is now the City of Glen Eira after their prize-winning scheme for the Herald Ideal Home (moved to Bentleigh after being displayed at the 1957 Ideal Home Show) that prompted the couple to commence private practice. A grand and luxurious residence for a successful Polish-born manufacturer, this house was the first of many such palatial houses that Holgar & Holgar would design in the study area (invariably, for similarly well-off émigré clients) over the next quarter-century. With at least twenty examples recorded in the former City of Caulfield, this house stands out as the only in the former City of Moorabbin (excluding the couple's Herald Ideal Home in Bentleigh East, which technically predates the formalised partnership of Holgar & Holgar). (*Criterion H*)

Primary sources

Heritage Citation PW09, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 16 Cantala Avenue, Caulfield North

Date of Statement: August 2020

Address:	16 Cantala Avenue, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO222	Constructed:	1951-53



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The house at 16 Cantala Avenue, Caulfield North, is a two-storey skillion-roofed white-painted brick house in a stark post-WW2 modernist style, with asymmetrical street facade incorporating expansive windows and sun decks. Designed in 1951 by Austrian-trained architect Dr Ernest Fooks, the house was commissioned by a Polish-born businesswoman for her own investment company.

The significant fabric is defined as the exterior of the entire house and attached garage, along with the stone-paved front terrace, stone retaining walls, steps and original balustrade railings.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as an early and unusually substantial example of post-WW2 modernist residential architecture. Designed by an architect who trained and even practiced in Austria before migrating to Australia in 1939, the house represents a confident and authentic articulation of the International Style, with its bold rectilinear massing, stark planar walls, broad-eaved skillion roof, expansive windows and sundeck. Built on an elevated site, the split-level dwelling (with attached garage at a lower level) is enhanced by its original setting, which includes a crazy paved patio and terraced front garden defined by stone-clad retaining walls with matching steps and pathways with low black-painted metal balustrades. (*Criterion E*)

The house is historically significant for associations with Austrian-trained architect Dr Ernest Fooks, who started private practice in Melbourne in 1948 and soon became sought-after as a designer of residential projects for fellow European émigré clients. Notably prolific in the former City of Caulfield (where he himself resided, in Howitt Street, from 1966 until his death), Fooks maintained a long personal and professional association with what is now the City of Glen Eira, including several art exhibitions held at the Caulfield Town Hall. Dating from 1951, the Cantala Avenue house is one of Fook's two oldest surviving buildings in the study area (along with another at 64 Balaclava Road, also 1951) that, together, provide rare and significant evidence of the early presence of an architect whose work re-shaped the Caulfield area. (*Criterion H*)

Primary sources

Heritage Citation PW07, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

GLEN EIRA PLANNING SCHEME

Statement of Significance: 23 Edinburgh Avenue, Caulfield

Date of Statement: August 2020

Address:	23 Edinburgh Avenue, Caulfield	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO226	Constructed:	1958



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The former Shillabeer House at 23 Edinburgh Avenue, Caulfield, is a single-storey brick house in the Melbourne Regional style, with an elongated L-shaped plan, low gabled roof (enveloping a timber-posted carport to one side), extensive window walls and a recessed courtyard enclosed by a hit-and-miss brick wall. Erected in 1958 for Frank Shillabeer, the third generation of a family of prominent Melbourne builders, the house was designed by Montgomery, King & Trengove and most likely erected by Shillabeer's firm.

The significant fabric is defined as the exterior of the entire building.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as an excellent and substantially intact example of a house in the so-called Melbourne Regional style associated with the younger generation of locally-trained architects who commenced practice in the later 1940s and early 1950s. With its elongated L-shaped plan form, low gabled roof, broad eaves and full-height window walls, the house demonstrates the principal characteristics of this relaxed sub-style of post-WW2 modernism, coupled with some more distinctive features such as the recessed courtyard enclosed by screen wall of hit-and-miss brickwork, and the large opening in the carport roof. While the City of Glen Eira contains a high proportion of post-WW2 houses in the academic modernist style, many of which were designed by European-trained émigré architects, this is one of relatively few examples of the more relaxed modernist style adopted by younger locally-trained architects in the 1950s and early '60s.
(*Criterion E*)

Primary sources

Heritage Citation PW11, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 30 Aroona Road, Caulfield North**Date of Statement: August 2020**

Address:	30 Aroona Road, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO218	Constructed:	1963 (1999 additions)

*Photographs by Built Heritage Pty Ltd, October 2019***What is significant?**

The house at 30 Aroona Road, Caulfield North, is a two-storey flat-roofed brick house in the post-WW2 modernist style, with a projecting upper storey that, supported on paired struts, forms a ground level undercroft. It incorporates expansive windows, two corner balconies with timber-lined eaves and a range of decorative finishes including rock-faced marble chips to the first floor spandrel, projecting brick courses at the lower level, feature stone cladding and concrete breeze block screens to the side elevations. Erected in 1963 for Czechoslovakian-born husband-and-wife clothing manufacturers, the house was designed by German-born architect Michael R E Feldhagen.

The significant fabric is defined as the exterior of the house, and the crazy paved-stone driveway.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as an exceptional example of modernist residential architecture of the early 1960s. While the expression of a two-storey house with an upper level projecting over a recessed lower level is a recurring motif in modernist architecture (represented by many examples in what is now the City of Glen Eira), this one is outstanding for its more distinctive and idiosyncratic articulation, which includes a subtle concave curve to the street façade, pairs of angled strut-like supports, corner balconies (rather than a full-width balcony) and an uncommonly varied application of decorative surface treatments that include rock-faced marble strips, feature stone cladding, projecting brick courses, concrete breeze block screens and a crazy paved driveway. With the house owned by its original family for many years, its exterior remains remarkably intact to the period, and is a striking element in the streetscape (*Criterion E*)

The house is historically and architecturally significant as one of the most outstanding examples of the work of German-born architect Michael R E Feldhagen, a former employee of Dr Ernest Fooks who, reportedly at the urging of Fooks' clients, left to commence his own practice in 1963 and soon became sought-after as a designer of high-end residences, mostly for fellow European émigrés. While Feldhagen is said to have been notably active in Caulfield in the 1960s and '70s, few of his buildings have been conclusively identified therein. This standout example, with its uncommonly lively and virtually unaltered exterior, remains as his best known residential project. (*Criterion H*)

Primary sources

Heritage Citation PW03, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 30 Griffiths Street, Caulfield South

Date of Statement: August 2020

Address:	30 Griffiths Street, Caulfield South	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO228	Constructed:	1977-78

*Photograph by Built Heritage Pty Ltd, October 2019***What is significant?**

The house at 30 Griffiths Street, Caulfield South, is a two-storey orange brick dwelling of unusual sculptural form. Occupying a corner site, it is laid out on an irregular plan (based on a rotated 45-degree modular grid), extruded to form two contrasting and mostly blank street elevations with projecting wing walls, half-round stairwell bay, a Diocletian window and an asymmetrical roofline of separate skillions with flat or raked parapets. The house was erected in 1977-78 as a speculative project for Karl Fink's construction company, and was designed by his architect son, Leon Fink.

The significant fabric is defined as the exterior of the entire house, including various brick walls that project from the house and extend along the street boundaries.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as a distinctive example of modernist residential architecture of the late 1970s, showing the pervasive influence of the so-called Chamfer style that was popular for much of that decade. Its highly sculptural appearance is the result of a modular plan that was rotated by 45 degrees to respond to the corner site, then extruded into a series of irregular forms. The two street elevations, starkly and differently expressed, incorporate splayed corners, tapered wing walls, projecting half-round stairwell and an irregular skillion roofline with flat and raked parapets. The starkness is softened by the use of pale orange brick (rather than the concrete block or rendered finish more typically associated with the Chamfer style), and relieved by quirky details such as the projecting downpipes and Diocletian window to Goe Street, which hint at the influence of the emerging Post-Modernist style. Virtually unaltered since completion in 1978, the house remains an eye-catching element in a predominantly pre-war residential streetscape. (*Criterion E*)

Primary sources

Heritage Citation PW13, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: Meldrum House (former), 35 Labassa Grove, Caulfield North

Date of Statement: August 2020

Address:	35 Labassa Grove, Caulfield North	Name:	Meldrum House (former)
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO209	Constructed:	1917-18



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

The former Meldrum House at 35 Labassa Grove, Caulfield North, is an attic-storey Arts & Crafts bungalow of ashlar stone construction with fish-scale slate roof. It has a prominent gabled façade to Labassa Grove, incorporating bracketed eaves and projecting porch with Tuscan columns and dentillated cornice, and glass-walled sunroom, dormer windows and corner balcony to Inkerman Road. Erected in 1917-18, the house was designed by architect William Meldrum (longtime associate of Charles D'Ebro and brother of artist Max Meldrum) for his own use.

The significant fabric is defined as the exterior of the entire house.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The former Meldrum House is significant as an idiosyncratic example of an early Arts & Crafts bungalow. While its attic-storeyed form, prominent gabled frontage, dormer windows, bracketed eaves and shingled infill are wholly typical of that emerging aesthetic, the use of fish-scale roof slates, ashlar stone construction and overt classical references in the projecting front porch (*in antis* Tuscan columns and dentillated cornice) are particularly rare and unusual. While use of feature stonework became more common in later bungalows, examples entirely of stone construction would remain exceptional well into the 1920s and beyond. Demonstrating a high degree of creative achievement, the sophistication of the design testifies to the fact that it was an architect's own home. Sited on a prominent corner block, the house remains an eye-catching and unusual element in the predominantly inter-war streetscape. (*Criterion E; Criterion F*)

Primary sources

Heritage Citation HG07, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 40 Lumeah Road, Caulfield North**Date of Statement: August 2020**

Address:	40 Lumeah Road, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO233	Constructed:	1990-94

*Photograph by Built Heritage Pty Ltd, October 2019***What is significant?**

The house at 40 Lumeah Road, Caulfield North, is a two-storey flat-roofed reinforced concrete house on an elongated and irregular plan. Its street frontage is dominated by a blank elliptical volume penetrated by a projecting rectilinear bay with fin-like mullions and mirrored glazing, with a steel front door and a simple trabeated concrete slab carport. Erected in 1990-94, the house was designed by architects Wood Marsh.

The significant fabric is defined as the entire exterior and interior of the house, and other elements of its setting designed by Wood Marsh (including carport, front fence/gates and swimming pool). Controls over internal finishes (eg concrete walls, terrazzo floors, roughcast ceilings) and fittings (including formal staircase and original kitchen and bathroom fitouts) are deemed to be applicable because the architect has stated that the interior is inseparable from the totality of the design.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as an outstanding and idiosyncratic example of modernist residential architecture of the 1990s. Starkly expressed with bold sculptural forms, a curved street facade, a limited palette of materials and minimalist detailing, the house defies convenient stylistic labels. While its massive raw concrete forms evoke the ruggedness of the Brutalist idiom, the projecting mirrored curtain-wall bay recalls the slickness of the International Style. The interior has prompted observers to make comparisons with Egyptian architecture and the work of the Italian Rationalists. A house that literally stopped traffic at the time of its construction, it remains a striking and wholly unexpected element in this suburban residential streetscape. (*Criterion E*)

The house is architecturally significant as a ground-breaking re-invention of the modern house. With a basic brief that effectively gave the architects a wholly free hand, the project represented a noted departure from contemporary trends in planning, materials, forms and finishes. With a cave-like foyer incorporating a grand curving staircase, and a vast entertainment area (for 350 guests) that doubled as a corridor, the interior planning challenged conventional notions of domestic living. Its limited palette of low-maintenance materials, and use of industrial finishes such as brushed metal sheeting, was then uncommon (and has only been embraced more widely since). Also unusually for the time (and still today), the project was conceived as a true totality of design, with its interior inseparable from the exterior, and the architects engaged to design furniture, fences and swimming pool, and even select the artwork. (*Criterion F*)

The house is architecturally significant as an important and influential early undertaking by the internationally-recognised partnership of Wood Marsh. One of the fledgling firm's first major projects, this high-end commission provided a rare opportunity to fully develop and articulate their architectural standpoints. Generating a flood of attention and publicity, and winning two prizes at the 1994 RAI Awards, it remains one of the firm's best-known and most celebrated projects. It has continued to provoke scholarly and popular attention into the twenty-first century, with a photograph even gracing the front cover of the firm's recent monograph. (*Criterion F*)

Primary sources

Heritage Citation PW18, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

GLEN EIRA PLANNING SCHEME

Statement of Significance: Murrumbeena Baptist Church, 44 Murrumbeena Road, Murrumbeena

Date of Statement: August 2020

Address:	44 Murrumbeena Road, Murrumbeena	Name:	Murrumbeena Baptist Church
Place Type:	Church	Grading:	Significant
PS ref no:	HO235	Constructed:	1961-62, 1967 (addition)



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The Murrumbeena Baptist Church at 44 Murrumbeena Road, Murrumbeena, is a large orange brick building in a stark post-WW2 modernist style, erected in two stages to the design of the same architect, Eric Lyon (formerly of Smith, Tracey, Lyon & Brock). The older portion, fronting Murrumbeena Road (1961-62) is a tall hall-like structure with zigzag roof, narrow copper spirelets and a façade of angled bays, while the rear addition (1967) is a smaller hip-roofed wing; both components have rose windows to the Sydney Street elevation, with coloured glazing.

The significant fabric is defined as the exterior to the entire building to the extent of the original 1961-62 building and the 1967 addition. The subsequent rear addition, containing office space and such, is not considered significant.

How is it significant?

The Murrumbeena Baptist Church satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

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

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The Murrumbeena Baptist Church is aesthetically significant as an unusual example of post-WW2 ecclesiastical architecture incorporating historicist references in a modernist framework. By his own admission, Eric Lyon took inspiration from Milan's celebrated fifteenth century Late Gothic cathedral, built in the Flamboyant style characterised by a spiky roofline of pinnacles, spirelets and flying buttresses. For Murrumbeena, Lyon re-interpreted this intricate effect with a minimalist modernist sensibility, reducing it to a low zigzagging roofline (a motif popular in the early 1960s, mostly for commercial and industrial architecture) with a row of slender copper spirelets. Along Sydney Street, a parabolic arched entry bay and rose windows (with coloured glass in an abstract pattern) provide more generic historicist references. While the church has been altered by removal of the concrete block screens along Murrumbeena Road, it remains a distinctive and eye-catching example of post-WW2 ecclesiastical architecture, demonstrating a high degree of creative achievement in its deft melding of contemporary and traditional influences. (*Criteria F*)

Primary sources

Heritage Citation PW20, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 49 Rosemont Avenue, Caulfield North

Date of Statement: August 2020

Address:	49 Rosemont Avenue, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO237	Constructed:	1972-73, 1979, 1986 (minor additions)



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The house at 49 Rosemont Avenue, Caulfield North, is a two-storey flat-roofed house of a characteristic post WW2 modernist form, with the upper storey expressed as a rectilinear glass-fronted volume (in this case, atypically embellished by an ornate perforated grille screen) that projects over a recessed lower level, supported on curving piers. The house was erected in 1972-73 for a Cypriot-born cinema magnate and his wife, to a design by Polish-born husband-and-wife architects of Holgar & Holgar.

The significant fabric is defined as the entire exterior of the house, including rear verandah and boundary wall. The detached garage, while also designed by Holgar & Holgar, is a utilitarian structure of limited interest, and is not considered to be significant.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as a highly idiosyncratic example of post-WW2 modernist residential architecture. While it adopts the trademark European modernist expression, with a glass-walled upper storey projecting above a recessed lower level, it is overlaid with some unusual detailing that hints at overseas influences rarely seen in Melbourne, except in other houses by Holgar & Holgar. Rendered piers, curving to form a porch balustrade, recall the expressionistic work of Brazilian architect Oscar Niemeyer, while the full-width decorative screen at the upper façade evokes the glamorous 1960s residences of the Hollywood hills. An outstanding and remarkably unaltered example of this rare type of glamorous post-WW2 residence, so strongly associated with Holgar & Holgar, it remains in a striking element in the streetscape (*Criteria E*).

The house is historically and architecturally significant for associations with the Polish-born husband-and-wife architectural partnership of Holgar & Holgar, which was notably active in Caulfield and environs in the 1960s, '70s and '80s. Dating from 1972-73, this house is one of the finest and most intact local examples of the partnership's high-end residential work from the peak period of their career in the 1970s. Remarkably intact on account of still being occupied by the family that commissioned it, the house has undergone only minor changes. Some of these, namely the rear verandah (1979) and boundary wall (1986) were also designed by Holgar & Holgar, demonstrating a rare sense of continuity where, for over a decade after completion of the house, the architects maintained an ongoing association with it. (*Criterion H*)

Primary sources

Heritage Citation PW22, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: Greyfriars, 53 Balaclava Road, Caulfield North

Date of Statement: August 2020

Address:	53 Balaclava Road, Caulfield North	Name:	<i>Greyfriars</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO219	Constructed:	1949-51



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

The *Greyfriars* flats at 53 Balaclava Road, Caulfield, is a development of forty-three flats in two-and three-storey hip-roofed cream brick blocks around a central garden area. The two blocks facing the street are expressed in a stark Functionalist style (linked by a garden wall), while those to the rear have angled stepped facades, exposed hipped roofs and open staircases/walkways. Erected in 1949-51 as Melbourne's first flats conceived on a co-operative system, they were designed by entrepreneurial architect Bernard Evans, who was also a director of the company that built them.

The significant fabric is defined as the entire original exterior of the flats, including the garden wall that links the two flat-roofed front blocks. The front fence is not considered to be significant.

How is it significant?

The *Greyfriars* flats satisfy the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The *Greyfriars* flats are historically significant as a milestone in post-WW2 apartment dwelling in what is now the City of Glen Eira. Designed in 1949, this complex of 43 units was the first major block of flats to be erected in the study area in the post-WW2 era, anticipating the significant influx of higher-density living that would transform the study area (and especially the former City of Caulfield) in the 1950s, '60s and '70s. Conceived on a then-innovative co-operative basis, whereby ownership was vested in a co-operative society in which each resident was a member, *Greyfriars* is historically significant as the first development of that type in Melbourne. This ushered in new modern era of own-your-own flats, which subsequently became the norm and ultimately lead to the introduction of strata title legislation in the late 1960s. (*Criterion A*)

The *Greyfriars* flats are aesthetically significant as an unusual example of post-WW2 modernist architecture. While conceived as a single development, with a consistent palette of face brickwork (mostly cream), the individual blocks are expressed in contrasting forms. The two front blocks are articulated in a stark Functionalist mode, with bold rectilinear massing, corner balconies and roofs concealed by parapets, while the rear blocks have a more traditionally domestic character with exposed hipped roofs, stepped angled facades and open stairwells and walkways. With the flats arranged in a U-shaped configuration around a pleasant central garden/carpark area, *Greyfriars* remain as a highly distinctive example of a post-WW2 apartment complex. (*Criterion E*)

Primary sources

Heritage Citation PW04, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: Clarence Lodge, 58 Norwood Road, Caulfield North

Date of Statement: August 2020

Address:	58 Norwood Road, Caulfield North	Name:	<i>Clarence Lodge; Heristal</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO212	Constructed:	1890



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

Clarence Lodge, at 58 Norwood Road, Caulfield North, is a large single-storey double-fronted hip-roofed Late Victorian villa in a hybrid Queen Anne style, with tall chimneys, prominent gable end, shaped bargeboards, canted bay window, leadlight windows and expansive return verandah with turned posts, lattice freeze and tessellated floor. Designed by architect R B Rieusset, the house was built in 1890 for successful Boom-era businessman and his wife, who lived there only very briefly before his business collapsed in 1891.

The significant fabric is defined as the entire exterior of the house.

How is it significant?

Clarence Lodge satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

Clarence Lodge is aesthetically significant as a distinctive and idiosyncratic example of Boom-era residential architecture. Its design freely adapted the typical forms and motifs of the prevailing Late Victorian villa style (eg double-fronted asymmetrical façade composition, return verandah and canted bay window), merged with those that are more indicative of the emerging Queen Anne style (eg overscaled gable end with shaped bargeboards, turned posts and tall chimneys). Within this unusual composition, several elements are particularly quirky, such as the verandah extended across the projecting bay, the canted highlight window above the verandah roof, and the turned timber finials supporting the gablet eaves. The house demonstrates a high degree of creative achievement as an early manifestation of the gradual shift towards the Federation style, which would dominate domestic architecture in Australia in the first decade of the twentieth century. It is rare as one of only a small number of houses in Melbourne from the late 1880s and early 1890s that can be considered as prototypes for this important aesthetic shift. (*Criteria B, E and F*)

Primary sources

Heritage Citation HG010, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: Popper House & Gordonlea Flats, 61-63 Gordon Street, Elsternwick

Date of Statement: August 2020

Address:	61-63 Gordon Street, Elsternwick	Name:	Popper House and <i>Gordonlea Flats</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO227	Constructed:	1956



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The residential complex at 61-63 Gordon Street, Elsternwick, comprises a two-storey dwelling (No 63) and an adjacent two-storey L-shaped block of flats (No 61), consistently expressed with stepped façades, plain cream brickwork, low skillion roofs and large window bays. It was designed in 1956 by Austrian émigré architect Kurt Popper to provide a residence for his own family, with the adjacent flats as an investment.

The significant fabric is defined as the exterior of both buildings and the brick boundary wall.

How is it significant?

The complex satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house and flats are aesthetically significant as a distinctive example of post-WW2 modernism. Considered as a cohesive single development, the two components display a consistent modernist expression of stark volumetric massing, planar walls, wide window bays and low skillion roofs with broad timber-lined eaves. At the same time, undue repetition is avoided, so that the house and the flats remain readily interpreted as two related but separate buildings. While the entire complex is characterised by a minimalism that hints at the architect's European background, the single dwelling to the north, which was his own residence, is granted emphasis with eye-catching feature walls of random stonework and dark-coloured brick. (*Criterion E*)

The house and flats are architecturally significant for their innovative design and planning. Described on the working drawings as a "maisonette and six flats", this unusual combination of a large but compact single family dwelling with an attached block of lettable flats represented a major departure from established traditions of multi-unit living in Melbourne. Slightly predating a building of similar concept at 218 Kooyong Road, Caulfield (Winston Hall Associates, 1957-59), this distinctive residential development represented a hybrid typology that was rarely seen in the study area the 1950s and remained uncommon even into the 1960s. (*Criterion F*)

The house and flats are historically significant for associations with Austrian émigré architect, who conceived them as a residence for his own family with a lettable investment property alongside. Popper, who began private practice in Melbourne in 1946, became sought-after as a designer of residential projects for fellow European émigré clients, and is acknowledged as a leading exponent of higher-density living in Melbourne (ultimately designing some of the first highrise apartment blocks in the CBD and inner suburbs). His own house in Gordon Street, where he lived for more than four decades before his death in 2000, provides evidence of the significant local presence of a resident architect who undertook a notable amount of work in what is now the City of Glen Eira (and especially Caulfield and Elsternwick), while the adjacent *Gordonlea* flats represents one of Popper's earliest (of many) multi-unit projects in the municipality. (*Criterion H*)

Primary sources

Heritage Citation PW12, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 64 Balaclava Road, Caulfield North

Date of Statement: August 2020

Address:	64 Balaclava Road, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO220	Constructed:	1951-54

*Photographs by Built Heritage Pty Ltd, October 2019***What is significant?**

The house at 64 Balaclava Road, St Kilda East, is a two-storey skillion-roofed cream brick house in a stark post-WW2 modernist style, with asymmetrical street facade incorporating a wide stone-clad chimney, large windows and north-facing sun decks. Designed in 1951 by Austrian-trained architect Dr Ernest Fooks, the house was commissioned by a compatriot who was a successful canned fruit magnate, and whose family occupied it for three decades.

The significant fabric is defined as the exterior of the entire house, along with the matching brick garden wall and boundary walls (with metal gates) along both street frontages. The garage to the rear, which occupies the footprint indicated on Fooks' drawings, is not considered significant.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as an early and unusually substantial example of post-WW2 modernist residential architecture. Designed by an architect who trained and even practiced in Austria before migrating to Australia in 1939, the house represents a confident and authentic articulation of the International Style, with its bold rectilinear massing, stark planar walls, broad-eaved skillion roof, expansive windows and sundeck above a columned undercroft. Atypically large for its time, this grand two-storey residence, occupying a prominent corner site at the junction of two major roads, remains a conspicuous element in the streetscape. (*Criterion E*)

The house is historically significant for associations with Austrian-trained architect Dr Ernest Fooks, who started private practice in Melbourne in 1948 and soon became sought-after as a designer of residential projects for fellow European émigré clients. Notably prolific in the former City of Caulfield (where he himself resided, in Howitt Street, from 1966 until his death), Fooks maintained a long personal and professional association with what is now the City of Glen Eira, including several art exhibitions held at the Caulfield Town Hall. Dating from 1951, the house is one of Fook's two oldest surviving buildings in the study area (along with another at 16 Cantala Avenue, also 1951) that, together, provide rare and significant evidence of the early presence of an architect whose work re-shaped the Caulfield area. (*Criterion H*)

Primary sources

Heritage Citation PW05, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: Fountain Court, 70 Orrong Crescent, Caulfield North

Date of Statement: August 2020

Address:	70 Orrong Crescent, Caulfield North	Name:	<i>Fountain Court</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO236	Constructed:	1967-68



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

Fountain Court, at 70 Orrong Crescent, Caulfield North, is a flat-roofed three-storey block of flats on an elongated curved plan, extruded upwards to create two storeys of flats above an open undercroft. It has a varied but symmetrical façade of full-height window walls, brick spandrels and projecting or recessed balconies, with textured concrete block screen walls, mosaic-tiled columns and glass-walled lobbies at ground level. Erected in 1967-68, the flats were designed by the Polish-born husband-and-wife architectural partnership of Holgar & Holgar.

The significant fabric is defined as the entire exterior of the building.

How is it significant?

Fountain Court satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

Fountain Court is aesthetically significant as highly distinctive and idiosyncratic example of post-WW2 modernism. The concave plan, adopted as a specific design response to the challenging convex curvature of the street frontage, has resulted in a building of unusually striking form and bold streetscape presence. Although a number of Melbourne architects in the 1950s and '60s were intrigued by such applications of pure geometry, relatively few actual examples were realised; this concave-planned building has virtually no true comparators in the City of Glen Eira and is rare even on a broader metropolitan scale. Its external treatment, while adopting a standard modernist vocabulary of stark walls, full-height windows and *pilotis*, has introduced an uncommon degree of complexity in its varied fenestration and alternating projecting/recessed balconies, its use of contrasting texture (eg stack bond brickwork and concrete block screen walls) and evocation of luxury (eg gold mosaic tiling, anodized aluminium and marble flooring). (*Criterion E, Criterion F*)

Primary sources

Heritage Citation PW21, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 82 Lumeah Road, Caulfield North**Date of Statement: August 2020**

Address:	82 Lumeah Road, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO234	Constructed:	1972-74

*Photograph by Built Heritage Pty Ltd, June 2019***What is significant?**

The house at 82 Lumeah Road, Caulfield North, is a two-storey flat-roofed house in a characteristic post WW2 modernist form, with the upper storey expressed as a rectilinear glass-fronted volume that projects over a recessed lower level. The upper level has a balcony with an unusual Moorish-style vaulted arcade, while the lower level has a blank wall (concealing a carport entered from the side) with a grand staircase leading to the front door at the first floor. It was erected in 1972-73 for a Polish-born businessman and his wife, to a design by compatriot architects Holgar & Holgar.

The significant fabric is defined as the entire exterior, key elements of the original interior fabric (namely the built-in furniture, light fittings, conversation pit, and kitchen/bathroom fitouts), the original external paving (front and rear), driveway lamp-post and in-ground swimming pool.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics;
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as a highly idiosyncratic example of post-WW2 modernist residential architecture. While it adopts the trademark European modernist expression, with a glass-walled upper storey projecting above a recessed lower level, it incorporates some unusual detailing that hints at overseas influences rarely seen in Melbourne, except in other houses by Holgar & Holgar. An entirely blank wall at street level, concealing a triple carport entered from the side, is relieved by a full-width balcony at the upper level with a Moorish-style vaulted arcade which extends across a void containing a wide staircase to the front door. With a luxurious interior that remains substantially intact (including built-in furniture, conversation pit, imported light fittings and high-end bathroom and kitchen fitouts), it is an outstanding example of this rare type of glamorous post-WW2 residence, so strongly associated with Holgar & Holgar. (*Criterion E*)

The house is historically and architecturally significant for associations with the Polish-born husband-and-wife architectural partnership of Holgar & Holgar, which was notably active in Caulfield and environs in the 1960s, '70s and '80s. Dating from 1972-73, this house is one of best local examples of the partnership's high-end residential work from the peak period of their career in the 1970s. Occupied by its original owners for almost thirty years, it also exhibits a remarkably high degree of physical intactness, thus representing a rare survivor amongst the couple's extensive body of work in the City of Glen Eira. (*Criterion H*)

Primary sources

Heritage Citation PW19, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: St Margaret's Presbyterian Church, 106 Hotham Street, St Kilda East

Date of Statement: August 2020

Address:	106 Hotham Street, St Kilda East	Name:	St Margaret's Presbyterian Church
Place Type:	Church	Grading:	Significant
PS ref no:	HO229	Constructed:	1953-54



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

St Margaret's Presbyterian Church, at 106 Hotham Street, St Kilda East, is a cream brick church comprising a gable-roofed hall-like nave with a flat-roofed front foyer wing that incorporates a projecting covered walkway. Erected in 1953-54 to a design by leading Presbyterian architect K Murray Forster, the building represented the culmination of several decades of fundraising for a congregation that had occupied the site, in a series of 'temporary' buildings, from 1916.

The significant fabric is defined as the exterior of the entire building, including the original stained glass windows.

How is it significant?

St Margaret's Presbyterian Church satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

St Margaret's Presbyterian Church is significant as an excellent and remarkably intact example of an early post-WW2 church in the newly emerging modernist style. With its simple expression of a hall-like nave, low gabled roof, projecting walkway and stark brick walls with varied fenestration and virtually no applied ornament, the church represented a bold departure from the established pre-WW2 convention where designers of churches felt obliged to reference historicist detailing (such as buttresses and arches) associated with the traditional ecclesiastical styles. Forster's building, entirely devoid of such allusions, anticipated a new approach to church design that would become the norm in the later 1950s and 1960s. (*Criterion E*)

St Margaret's Presbyterian Church is significant for its creative achievement in taking inspiration from modernist church architecture that K Murray Forster had seen during a recent European trip, completed just six months before finalising his working drawings. While contemporary accounts of his building broadly acknowledged these Continental sources, noting the influence of recent church architecture of Holland and Switzerland, a specific single precedent has been identified in the eerily similar Swiss Reformed Church at Zurich-Balgrist (Hans & Kurt Pfister, 1950-52). St Margaret's Church, the unusual design of which generated an uncommon degree of comment in the daily and architectural press, is thus notable as an example of a Melbourne architect directly introducing progressive European influences into the local architectural scene. (*Criterion F*)

Primary sources

Heritage Citation PW14, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: 124 Balaclava Road, Caulfield North

Date of Statement: August 2020

Address:	124 Balaclava Road, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO221	Constructed:	1950-51

*Photographs by Built Heritage Pty Ltd, June 2019***What is significant?**

The building at 124 Balaclava Road, Caulfield North, is a large flat-roofed two-storey cream brick block of flats in a stark Functionalist style. Occupying a corner site, it has bold rectilinear massing and elongated elevations with rendered banding, wide windows, corner balconies with balustrade walls, and entries with cantilevered slab canopies and tall multi-paned window bays. Built in 1950-51 as an investment property for a Polish émigré couple, the flats were designed by Palestinian émigré architect Mordechai Benshemesh.

The significant fabric is defined as the exterior of the building and the matching dwarf wall along each of the two street boundaries. The garage block, to the rear, is not considered significant.

How is it significant?

The block of flats satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion D. Important in demonstrating the principal characteristics of a class of cultural or natural places or environments.
- Criterion E: Importance in exhibiting particular aesthetic characteristics

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The block of flats is architecturally significant as an exceptional example of a modern apartment building in the minimalist tradition of progressive Continental European counterparts. Comprising seven compact and tightly-planned two- or three-bedroom units with private balconies and shared stairwells, the development was conceived for the *existenzminimum* lifestyle that was the norm in larger European cities. This authenticity is underscored by the fact that the building was commissioned by a Polish-born couple, designed by a Palestinian-born architect, and initially tenanted exclusively by Eastern European émigré families who would have been well accustomed to living in such premises. Designed in mid-1950, it can be considered as one of the earliest manifestations of the post-WW2 modernist apartment blocks that would become such a defining characteristic of the Caulfield area in the later 1950s, '60s and '70s. (*Criterion D*)

The block of flats is aesthetically significant as a highly confident expression of the European Functionalist style. This is evident in its stark rectilinear massing and uncommonly elongated street facades, where the innate horizontality is heightened by rendered banding, wide rectangular windows and the conspicuous articulation of concrete slabs to the floors and canopies of corner balconies. Characteristically, the strong horizontal emphasis is relieved by the stepped facades and the contrasting vertical focus on the two street entrances, where tall-multi-paned window bays articulate the stairwells within in the best Functionalist tradition. Occupying an uncommonly large corner site along a major thoroughfare, this prominent building remains an eye-catching and distinctive element along the Balaclava Road streetscape. (*Criterion E*)

Primary sources

Heritage Citation PW06, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

GLEN EIRA PLANNING SCHEME

Statement of Significance: St Elmo, 133 Tucker Road, Bentleigh

Date of Statement: August 2020

Address:	133 Tucker Road, Bentleigh	Name:	<i>St Elmo</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO215	Constructed:	1889



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

St Elmo, at 133 Tucker Road, Bentleigh, is a single-storey double-fronted Late Victorian bichromatic brick villa with a hipped slate roof, prominent brick chimneys and a verandah with bullnosed corrugated steel roof on cast iron columns with lacework frieze and brackets. It was erected in 1889 for market gardener Benjamin Collins.

The significant fabric is defined as the exterior of the entire building.

How is it significant?

St Elmo satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern of our cultural or natural history.
- Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics

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GLEN EIRA PLANNING SCHEME

Why is it significant?

St Elmo is historically significant as rare evidence of early settlement in Bentleigh's eastern fringe. Dating back to 1885, it predates the minor flurry of Boom-era residential development that took place in the area in the later 1880s and early 1890s, which resulted in only a few dwellings that now constitute the bulk of surviving Victorian-era housing in the area. *St Elmo* is the oldest surviving house in Bentleigh's eastern fringe, as well as one of the oldest in the entire suburb and in that part of the municipality formerly under the auspices of the City of Moorabbin. The house retains important association with farming activities that once characterised the area: market gardening in the late nineteenth century and, subsequently, a highly-regarded poultry farm that continued to occupy the site in the first half of the twentieth century. (*Criterion A; Criterion B*)

St Elmo is aesthetically significant as an excellent, notably intact and uncommonly ornate example of a Late Victorian brick villa. While houses of this vintage are intrinsically rare south of North Road, this particular example, with its lively bichromatic brickwork, represents a marked contrast to the typically less prepossessing villas of rendered brick or block-fronted timber that survive on failed Boom-era estates in the area. With so many of its comparators altered to a greater or lesser degree by recladding of roofs, removal of verandahs or (in one case) roughcast rendering of face brickwork, this example, with a virtually unaltered street frontage that retains slate roof with terracotta ridges, canted bay window and verandah with corrugated iron roof, cast iron columns, lace frieze and tessellated floor, is exceptional at the local level (*Criterion B; Criterion E*)

Primary sources

Heritage Citation HG014, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Shops, 158-166 Hawthorn Road, Caulfield North

Date of Statement: August 2020

Address:	158-166 Hawthorn Road, Caulfield North	Name:	
Place Type:	Shop	Grading:	Significant
PS ref no:	HO206	Constructed:	1936-37



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

The row of five shops at 158-166 Hawthorn Road, Caulfield North, comprises two separate blocks of two-storey residential shops (a pair at No 158-160 and a group of three at Nos 162-166) in the Tudor Revival style. Erected as investment properties within six months of each other in 1936-37, the two blocks were erected by the same builder, John Richards, who evidently designed them himself. The two separate buildings combine broad characteristics of the Tudor Revival style (eg steep tiled roofs, half-timbering and dormer bays) with more individualistic detailing such as herringbone brickwork, roughcast render, bracketed eaves and window shutters.

The significant fabric is defined as the exterior of the entire building, including two original shopfronts (Nos 158 and 162), and pressed metal linings to the footpath canopies (Nos 158-160). External paint controls have been triggered to protect the original stained finish to timberwork.

How is it significant?

The row of shops at 158-166 Hawthorn Road, Caulfield North, satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The two groups of shops are aesthetically significant as excellent examples of the Tudor Revival style popular in Melbourne in the 1930s. While the style is well represented in the City of Glen Eira by many houses and numerous blocks of flats, its specific application to commercial buildings is rarer at the local level, with only a handful of examples identified. These two adjacent groups of shops, erected (and evidently also designed) by the same builder, display the broad characteristics of the Tudor Revival style (eg steep tile-clad roofs, dormer bays, dark-coloured Roman brick and half-timbering) while simultaneously exhibiting more unusual features (eg cusped tracery, lancet arches, herringbone brick, roughcast render, casement windows, timber shutters, turned finials, stepped parapets with moulded caps) that make them quite distinct from each other, and, as a cohesive group, from other examples in the study area. (*Criterion E*)

Primary sources

Heritage Citation HG04, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Houses (pair) 195-197 Hawthorn Road, Caulfield North

Date of Statement: August 2020

Address:	195-197 Hawthorn Road, Caulfield North	Name:	
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO207	Constructed:	1939



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

The two houses at 195-197 Hawthorn Road, Caulfield North, comprised a detached pair of single-storey hip-roofed rendered brick dwellings in a hybrid style combining the horizontal emphasis, round corners and curved windows of the Streamlined Moderne with the fluted columns and applied ornament of the classical tradition. Similar without being identical, the two houses were erected in 1939 by local designer/builder J W Fairbanks & Son, as separate but attached residences for two sisters.

The significant fabric is defined as the exterior of both houses, the detached garage to No 195 (but excluding its front wall, which is a later infill), and the matching dwarf walls (and any original metal gates) along both street boundaries. The non-original garage at the rear of No 197, facing Blencairn Avenue, is not considered significant.

How is it significant?

The pair of houses at 195-197 Hawthorn Road, Caulfield North, satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The two houses are aesthetically significant as a distinctive example of domestic architecture from the late 1930s, deftly combining key characteristics of the prevailing Streamlined Moderne style (eg rounded corners and unusually extensive use of curved glazing) with classical touches (ie fluted porch columns) and an uncommon degree of applied ornament (included brick stringcourses and moulded elements). The exuberance and unselfconsciousness of this hybrid design is testament to the fact that it was the work of a talented and enthusiastic designer/builder rather than a qualified architect, reflecting the more populist approach to residential architecture at the time. Designed to be similar without being identical, the two houses form a unique pair and an eye-catching element in the streetscape, enhanced by retention of their original front fences. (*Criterion E*)

Primary sources

Heritage Citation HG05, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Orrong Court, 213 Orrong Road, St Kilda East

Date of Statement: August 2020

Address:	213 Orrong Road, St Kilda East	Name:	<i>Orrong Court</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO213	Constructed:	1926



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

Orrong Court, at 213 Orrong Road, St Kilda East, is a two-storey block of rendered brick flats in the inter-war bungalow style, with an elongated stepped plan, hipped and gabled tile-clad roof and external staircases providing private access to upper flats. Erected in 1926 as an investment property for a Russian-born businessman and his wife, the flats were designed by architect, local resident and former City of Caulfield Builder Surveyor, R O Goldsmith.

The significant fabric is defined as the entire exterior of the main building and adjacent garage, the matching fence along both street boundaries, and the gateway/letterbox piers at the corner.

How is it significant?

Orrong Court satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern of our cultural or natural history.
- Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history.
- Criterion D: Important in demonstrating the principal characteristics of a class of cultural or natural places or environments.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The *Orrong Court* flats are significant as an early local manifestation of the modern purpose-built apartment block. Introduced into Melbourne in the early twentieth century, the typology began to proliferate in certain inner suburbs (eg St Kilda, Elwood) from the late teens, but took some time to become popular in the City of Caulfield. Although a few mansions were converted into flats in the early 1920s, this practice was discouraged and the first purpose-built examples emerged gradually during that decade. Dating from 1926, *Orrong Court* is not the oldest surviving block of flats in the City of Glen Eira, but was one of the first to be explicitly articulated as a multi-dwelling complex, in contrast to earlier examples designed to resemble a single large residence. With units expressed individually, provided with separate external entrances and open staircases for private access, *Orrong Court* is a textbook example of a distinctive form of apartment block that, while common in the former City of St Kilda, is rare in the former City of Caulfield. (*Criterion B; Criterion D*). As one of the earliest examples of modern apartment architecture in the study area, the building provides valuable evidence of a theme that was to dominate residential development of the City of Glen Eira (and particularly the former City of Caulfield) from the 1930s to the 1970s. (*Criterion A*)

Primary sources

Heritage Citation HG011, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Robert Lodge, 218 Kooyong Road, Caulfield

Date of Statement: August 2020

Address:	218 Kooyong Road, Caulfield	Name:	<i>Robert Lodge</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO231	Constructed:	1957-59



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

Robert Lodge at 218 Kooyong Road, Caulfield, is a double-storey brick building with a low butterfly roofline and window walls to the north and south sides. Occupying a corner site, it originally comprised a ground floor dwelling (fronting Glen Eira Road) with two self-contained flats upstairs (accessed off Kooyong Road). Designed by Winston Hall Associates, it was built in 1957-59 for a confectioner whose family occupied the ground floor residence while renting out the upstairs flats as an investment. In 1991, it was converted into four flats that were later strata-titled.

The significant fabric is defined as the exterior of the entire building. The external changes that were made during the 1991 conversion, including the garage infill to Kooyong Road and the tall brick boundary wall, are not considered significant.

How is it significant?

The building satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

Robert Lodge is aesthetically significant as an idiosyncratic example of post-WW2 modernism. Departing from the prevailing flat-roofed modernist aesthetic of the later 1950s, the building adopts a distinctive low-pitched zigzag roofline and an elevational treatment combining expanses of blank brickwork, full-height window bays and (on the Kooyong Road side), large openings to internal lobby and courtyard spaces. Despite removal of some of its livelier features (namely the striped boundary walls and geometric-patterned garage doors), the building remains an unusual element on this prominent corner site at the junction of two major local thoroughfares. (*Criterion E*)

Robert Lodge is architecturally significant for its innovative design and planning. Conceived as a single ground floor residence for the owner, with two lettable flats upstairs, it represented a major departure from the semi-detached maisonettes or duplexes that ordinarily fulfilled such a brief. Deftly planned to suit its corner site, with separate private entrances and semi-enclosed circulation space, the building challenged conventional notions of multi-unit living at that time. (*Criterion F*)



The virtually completed Robert Lodge, as photographed in 1959 by Wolfgang Sievers
Source: Picture Collection, State Library of Victoria

Primary sources

Heritage Citation PW16, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Craigellachie Flats, 273 Orrong Road, St Kilda East**Date of Statement: August 2020**

Address:	273 Orrong Road, St Kilda East	Name:	<i>Craigellachie Flats</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO214	Constructed:	1934-37



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

The *Craigellachie* flats, at 273 Orrong Road, East St Kilda, are a large complex of 25 residential flats in a series of two-storey blocks around a central landscaped court. Designed in the Tudor Revival style, they are of clinker brick construction with steep tile-clad roofs, tall chimneys, eaves corbels, gabled porches, bay windows and multi-paned sashes. Developed on part of the former grounds of the eponymous mansion *Craigellachie*, the flats were built in four stages from 1934 to 1937, to a design by architect W H Merritt.

The significant fabric is defined as the entire exterior of the building and the matching boundary fence and gateways on both street frontages.

How is it significant?

The *Craigellachie* flats satisfy the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern of our cultural or natural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

Craigellachie is significant as the largest and most ambitious block of flats built in the City of Glen Eira area before WW2. Proposed at a time when apartment living was becoming increasingly popular in the former City of Caulfield, the complex provided no fewer than 25 units, three times the size of most local counterparts (typically with only six to eight units). More akin to the grand apartment blocks that emerged in the adjacent City of St Kilda in the later 1930s, *Craigellachie* anticipates the significant post-WW2 boom of higher-density living that would fundamentally reshape the study area. (*Criterion A*)

Craigellachie is significant as a large and sophisticated expression of the Tudor Revival mode that was popular in domestic architecture in the 1930s. While its clinker brick, steep roofline, tall chimneys, gabled porches, arches and multi-paned windows are all broad characteristics of that style, the rendered eaves corbels and window boxes, bay windows, decorative bricks (including corbelling and basket-weave panels) elevate it to a higher level. The distinctive layout of the complex, with blocks arranged around a central landscaped courtyard, is rare at the local level and, coupled with its uncommonly elongated street frontage and matching boundary fence, forms a prominent and eye-catching element along this major residential streetscape. (*Criterion E*)

Primary sources

Heritage Citation HG012, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Duplex, 325/325A Bambra Road, Caulfield South**Date of Statement: August 2020**

Address:	325/325A Bambra Road, Caulfield South	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO204	Constructed:	1939

**What is significant?**

The building at 325/325a Bambra Road, Caulfield South, is a two-storey cream brick duplex in the Streamlined Moderne style. Occupying a corner site, it has parapeted hipped roof and a stepped quadruple-fronted façade with curving corners and rendered panels with horizontal and vertical fluting and a row of porthole windows. It was erected in 1939 by local builder Charles Ring, as a speculative project, and he may have designed it himself.

The significant fabric is defined as the exterior of the original 1939 building and the matching dwarf wall that extends along each of the two street boundaries. The single-storey studio apartment at the north end of the building, added in the 1960s, is not considered to be significant.

How is it significant?

The duplex satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The duplex at 325/325a Bambra Road, Caulfield South, is aesthetically significant as an excellent example of the Streamlined Moderne style. The work of an as yet unconfirmed designer (and perhaps even designed by the builder himself, Charles Ring), the building has a simple utilitarian expression to its west (rear) and south (side) elevations that contrast markedly with the far more confident articulation of its two street elevations, to the east and north. These are deftly expressed as a stepping quadruple-fronted façade with parapeted roofline, alternating curved and right-angled corners, corner windows and rendered panels with plain mouldings, vertical and horizontal fluting and a row of porthole windows, with the entrances to each flat marked by a flat-roofed porch. With a matching brick wall along both street boundaries the house remains a highly distinctive element in the residential streetscape. (*Criterion E*)

Primary sources

Heritage Citation HG01, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: 335 Alma Road, Caulfield North

Date of Statement: August 2020

Address:	335 Alma Road, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO216	Constructed:	1968



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

The house at 335 Alma Road, Caulfield North, is a two-storey flat-roofed beige brick house in the post-WW2 modernist style, with white marble cladding at the upper level, mosaic tiled columns and stone-clad dwarf walls. Erected in 1968 for a Polish-born clothing manufacturer and his wife, it was designed by Czech-born Robert Rosh.

The significant fabric is defined as the entire exterior of the house as well as the contemporaneous brick boundary wall, letterbox and stone-clad dwarf walls to the front garden.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The house is aesthetically significant as a particularly unusual example of modernist residential architecture of the 1960s. The work of a Czech-born émigré designer who, while professionally qualified, did not become registered as an architect in Victoria, the house exhibits an idiosyncratic strain of modernism where the trademark rectilinear massing, balanced façade and generous fenestration is relieved by decorative embellishments that

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GLEN EIRA PLANNING SCHEME

include mosaic tiled columns, concrete breeze block screen, stone-clad dwarf walls and, most strikingly of all, white marble cladding to the upper level of the street façade. Occupied by the original residents for nearly fifty years, this virtually unaltered house remains an eye-catching element in the streetscape (*Criterion E*)

Primary sources

Heritage Citation PW01, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: 386 Alma Road, Caulfield North**Date of Statement: August 2020**

Address:	386 Alma Road, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO217	Constructed:	1961-62

*Photographs by Built Heritage Pty Ltd, October 2019***What is significant?**

The house at 386 Alma Road, Caulfield North, is a two-storey flat-roofed orange brick house in the modernist style, expressed as a box-like upper level (containing three large window bays with terrazzo spandrels) elevated above a recessed undercroft that encloses a double carport. Erected in 1961-62 for a clothing manufacturer and his wife, the house was designed by noted Austrian-trained architect Dr Ernest Fooks.

The significant fabric is defined as the exterior of the house, the matching brick walls to the front garden, and the pebbled paving to the driveway and the front paths.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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

GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as a particularly distinctive example of modernist residential architecture of the early 1960s. Commissioned at a time when architect Fooks was moving beyond his usual hard-edged modernism towards a more inclusive and eclectic approach, the house deftly combines the tenets of Fook's more academic style (ie the stark expression of a two-storey house as an elongated glass-fronted box, hovering above an undercroft) with a playfully decorative style fashionable at the time, conveyed by small rows of openings to the carport walls, spandrels with eye-catching rubble terrazzo finish, and a two-toned pebbled driveway. As one of the first Fooks houses to depart from his mainstream modernist style (perhaps influenced by younger employee Michael Feldhagen, whose initials appear on the drawings), the house ushered in a more eclectic approach that would characterise Fooks' work thereafter. (*Criterion E*)

The house is historically significant for associations with Austrian-trained architect Dr Ernest Fooks, who started private practice in Melbourne in 1948 and soon became sought-after as a designer of residential projects for fellow European émigré clients. Notably prolific in the former City of Caulfield (where he himself resided, in Howitt Street, from 1966 until his death), Fooks maintained a long personal and professional association with what is now the City of Glen Eira, including several art exhibitions held at the Caulfield Town Hall. Dating from 1961, the Alma Road house is one of the most striking and intact examples of Fooks' residential work from that period, marking an auspicious start to what would become the peak decade of his professional practice in Melbourne. (*Criterion H*)

Primary sources

Heritage Citation PW02, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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

GLEN EIRA PLANNING SCHEME

Statement of Significance: Olgita, 440 Dandenong Road, Caulfield North

Date of Statement: August 2020

Address:	440 Dandenong Road, Caulfield North	Name:	Olgita
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO205	Constructed:	1940



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

Olgita at 440 Dandenong Road, Caulfield North, is a double-storey rendered brick block of flats in the Streamlined Moderne style, with a stepped façade incorporating a series of curved parapeted bays with horizontal banding, a taller stairwell bay with contrasting vertical fluting, and a more conventional hip-roofed expression to the side and rear. The flats were built in 1940 as an investment property for a Russian-born hosiery manufacturer, and were probably designed by Armadale architect Leslie J W Reed, who had undertaken prior work for the same client.

The significant fabric is defined as the exterior of the entire building.

How is it significant?

The flats satisfy the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

Olgita is aesthetically significant as an excellent example of a block of flats in the Streamlined Moderne style, incorporating some particular bold and striking details. Occupying a long narrow site, the large two-storey building (containing six flats of above-average size) has a stepped frontage to the north-east, with recessing curved bays incorporating rendered banding and faceted windows. Characteristically of the style, this innate horizontality is relieved by a contrasting vertical element in the form of a stair lobby that projects above the parapet, with vertical fluting, curvilinear wrought iron ornament and a projecting bulbous balcony. The bold articulation of this principal frontage contrasts with more conventionally domestic utilitarian expression of the west (rear) side, with exposed hipped roof, rectilinear massing and standard windows. (*Criterion E*)

Primary sources

Heritage Citation HG03, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Bundara, 475 Neerim Road, Murrumbeena

Date of Statement: August 2020

Address:	475 Neerim Road, Murrumbeena	Name:	<i>Bundara</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO211	Constructed:	1890



Photographs by Built Heritage Pty Ltd, October 2019

What is significant?

Bundara, at 475 Neerim Road, Murrumbeena, is a single-storey double-fronted Late Victorian bichromatic brick villa with a hipped roof, prominent brick chimneys, a skillion-roofed timber-framed return verandah, and a gable-roofed weatherboard rear wing. It was erected in 1890 for shipping agent Edward Swindells, whose large family occupied the property for seven decades.

The significant fabric is defined as the exterior of the brick villa and weatherboard rear wing.

How is it significant?

Bundara satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern of our cultural or natural history.
- Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics

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GLEN EIRA PLANNING SCHEME

Why is it significant?

At the local level, *Bundara* is significant for its associations with an early and important phase of residential settlement in the suburb of Murrumbeena. Although the railway line was extended through the area as early as 1879, with a station at the junction of Neerim and Murrumbeena roads, further settlement in the vicinity was not encouraged until several large subdivisions were released in 1887-88. While a minor boom of residential (and commercial) settlement ensued, the area was to remain only sparsely developed until late 1910s, when the Boom-era estates finally began to fill out (*Criterion A*). With many of the earlier Victorian houses subsequently demolished for post-WW2 subdivision and higher density development, *Bundara* remains to provide rare evidence of the initial phase of settlement, both along the major thoroughfare of Neerim Road and more broadly across the entire suburb of Murrumbeena (*Criterion B*).

At the local level, *Bundara* is significant as an unusual and substantially intact example of a Late Victorian villa. Of bichromatic red and cream brick construction, it stands out from most other late nineteenth century houses in the area, which are more commonly of timber (often block-fronted) or sometimes rendered brick. While fairly conventional in its expression, with M-shaped hipped roof and double-fronted façade, *Bundara* is distinguished by its ornate chimneys (with rendered strips and heavily moulded cornices) and unusual return verandah with shaped brackets and simple slat frieze instead of the more ubiquitous wrought iron lacework. The early rear addition, in weatherboard with gabled slate roof, is a rare survivor in a house of this age. (*Criterion E*)

Primary sources

Heritage Citation HG09, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

GLEN EIRA PLANNING SCHEME

Statement of Significance: St John's Anglican Church, 624 Centre Road, Bentleigh East**Date of Statement: August 2020**

Address:	624 Centre Road, Bentleigh East	Name:	St John's Anglican Church
Place Type:	Church	Grading:	Significant
PS ref no:	HO223	Constructed:	1960-62



Photograph by Built Heritage Pty Ltd, October 2019

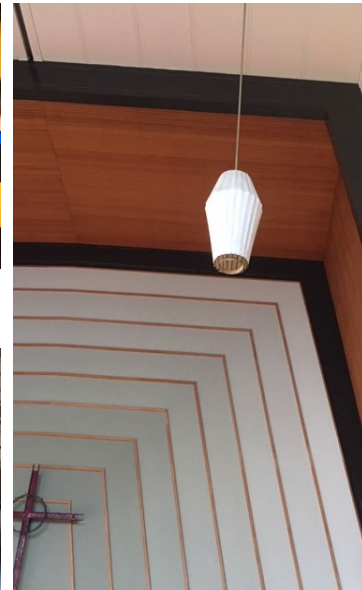
What is significant?

St John's Anglican Church at 624 Centre Road, Bentleigh East, is a post-WW2 modernist cream brick church with a truncated A-framed nave, spiky metal steeple, and facade with false arched windows, pebbled wall finish and mosaic tiled spandrels. Erected in 1961-62 to replace an existing church on the site dating back to 1873, the building was designed by architects Gawler, Churcher & Boardman (who had previously designed a new church hall for the same site)

The significant fabric is defined as the entire exterior of the 1961-62 church building, and interior fittings as follows: the three stained glass windows from the old church, full immersion baptismal font, decorative iron grille between Pioneers' Chapel and choir stall, decorative iron altar rail, timber panelled wall behind the altar, and pendant light fittings in the nave. The other buildings on the site, namely the adjacent hall (by the same architects, but of little architectural interest), vicarage, kindergarten and toilet block, are not considered to be significant.

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GLEN EIRA PLANNING SCHEME

*Full immersion baptismal font**Stained glass windows (1932)**Altar, showing altar rail**Decorative grille screen**Panelled wall and light fitting***How is it significant?**

The church satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

St John's Anglican Church is aesthetically significant as an exceptional example of ecclesiastical architecture in a lively sub-style of post-WW2 modernism characterised by a playful expression of non-structural elements, applied ornamental and decorative finishes. Famously dismissed by Robin Boyd as "Featurism", this sub-style was mostly associated with commercially-oriented buildings (eg shops, showrooms, motels, etc) and houses, and was rarely adopted for ecclesiastical buildings. St John's Church, with its truncated A-framed nave, false-arched arcade (with pebbled finish and mosaic tiled spandrels) and spiky metal-framed steeple evocative of the American 'Googie' style, is a notable (and notably intact) example of the Featurist approach, as atypically applied to a church. With its deliberately eye-catching design and prominent siting at the corner of two major roads, the building remains a distinctive element in the streetscape. The nave interior is notable for retention of original finishes and fittings including panelled nave wall, decorative ironwork, pendant light fittings and a cruciform full-immersion baptismal font (an element seldom found in Anglican churches). (*Criterion E*)

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GLEN EIRA PLANNING SCHEME

Primary sources

Heritage Citation PW08, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

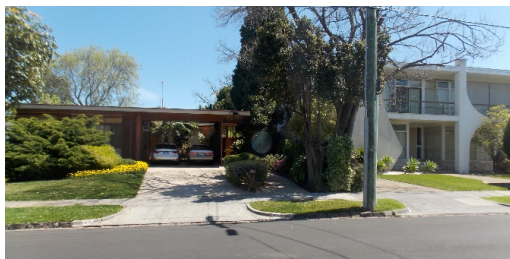
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GLEN EIRA PLANNING SCHEME

Statement of Significance: Aroona Road Modernist Precinct

Date of Statement: August 2020

Address:	Aroona Road: 43, 45, 47, 49	Name:	-
Place Type:	Residential building (private)	Grading:	Contributory
PS ref no:	HO238	Constructed:	1961-63, 1970-71



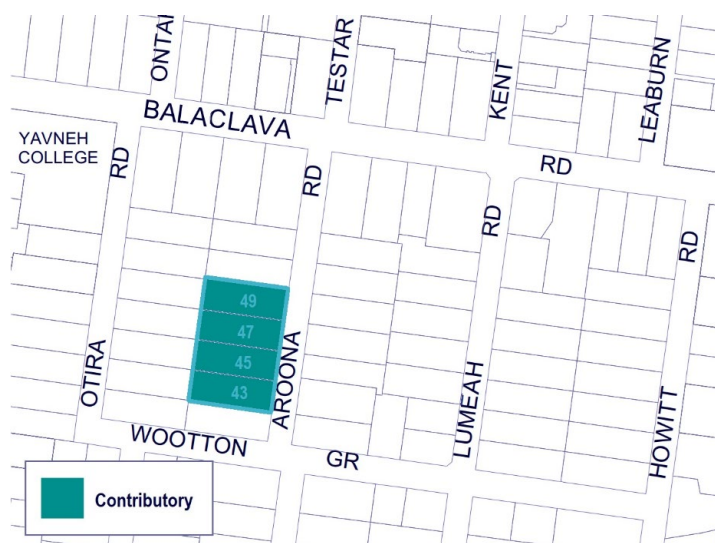
Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The Aroona Road Modernist Precinct comprises a cohesive row of four post-WW2 houses at the northern end of Aroona Road, Caulfield North, erected between 1961 and 1971. Although quite differently articulated, the four houses are all designed in a consistent European Modernist style characterised by bold rectilinear massing, flat roofs with broad eaves, and expansive windows. Commissioned by European émigré families who engaged architects of similar background (two houses designed by Austrian-trained Ernest Fooks and two by Polish-born Holgar & Holgar).

The following houses are deemed to be *contributory* elements in the precinct:

- Aroona Road: Nos 43, 45, 47, 49



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GLEN EIRA PLANNING SCHEME

How is it significant?

The Aroona Road Modernist Precinct satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

Why is it significant?

The Aroona Road Modernist Precinct is significant for associations with post-WW2 redevelopment of the former *Talbot Estate*, a prestigious inter-war subdivision that was transformed from the mid-1950s as original houses were replaced by grander modernist counterparts, mostly built by well-off European émigré families who commissioned architects of similar background. As these large and prepossessing modern houses proliferated in the 1960s, '70s and into the '80s and beyond, the area acquired an envied reputation as Caulfield's "Golden Mile". (*Criterion A*)

The Aroona Road Modernist Precinct is significant as small but excellent collection of post-WW2 modernist houses. Designed by architects who were born and trained in Continental Europe, the houses are unified by a consistent hard-edged modernist style associated with such designers, broadly characterised by bold rectilinear massing, flat roofs with broad eaves, and expansive windows. This is tempered by more unusual forms and detailing that reflect each architects' gradual departure from academic modernism towards a more idiosyncratic approach. The house that Fooks designed at No 43 (1963) shows the emerging influence of Japanese architecture that he saw during a recent trip overseas, while the canted façade of the early Holgar & Holgar house at No 45 (1963) hints at the unusual geometry that would so strongly define the firm's later work, typified by the house at No 49 (1970-71), with its eye-catching façade elements. (*Criterion E*)

The Aroona Road Modernist Precinct is significant for associations with two leading post-WW2 émigré architectural practices that each maintained an important and enduring connection with what is now the City of Glen Eira. Czechoslovakian-born and Austrian-trained Ernest Fooks began practice in Melbourne in 1948 and, after designing his first building in Caulfield in 1951, completed many more over the ensuing quarter-century, including his own celebrated residence in Howitt Road. Holgar & Holgar, comprising Polish couple John & Helen Holgar, launched their practice after winning a high-profile exhibition house competition in 1957 (the outcome of which was relocated to a site in Bentleigh East), and remained similarly active in the study area from the early 1960s to the late 1980s. While Fooks and the Holgars undertook much residential work in what is now the City of Glen Eira, some of their most outstanding houses were to be found in this prestigious enclave loosely defined as Caulfield's "Golden Mile". (*Criterion H*)

Primary sources

Heritage Citation P01, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Findon Avenue Precinct

Date of Statement: August 2020

Address:	Findon Avenue: 2-16 (even)	Name:	-
Place Type:	Residential building (private)	Grading:	Contributory
PS ref no:	HO240	Constructed:	1939-41



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

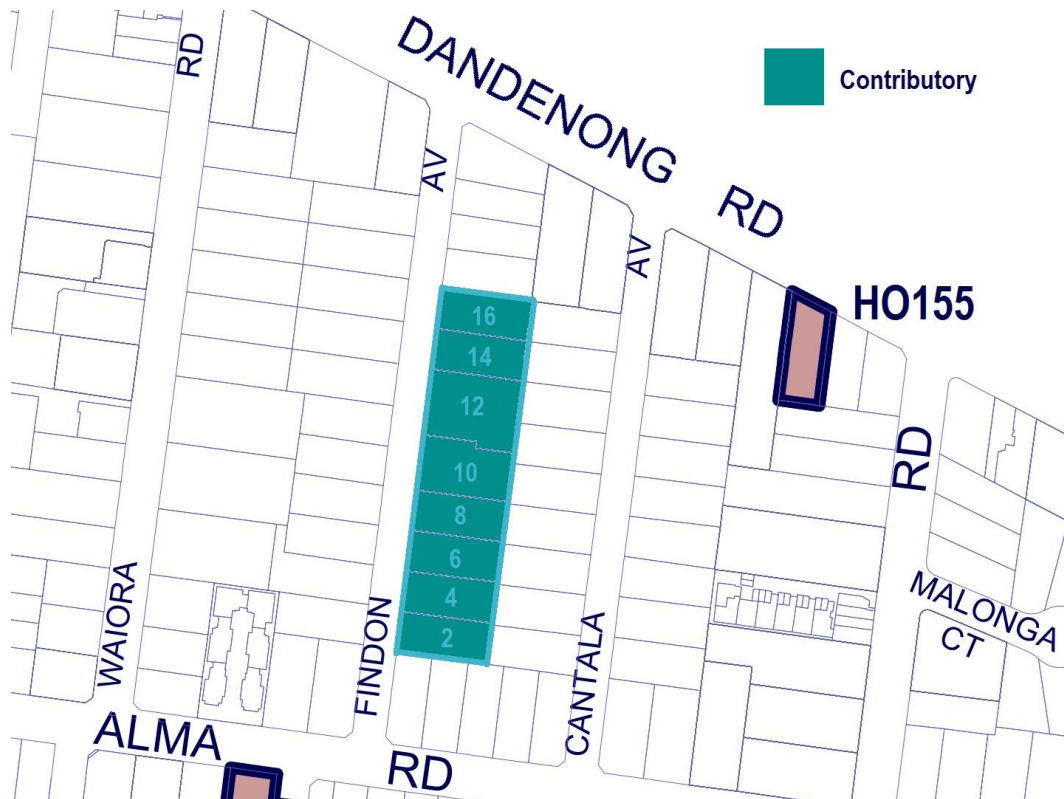
The Findon Avenue Precinct comprises a row of detached double-storey brick residences of grand scale and prepossessing architectural form, occupying elevated sites on the east side of the street. They were erected over a period of three years following the 1938 auction of allotments on the *Cantala Estate*, created from the subdivision of the eponymous mansion, *Cantala*, former home of the Miller family, which occupied fourteen acres on Dandenong Road. The houses, all built by wealthy families (some of whom engaged leading architects such as Edward Billson, Frederick Morsby and the firm of Yuncken, Freeman Brothers, Griffiths & Simpson), express a range of fashionable architectural styles of the day including Moderne, Functionalist and Georgian Revival.

The following houses are deemed to be *contributory* elements in the precinct:

- Findon Avenue: Nos 2, 4, 6, 8, 10, 12, 14, 16

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GLEN EIRA PLANNING SCHEME

**How is it significant?**

The Findon Avenue Precinct satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The Findon Avenue Precinct is historically significant for associations with the creation and early development of the *Cantala Estate*, which was the largest, most ambitious and most prestigious inter-war residential subdivision in Caulfield. Created from a fourteen-acre property that had been held by the Miller family since 1895, the *Cantala Estate* (released in three stages in 1933, 1938 and 1939) attracted considerable attention from the press and potential buyers. While allotments on the estate were all highly desirable for their proximity to Dandenong Road (and the electric tram line thereon), it was the elevated land along the east side of Findon Avenue that proved to be the most sought-after. These sites, sold and developed within only three years of the 1938 auction, were snapped up by wealthy families who proceeded to build suitably grand dwellings (some designed by noted architects) to exploit the elevated position and bayside views. This continuous row of eight dwellings now remains as the most extant collection of original houses on the entire *Cantala Estate*.

(*Criterion A*)

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GLEN EIRA PLANNING SCHEME

The Findon Avenue Precinct is aesthetically significant as a cohesive group of stylish and palatial residences of the late inter-war period. Erected by wealthy families who engaged the services of leading architects and builders, the houses exhibit notable consistency through their imposing scale, common setbacks, elevated siting, and various elements (such as expansive windows, balconies and sun decks) that were incorporated to take advantage of bayside views. The houses demonstrate the pervasive influence of the fashionable architectural styles of the period, including outstanding individual examples of the Georgian Revival (No 10), Streamlined Moderne (Nos 4, 12) and Functionalist (No 16), and others (Nos 2, 6, 8 and 14) displaying a confident melding of different styles. Collectively, the houses form a consistent and substantially intact streetscape of uncommonly grand dwellings from the late 1930s and early 1940s. (*Criterion E*)

Primary sources

Heritage Citation P03, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Flats, 1 Lockerbie Court, St Kilda East**Date of Statement: August 2020**

Address:	1 Lockerbie Court, St Kilda East	Name:	
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO210	Constructed:	1936-37

*Photographs by Built Heritage Pty Ltd, October 2019***What is significant?**

The building at 1 Lockerbie Court, St Kilda East, is a double-storey rendered brick block of flats in a bold Functionalism style, starkly expressed with parapeted roof and unadorned street elevations incorporating stepped planes, curved balconies, clinker brick entry bays and a sweeping curve at the corner. Built in 1936-37 for a Polish-born businessman, who briefly lived there himself before moving to Sydney, the flats were designed by architect W H Merritt.

The significant fabric is defined as the exterior of the entire building.

How is it significant?

The flats satisfy the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The flats are aesthetically significant as a fine example of modernist residential architecture of the later 1930s in the stark European-influenced mode described at the time as “Continental” but now generally referred to as the Functionalist style. With a parapeted roofline defining elongated street façades in plain rendered brick, with stepping planes, rounded balconies, contrasting manganese brick entry bays with vertical strip windows, and a bold sweeping curve at the corner, the building potently evokes the spartan Functionalist tradition. While contemporaneous buildings in the more embellished Jazz Moderne and Streamlined Moderne styles are common in what is now the City of Glen Eira (and especially the former City of Caulfield), this block of flats is rare as one of very few local manifestations of the unadorned Functionalist style. (*Criterion B, Criterion E*)

Primary sources

Heritage Citation HG08, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Grimwade Court Precinct

Date of Statement: August 2020

Address:	1-6 Grimwade Court, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Contributory
PS ref no:	HO241	Constructed:	1935-40



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The Grimwade Court Precinct comprises a cluster of six large detached brick houses built between 1935 and 1940 following the creation of a 1928 cul-de-sac subdivision from the former site of the Victorian mansion, *St Aubins*. The houses, built by different owners who selected their own architects, reflect the fashionable Moderne and Tudor Revival styles of the period. While varying in their articulation and detailing, they are broadly similar in form, scale and setback.

The following houses are deemed to be *contributory* elements in the precinct:

- Grimwade Court: Nos 1, 2, 3, 4, 5, 6

The significant fabric is deemed to include the exterior of all six original houses (and original garages) as well as original brick walls to driveways and street boundaries, and other elements of the front garden that contribute to the inter-war character of the precinct.

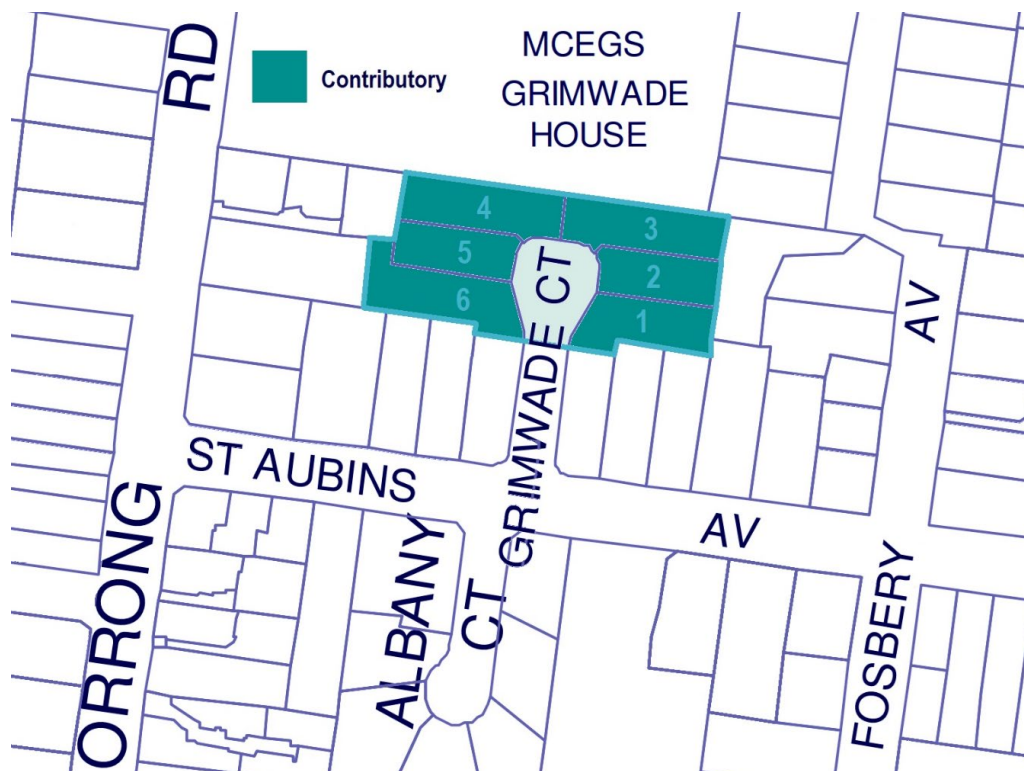
How is it significant?

The Grimwade Court Precinct satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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GLEN EIRA PLANNING SCHEME

**Why is it significant?**

The Grimwade Court Precinct is historically significant as an exceptional example of an interwar cul-de-sac estate developed on the former site of a Victorian-era mansion. From the 1910s, this pattern of settlement became increasingly common in Melbourne's desirable inner-southern suburbs as demand for residential allotments rapidly outstripped the need for grand mansions in expansive grounds. Characteristically, sprawling Victorian-era properties were nibbled away by subdivision until the original residence remained with a nominal curtilage. Grimwade Court, created in 1928 when the mansion *St Aubins* (originally fronting Orrong Road) was finally demolished, was conceived as a high-end development, taking its name from the adjacent private school. Although subsequent development was delayed by the Depression, the cul-de sac filled out in the second half of the 1930s as the blocks were snapped up and built upon by wealthy residents (most of whom already lived in the area) who saw a rare opportunity to furnish themselves with a grand residence in an exclusive new enclave. As such, Grimwade Court is quite distinct from contemporaneous cul-de-sac estates more typically created by a single builder/developer who erected all the houses and then sold them off individually. (*Criterion A*)

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GLEN EIRA PLANNING SCHEME

The Grimwade Court Precinct is aesthetically significant as an intact and cohesive cluster group of large detached brick dwellings, erected within a few years of each other in the later 1930s and early 1940s. Although designed by different architects for different clients, the six houses display a notable sense of consistency in their scale (ie double-storey), materials (ie, brick and terracotta tile), articulation (ie, asymmetrical double-fronted facades), setbacks and general sense of grandeur. With four of the houses designed in the Streamline Moderne idiom and two in the Tudor Revival mode, they collectively illustrate the two parallel trends in domestic architecture of the period, favouring progressive and conservative design respectively. Even within the framework of their stylistic similarities, the houses are distinct in their form and detailing. This melding of cohesion and individuality has formed a striking residential enclave, enhanced by the retention of original front walls, driveways, garages and front gardens that, with their expansive lawn areas, garden beds, low plantings and mature trees, remain highly evocative of the interwar period. (*Criterion E*)

Primary sources

Heritage Citation P04, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Linden Flats, 575 Inkerman Road, Caulfield North

Date of Statement: August 2020

Address:	575 Inkerman Road, Caulfield North	Name:	<i>Linden Flats</i>
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO208	Constructed:	1937



Photographs by Built Heritage Pty Ltd, June 2019

What is significant?

Linden at 575 Inkerman Road, Caulfield North, is a double-storey rendered brick block of flats in a Streamlined Moderne style with parapeted roof, curved corners and a horizontal emphasis that is relieved by the contrasting vertical elements of entry bays to each street façade. Built in 1937 for a prominent radio manufacturer, the flats were erected by prolific local builder (and later Mayor of Caulfield), T W Morris, who may have also designed them.

The significant fabric is defined as the exterior of the entire building, and the matching brick dwarf wall and gateposts and letterboxes that extend along both street boundaries.

How is it significant?

The flats satisfy the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.

Why is it significant?

The *Linden* flats are aesthetically significant as an excellent and unusually large-scale example of a block of flats in the Streamlined Moderne style. An ambitious scheme to provide a complex of ten flats on a double-width corner block (forming part of a recent subdivision of some of the last remaining vacant land along Inkerman Road), it provided its as-yet unidentified designer with the rare opportunity to create a landmark building with

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GLEN EIRA PLANNING SCHEME

unparalleled streetscape presence. Characteristic of the Streamline Moderne style, its two stark and atypically elongated street facades are expressed as a continuous horizontal sweep with parapeted roofline, curving corners and incised shadowlines, with a contrasting vertical focus introduced by the three vertical entrance bays, distinguished by their stepped parapets, recessive vertical banding and curvilinear metal balustrades. Retaining its original dwarf wall along both street boundaries, this confidently conceived and atypically grand block of inter-war flats remains as a striking feature along this major thoroughfare. (*Criterion E*)

Primary sources

Heritage Citation HG06, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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GLEN EIRA PLANNING SCHEME

Statement of Significance: Wimbledon Estate Precinct**Date of Statement: August 2020**

Address:	Bickhams Court: 1, 1a, 3, 4, 9 Wimbledon Court: 2 Alexandra Street: 1/8, 2/8	Name:	-
Place Type:	Residential building (private)	Grading:	Contributory
PS ref no:	HO239	Constructed:	1960-73

*Photograph by Built Heritage Pty Ltd, October 2019***What is significant?**

The Wimbledon Estate Precinct comprises a group of post-WW2 houses in the cul-de-sacs of Bickhams Court and Wimbledon Court, and one adjacent block on Alexandra Street, built after the 1960 subdivision of what had been the Wimbledon Public Tennis Courts, established in 1923 by the eponymous Charles Bickham. With their stark rectilinear massing, flat roofs and large windows, the individual houses are all reflective of the prevailing modernist idiom of the time. Mostly completed during the 1960s (with a single slightly later example from 1972), the houses in the precinct were all designed for European émigré clients by architects of similar background.

The following houses (including any original garages, carports, front fences and hard landscaping where still extant) are deemed to be *contributory* elements in the precinct:

- Bickhams Court: Nos 1, 1a, 3, 4, 9
- Wimbledon Court: No 2
- Alexandra Street: Nos 1/8 and 2/8 (semi-detached pair on corner site)

(refer map on final page)

How is it significant?

The Wimbledon Estate Precinct satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The Wimbledon Estate Precinct is significant as one of very few cul-de-sac residential subdivisions in the Caulfield area that were created and developed from scratch in the post-WW2 era. By the 1950s, most of the north-western part of the present-day City of Glen Eira was already densely settled, leaving only a few atypical pockets of land for further expansion. The Wimbledon Estate, laid out in 1960 on the site of public tennis courts operated by the Bickham family since 1923, thus provided one of the last opportunities for homebuilders to establish themselves on a new subdivision within a well-established suburb. Consequently, allotments were keenly sought-after and, without exception, would be developed by wealthy European émigré families to create a residential enclave that encapsulated Caulfield's post-WW2 migrant demographic. (*Criterion A*)

The Wimbledon Estate Precinct is significant as small but excellent collection of post-WW2 modernist houses. The earlier houses, erected between 1960 and 1967 and mostly designed by European-trained émigré architects, were all conceived in a consistent hard-edged modernist style, broadly characterised by bold rectilinear massing, flat roofs with broad eaves, and expansive windows. Within this dominant modernist idiom, most of the houses incorporated a degree of embellishment (such as feature walls of stone, slate or tile) that evoked the early '60s fad for applied ornament, famously dismissed by Robin Boyd as 'Featurism'. These contrast with the later house on the south side of Bickhams Court that, of monumental and expressionistic form, demonstrates a return to a purer and more unadorned approach. (*Criterion E*)

The Wimbledon Estate Precinct is significant for associations with a number of architects of Continental European background (including Holgar & Holgar, Robert Rosh, Erwin Kaldor and Harold Shafer) who, consequent to their strong personal and professional links to Caulfield's thriving post-WW2 Jewish émigré community, are known to have been notably active in this part of the present-day City of Glen Eira during the 1950s, '60s and '70s. (*Criterion H*)

Primary sources

Heritage Citation P02, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

GLEN EIRA PLANNING SCHEME



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GLEN EIRA PLANNING SCHEME

Statement of Significance: 6 Labassa Grove, Caulfield North

Date of Statement: August 2020

Address:	6 Labassa Grove, Caulfield North	Name:	-
Place Type:	Residential building (private)	Grading:	Significant
PS ref no:	HO232	Constructed:	1963-64



Photograph by Built Heritage Pty Ltd, October 2019

What is significant?

The house at 6 Labassa Grove, Caulfield North, is a single-storey flat-roofed brick house in the post-WW2 modernist style, with a double-fronted asymmetrical façade that incorporates an expansive window wall, paved terrace and top-lit entry porch with stone feature wall and metal grille screen doors. Designed by Polish-born architect Bernard Slawik, the house was erected in 1963-64 for a Slovakian émigré couple, who would remain living there into the twenty-first century.

The significant fabric is defined as the entire exterior of the house, as well as the original pebbled concrete front path and driveway, and the original letterbox.

How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics.

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GLEN EIRA PLANNING SCHEME

Why is it significant?

The house is aesthetically significant as a highly distinctive example of modernist residential architecture of the early 1960s. Designed by a Polish-born architect who trained in Lviv and worked in Sweden, the house demonstrates many of the defining characteristics of international modernism, such as the flat roof with broad eaves, stark planar walls and expansive full-height windows. The starkness of the composition is relieved by some more idiosyncratic details and decorative finishes such as the skylit porch roof, slate feature wall, metal grille screens, terrazzo terrace and pebbled concrete path and driveway. Owned by the same family for over forty years, the house demonstrates an uncommon degree of physical integrity, including its front garden setting with path, driveway and original letterbox. (*Criterion E*)

Primary sources

Heritage Citation PW17, *City of Glen Eira Post-war & Hidden Gems Heritage Review 2020, Stage 2: Citations*, prepared by Built Heritage Pty Ltd.

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Summary of Submissions Received, Planning Officer Comments and Recommendations (27 April 2021) and Panel Recommendations

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
1 Oppose 335 Alma Road, Caulfield North	<i>The existing condition of this property is in disrepair</i>	When surveyed and photographed by the consultant in 2019, the house appeared to be in excellent condition. No disrepair was apparent when viewed from the street.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 335 Alma Road. Council's legal representative advocated this position at the Planning Panel.	(Refer page 37 of Panel Report) The Panel concludes that 335 Alma Road, Caulfield North: <ul style="list-style-type: none"> • is not a comparable example of particular aesthetic characteristics • does not have sufficient local heritage significance to justify applying the Heritage Overlay.
	<i>As the current owners the only way we can live in this house is to undertake structural changes, roof replacement and façade renewal ... significant renovations are required.</i>	Application of an individual heritage overlay to this property will not prevent the owners from undertaking a range of building works or improvements (including repair, maintenance, structural changes and replacement of roofing), provided that said works do not have a negative impact on the stated significance of the place.		The Panel recommends: Delete the Heritage Overlay from 335 Alma Road, Caulfield North (HO216)

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>Retaining the existing design is cost prohibitive</i>	The owners have not submitted detailed costings to support this assertion.		
	<p><i>Late Email from Submitter:</i></p> <ul style="list-style-type: none"> • <i>Accuracy of the Consultant Report – reference to multiple columns, decorative mid-century dwarf walls and fencing... - recommends a 3rd party review of the report.</i> • <i>Urge Council to specifically focus on the architectural design and features of the home rather than emotive historical stories.</i> • <i>Architect of 335 Alma Road was not registered or well known.</i> • <i>Scale of (Heritage) program.</i> 	<p><u>Planning Officer:</u> The Statement of Significance for 335 Alma Road refers to 'columns' while the physical description within the Citation refers to a 'column'. This is a minor anomaly that should be rectified. The statement should be amended to reflect there is only one column along the front façade of the dwelling. Details relating to dwarf walls and fencing are considered to be correct.</p> <p>A third party review of the Consultant Report will be undertaken by any future independent planning panel.</p> <p>The City of Glen Eira Thematic Environmental History (Refresh) 2020 documents the built form history of the municipality in themes. An important historic theme in Glen Eira is the Post-war migration of Eastern Europeans and the resultant housing styles that manifested particularly in the northern part of the municipality.</p> <p>The current amendment is one of a substantial number of heritage reviews occurring throughout the municipality.</p> <p>Recommend amending the Statement of Significance for 335 Alma Road to clarify that a single column forms part of the front façade of the building.</p> <p>Refer submission to Panel.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
2 Oppose 2 & 4 Findon Avenue, Caulfield North (part of Findon Avenue Precinct)	<i>The Property has been included in the Findon Avenue Precinct solely because it conveniently bookends the row of houses and appears from the front façade to not have been substantially changed since it was built.</i>	If a house is substantially intact, and forms part of a group of similarly intact houses, then it is an appropriate candidate for inclusion in a precinct. The term “conveniently bookended” could well be applied to any house at the end of a streetscape that is in accordance with the stated significance of the precinct.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to the Findon Avenue Precinct. Council’s legal representative advocated this position at the Planning Panel.	(Refer page 26 of the Panel Report) The Panel considers that the Precinct achieves Criteria A and E because it is important to the course of Glen Eira’s history and because it exhibits particular aesthetic characteristics. The subject properties, notwithstanding that a few have had some alterations, are sufficiently intact to be viewed as a cohesive heritage precinct associated with the Cantala Estate.
	<i>There are many similar style properties in the immediate area that have been excluded from the review. For example, the house opposite at 3 Findon Avenue was also built with a brick façade using a common building style at the same time.</i>	The comparative analysis contained within the citation includes discussion of “similar style properties in the immediate area”, including those on the opposite (west) side of Findon Avenue. It was noted that, while the other side of the street does include a number of individual houses of similar era, style and form, they do not form a cohesive streetscape in the same way, as they are interspersed by more recent redevelopment that would be considered non-contributory in the context of a heritage precinct. This is exactly why the precinct was limited to only the east side of Findon Avenue. It was not suggested that the properties along the east side of Findon Avenue are in any way unique in terms of their date, form or style. Rather, they		The Panel concludes: <ul style="list-style-type: none"> The Findon Avenue Precinct (HO240) has sufficient local heritage significance to justify applying the Heritage Overlay and all exhibited properties should be included. The attic at 2 Findon Avenue is likely to have been added after the

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		are uncommon locally as a continuous streetscape of such houses.		original house was built and does not affect the house's ability to contribute to the Precinct.
	<i>It was not designed by any noted architect of the time, and does not represent any particular architectural style of the era (e.g. Moderne, Functionalist or Georgian Revival).</i>	<p>The submitter has not submitted any documentary evidence to prove that there no architect was involved in the design of the house. The fact that the consultants were not able to confirm an architectural attribution does not mean that an architect was not involved. While the architects of most of the houses in the precinct have been identified, this was not the case with all of them (eg 4, 6 and 16 Findon Avenue). The lack of architectural attribution does not necessarily diminish the significance of the place as a contributory element in the precinct</p> <p>The consultant does not agree the house at No 2 does not "represent any particular architectural style of the era". Its steep roofline, clinker brickwork, tall chimney and asymmetrical frontage are evocative of the Tudor Revival style, while the flat-roofed porch canopy hints at the influence of the Moderne style. This stylistically hybrid approach is evident in other houses in the precinct, such as 14 Findon Avenue.</p>		
	<i>Unlike the best examples of architecture during the post war era, the Property does not display "expansive window, balconies and sun decks" (as touted on p.34 of the Heritage Review).</i>	The citation neither stated nor implied that the houses in the precinct were amongst "the best examples" of residential architecture, nor indeed that they dated from the post-war era (ie, after 1945). It is noted that all houses in the precinct		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		were erected between 1939 to 1941, which effectively categorises them as pre-WW2.		
	<i>It also does not have corner windows, horizontal banding, curved edges or projecting half round bays (as referred to on page 40).</i>	The citation did not ascribe significance to the precinct on the basis that each and every house necessarily has these particular elements. The Georgian Revival house at 10 Findon Avenue, for example, demonstrably lacks corner windows, horizontal banding or half-round bays, yet it is still considered to be a contributory element.		
	<i>They (2 & 4 Findon) both vary from the other dwellings as they are both face brickwork and were not designed by a leading or known architect as the other houses referenced.</i>	The citation neither stated, nor implied, that only those houses with a rendered finish, or those confirmed to have been designed by “a leading of known architect”, are deemed to contribute to the significance of the precinct.		
	<i>It is evident from the original footprint of the Property, as identified in the Property Sewerage Plan dated 1941, that the house was originally much smaller than it is today</i>	The MMBW plan submitted in evidence may confirm that the house has been extended at the rear in the post-WW2 period, but it otherwise confirms that the footprint of the street frontage, with its asymmetrical double-fronted form and recessed porch, is the same today as it was in 1941. Additions made to the rear of a house, which can seldom be seen from the street, are not generally taken into consideration when assessing a property for inclusion in a heritage precinct.		
	Submitter provided a list of internal alterations and concerns.	The interior condition and/or intactness of a house is not taken into consideration when assessing it for inclusion in a heritage precinct, where the emphasis is on the external form of the place and how it contributes to a cohesive streetscape.		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>The report also states that the Property is in "excellent" condition.</i>	When surveyed and photographed by the consultant in 2019, the house appeared to be in excellent condition.		
	<i>The rear of the house has been substantially changed.... Despite use of similar bricks, it bears absolutely no resemblance to the original rear façade.</i>	The rear elevation of the house, which cannot be seen from the street, is not taken into account when assessing a building for inclusion in a heritage precinct. As such, the extensive changes noted by the submitter are not deemed to diminish the contribution that the house makes to the cohesive streetscape.		
	<i>The Heritage Report notes that many of the houses were built to take advantage of bayside views.</i>	It was reported in contemporary newspaper accounts, pertaining to the construction of specific houses in Findon Avenue as well as the sale of the original vacant blocks, that the elevated siting allowed for bayside views. It is entirely probable that these views are no longer evident due to the extent of higher-density development in the surrounding area over the past eight decades. However, this does not mean that is incorrect to state that these views once existed, and that the houses were specifically designed to exploit them.		
	<i>The overlay must take into account contributory, neutral or detracting items not just on the east side of Findon Avenue but the west and into Cantala Avenue</i>	This comment is at odds with the prevailing and accepted methodologies of heritage assessment. By definition, a heritage precinct is the sum of what is within its own boundaries and is not required to take into account the impact of elements (whether "contributory, neutral or detracting") that are beyond those boundaries.		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
Submission 2 as it relates to 4 Findon Avenue	<i>Significant and extensive structural damage which is beyond repair.</i> <i>The property is in a poor condition and needs a complete overhaul, which includes a planned renovation of the façade in keeping with our scheduled retirement.</i>	When surveyed and photographed by the consultant in 2019, the house appeared to be in excellent condition. No obvious structural damage was apparent when the property was viewed from the street.		
	<i>We are concerned about prolonged exposure to high levels of indoor dampness caused by the structural defects.</i>	Application of a heritage overlay to this property will not prevent the owners from undertaking a range of building works (including rectification of any structural defects and damage caused by water penetration), provided that said works do not have a negative impact on the stated significance of the place.		
	<i>Our son suffered from a life-threatening health episode resulting from the damp which subsequently effected his lung function and caused chronic health problems including asthma, chronic rhinosinusitis, allergic conditions, severe sinus infections and a weakened immune system.</i>	Application of a heritage overlay to this property will not prevent the owners from addressing issues with water penetration that may be affecting the health and wellbeing of family members.		
	<i>For your reference, please take careful note of the property immediately opposite ours at 3 Findon Avenue which was built with many of the same features including the gates, entrance, design and building techniques.</i> <i>Arguing that a property is technically not in a precinct when only metres away or in neighbouring street named</i>	As noted elsewhere, the comparative analysis within the citation acknowledges the existence of similar houses elsewhere in the area (including on the opposite side of Findon Avenue), but makes the point that these are isolated and scattered specimens that do not comprise a cohesive streetscape, as evidenced by the precinct. Far from being a "complete error in judgement", this is considered to be an adequate (and methodologically typical)		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>after the Cantala estate is a complete error in judgment</i>	justification for excluding isolated examples on the opposite side of the street or in adjacent streets.		
	<i>We want it very clearly understood that number 4 and number 2 Findon Avenue were designed and built by the same builder demonstrating many of the same internal and external features.</i>	This historical connection between the two houses does not, in any way, diminish their ability to contribute to the significance of the precinct.		
	Alterations to other houses at 6, 10 and 14 Findon Avenue.	The citation acknowledges that changes have been made to a number of houses in the precinct, including those discussed by the submitter. It is maintained that, notwithstanding external changes, these houses are substantially intact when seen from the street, and their original form and detailing can be readily interpreted		
	<i>On examining the outward appearance of our property at 4 Findon Avenue, the council photo may provide an impression of a property in good condition.</i>	When the property was surveyed and photographed in 2019, it appeared to be in excellent condition when seen from the street. In considering a house for inclusion in a heritage precinct, its streetscape presence is the most pertinent factor. Anything that is not visible from the street, including the condition of (and changes to) to the rear and interior, are not taken into account.		
	Late email from Submitter (2 Findon Avenue): <ul style="list-style-type: none"> • Assertion that the attic level of 2 Findon Avenue was a 1960s addition to the dwelling. • Would like to construct a pool in the front yard which they 	<p><u>Planning Officer:</u></p> <p>The consultant stands by his recommendation for inclusion of 2 and 4 Findon Avenue within the Findon Avenue Precinct. It is considered appropriate to refer this submission to a Planning Panel for review.</p> <p>The consultant will undertake investigations to confirm whether the upper floor/attic</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	have been told by Council will not be acceptable.	window at 2 Findon is a later addition. If so, the citation will be altered accordingly and presented to Panel. Refer submission to Panel.		
3 No objection EPA	<ul style="list-style-type: none"> No formal response. 	No change proposed to the amendment as a result of this submission. Refer submission to Panel.		
4 Oppose 624 Centre Road, Bentleigh East (St John's Church)	<p>Inaccuracies within the Citation.</p> <p><i>The wall behind the alter is plastered with timber trim attached... it is not a 'timber panelled wall'</i></p> <p><i>I am confident that no pipe organ was ever installed in any church building on the property prior to the 1980s.... any organ would have been a reed organ or harmonium. The problem would be fixed by removing the word 'pipe'</i></p> <p><i>The spire is comprised of four (not three) tapering metal members and the pole now running from their meeting point is not original.....</i></p> <p>LATE ADDITION TO SUBMISSION: <i>With regard to the accuracy of the citation, we appreciate the proposed corrections (spire and wall) but would ask that all reference to the organ be deleted from the citation...the organ now in place was only installed at St John's in the 1990s.</i></p>	<p>The consultant concurs with inaccuracies. The citation should be updated accordingly.</p> <ul style="list-style-type: none"> Provide updated description of the wall behind the alter; Note the spire as having 4 tapering metal members (not 3); Remove all reference to the organ from the Citation. 	<p>At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 624 Centre Road.</p> <p>Council's legal representative advocated this position at the Planning Panel.</p>	<p>(Refer page 50 of Panel Report)</p> <p>St John's Bentleigh supported some external control of the building but opposed internal controls.</p> <p>The St John's Bentleigh Church commands an importance to exhibiting particular aesthetics true to the post-WW2 period of architecture with a strong A-frame nave, metal steeple and articulated façade....Consistent with its findings, the Panel considers the internal controls should apply to the church's interior and the Heritage Overlay should be applied to the entire property.</p>

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<p>Specifically object to the application of internal controls. <i>'Our difficulty with internal controls is that it is quite unclear as to what power this would give to heritage authorities with regard to these and other aspects of the insides of St John's Church...we believe special treatment (internal controls) is unjustified given our record past and recent in respecting the building's heritage (photos provided). We are at a loss to understand why St John's is being treated differently from other properties, including other churches'.</i></p> <p><i>'We are not objecting to some external controls over St John's building. We see that the building has a design integrity and would want to preserve this but argue this should not mean leaving everything inside just as was judged best for the early 1960s'.</i></p> <p>LATE ADDITION TO SUBMISSION: <i>We will reluctantly accept (proposed internal controls) if by 'responsible authority' in the citation, you mean in our case to refer to the Anglican Diocese of Melbourne.</i></p>	<p><u>Planning Officer:</u></p> <p>It is considered that this proposed Heritage Overlay should proceed to a Planning Panel for consideration including internal controls. The internal elements nominated within the Statement of Significance reflect a snapshot in time of an unusual style of architecture and interior design of a church from this period. Internal design elements such as the wall behind the altar, the decorative ironwork grille and the full immersion baptism font are clearly unusual and possibly unique within Glen Eira.</p> <p>Internal controls will not prohibit Church Leaders from undertaking internal alterations. The Heritage Overlay contains the following statement:</p> <p><i>"No planning permit is required under this overlay to internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes".</i></p> <p>The Responsible Authority in this instance is the City of Glen Eira (not the Anglican Diocese of Melbourne). Council officers commend Church leaders on the recent internal renovations to the building. Further internal changes, including rearrangement or removal of pews, relocation of altar and railings or the decorative iron grill for liturgical purposes would need to be assessed but most likely be considered to comply with the above statement, thus be exempt from a planning permit.</p>		<p>The Panel concludes:</p> <ul style="list-style-type: none"> 624 Centre Road, has sufficient local heritage significance to justify applying the Heritage Overlay (HO223) to the entire property. The HO223 Statement of Significance should be revised to delete references to the organ, revise details about the altar wall to reflect its actual materials, and correct the reference to the spire. <p>The Panel recommends:</p> <p>Amend the Statement of Significance for 624 Centre Road, Bentleigh East (HO223) to delete references to the organ, revise details about the altar wall to reflect its actual materials and correct the reference to the spire.</p>

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		Refer submission to Panel. Amend the Citation and Statement of Significance to more accurately describe the rear internal wall behind the altar and spire and remove all reference to the pipe organ for the Panel's consideration.		
5 General opposition with agreement that front façade is of high heritage value. 49 Rosemont Avenue, Caulfield North	<i>We definitely do not want limitations on what we can do or cannot do... we feel it is not fair and reasonable for our children to be limited in what they can or cannot do with the family home that they were raised in.</i> <i>I can understand old historical buildings of character over 100 years old... to be deemed to be heritage but not our own personal family home.</i>	Heritage protection (at local or state level) is not restricted only to buildings that are over one hundred years old. There is no formal cut-off date or minimum amount of time that must elapse before a place may be deemed of heritage significance. There are countless places on local heritage overlay schedules (and the <i>Victorian Heritage Register</i>) dating from the 1950s, '60s and beyond. Some (eg Federation Square) even date from the 1990s. The "newest" building included in the current Heritage Review was erected between 1990 and 1994. Likewise, heritage protection is not restricted only to monumental non-residential buildings. In fact, the single private dwelling (a "personal family home") is almost certainly the most represented building type on local heritage overlay schedules.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 49 Rosemont Avenue. Council's legal representative advocated this position at the Planning Panel.	(Refer page 67 of the Panel Report) The property presents well as a comparable example of 1970s life works of architects Holgar & Holgar. The Rosemont Street elevation presents itself as a fine example of post-WW2 modern architecture which exhibits particular architectural elements... The Panel concludes: <ul style="list-style-type: none">49 Rosemont Avenue, Caulfield North has sufficient local heritage significance to justify applying

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
				<p>the Heritage Overlay (HO237).</p> <ul style="list-style-type: none"> The Heritage Overlay should apply to the entire property, consistent with Planning Practice Note 1. The HO237 Statement of Significance should be revised to note the recently installed metal security gate:
	<i>Firstly, and arguably most importantly, the existing owners want to ensure that heritage controls do not prejudice future retrofitting of their home.</i>	As the citation for this property did not include a recommendation for internal controls to be applied, the heritage overlay will not actually prevent the owners from making renovations, refurbishments or upgrades to the interior spaces.		<p>The Panel recommends:</p> <p>Amend the Statement of Significance for 49 Rosemont Avenue, Caulfield North (HO237) to note the added white metal security gate located at the front entrance.</p>
	<i>The Statement of Significance and heritage protection should recognise and allow for the possibility of the owners retrofitting their home so that they may appropriately</i>	The purpose of the Statement of Significance is to identify and justify what is significant about the place. If the interior of the house was deemed to part of its significance, it		


Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>modify their home to accommodate their needs as they move through their senior years, with a strong desire to remain in their home for as long as possible.</i>	would have been mentioned in the Statement of Significance. As the interior is not mentioned in the Statement of Significance for this house, the reader (whether it be the owner, council's heritage advisor or any other party) can be assured that there are no restrictions on alterations to the interior spaces. Hence, it is not necessary for the Statement of Significance to explicitly state that such changes are permissible. This is all in accordance with standard methodologies.		
	<i>Whilst we acknowledge that the principal façade is of high heritage value and do not contend its significance, we submit that other elements of the property are not worthy of the same level of protection as the façade.</i>	In applying an individual heritage overlay to a property, it is entirely in accordance with current methodologies for the overlay to extend to the title boundaries of the property, and to define the significant fabric as the entire exterior of a dwelling. It is only in rare and exceptional cases that an overlay would be applied only to the façade of a building, excluding the remainder of the structure. An example would be where a Victorian-era façade has been dismantled and re-assembled onto the front of another building (eg former Bank of NSW at the University of Melbourne).		
	<i>Pertinent to our argument, the protection of the rear of the dwelling severely limits opportunities for the owners being able to modify their home, noting that a large garden is available which would provide sufficient room to accommodate a respectful rear addition to the property.</i>	The application of an individual heritage overlay to the property (even when the overlay extends, as noted above, right to the title boundaries) would not necessarily prevent a "respectful rear addition" from being made. Alterations and additions to heritage places are almost always viable, with the proviso that they are conceived and detailed in a scale, form and style that is sympathetic		

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		to the significant fabric.		
	<i>24 Crotonhurst Ave, to the immediate west of the subject site is a clearly a site ready for development, with the site now being vacant and the existing dwelling removed. It is very likely that a new development would further diminish views of the rear elevation of 49 Rosemount Avenue.</i>	The potential or actual redevelopment of adjacent properties is not sufficient justification for a heritage overlay not to be applied. The property at 49 Rosemount Avenue has been identified in isolation as an individual heritage place, which (in contrast to a heritage overlay across a precinct) does not take into account the scale, form or style of any adjacent properties or the broader streetscape.		
	<i>The property is also not included in the proposed Aroona Road Modernist Precinct (HO238), which clearly demonstrates more significant heritage value as a collective group of properties. We feel a heritage precinct is a better way of acknowledging how heritage buildings are viewed by the public.</i>	As mentioned above, the subject property has been identified and assessed as an <u>individual</u> heritage place, not as part of a precinct. While the submitter's agent may hold the opinion that precinct overlays are somehow superior to individual overlays, this does not reflect prevailing methodologies in the heritage industry. In undertaking this heritage study, the consultant was certainly not briefed to identify more precincts than individual places, or to avoid identifying individual places at all. In any given heritage study, there will typically be many more individual places identified than precincts.		
	<i>We agree that the rear verandah is significant. However, given it is largely obscured from public views, we do not believe the same weight should be placed on its protection as is placed on the Rosemont Avenue façade. It was also constructed at a later date to the original dwelling at the request of the owners. We contest that the boundary wall is of heritage significance. This was also</i>	<p>The rear verandah and boundary wall were both designated as significant elements because they were also designed by Holgar & Holgar and are clearly elements of some aesthetic interest.</p> <p>The fact that these additions were made at a later date does not diminish their significance. If anything, it enhances the broader significance of the place by demonstrating</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>constructed at a later date to the original dwelling and should not be referred to in the statement of significance.</i>	that the original architects retained involvement with the property over a period of many years (an unusual circumstance). <u>Planning Officer:</u> This submission should be referred to a Planning Panel for consideration. The Panel will comment on the appropriateness of the Statement of Significance with respect to the submitter's concerns. No change proposed to the amendment as a result of this submission. Refer submission to Panel.		
6 Oppose 40 Lumeah Road, Caulfield North	<i>I don't believe any other homes of this age have been HERITAGE listed.</i> ADDITIONAL SUBMISSION: <i>The Consultant confirms that no property of this age has ever been subject of a heritage overlay in Glen Eira. The inclusion of our house is a clear overreach. No detailed information of what benefit our house provides to the community has been provided.</i>	There is no requirement that a building must reach a certain age before it can be considered of heritage significance. The National Trust of Australia (Victoria) has classified many buildings from the 1980s and 90s, and there are also several examples on the Victorian Heritage Register (notably Federation Square, erected 1997-2002). A number of private dwellings from the 1980s have been identified in heritage studies and added to heritage overlay schedules, including a house at Kew by Edmond & Corrigan (City of Boroondara, HO117) and another at Rye by Robinson Chen Pty Ltd (Shire of Mornington Peninsula, HO120). <u>Planning Officer:</u> The inclusion of a 1990s house is not a 'clear overreach'. Previous heritage studies for Glen Eira occurred in the 1990s and were focussed on Victorian, Edwardian and Inter-war properties. This current study is reviewing Post-War heritage. The consultant was not provided	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 40 Lumeah Road. Council's legal representative advocated this position at the Planning Panel.	(Refer page 57 of Panel Report) The owner of 40 Lumeah Road questioned where an 18 year old building is sufficiently old to qualify as heritage....The Panel considers that a local place has to be at least a generation old to be considered for the Heritage Overlay....The Panel accepts that the building has an innovative and unusual design. Council will be in a better position to assess whether this translates into heritage significance at the appropriate time in the future.

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		<p>with a cut-off date for development but merely asked to review the municipality for Glen Eira's most outstanding post-war places.</p> <p>The Statement of Significance for the property outlines why the dwelling is significant to the community.</p>		<p>The Panel concludes that 40 Lumeah Road, Caulfield North does not have sufficient local heritage significance to justify applying the Heritage Overlay (HO223).</p> <p>The Panel recommends: Delete the Heritage Overlay from 40 Lumeah Road, Caulfield North (HO233).</p>
	<p><i>In the review it is stated that each citation contains a brief appraisal of physical condition and intactness of each property but it is acknowledged that the Property has only been viewed from the street and reliance has been placed primarily on published material.</i></p> <p>ADDITIONAL SUBMISSION: <i>The Consultant has failed to provide any evidence to support its approach or its validity which is clearly questionable. "Standard industry approach"...what industry or in what context?</i></p>	<p>The methodology summarised here [in the Consultant Report] is in accordance with the standard industry approach adopted for local heritage studies. It is entirely typical for fieldwork surveying to be limited to what can be seen from the street or other publicly-accessible viewpoints, and for historical research to rely primarily on published sources.</p> <p>Council officers have reviewed the methodology of heritage reviews carried out by other heritage consultants both within Glen Eira and throughout Melbourne. Methodologies that were reviewed describe assessing the building from the street boundary. This is considered to be the acceptable approach. Any concerns about this approach will be discussed at a Panel hearing.</p>		

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	<i>Identifying details of property owners and their families have been deleted as per Council direction. Unfortunately this is incorrect. The names of the current owner and occupier (the Submitters) have not been used but the information contained in the Citation together with the details of the reference material results in easy identification.</i>	The citation includes a list of reference material used by the author in the citation. This list consists of publicly available information such as contemporary newspaper and magazine articles. As this information is publicly available, the author of the citation maintains that it does not constitute a breach of privacy standards to use this information nor reference it in the citation. It is noted that a Google search on the keywords "Wood Marsh" and "Caulfield" will reveal numerous online references to the subject house that identify the current owner and occupier by name. These online references include a filmed interview with the architects and current occupant of the subject property recorded for the Sydney Living Museum in 2014.		
	<p><i>Much of the information in the Citation, both in text and photographs have been copied or paraphrased and published without the consent or even attribution to the copyright holder.</i></p> <p>ADDITIONAL SUBMISSION: <i>The consultant has paraphrased quotations from publications that were generated by a desire of the Architects to promote their work and ability...the use of marketing fluff and puffery does not make for an accurate or objective description of the salient features of our house.</i></p>	It does not constitute a breach of copyright for published text to be paraphrased, while the direct quoting of published text (where it has been clearly identified as a quote, and appropriately acknowledged) would fall within fair use provisions of the Copyright Act. The reproduction of illustrative material would also fall under the provisions of fair use, as images used to illustrate a heritage citation would come under the category of professional commentary/critique. It is further noted that, while the images and floorplan of the house might aid the reader in visualising the property, the case for local heritage significance does not rely on the inclusion of these images. If there is genuine concern about breach of copyright, the		

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		images could simply be deleted from the citation without affecting its conclusions.		
	<p><i>"Flat roofed reinforced concrete house".... This is a misdescription of the house construction and appears to indicate that by referencing it as a "concrete house" that this is some way adds to it being unique or unusual for a dwelling.</i></p> <p>ADDITIONAL SUBMISSION: <i>The Consultant contends that the use of reinforced concrete on such a scale on a single dwelling is unusual. A cursory internet search shows at least 21 other such houses – a further indication of the Consultant's inadequate research in this matter.</i></p>	<p>The consultant stands by his observation that, at the time of construction, it was indeed highly unusual for reinforced concrete to be used on such a scale on a single private dwelling. While the consultant would be happy to update the citation to describe the house as being of reinforced concrete and brick construction, it is not considered that this revision would, in any way, diminish the significance that has been ascribed to the place.</p>		
	<p><i>Street frontage described as a blank elliptical volume. That section of the building is not elliptical, and this is clearly evident from the plans.</i></p>	 <p>In a filmed interview from 2014, the architect himself, Randall Marsh, referred to the front wing as both an "elliptical space" and an "elliptical form". The front wing has also been described as "elliptical" by other writers, including Joe Rollo (in his book Concrete Poetry) and Karen McCartney (in her book Iconic Australian Houses). While the front wing may not be an ellipse in the precise mathematical sense, it is certainly elliptical in the more general dictionary</p>		

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		definition of being oval-shaped. Whether or not there may be a more accurate term to describe the true geometrical form of the front wing is ultimately irrelevant to the case for significance.		
	<i>All elements of the Property and its setting were not designed by Wood Marsh so this is a highly inaccurate statement.</i>	The citation does not state (or even infer) that ALL elements of the property and its setting were designed by Wood Marsh. The Statement of Significance lists specific site elements that are confirmed (via primary sources) to have been designed by the architects.		
	<i>Elements that are listed by way of example include a "front fence" There is no front fence - merely planting of bushes which are now totally different in texture, colour density and height from what was originally planted and never specified by Wood Marsh.</i>	The citation uses the term "front fence/gate" to refer to the consolidated structure to the right end of the street boundary, which comprises contiguous vehicular and pedestrian gates. If this is considered to be ambiguous, the consultant would be happy to re-phrase this to a term such as "gateway unit". It is worth pointing out that the citation did not ascribe any significance to the plantings along the front property line, which, as confirmed by the submitter, were not part of the original conception by Wood Marsh.		
	<i>Internal finishes have never been observed.</i>	As noted, the standard methodology for undertaking fieldwork for a local heritage study does not include any allowance for the internal inspection of private dwellings.		
	<i>Formal staircase – there is none. ADDITIONAL SUBMISSION: We contend that the staircase at the front of the house is just that – a staircase...The Consultant recommends the imposition of heritage controls without knowing what could or should be protected.</i>	It is unclear how the property owner can dispute the existence of the formal staircase, which is clearly shown on the original drawings and in published photographs.		

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	<i>Original kitchen - The kitchen contains many standard and recycled fittings and is a fairly standard layout copied by the owners from their previous house and not designed by Wood Marsh.</i>	This suggestion that the kitchen is “fairly standard” appears to contradict published remarks by the architects, which noted that the kitchen involved many bespoke elements and other features that were unusual or non-standard at the time.		
	<i>“architect has stated that the interior is inseparable from the totality of the design”; This is hardly an objective view that supports the buildings significance but merely a repetition of a quote from one of the architects that was used in a publication for their self-promotion. ADDITIONAL SUBMISSION: The Consultant has stated that the architect’s statement regarding design intent, whether or not correct, has relevance to what was built. The Consultant has never inspected the (internals of the) property.</i>	The consultant is happy to accept the architect’s statement as accurate reflection of his own design intent. It is unclear on what basis this can be disputed.		
	<i>“The Property is described as a house that literally stopped traffic at the time of its construction”. This is emotive and simply not true. ADDITIONAL SUBMISSION: Whether people stopped and looked at the house or not is certainly not of significance – bad or preposterous architecture attracts attention as well....certainly no one stopped and looked at the interior as it can’t be seen from the street.</i>	The observation that the house “stopped traffic” was made by journalist Angela Noel in an article that appeared in the Age on 16 July 1994. She wrote: “The house ... is already causing traffic jams in the street where it has been built”. It is clear from the article that she intended the expression to be interpreted literally, not figuratively. She does not ascribe the traffic jams to the mere presence construction vehicles. In Karen McCartney book, the author quoted a related anecdote from the property owner, who recalled making coffee one morning and noticing “five men in black suits standing in the garden”. The owner acknowledged, “in the beginning, we were such a focus of attention”.		

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	<i>The significance is claimed because of the groundbreaking re-invention of the modern house. The "ground-breaking" claim is made without any attempt at justification other than to quote, completely out of context, the architect's own self-promotional material – how can this be of relevance?</i>	The consultant accepts the architect's own statement as an accurate reflection on the innovation of the design. It is unclear on what basis this can be disputed. In her book, <i>Iconic Australian Houses</i> , Karen McCartney referred to the "many ground-breaking aspects of the design", and also stated that the project "challenged the notion of suburban architecture".		
	<i>It is claimed that the brief effectively gave the architects a wholly free hand and that the project represented a noted departure from contemporary trends in planning, materials, forms and departure from contemporary trends in planning, materials, forms and finishes. The author has no knowledge of the detailed and restrictive brief that was given to the architects - the comment is untrue.</i> ADDITIONAL SUBMISSION: <i>The architects were categorically not given a free hand and therefore the reliance on this conjecture is totally out of place.</i>	The references in the citation to the architects being given a "free hand" in the design of this house were derived from contemporary sources such as magazine and newspaper articles, and from the filmed interview with the architect and client. As such, this is considered to provide an accurate record of this aspect of the history of the place.		
	<i>The house design and layout is extremely conventional - but of course the author would not know this as he has not discussed the brief with the owners or the architect or visited the premises other than from the footpath.</i> ADDITIONAL SUBMISSION: <i>...the brief to the architects was that the house must be totally conventional in internal design – 4 bedrooms, 2 bathrooms and lounge/dining</i>	The consultant does not share the property owner's opinion that the house design and layout is "extremely conventional". It should be apparent, to even the most casual observer, that the design and planning is unconventional. This is apparent even from viewing the plans and interior photographs. The remarks made by the property owner and architect in the filmed interview from 2014 would seem to support the conclusion that the house is not conventional.		

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	<i>are downstairs with a combined kitchen/family room.</i>	In Karen McCartney's book, <i>Iconic Australian Houses</i> , she quotes a TV documentary in which the house was described as one that "thumbs its concrete nose at convention".		
	<i>It is stated that there is a "cave-like foyer" a. This is a total misdescription and not correct.</i> ADDITIONAL SUBMISSION: <i>Again the Consultant by his own admission, has never seen the interior of the house so cannot express his expert opinion of its architectural features or those worth preserving with internal controls.</i>	The phrase "cave-like" was used by the architect himself, Randall Marsh, in the filmed interview from 2014, available on YouTube.		
	<i>It is stated that there is room for 350 guests.</i> <i>Same comment as above - the author writes this as if were part of the design brief or factual - it is NOT true.</i>	The comment that the brief required a large entertaining space to accommodate 350 guests was made by the architect himself, Randall Marsh, in the same filmed interview from 2014. The same figure is also quoted in Karen McCartney's book, <i>Iconic Australian Houses</i> .		
	<i>"The interior planning challenged conventional notions of domestic living". This statement is contrary to the truth – part of the design brief was that the interior MUST be suitable for conventional domestic use in every aspect.</i>	The consultant stands by the assessment that the design of the house challenged conventional notions of domestic living. This is inherent in the unusual layout, such as the articulation of the vast elongated living area as a circulation zone between the front and the rear wings. While such innovative planning challenges conventional notions of domestic living, it does not necessarily mean that the house is not "suitable for conventional domestic use in every aspect". These two concepts are contradistinctive and should not be conflated.		

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	<i>It is stated that there is extensive use of industrial finishes such as brushed metal sheeting, and it is claimed that it was then uncommon.</i>	The consultant stands by his assessment that the use of brushed metal finishes in a residential context, although now ubiquitous, was uncommon in the early 1990s.		
	<i>The finishes like terrazzo flooring and rough cast render as used in the house have been used in residential properties for centuries if not millennia. In fact the entrance and portico of the house previously standing on the block had a terrazzo floor and rough cast rendered walls.</i> ADDITIONAL SUBMISSION: <i>It seems that the Consultant places significance only on elements of the house that are unusual/uncommon/innovative. He fails to mention the centralised control of lighting and sound system which was innovative but of course he would have no knowledge of this. In any case, because a feature is or is not unusual/uncommon/innovative is not a requirement or criteria for heritage protection, so it is unclear why an interior control should apply to these finishes.</i>	The citation does not state that terrazzo flooring and roughcast render were unusual/uncommon/innovative finishes at the time of construction.		
	<i>The Citation claims that the project was conceived as a true totality of design. The author has not discussed this with the architects.</i> ADDITIONAL SUBMISSION: <i>The consultant has seen no need at all to verify this claim.</i>	The consultant did not see the need to discuss this matter directly with the architect, as the architect himself made these observations in the filmed interview from 2014.		

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	<i>This paragraph fails to specify in any way what features of the house demonstrate a high degree of creative or technical achievement for 1994! Only that it was celebrated as the architect's best achievement to that date. Arguably many of their more recent works are far superior and unique.</i>	The consultant stands by the architect's own appraisal that the project was a notable one, a significant early achievement for the emerging firm, and one that informed later works. While it is correct that Wood Marsh have undertaken a number of other highly-regarded and award winning dwellings, the subject building remains the only example of their residential work in what is now the City of Glen Eira. Other houses outside that municipality are not taken into account in establishing a case for significance at a local level.		
	<i>The fact that the architects like the building and put it on the cover of their own self published and funded promotional material seems an irrelevant consideration when measuring up against Criterion F. ADDITIONAL SUBMISSION: To rely on commercial material in such publications, as evidence of its worthiness for heritage protection is another matter and should be totally rejected by Council.</i>	The monograph on Wood Marsh should not be dismissed as self-published promotional material. It is a lavish and expensive large-format hardcover book with commissioned photographs and textual contributions from Dr Philip Goad and others. It was not self-published, as it bears the colophon of Beta Plus, a highly-regarded Belgian-based publishing house that specialises in such high-end architectural books.		
	[Allegations of breach of privacy]	The consultant holds the opinion that it is entirely appropriate for a heritage citation to include personal details of the property owner, architect, builder or other individuals involved in the creation of the place, where such information is already on the public record. This encapsulates such primary sources as certificates of title, municipal rate records and electoral rolls, as well as published sources such as newspapers, magazines and books.		

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	[Allegations of defamation]	The consultant does not concur that any of the personal information quoted in the citation is disparaging or defamatory to any of the individuals involved.		
	[Allegations of errors in description] ADDITIONAL SUBMISSION: <i>We contend that the errors as not all minor. An independent peer review should be conducted.</i>	While the submitter has identified apparent errors in the descriptive section of the citation, it is considered that these errors are extremely minor (relating to the 'front fence and the house being of 'reinforced concrete and brick construction' and can be addressed as a minor update. It is maintained that such errors, while admittedly regrettable, do not undermine the case for cultural significance at the local level. Referring this submission and the whole amendment to Panel will ensure that both the amendment and submissions are carefully and independently reviewed by the nominated Panel member/s. The Panel will provide commentary on the methodology of the consultant report, the thoroughness and accuracy of citations. The Panel will recommend whether any changes to citations should be made or whether the amendment as a whole or a particular property within the amendment should be abandoned.		
	<u>In relation to the City of Glen Eira Thematic Environmental History (Refresh) 2020</u> <i>The Refresh cannot be considered as background information unless and until the Planning Scheme has been amended to include the Refresh.</i>	<u>Planning Officer:</u> It is not unusual for a Council to exhibit, within one planning scheme amendment, both a thematic environmental history and a number of citations for inclusion of places and precincts within a Heritage Overlay, using the Thematic History as a background document. This was		

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	ADDITIONAL SUBMISSION: <i>We stand by our contention that this "Refresh" cannot be relied upon as a relevant consideration for Council when it has not been adopted by Council.</i>	undertaken by Glen Eira Council in 1999 with the inclusion of both the original Ward history and proposals for number precincts and places to be included within the Heritage Overlay.		
	<i>Particular reference (in the Refresh Document under "Related Places") is limited to houses in the defined area enclosed by Aroona, Howitt and Lumeah Roads...limited to houses from the 1950s/60s/70s and no information or supporting references are provided that could include 40 Lumeah Road as relevant to this consideration. The Property is not from the period...and is therefore unworthy of particular protection unlike the houses listed as "Related Places"....In section 9.3 (Achieving distinction in the arts)...the inclusion of the Property as one of the "Related Places" without such definition of the value of awards seems merely an afterthought that carries with it little significance as background material.</i> ADDITIONAL SUBMISSION: <i>Clearly the value of importance of an award is of significance and our contention is that the awarding of merit by an industry organisation to its own may not be relevant to the historical significance of a property that has very little real history.</i>	<u>Planning Officer:</u> The list of related places at the end of each thematic discussion is not meant to be exhaustive. This section of the document relates to "Making homes for Victorians" with a sub-heading of "Building Houses in the post-WW2 era". The subject property is considered to be included as a potential place of significance under this heading. The specific property does not need to be listed under this heading in order to be considered appropriate for inclusion in the Heritage Overlay. In the 1994 Victorian Architecture Awards, the subject site received a merit award in the New Residential category. The Victorian Architecture Awards are clearly a significant distinction that warrants little description of the value of that award.		
	ADDITIONAL SUBMISSION: <i>The Criteria is significantly defective with over 60 readily identifiable features incorrectly described. The only part of our house that the Consultant can comment on</i>	Council officers and the Consultant stand by the Citation for this property and the particular heritage criterion that are satisfied. It is considered appropriate to refer this submission to a Planning Panel to ensure both the citation		

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	<p><i>objectively is the façade facing the street. Virtually all other commentary is copied or paraphrased from publications.</i></p> <p><i>The way the Consultant characterises our house that it 'defies convenient stylistic description' as a means of showing its importance in exhibiting particular aesthetic characteristics (Criterion E) and in demonstrating a high degree of creative or technical achievement at a particular period (Criterion F) is flawed...this is not a heritage property.</i></p> <p><i>Any heritage protection could only apply to what can be objectively assessed and is open and available to the public – the façade. To extend so-called 'protection' to the rest of the building AND internal controls would be an extensive overreach by Council and in our respectful opinion, not capable of supporting any other forum. Council must seriously consider removing the heritage protection of our house from the proposed planning scheme amendment and also redacting references, in published material, to us personally, our family and personal information concerning our life and work and we would be happy to work collaboratively with Council to achieve this, rather than adopting a combative approach adopted by the Consultant and seemingly accepted by Council officers.</i></p>	<p>and submission are reviewed in detail by a third party.</p> <p>Council officers welcome the offer to work collaboratively with the owners of the property, however this should not be conditional upon removal of this property from the proposed heritage overlay.</p>		

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	<p>ADDITIONAL SUBMISSION: <i>We have been hindered by the failure of Council to and the Consultant to provide access as requested to the source material referenced in the Criteria. Object to Council officers' actions in requesting further comment on submissions from the Consultant and then permit the Consultant to rebuff and where convenient to the Consultant, amend their report including various citations contained in the report. In our view it is clearly unreasonable for the Consultant to provide further information without a further opportunity to respond – a denial of natural justice and procedural fairness.</i></p> <p><i>The continued discounting of our account and the failure to have based comments on actual inspection of first hand accounts is a serious inditement on the veracity of the whole report. The credibility of much of the information relied on and quote is seriously in doubt as, must be, the basis of the conclusion of significant elements of the building.</i></p>	<p>All material referenced within the Citation is publicly available. Books, magazine and newspaper articles references are available from the State Library of Victoria, the Monash University Library (Caulfield), or the Caulfield Public Library.</p> <p>It is common practice for Council or the Consultant to suggest changes to the citation based on submissions. This is not a denial of natural justice. Discussion in relation to any changes will take place during the Panel process.</p> <p><u>Planning Officer:</u> Propose to change citation as noted above and including:</p> <ul style="list-style-type: none"> • Describing the house as being of 'reinforced concrete and brick construction'. • Removing reference to a 'front fence' and including reference to a 'gateway unit'. <p>Refer submission to Panel.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
7 Oppose 3 Grimwade Court, Caulfield North (Grimwade Court Precinct)	<i>We maintain that our rights to sell our house on the open market are limited by a heritage overlay.</i> ADDITIONAL SUBMISSION: <i>This house is our biggest investment which will eventually fund our age care. Heritage listing could limit the demand for purchase.</i>	The application of a heritage overlay does not limit one's rights to sell a property on the open market. It has never been conclusively demonstrated that the application of a heritage overlay (whether over an individual property or a precinct) will have a negative effective on property value.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to the Grimwade Court Precinct. Council's legal representative advocated this position at the Planning Panel.	(Refer page 29 of the Panel Report) Grimwade Court is a substantially intact heritage precinct which meets Criteria A and E. While some houses have been altered over the years, they continue to contribute to the streetscape and do not diminish the Precinct's significance.
	<i>We will have more complex hurdles to cross should we decided to alter say the position of the garage so that we can use it or extend the roof line</i>	The application of a heritage overlay will not necessarily prevent any changes from being made to the exterior of the house. The garage, for example, could still be altered, provided that it was done in a sympathetic fashion.		The HO241 heritage citation accurately reflects the Precinct. Grimwade Court is another fine example of an original estate with a grand Victorian mansion being demolished and subdivided to enable striking residences for wealthy residents. Capturing this heritage significance is consistent with the Thematic History 2020.

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	<p><i>Our house has had many changes over the years and is not in the original condition as claimed by the Council</i></p> <p>ADDITIONAL SUBMISSION: <i>Our property is neither 'hidden' nor now a 'gem'. The hey day of the Court has long passed.</i></p> <p>The floor plan of no. 3 has altered over time, the exterior colour scheme has changed dramatically, the garage was rebuilt in the 1990s, the front garden has been redesigned.</p>	<p>The submitter has not specifically identified the changes, so no further response can be made. When the property was surveyed and photographed by the consultants in 2019, it appeared from the street to be a substantially intact house of the late 1930s/early 1940s, retaining many characteristic details such as the glazed terracotta tiled roof, rendered walls, steel framed windows, timber-framed windows and concrete slab balcony/canopy with black-painted metal railing.</p>		<p>The Panel concludes that Grimwade Court Precinct (HO241):</p> <ul style="list-style-type: none"> • has sufficient local heritage significance to justify applying the Heritage Overlay • should include all exhibited properties.
	<p><i>Several ageing occupants are apparently struggling to maintain their properties now, as are we, and demolition and rebuilding may be the only answer.</i></p> <p>ADDITIONAL SUBMISSION: <i>The current plan to heritage list is tokenistic in an area where redevelopment is seen as the norm.</i></p>	<p>The cost of maintenance is to be expected in any residential property of this age and does not provide a justification for a heritage overlay not to be applied.</p>		
		<p><u>Planning officer:</u></p> <p>This submission should be referred to a Planning Panel for consideration. The Panel will comment on the appropriateness of the Citation and Statement of Significance with respect to the submitter's concerns.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
8 Oppose 58 Norwood Road, Caulfield North	<i>It has been significantly changed..... the original slate roof with terracotta edging on the peaks are no longer there... the attic window is no longer there... the woodwork 'battened gable wall' above bay window... is no longer there... the original brickwork has been rendered.. chimneys have been rendered....</i>	The citation acknowledges that the house has been altered. Changes such as the rendering of brickwork/chimneys, recladding of the roof and the apparent removal (or perhaps merely concealment) of gable-end half-timbering are regrettable, but it is maintained that, despite such changes of materiality, the overall form of the house remains substantially intact when seen from the street. Ultimately, it is this overall form of the house, with its highly unusual asymmetrical triple-fronted façade and continuous verandah penetrating a canted bay window, that is the most distinctive and noteworthy element of the building. The materiality is secondary.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 58 Norwood Road. Council's legal representative advocated this position at the Planning Panel.	(Refer page 34 of Panel Report) The building exhibits Criteria B, E and F through its distinctive architectural detailing in a hybrid Queen Anne style. The architect's grand design for a prominent businessman demonstrates a high degree of creative and technical achievement of the late Victorian era. The building has had various alterations...the building continues to be sufficiently intact and exhibits its original highly detailed architectural features. The Panel disagrees with the HO212 heritage citation that the entire building exterior is significant fabric. It should be revised to note the alterations identified by the owners to differentiate between heritage fabric and non-significant elements.
	<i>The back of the house has been dramatically altered with new windows all around the verandah.</i>	While it is accepted that the rear elevation has indeed been dramatically altered, it is noted that this elevation can't be seen from Norwood Road. It is entirely in accordance with standard		The Panel concludes: <ul style="list-style-type: none">• 58 Norwood Road, Caulfield North is sufficiently intact

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		methodologies for local heritage studies for the condition and/or intactness of a rear elevation (which is seldom visible from the public realm) not be taken into account in a heritage assessment.		<p>with local heritage significance to justify applying the Heritage Overlay (HO212)</p> <ul style="list-style-type: none"> The HO212 Statement of Significance should be revised to note the building's façade has been altered through: <ul style="list-style-type: none"> removal of attic window rendering and painting the chimney stacks removal of some woodwork from the front battened gable wall replacing the roofing materials.
		<p><u>Planning officer:</u></p> <p>This submission should be referred to a Planning Panel for consideration. The Panel will comment on the appropriateness of inclusion of this property in the Heritage Overlay despite alterations over the years.</p>		<p>The Panel recommends:</p> <p>Amend the Statement of Significance for 58 Norwood Road, Caulfield North (HO212) to note</p>

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		No change proposed to the amendment as a result of this submission. Refer submission to Panel.		alterations identified by the owners.
9 Oppose 30 Griffiths Street, Caulfield South	<i>I understand from our discussion that the Council and its consultant did not visit the site or undertake a thorough inspection of the house internally or externally.</i>	As the citation includes a photograph of the house, it is unclear how the submitter's expert can suggest that the consultant never visited the site. We visited the property twice, on 27 June 2019 (as part of the initial fieldwork) and again on 15 October 2019 (after the decision to prepare a citation for the place). On the second visit, we took numerous exterior photographs due to the fact that the house is of unusual form with distinct treatments to three visible frontages (two street facades and rear elevation). While it is correct that the consultant did not undertake an internal inspection, the submitter's expert would be well aware that internal inspections are not ordinarily undertaken (or even sought) when assessing privately-owned buildings for a local heritage study such as this. This is in accordance with standard methodologies.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 30 Griffiths Street. Council's legal representative advocated this position at the Planning Panel.	(Refer page 54 of Panel Report) The Panel concludes that 30 Griffiths Street, Caulfield South does not have sufficient local heritage significance to justify applying the Heritage Overlay (HO228). The Panel recommends: Delete the Heritage Overlay from 30 Griffiths Street, Caulfield South (HO228).
	<i>The house is described in the citation as being built of orange brick. The brickwork is brown.</i>	The brickwork is of a medium-neutral hue that might be variously described as orange, orange-brown, or even beige. The consultant maintains that the bricks are closer in colour to orange than brown (which, when referring to bricks, generally infers a much darker hue). In any case, the argument for aesthetic significance is not predicated on the colour of the bricks.		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>The house is described as being an “eye catching element in a predominantly pre-war streetscape”. However, an inspection of the environs of the house found that the house sits within a context of predominantly post-war housing.....</i>	<p>While the citation may well have inadvertently used the term ‘pre-war’ rather than ‘post-war’, this does not suddenly undermine the case for heritage significance. It is maintained that the house is indisputably an eye-catching element in an otherwise conventional suburban streetscape, whether its building stock be pre- or post-WW2.</p> <p>While the consultant is happy to replace the word ‘pre-’ with ‘post’ to avoid further confusion, it is reiterated that this minor change does not otherwise impact, much less diminish, the individual significance that has been ascribed to the property.</p>		
	<i>Walls that project from the house do not extend along the street boundaries of the site, as claimed.</i>	When the property is viewed from Goe Street, it is clearly apparent that a dwarf wall projects from the left side of entry porch, intersecting with a dwarf wall that partly extends along the property boundary line. The consultant can provide a photograph showing this to be the case. The fact that the boundary wall appears to be of contrasting brickwork does not undermine the case for heritage significance.		
	<i>Also, throughout the citation, the dates of construction of the house vary between 1977-78 and 1979.</i>	A search of council's building permit archive located only a partial photocopy of the original working drawings, which lacks the title block. As such, the consultant was unable to cite the date on the drawings. The parameters of design, construction and completion were otherwise established by references to other documentary sources, which confirm that the house was built between 1977 and 1979.		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		As the significance ascribed to the house is not contingent on the absolute accuracy of the construction date, it is unclear how questioning the accuracy of the date diminishes the significance of the place.		
	<i>Elsewhere, other claims of the house's design are not accurate. The rotated 45 degrees planning of the house, which is said to respond to the corner site, is only expressed internally, and is not evident, to any appreciable level, on the exterior. Rather, the house is sited in a conventional manner on its corner block, with both street elevations mostly parallel with street boundaries.</i>	The consultant notes that the account of the design origins of the house, including the fact that the plan was rotated to respond to the corner site, was obtained from the consultant's interview with the architect himself, Leon Fink. This first-hand testimony cannot be readily disputed or dismissed. The consultant would be happy to table a partial transcript of the interview at the panel hearing.		
	<i>Rather than describing the house as Modernist with a 'hint' of the emerging Post Modern Movement, the house is better described as Post Modern. It is a later generation than Modern housing, sharing little with the striking Modernist character of many of the other houses in the heritage study</i>	<p>This information also came from the architect himself. During the interview, when the consultant drew attention to the apparent post-modernist characteristics of the design, Mr Fink conceded that, while his design might evoke some post-modernist tendencies, it was not his specific intent at the time and that he would not consider the house to be wholly post-modernist.</p> <p>The consultant stands by his own assessment that the house demonstrates qualities of both the post-modernist style and the so-called Chamfer Style of the 1970s.</p> <p>The consultant does not share the opinion of the submitter's expert that, merely because they may be less well represented in the City of Glen Eira, houses in the post-modernist style are somehow less deserving of heritage protection.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>As a sub-style, the Chamfer-style lacks importance in the development of the built form of Glen Eira in the Post-war period, with this demonstrated by the limited number of comparative examples listed by Council's heritage consultant.</i>	This consultant does not share the opinion of the submitter's expert that, merely because they may be less well represented in the City of Glen Eira, houses in the Chamfer Style are somehow less deserving of heritage protection.		
		<p><u>Planning officer:</u></p> <p>This submission should be referred to a Planning Panel for consideration.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>		
<p>10</p> <p>Oppose</p> <p>61-63 Gordon Street, Elsternwick</p>	<i>The house we grew up in was designed by our father... he was a modern practical architect with progressive ideas who would not necessarily have wanted to see his home preserved for eternity in its current form. We therefore do not feel that he would have approved of heritage listing for his home.</i>	The claim that Popper himself did not consider his house to be a notable example of his own architectural talents is not supported by the fact that he chose to remain in residence therein for half a century. Harriet Edquist's monograph on Popper, which was prepared with the architect's full cooperation, also considered the project to be worthy of both discussion and illustration.	<p>At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 61-63 Gordon Street.</p> <p>Council's legal representative advocated this position at the Planning Panel.</p>	<p>(Refer page 52 of Panel Report)</p> <p>The Panel considers that 61-63 Gordon Street achieves Criterion H for its special association with the works of noted architect, Kurt Popper, where he chose to live and practice for over 50 years....Mr Popper did a good job combining the buildings through consistent design elements. However, the Panel does not agree with the Statement of Significance that it has a high degree of creative or technical achievement to meet Criterion F.</p>

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>Although we do not currently have any plans to redevelop the site, we feel very strongly that our interests and rights to determine the future of our property would be severely compromised if there were to be a heritage overlay.</i>	While the application of a heritage overlay would restrict substantial redevelopment such as demolition and rebuilding, it does not necessarily inhibit the owner's rights to make changes, alterations and additions to the property, provided that these are undertaken in a fashion that respects the significance ascribed to the place.		<p>The Panel concludes that 61-63 Gordon Street:</p> <ul style="list-style-type: none"> • has sufficient local heritage significance to justify applying the Heritage Overlay (HO227) • does not meet Criterion F. <p>The Panel recommends: Amend the Statement of Significance for 61-63 Gordon Street, Elsternwick (HO227) to delete reference to Criterion F.</p>
	<i>We are aware that heritage listing can have a negative effect on property values.</i>	It has never been conclusively demonstrated that the application of a heritage overlay (whether over an individual property or a precinct) will have a negative effect on property value.		
		<p><u>Planning officer:</u> This submission should be referred to a Planning Panel for consideration.</p> <p>No change proposed to the amendment as a result of this submission. Refer submission to Panel.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
11 Oppose 197 Hawthorn Road, Caulfield North	<i>We seek exclusion on the following grounds which we believe justify failure of Criterion E: Primarily XE3 - Degraded aesthetic qualities..... XE2 - Poor, indirect or unproven recognition</i>	Here, the submitter is invoking exclusion criteria taken from a document titled <u>The Victorian Heritage Register Criteria and Threshold Guidelines</u> , published by the Heritage Council of Victoria. This document, however, is wholly concerned with defining the threshold for heritage significance at the <u>state</u> level, and the exclusion guidelines that can be applicable. This document is not relevant to establishing (or refuting) a case for heritage significance at the <u>local</u> level, which is a considerably lower threshold than for state significance. As such, these exclusion criteria cannot be invoked.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 195-197 Hawthorn Road. Council's legal representative advocated this position at the Planning Panel.	(Refer page 31 of Panel Report) The distinctive paired properties at 195-197 Hawthorn Road are a comparable place which exhibit particular aesthetic characteristics that meet Criterion E. When read together, the properties collectively present as an intact example of the 1930s Streamlined Moderne style....The Panel agrees with Council's proposed changes to the heritage citation which acknowledge: <ul style="list-style-type: none"> the non-original front fence of 195 Hawthorn Road the non-original dwarf wall between the two properties along the driveway.
	<i>The aesthetic characteristics of our house have been irreversibly degraded through changes to the setting of the house and the surrounding area.</i>	The subject property has been recommended for an individual heritage overlay that encapsulates the neighbouring property at No 195, erected at the same time, by the same builder, for the same family. As the overlay is limited to only these two houses, the extent of redevelopment or rebuilding of any further		The Panel concludes: <ul style="list-style-type: none"> The place at 195-197 Hawthorn Road, Caulfield North has sufficient local heritage significance to justify applying the

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		properties along Hawthorn Road is not taken into account. This would only be the case if a larger portion of Hawthorn Road was being considered for protection as a heritage precinct. The perceived "degradation of setting" of a place is not a justification for an individual heritage overlay not to be applied. The condition and/or intactness of neighbouring properties, beyond the proposed HO boundary, is not relevant.		<p>Heritage Overlay (HO207).</p> <ul style="list-style-type: none"> The Heritage Overlay (HO207) should apply to both properties because they collectively contribute to the heritage place. The HO207 Statement of Significance should be revised to describe the place more accurately. <p>The Panel recommends:</p> <p>Amend the Statement of Significance for 195-197 Hawthorn Road, Caulfield (HO207) to identify the non-original front fence of 195 Hawthorn Road and the non-original dwarf wall between the two properties along the driveway.</p>
	<i>Though our house is of very pleasing appearance, despite what is written in Built Heritage Citation HG05 ("The two houses form a unique pair"), these houses are not a pair and are not unique</i>	Two houses constitute a pair. A pair of dwellings does not have to be attached, semi-detached or otherwise physically linked to be defined as a pair.		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>The houses sit on very separate titles and have no common shared facilities... It's obvious that the 'twins' headline was a marketing ploy.</i>	<p>The fact that the houses have separate land titles, and have no common or shared facilities, is entirely irreverent to the case of heritage significance. The citation demonstrates that the houses share a common history (as they were conceived as a single development for two members of the same family) and, being the work of the same designer/builder, were realised using a consistent (but not necessarily identical) palette of forms, finishes and details.</p> <p>It is not obvious, at least to this consultant, that the use of the word "twins" in the contemporary press report was intended as a marketing ploy. At that time, the houses were already occupied and were not being offered for sale. The fact that the buildings were published at all is what is notable.</p>		
	<i>Our house at 197 Hawthorn Rd was constructed by a little known builder in a style similar to other properties being built at the time.</i>	The fact that the builder is not particularly well-known is not sufficient grounds for the heritage overlay not to be applied. In this case, the aesthetic qualities of the two houses are such they would be deemed significant even if the identity of the designer/builder had remained entirely unconfirmed.		
	<i>Our house's only recognition is that it is situated next to that other house that has had more public exposure. Other than that "twins" article in 1939, our house has had no or very little public or disciplinary recognition.</i>	The consultant does not agree that the house at No 197 is somehow less significant than No 195 just because the 1939 article included more images of the latter than the former. The fact the residential development received press coverage at all is noteworthy, irrespective of perceptions that one property may or may not have featured more prominently. Certainly, the		

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		textual content of the article does not emphasize one property over the other.		
		<p><u>Planning officer:</u></p> <p>It should be noted that while the owners of 197 Hawthorn Road have made a submission to this amendment, the owners of the adjoining house are not objecting to the inclusion of their property in a heritage overlay.</p> <p>At the Planning Conference for this amendment a number of minor inaccuracies within the Citation were brought to the attention of Council officers. A subsequent site inspection on 31/12/20 revealed the front fence of 195 Hawthorn Road and the dwarf wall along the property boundary between the two properties are sympathetic but not original. This needs to be clarified in the Citation and Statement of Significance.</p> <p>This submission should be referred to a Planning Panel for consideration.</p> <p>Proposed change to Citation and Statement of Significance to note non-original front fence of 195 Hawthorn Road and non-original dwarf wall between the two properties along the driveway for review by Panel.</p> <p>Refer submission to Panel.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
12 Oppose 124 Balaclava Road, Caulfield North	<i>In architecture, functionalism is the principle that buildings should be designed based solely on the purpose and function of the building. The principle is considered to be a matter of confusion and controversy in within the profession.</i>	The consultant is the first to concur that the term (functionalism) is notoriously broad and has been applied differently in different contexts (see, eg, Peter Blake's lengthy and scholarly discussion in the <i>Encyclopaedia of Modern Architecture</i> , pp 112-113). Functionalism does not merely refer to buildings that are expressive of their function, but also that express their structure. It is also routinely applied to a subset of modernist architecture defined by bold rectilinear massing, flat roofs and plain wall surfaces with no applied ornament. As such, the consultant maintains that the term has been quite correctly applied to the subject building.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 124 Balaclava Road. Council's legal representative advocated this position at the Planning Panel.	(Refer page 46 of the Panel Report) This property displays as an excellent example for Functionalist Modern style with particular aesthetic characteristics (Criterion E) of Functionalist Modern style....The building compares well with, if not better than, the examples in the HO221 heritage citation. The Panel concludes: <ul style="list-style-type: none"> 124 Balaclava Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO221). The HO221 Statement of Significance accurately describes the place.
	<i>The significant fabric is defined as the exterior of the building and the matching dwarf wall along each of the two street boundaries.</i>	The boundary wall was specifically mentioned in the extent of significant fabric because it of matching brickwork and is likely to be contemporaneous with the flats. As such, it is		

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		considered to contribute to the setting of the property. It was never stated, nor even implied, that low brick walls of this type are in any way rare or unique in the study area, or that every known example is somehow worthy of heritage protection in isolation, in and of itself.		
	<i>With respect, this [discussion of émigré architects and their milieu] is another example of the author using his subjective opinion to validate his proposal in respect of significance.</i>	The consultant is confident that he can speak with authority on the subject of émigré architects and the milieu of Melbourne's European diaspora in the middle third of the twentieth century. He has investigated and written extensively on this topic, including publication of a full-length biography of Anatol Kagan (one of Melbourne's pre-eminent architects to the European émigré community) and a conference paper on Holgar & Holgar (who also worked almost exclusively for fellow migrants).		
	<i>Additionally, this is a highly inflammatory statement. The author tries to manufacture a connection between the owners' and tenants' European backgrounds and the building when in reality, the common thread and unifying bond between them was their religion and community, this being the most likely reason to connect them, the style of building being irrelevant.</i>	The consultant stands by his observation that, at least at the time that this development was erected, European émigré families were far more accustomed to minimalist apartment living than their Australian contemporaries. The submitter has not elaborated as to why this might be considered far-fetched, much less inflammatory. The consultant would be pleased to cite a number of comparable modernist apartment blocks in Melbourne that were designed by European-trained architects and, not coincidentally, were also largely occupied by compatriots.		
	<i>As set out in citation PW05 of the Report, this is not the earliest example of the stated style nor is it particularly distinguishable in any other way.</i>	While the submitter has provided a list of "similar buildings with similar features", he has not included dates of construction. As such, his assertion that the subject building "is not the		

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		earliest example of the state style” remains unsubstantiated.		
	<i>The author seems to have a bias towards the architect of this building in particular, having written a paper on him and then referencing his own paper multiple times in the Report.</i>	<p>The consultant has never written a paper on architect Mordechai Benshemesh. The website of Built Heritage Pty Ltd includes a section devoted to architectural biographies, with entries on more than fifteen European émigré architects, including Benshemesh.</p> <p>This, however, hardly constitutes as a bias towards that particular architect.</p>		
	<i>List of similar buildings with similar features.....</i>	<p>The submitter has cited 12 local buildings considered by him to be “similar buildings with similar features”. Of these places in that list, the following must be noted:</p> <ul style="list-style-type: none"> - Two buildings at 53 Balaclava Road and 64 Balaclava Road were identified in the same heritage study and recommended for individual heritage overlays. - The house at 127 Balaclava Road, with stone feature wall and broad-eaved skillion roof, is an interesting modernist house but is not considered to be in the same purely Functionalist vein as the subject building; - The house at 317 Glen Eira Road is a typical and aesthetically unremarkable triple-fronted 1950s brick veneer house with terracotta-tiled hipped roof; it is far removed from the bold Functionalist style of 		

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		<p>the subject building;</p> <ul style="list-style-type: none"> - The flats at 98 Orrong Road, 166 Glen Eira Road, 294 Inkerman Street, 181 Hotham Street, and 2 Dorgan Street, and the house at 22a Balaclava Road, all have traditional tile-clad hipped roofs and eaves, which is more ubiquitous detail compared to the subject building, with its parapeted roof forming a clean horizontal roofline that emphasises its bold rectilinear massing; - The flats at 62 Hotham Street, St Kilda East, is more akin to the reductive functionalist expression of the subject building, but they are located in the adjacent City of Port Phillip. As such, they are not to be taken into account in a comparative analysis for a building in the City of Glen Eira; <p>In conclusion, the consultant is not persuaded by the submitter's thesis that these buildings in the City of Glen Eira, which are only comparable in the broadest possible sense, are in any way superior to, or even on par with, the subject building.</p>		
		<p><u>Planning officer:</u> This submission should be referred to a Planning Panel for consideration.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		No change proposed to the amendment as a result of this submission. Refer submission to Panel.		
13 Oppose 30 Aroona Road, Caulfield North	<i>Many elements are almost ubiquitous to 1960s Caulfield area houses</i>	The consultant maintains that, while the subject building displays elements, features and finishes that are evident in contemporaneous architect-designed houses in the area, these elements have been applied and used in a particularly bold, sophisticated and unusual way that elevates this example well above the norm. The decorative stone cladding has been applied in an idiosyncratic fashion, while the balcony (in itself, a typical feature in houses of this era) has a highly distinctive canted form, while the angled supports are an exceptionally unusual feature.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 30 Aroona Road. Council's legal representative advocated this position at the Planning Panel.	(Refer page 39 of Panel Report) The building is an exemplar example of post-WW2 modernist style design by German-born architect Michael Feldhagen... The Panel concludes: <ul style="list-style-type: none"> • 30 Aroona Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO218). • The HO218 Statement of Significance should be revised to delete reference to the crazy paved stone driveway as a significant element. The Panel recommends: Amend the Statement of Significance for 30

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
				Aroona Road, Caulfield North (HO218) to delete reference to the driveway paving as a significance element.
	<i>The building designer Michael Feldhagen was not a well-known or significant architect; he was not a registered architect</i>	<p>The fact that Feldhagen was less well-known that some of his European-trained contemporaries does not mean that he was without talent, or that any individual specimens of his work cannot be considered to be of heritage significance.</p> <p>Likewise, the fact that he never became registered as an architect is irrelevant. It cannot be disputed that he undertook architectural studies in Germany, and the fact that he chose not to become registered is not a reflection on his skills. The fact that the Architects Registration Board of Victoria does not have a file on Feldhagen confirms that he specifically chose not to become registered (rather than, say, he applied but was rejected). Feldhagen was one of a number of émigrés who, while fully qualified as architects in Europe, did not become registered as such in Victoria</p> <p>There are many buildings on local heritage overlay schedules (and even on the <i>Victorian Heritage Register</i>) that were designed by people with no architectural qualifications whatsoever.</p>		
	<i>Whilst Professor Goad did include this house in the 2001 Glen Eira Modern Exhibition, he did not include it for</i>	While Dr Philip Goad is certainly an acknowledged expert on post-WW2 Australian modernism, the fact that he may not have		

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	<i>publication in any of his subsequent books on modernism.</i>	mentioned a building in his published writings does not mean that it cannot be considered of heritage significance at the local level. In the recent heritage study, only a few (and by no means all) of the post- WW2 places had previously been discussed in Dr Goad's published writings.		
	<i>There are a number of other Feldhagen designed/built houses and apartments that are not identified in the council review, only one other was included.</i>	The submitter's observation corresponds with the typical approach to comparative analysis, whereby a particular example of a designer's work might be considered outstanding in comparison to other known examples of his/her work. The fact that no other examples of Feldhagen's work were recommended for heritage protection (at this stage) does not somehow negate the significance of the one that was.		
	<i>As the crazy-paved stone driveway was only added to the house as part of a 2017 renovation, this has therefore been mischaracterised as a significant original heritage feature....</i>	The citation should be amended accordingly, to state that the crazy paved driveway is a relatively recent addition and remove any reference to it from the extent of significant fabric. This minor change to the citation is not considered to diminish the significance that has been ascribed to the place.		
	<i>The interior of the house has been substantially remodelled over the years and very few original features remain</i>	The citation did not recommend that internal alteration controls be applied as part of the proposed heritage overlay; as such, the intactness of the interior is irrelevant.		
	<i>One of the issues at stake is that the value of affected properties will be negatively affected by the proposed amendment.</i>	It has not been conclusively proven that application of a heritage overlay will necessarily decrease the value of a property.		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	The submitter made a number of suggestions that Council could make available to owners of affected properties including waiving all Council rates, access to a substantial maintenance fund, compensation for loss of sale proceeds based on a valuer's opinion	Council currently offers planning application fee waivers for developments when heritage is the only planning trigger. While some Councils do have a revolving fund for heritage projects that involve restoration, Glen Eira currently does not have such a fund.		
		<u>Planning officer:</u> The Citation should be amended to reflect the fact that the crazy paved stone driveway is a recent addition to the property and is therefore not significant. This change does not alter the overall significance of this place. It is considered appropriate to refer this submission to a Planning Panel for consideration. Recommend amending the Citation and Statement of Significance for 30 Aroona Road to remove the crazy paved stone driveway as an element of significance. Refer submission to Panel.		
14 Oppose 44 Murrumbeena Road, Murrumbeena (Murrumbeena Baptist Church)	<i>There is a clear case to treat the annexe (1967) as not part of the heritage.</i>	The citation recommended that the 1967 annexe be included in the extent of significant fabric simply because it was designed by the same architect as the original church, in a matching style. This is considered to be a sufficient basis for inclusion.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 44 Murrumbeena Road.	(Refer page 64 of Panel Report) The Panel explored whether the church building at 44 Murrumbeena Road is sufficiently intact to be considered for the Heritage Overlay....the building has experienced considerable alterations.

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
			Council's legal representative advocated this position at the Planning Panel.	<p>The Panel concludes that 44 Murrumbeena Road, Murrumbeena:</p> <ul style="list-style-type: none"> has not retained its design integrity following alterations which removed significant elements does not have sufficient local heritage significance to justify applying the Heritage Overlay (HO235).
	<i>The original design has already been changed substantially, both in look and usage.</i>	The citation acknowledges that changes have been made to the external fabric, including removal of the cement brick screen wall along the Murrumbeena Road façade. It is maintained that, while regrettable, this change has not defaced what otherwise remains a distinctive and eye-catching post-WW2 church building.		<p>The Panel recommends:</p> <p>Delete the Heritage Overlay from 44 Murrumbeena Road, Murrumbeena (HO235).</p>
	<i>There is reference to the Milan cathedral (circa 1500) with spires and pointed roof, which the architect claimed to reinterpret in a modern context with our jagged roofline at the front and series of small spires. While there is vague similarity in some visual features, it is only in the spires, not in the colour, the zigzag roof, the circular windows, or anything else. And the Milan</i>	The suggestion that the design of the church took inspiration from Milan Cathedral was not speculation on the consultant's part, but, rather, was based on a statement made by the architect, as reported in a contemporary newspaper article. As such, it cannot be readily dismissed, downplayed or discredited. As the architect himself acknowledged this stylistic influence, there is no point or value in		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>Cathedral spires were not added until hundreds of years later</i>	drawing attention to the fact that Milan Cathedral is a different colour, has a different roof form, or that its spires were added much later. While the casual observer of the subject building may not be necessarily aware of the influence, this does not mean that the influence was not present.		
	<p><i>Our perception is that the external appearance of the building is a fairly boring and unwelcoming design...all things that are opposite to the messages we want to convey has a church community. It will detract from future developments.</i></p> <p><i>We cannot see how this heritage overlay would add anything to the great history and vibrant village of Murrumbena.</i></p> <p><i>Council's obligation must be to retain the heritage that is widely recognised and admired among the broader residents, not retain a couple of obscure features whose significance is recognisable only in some architect's imagination.</i></p>	<p><u>Planning Officer:</u> This submission should be referred to a Planning Panel for consideration. The Panel will comment on the appropriateness of the Statement of Significance with respect to the submitter's concerns.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
15 Oppose internal controls, support inclusion within HO 82 Lumeah Road, Caulfield North	<p>Inaccuracies in citation – the ‘luxurious interior’ no longer exists (photos provided) and some elements classified as original should be reflected as new.</p> <p><i>We strongly oppose <u>internal</u> heritage controls. With the removal of internal controls, at this stage we’d support the property being included on the heritage overlay schedule as an individual place. Photos and discussion provided in relation to removal of internal significant elements.</i></p> <p>Original front door no longer exists, skylight removed, outside metal lamppost with amber glass luminaire removed. Many exterior windows and doors replaced with sliding door panels. Materials (tiling) at the front entrance is new. All external paving in back yard is new (crazy paving laid in 2008/09), pool fence and pool tiles are new.</p>	<p>The submitter’s evidence, including the illustrated heritage report, confirms that the significant interiors of the house, which were sighted by the consultant during an Open for Inspection in 2016, have now been gutted. As such, the consultant concurs that there is no longer a basis for recommending internal alteration controls.</p> <p>The consultant maintains that, as the exterior of the house remains substantially intact, the case for applying an individual heritage overlay still stands.</p> <p><u>Planning officer:</u></p> <p>A site inspection conducted on 31/12/20 confirmed external changes to the building (visible from the street) noted by the consultant and owner. A new front fence is currently being constructed at 82 Lumeah Road.</p> <p>The Citation and Statement of Significance for this property should be reviewed and amended to remove the importance of the buildings interiors, to note the front fence as being non-contributory and to remove external elements noted in the submission and confirmed to be either removed or altered to reduce significance. The amended citation should be presented at any future Planning Panel as Council’s endorsed revisions.</p> <p>The Schedule to the Heritage Overlay (43.01s) will be amended to remove the requirement for planning permission for internal alterations to the building.</p>	<p>At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 82 Lumeah Road.</p> <p>Council’s legal representative advocated this position at the Planning Panel.</p>	<p>(Refer page 61 of Panel Report)</p> <p>The owners have not objected to the Heritage Overlay being applied to 82 Lumeah Road. Their issues are limited to the internal controls and heritage citation.</p> <p>(Nb. The submitter for this property has contacted both Council officers and Planning Panels Victoria to dispute the Panel’s written discussion in relation to this property. At the Panel Hearing, the submitter clearly objected to the inclusion of the property within the Heritage Overlay - both internal and external controls.</p> <p>The Panel agrees that the building’s interior is no longer intact – there is insufficient internal heritage fabric to justify internal controls.</p> <p>The Panel concludes:</p> <ul style="list-style-type: none"> 82 Lumeah Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO234).

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		<p>It is considered appropriate to refer this submission to a Planning Panel for consideration.</p> <p>Recommend amending the Citation and Statement of Significance for 82 Lumeah Road to entirely remove the importance of the buildings interiors, to note the front fence as being non-contributory and to remove external elements noted in the submission and confirmed by Council's Consultant to be either removed or altered to reduce significance. Refer submission to Panel.</p>		<ul style="list-style-type: none"> the HO234 Statement of Significance should be reviewed and revised to note the modifications and changes the building has experienced. <p>The Panel recommends: Amend the Heritage Overlay Schedule to not apply internal controls to 82 Lumeah Road, Caulfield North (HO234). Amend the Statement of Significance for 82 Lumeah Road, Caulfield North (HO234) to:</p> <ol style="list-style-type: none"> delete references to the building interiors being significant identify alterations, namely removal of front door, skylight and outside metal lamp post, new tiles at the front door and new

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
				crazy paving the non-contributory front fence, the three timber framed single sliding glass doors located on the first floor verandah, large lattice soffit over the main entry (subject to further investigation and confirmation).
16 Oppose 6 Grimwade Court, Caulfield North (Grimwade Court Precinct)	<i>There is no consistent character in the Grimwade Court Precinct and the six properties in question each very different in their style, building characteristics, materials and form.</i>	The citation explains that, by its very nature as small subdivision that was sold and developed within a short period, Grimwade Court evokes a historical cohesion. The citation outlines how the houses are comparable not only in date but in scale, setback, materials and general form, while exhibiting contrasting (but contemporaneous) architectural styles. As such, the consultant rejects the suggestion that the houses are “each very different” to the extreme that there is absolutely no sense of cohesion.	Refer to notes at Submission No. 7 above.	Refer to notes at Submission No. 7 above.
	<i>The property was substantially renovated by our client in the mid-1980s in change to both the exterior and the interior of the property. The exterior shape, materials and internal layout and finishes were all dramatically changed.</i>	As the internal intactness and/or condition of a house is not taken into consideration when assessing it for inclusion within a heritage precinct (and only very rarely when assessing it as an individual heritage place), the extent of changes to the interior is not relevant. While changes to the exterior of a house can certainly have an impact on whether the house is still deemed to make a contribution to a		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		heritage precinct, the consultant maintains that, in this particular case, the house appears to be substantially intact and in good condition when seen from the street. This includes such key elements as the tiled roof, face brickwork and fenestration. The changes noted by the submitter, such as replacement of external doors, are considered to be minor changes that have not defaced or disfigured the property's streetscape presence.		
	<i>Much of the works have not been viewed by any council representative</i>	A heritage precinct tends to be defined by what is visible from the public realm, and, specifically, by what can be seen from the street. As such, "dramatic changes" that cannot be seen from the street, including those to the rear and the interior, will not diminish the contribution that the building makes to the cohesive streetscape.		
	<i>The Grimwade Court Precinct is no more historical or other significance than many other streets in Caulfield North area and in various other parts of the wider Glen Eira City Council.</i>	The consultants stands by the comparative analysis contained within the citation, which identifies a number of similar cul-de-sac housing developments in the study area and articulates why Grimwade Court stands out amongst them.		
	<i>Several other houses in Grimwade Court have been renovated substantially during the period that our client has owned the property and their character and nature is considerably different to the original buildings.</i>	The submitter has not elaborated whether the "substantial renovation" of other houses refers to the interior or the exterior of those properties. As already noted, changes to the interior are not taken into account in defining a heritage precinct. In regard to external changes, the consultant maintains that, while most of the houses have been subject to some external changes, they are largely minor alterations, and have certainly not defaced or disfigured these		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		houses to the extreme that their original form, style and era cannot be readily interpreted.		
		<p><u>Planning Officer:</u></p> <p>This submission should be referred to a Planning Panel for consideration. The Panel will comment on the appropriateness of the Citation and Statement of Significance with respect to the submitter's concerns.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>		
<p>17</p> <p>General support with conditions (National Trust)</p> <p>Whole amendment</p>	<ul style="list-style-type: none"> Support of the recommendations relating to both the Post-war and Hidden Gems Heritage Review and the Glen Eira Thematic Environmental History. Advocate for implementation of Amendment C214glen. We commend Council in particular for its strategic work to identify and assess post-war heritage places. Despite the importance of the post-war period in Melbourne, a period of transformation on a scale not seen since the gold rush, much post-war heritage remains vulnerable and without statutory protection. With densification transforming our suburbs, it is becoming increasingly important to document celebrate and protect significant post-war heritage. 	<p><u>Consultant:</u></p> <p>No response required.</p> <p><u>Planning Officer:</u></p> <p>Council is undertaking a rolling review of heritage for the entire municipality over the next 5 or so years. The current review and amendment was undertaken to capture the best post-war properties and 'hidden gems' quickly while the larger review takes place. Any properties that do not feature in this particular review but are found to be of importance in subsequent reviews will be proposed to be included in the heritage overlay at that time. This will include places of Social Significance (Criterion G).</p> <p>No change proposed to the amendment as a result of this submission.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<ul style="list-style-type: none"> This work positions Glen Eira as a leader in the effort to address the gap in post-war heritage protection. We strongly support the 'refresh' of Council's Heritage Management Plan (1996) which is now over two decades old. The Thematic Environmental History provides a strong foundation for the identification, protection and celebration of heritage in the City of Glen Eira. We strongly encourage Council to allocate funding to complete detailed assessments of remaining places noted in the Stage 1 heritage review. We note none of the citations prepared recognised social significance (Criterion G). Places with social value include pubs, hotels, theatres and places of community meeting that may otherwise be overlooked in the absence of a high level of architectural or aesthetic significance – we strongly encourage Council to undertake further work to identify intangible cultural heritage values. We encourage Council to keep a 'watching brief' of the Caulfield Synagogue at 172 Inkerman Road and the Kadimah at 7 Selwyn Street and continue to work with the respective owners to ensure heritage values identified are considered in their future management. 	Refer submission to Panel.		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
18 General support with conditions (Glen Eira Historical Society) Whole amendment	<ul style="list-style-type: none"> Support for amendment. <i>We are delighted to see Glen Eira's important and interesting post-war heritage finally being recognised.</i> Disappointed to see a number of properties excluded by Council, particularly the Kadimah at 7 Selwyn Street. Please consider whether one or more properties in proposed heritage precincts are significant in their owner right, so meriting their own (individual) heritage overlay. Request paint controls where the unpainted brick exterior is a key feature of heritage significance (list of sites provided in submission). 	<p>Precincts may include outstanding individual places, however these 'stand outs' only have to be separately noted in the planning scheme (with their own HO number) when there are additional requirements for the specific place through the Heritage Overlay (for example – when only one house in the precinct requires paint or tree controls). If the Heritage Overlay requirements for all places in the precinct are the same and all houses are from the 'period of significance' (eg. all Post-war dwellings), there is no need for each outstanding house to have a separate statement of significance.</p> <p>External paint controls are only invoked to protect <u>previously painted surfaces</u> (eg painted signage or a mural, or an original colour scheme of painted timber or render). Under local planning provisions, a planning permit will always be required to paint unpainted brickwork, timber, stonework or stucco.</p> <p>It is noted that, in the case of the shops at 158-166 Hawthorn Road, external paint controls were recommended to protect the original dark-coloured stained finish of the timberwork (ie, as opposed to previously unpainted d timber).</p> <p>No change proposed to the amendment as a result of this submission. Refer submission to Panel.</p>		
19 Oppose 1 Grimwade Court,	<i>In our estimation, such a placement will have a negative effect on value/sales price....</i>	It has not been conclusively proven that application of a heritage overlay will necessarily decrease the value of a property. In the case of houses within a heritage precinct, it is more likely that property prices will increase because	Refer notes at Submission 7 above.	Refer to notes at Submission 7 above.

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
Caulfield North (Grimwade Court Precinct)		vendors will be attracted by the fact that the potential for inappropriate development of adjacent properties will be more restricted than outside a heritage overlay area.		
	<i>Another important fact is the penetration of light and air into your home. Once listed in the heritage list, you will not be able to enlarge the windows in front of a building and on the visible sides of the building.</i>	The application of a heritage overlay does not prevent owners from making improvements and alterations to a property. Rather, such changes simply need to respect and respond to the significance that has been ascribed to the place. While enlarging window openings on the street façade would not generally be encouraged, it cannot be categorically stated that it would never be allowed under specific circumstances. Typically, there would be more scope for enlarging windows to the side elevations. The suggestion that a heritage overlay will prevent such changes to “the visible sides of the building” is entirely unfounded.		
	<i>I have further raised a number of queries regarding building maintenance and whether council would assist/contribute towards the upkeep in order to preserve the character of the heritage building.</i>	The subject property is over seventy years old. Cyclical maintenance is entirely to be expected in any building of that age, and these maintenance costs would be incurred irrespective of whether the building was included in a heritage overlay.		
		<p><u>Planning Officer:</u></p> <p>The consultant stands by his Citation for this precinct. It is considered appropriate to refer this submission to an Independent Planning Panel for consideration.</p> <p>No change proposed to the amendment as a result of this submission.</p>		

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
		Refer submission to Panel.		
Late Submission 20 Oppose 4 Grimwade Court, Caulfield North (Grimwade Court Precinct)	<p><i>We object to the heritage proposal until we can get some comfort around these factors.</i></p> <p><i>There have been a number of external changes to homes.</i></p> <p><i>Our paved driveway is not original. The car port should be able to be brought forward.</i></p> <p><i>The front fence is not original and should be able to be replaced.</i></p> <p><i>The house at no. 3 has been rendered and some windows/doors moved or filled in.</i></p> <p><i>Other alterations in the street are listed including windows and paintwork.</i></p> <p><i>Length of time for the amendment to be decided.</i></p> <p><i>We are part way through planning a renovation. It is unreasonable to impose a multi-year planning process on residents without any ability to short circuit this should the proposal be heritage and ResCode compliant.</i></p>	<p><u>Planning Officer:</u></p> <p>While changes to the exterior of a house can certainly have an impact on whether the house is still deemed to make a contribution to a heritage precinct, the consultant maintains that, in this particular case, the precinct appears to be substantially intact and in good condition when seen from the street.</p> <p>Council officers have been in discussion with this submitter in relation to the planning of a renovation.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>	Refer to notes at Submission 7 above.	Refer to notes at Submission 7 above.
Late Submission 21 Oppose 64 Balaclava Road, Caulfield North	<p><i>Our home does not have local heritage significance. It is not indicative of Fook's work or demonstrative to his typical domestic design – it is not noted in the published works on Fooks.</i></p> <p><i>Pert advises that Fooks was interested in the 'growing home concept'. In this sense, restricting a family living in one of his homes from 'growing' would have been an anathema to Fooks.</i></p>	<p><u>Planning Officer:</u></p> <p>Lack of inclusion within an architecture exhibition or book is not sufficient reason to remove this property from the amendment.</p> <p>Inclusion within a Heritage Overlay will not result in the prohibition of alterations and additions to this dwelling provided the significant aspects of the building are maintained.</p>	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 64 Balaclava Road.	<p>(Refer page 43 of Panel Report)</p> <p>The property draws a special association with the life works of architect Dr Ernst Fooks (Criterion H). Dr Fooks was known for designing single storey dwellings, and this property offers an evolution in his</p>

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<p><i>Detrimental impact on our interests. Heritage significance should not be determined by special interest groups. The mere interest of a special interest group should not trump the rights of property owners.</i></p> <p><i>Built Heritage has not clearly justified how 64 Balaclava Road is significant to Glen Eira.</i></p> <p><i>There are other Fooks houses that are either already heritage listed or form part of this amendment.</i></p> <p><i>Ernst Fooks was not the only modernist architect who designed houses in Glen Eira.</i></p> <p><i>Heritage protection of the house serves no useful purpose in any event because the house is not visible from the street and by the public generally. To satisfy Criterion E, the building must have "Importance in exhibiting particular aesthetic characteristics". This criteria is not capable of being satisfied because whatever "particular aesthetic characteristics" our home possesses are not capable of being exhibited.</i></p>	<p>Heritage significance must be determined by a suitably qualified professional who assesses each place in relation to set heritage criteria.</p> <p>Removal of a property from this amendment because there are other Fooks houses either currently within the HO or part of this current amendment is not a valid argument. Each place is assessed on its own merits. The subject site is one of Fook's earliest works in Glen Eira, is considerably intact and was found by the consultant to meet the threshold for local heritage significance.</p> <p>Glen Eira has quite a number of places within the Heritage Overlay that are not visible from the street. It is not a reason to remove the place from the amendment.</p> <p>Debate over the worthiness of this proposed heritage place can be reviewed by an Independent Panel.</p> <p>No change proposed to the amendment as a result of this submission. Refer submission to Panel.</p>	<p>Council's legal representative advocated this position at the Planning Panel.</p>	<p>work to two storeys, commissioned by and for a local successful businessman.</p> <p>The Statement of Significance describes the property well, however the included photo does not clearly represent its significant elements.</p> <p>The Panel concludes:</p> <ul style="list-style-type: none"> 64 Balaclava Road, St Kilda East has sufficient local heritage significance to justify applying the Heritage Overlay (HO220) The HO220 Statement of Significance accurately describes the place but would benefit from referring to minor alterations to the side and rear elevation. <p>The Panel recommends: Amend the Statement of Significance for 64</p>

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
				Balaclava Road, Caulfield North (HO220) to identify the cantilevered overhang with altered facia and potentially altered skylights.
Late Submission 22 Oppose 3 Bickhams Court, St Kilda East (part of Wimbledon Estate Precinct)	<i>The Citation contradicts itself in that it claims significance for associations with a number of architects of Continental European background (Holgar and Holgar, Robert Rosh, Erwin Kaldor and Harold Shafer) and then notes that Robert Rosh was not a registered architect. Based on my research he was only trained as an engineer in Czechoslovakia. In my view he is not considered a notable architect with heritage significance. Robert Rosh does not have a style that typifies his designs and the subject site does not warrant inclusion in the heritage overlay.</i>	<u>Planning Officer:</u> The fact that Robert Rosh was not a registered architect does not mean that he was without talent, or that any of his buildings cannot be considered to be of heritage significance. The Consultant stands by his recommendation that 3 Bickhams Court is a contributory building within this proposed heritage precinct.	At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to the Wimbledon Estate Precinct. Council's legal representative advocated this position at the Planning Panel.	(Refer page 22 of Panel Report) The Wimbledon Estate Precinct is highly intact and achieves Criteria A, E and H....Criterion H relates to the association with architects of Continental European background whose works were notable in the Glen Eira area in the 1950s, '60s and '70s. They were the preferred architects for building designs in the area during that era and form an important part of Glen Eira's local history. The Panel suggests that Council consider including 5 and 7 Bickhams Court as non-contributory properties through a separate process.

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<p><i>I argue the fact that wealthy families resided in this area does not have any heritage significance.</i></p> <p><i>Subjecting 3 Bickhams Court to a heritage overlay will effect the reasonable or economic use of the property and cause hardship to myself as owner. I intend to add an additional floor and reside there. This will be more difficult with heritage constraints.</i></p> <p><i>Property devaluation.</i></p>	<p><u>Planning Officer:</u></p> <p>This precinct is highly unusual in Glen Eira in that it was created and developed from scratch in the post-WW2 era rather than created from the demolition of older dwelling stock. The ability of this precinct to link émigré designed homes bought by wealthy émigré families during the post-WW2 era is considered to be of historic significance in Glen Eira.</p> <p>The Submitter is welcome to contact Council's heritage advisor to discuss possible additions to the building should the heritage overlay be implemented.</p> <p>The submitter has provided no evidence that the application of heritage controls diminishes value, either at the time of listing or following.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>		<p>The Panel concludes:</p> <ul style="list-style-type: none"> • The proposed Wimbledon Estate Precinct (HO239) in St Kilda East has sufficient local heritage significance to justify applying the Heritage Overlay. • Council should consider including 5 and 7 Bickhams Court as non-contributory properties through a separate process.

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
Late Submission 23 Oppose 2/8 Alexandra Street, St Kilda East (part of Wimbledon Estate Precinct)	<p><i>My wife and I have always appreciated the architecture period of the 1960s and we adore this property.</i></p> <p><i>Over the past 13 years, we have witnessed some changes which have robbed the street, to an extent of the unique character.</i></p> <p><i>Over time our family needs have changed. How to modify our home without changing it to the extent that the character we appreciate so much disappears? We intend to maintain and add to the current character.</i></p> <p><i>At present I cannot support the Heritage Overlay on my property as I feel it will be overly onerous from a planning perspective. The heritage overlay will make it very difficult to make the changes we need to our family home. It is our expectation that our home should grow and change with us.</i></p>	<p><u>Planning Officer:</u></p> <p>The Submitter is welcome to contact Council's heritage advisor to discuss possible additions to the building should the heritage overlay be implemented.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>	<p>At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to the Wimbledon Estate Precinct.</p> <p>Council's legal representative advocated this position at the Planning Panel.</p>	<p>Refer notes at Submission 22 above.</p>
Late Submission 24 Conditional Opposition 53 Balaclava Road, St Kilda East	<p><i>Support the assessment that the property satisfies Criterion A (Historic significance)</i></p> <p><i>Do not agree with consultant that property satisfies Criterion E (aesthetic significance). The building's architectural expression/style is not consistent throughout the complex. It would seem the only thing that is genuinely "highly distinctive" as an aesthetic feature is the "garden wall".</i></p>	<p><u>Planning Officer:</u></p> <p>The consultant made changes to the Citation for this place after pre-amendment consultation. The consultant stands by his recommendation that 53 Balaclava Road satisfies Criterion A and E.</p> <p>It is not considered necessary to note every part of the building that is not significant (ie. new down pipes, hot water services, etc). The Citation states "the entire original exterior of the flats..." as being of significance.</p>	<p>At Resolution 3 of 27 April 2021, Council flagged its intention of abandoning the application of the heritage overlay to 53 Balaclava Road.</p> <p>Council's legal representative</p>	<p>(Refer page 41 of Panel Report)</p> <p>The submitter supported the HO219 heritage citation's assessment that the property is "important to the course, or pattern, of Glen Eira's cultural history" (Criterion A). They disagree that the property exhibited particular</p>

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<p>The submission contains a list of proposed changes and clarification for the citation relating to:</p> <ul style="list-style-type: none"> Description of the various buildings and chimneys within the development; Notation there has been alterations and additions to the exterior of the building over time including enlargement of some windows, removal of original security doors, signage, fencing, vents, antennas, etc. Gravel car parks created, painting, new downpipes, gas and hot water services fixed to rear walls, milk delivery doors bricked up, etc. <p><i>What does a "major block" mean?</i></p> <p><i>Noting the "entire exterior of the flats" as significant is too broad. What fabric is not significant? Surely parts of the building that are not visible from the street, such as walls, windows, roof tiles utility fixtures, awnings, defunct chimneys are not included?</i></p> <p><i>Owners are far less likely to replace old awnings if a planning process is required.</i></p> <p><i>Would a heritage overlay which lists our legal governance structure (cooperative share company) as 'significant', impact our intention to convert all shareholding to a contemporary strata title (which may also involve physical alterations to bring the building to code)?</i></p>	<p>Subdivision is permissible for places within the Heritage Overlay. The submitter is welcome to contact Council's Heritage Advisor for advice in relation to potential external alterations required for the buildings in order to allow strata subdivision.</p> <p>Solar panels do not trigger the requirement for a planning permit in a heritage overlay if the infrastructure is not visible from the street or public park. Otherwise planning permission is required and will be assessed accordingly.</p> <p>Issues in relation to this submission can be debated at a Panel.</p> <p>No change proposed to the amendment as a result of this submission.</p> <p>Refer submission to Panel.</p>	<p>advocated this position at the Planning Panel.</p>	<p>aesthetic characteristics (Criterion E).</p> <p>The Panel concludes:</p> <ul style="list-style-type: none"> 53 Balaclava Road, St Kilda East meets Criterion E. The HO219 Statement of Significance accurately describes 53 Balaclava Road.

Submission No.	Issue	Consultant or Officer Comments and Recommendation (27 April 2021)	Council Resolution of 27 April 2021 & Advocacy at Panel	Panel Comments and Recommendations:
	<i>Would heritage overlay impact our collective intention to 'green' the building by installing solar panels to the roof?</i>			

**Planning
Panels
Victoria**

**Glen Eira Planning Scheme Amendment C214glen
Heritage Review and Thematic Environmental History**

Panel Report

Planning and Environment Act 1987

2 September 2021



How will this report be used?

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

The planning authority must consider this report before deciding whether to adopt the Amendment.

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

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

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

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

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Glen Eira Planning Scheme Amendment C214glen

2 September 2021

Con Tsotsoros, Chair



Philippa Crone, Member

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Glossary and abbreviations

Council	Glen Eira City Council
DELWP	Department of Environment, Land, Water and Planning
GEHS	Glen Eira Historical Society
Heritage Review	City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations
NCO	Neighbourhood Character Overlay
PE Act	<i>Planning and Environment Act 1987</i>
Thematic History 2020	City of Glen Eira Thematic Environmental History (Refresh) 2020
VCAT	Victorian Civil and Administrative Tribunal
VHR	Victorian Heritage Register
WW2	World War 2

Overview

Amendment summary	
The Amendment	Glen Eira Planning Scheme Amendment C214glen
Brief description	The Amendment proposes to implement the recommendations of the <i>City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations</i> by applying the Heritage Overlay to four new heritage precincts and 34 individual heritage places
Subject land	Land in Bentleigh, Bentleigh East, Caulfield, Caulfield North, Caulfield South, Elsternwick, McKinnon, Murrumbeena and St Kilda East identified in Table 1
Planning Authority	Glen Eira City Council
Authorisation	18 September 2020, subject to conditions
Exhibition	29 October to 30 November 2020
Submissions	<p>Submissions were received from:</p> <ol style="list-style-type: none"> 1. Marcus Jankie 2. Isaac and Aliza Taubman 3. Environment Protection Authority 4. St John's Anglican Church 5. Katina and Peter Yiannoudes 6. Joe and Pesa Gottlieb 7. Susan Smith 8. Terry and Koralia O'Keefe 9. Hannah and Ari Nirim 10. Ron and David Popper 11. Arthur Zattelman 12. Yonah Baker 13. Robert Lehrer and Melissa Castan 14. Murrumbeena Baptist Church 15. Kira and Joseph Rogers 16. Anthony Rockman 17. National Trust of Australia (Victoria) 18. Glen Eira Historical Society 19. Arnold, Aharon Will and Clara Will 20. Adam Broder 21. Claudia Grimberg and Anthony Klotz 22. David Khoen 23. Jonathan Morton 24. Patrick Mader and Tullia Gillary

Glen Eira Planning Scheme Amendment C214glen | Panel Report | 2 September 2021

Panel process

The Panel	Con Tsotsoros (Chair), Philippa Crone
Directions Hearing	By video conference, 17 June 2021
Panel Hearing	By video conference, 26 July 2021
Site inspections	Unaccompanied, 22 July 2021
Parties to the Hearing	<ul style="list-style-type: none"> - Glen Eira City Council represented by Adeline Lane of Marcus Lane Group - Ari and Hannah Nirim - David Taubman - Glen Eira Historical Society represented by Anne Kilpatrick - Joe and Pesa Gottlieb represented by Joe Gottlieb - Joseph and Kira Rogers represented by Joseph Rogers - Murrumbeena Baptist Church represented by Brett Inder - National Trust of Australia (Victoria) represented by Felicity Watson - Susan Smith represented by Bruce Smith
Citation	Glen Eira PSA C214glen [2021] PPV
Date of this report	2 September 2021

Executive summary

Heritage is identified throughout planning, from the *Planning and Environment Act 1987* (the PE Act) through to State and local planning policies in the Glen Eira Planning Scheme (Planning Scheme). PE Act objectives include:

- to conserve and enhance buildings, areas or other places of scientific, aesthetic, architectural or historical interest, or of special cultural value
- to balance the present and future interests of all Victorians.

These objectives are reflected in State planning policies and Council's own local planning policies in the Planning Scheme. Clause 71.02-3 (Integrated decision making) of the Planning Scheme states:

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Glen Eira City Council (Council) is commended for acknowledging its responsibility set out in the PE Act and in planning policy to identify, assess and appropriately protect heritage of local significance. It sought to achieve this by engaging professionally qualified and experienced heritage consultants, Built Heritage Pty Ltd, to conduct its review. Built Heritage prepared the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* (Heritage Review). The term 'hidden gems' refers to pre-War heritage properties.

Early in the process, the heritage consultants identified shortcomings with the Glen Eira Thematic Environmental History. Council engaged the consultants to refresh the document.

In August 2020, Council adopted the Heritage Review and revised Thematic Environmental History.

Glen Eira Planning Scheme Amendment C214glen (the Amendment) proposes to:

- implement the recommendations of the Heritage Review by applying the Heritage Overlay to four new heritage precincts and 34 individual heritage places
- reference the City of Glen Eira Thematic Environmental History (Refresh) 2020 as a Background Document in the Planning Scheme.

Council exhibited the Amendment from 29 October to 30 November 2020 and received 24 submissions. General issues raised in submissions related to building condition and intactness, development opportunity and financial implications, maintenance and property value. Most submissions objected to the Heritage Overlay being applied to their property, the extent to which the overlay was proposed to be applied, elements of their property being categorised as significant or how their property was described in the heritage citation or statement of significance.

At its 27 April 2021 meeting, Council considered the submissions and resolved to note its intention, for the purpose of advocacy at the Hearing, to abandon applying the Heritage Overlay to any individual place and precinct which received an objecting submission. This includes places where submitters raised issues but did not object to the Heritage Overlay.

Strategic issues

The Heritage Review has applied a robust methodology and is generally based on well researched assessments to reach its findings. There is no apparent reason to question the Thematic History 2020 report, and it can be considered when assessing properties subject to the Amendment.

The Amendment, in its exhibited form:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- consistent with the relevant Ministerial Directions and Practice Notes
- well founded and strategically justified.

The Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in this report.

Council's intention to abandon applying the Heritage Overlay based on objecting submissions rather than strategic merit does not align with the PE Act objectives, State and local planning policy and Clause 71.02-3 of the Planning Scheme. The PE Act and Planning Scheme require strategic planning to consider the social, economic and environmental effects at a broader community level for present and future generations. Generally, they do not extend to private individual impacts which are separate to broader community concerns.

The Panel has recommended not to apply the Heritage Overlay to some of the proposed places based on strategic planning reasons set out in Chapters 5 and 6 of this report.

General issues

Issues of building condition, development opportunity, building alterations and maintenance, property value and private individual financial impact are not relevant when assessing the heritage significance of an individual place or a precinct.

Development opportunity, building alterations and maintenance are hypothetical issues which cannot be resolved during the planning scheme amendment stage. They should be considered during the planning permit application process when potential impacts can be assessed with available proposal details.

The Heritage Overlay should be applied to:

- identified heritage with local significance and not for the sole purpose of achieving neighbourhood character
- the entire extent of properties, consistent with Planning Practice Note 1 unless there is a special circumstance such as for 58 Norwood Road, Caulfield North.

Neighbouring properties do not affect the heritage significance of an individual place with the Heritage Overlay.

The Heritage Overlay satisfactorily addresses unpainted surfaces on heritage buildings through its requirement for a planning permit.

Heritage precincts

The proposed Wimbledon Estate Precinct (HO239), Findon Avenue Precinct (HO240) and Grimwade Court Precinct (HO241) have sufficient local heritage significance to justify applying the Heritage Overlay.

Wimbledon Estate Precinct (HO239)

Council should consider including 5 and 7 Bickhams Court as non-contributory properties through a separate process. Inappropriate development on these properties may affect the ability to understand the relationship between 9 Bickhams Court and other properties in the Precinct.

Findon Avenue Precinct (HO240)

The attic at 2 Findon Avenue is likely to have been added after the original house was built. Attics were not common for gabled house of that era and the attic's weatherboards are in better condition than expected for a house of that age. The addition does not affect the house's ability to contribute to the Precinct.

Individual heritage places

The Heritage Overlay should be applied to all exhibited properties except for:

- 335 Alma Road, Caulfield North (HO216)
- 30 Griffith Street, Caulfield (HO228)
- 40 Lumeah Road, Caulfield North (HO233)
- 44 Murrumbeena Road, Murrumbeena (HO235).

The properties supported by the Panel have sufficient local heritage significance to justify applying the Heritage Overlay.

195 and 197 Hawthorn Road, Caulfield North (HO207)

The Heritage Overlay should apply to both properties because they collectively contribute to the heritage place. The heritage citation should be revised to describe the property more accurately by identifying the non-original front fence at 195 Hawthorn Road and dwarf fence between the properties.

58 Norwood Road, Caulfield North (HO212)

The property is sufficiently intact and has local heritage significance to justify the Heritage Overlay. The Statement of Significance should be revised to note the building's facade has been altered through:

- removal of attic window
- rendering and painting the chimney stacks
- removal of some woodwork from the front battened gable wall
- replacing the roofing materials.

335 Alma Road, Caulfield North (HO216)

The property is not a comparable example of particular aesthetic characteristics and does not have sufficient local heritage significance to justify applying the Heritage Overlay.

30 Aroona Road, Caulfield (HO218)

The Statement of Significant should be revised to delete reference to the crazy paved stone driveway as a significant element.

53 Balaclava Road, St Kilda East (HO219)

The place meets Criterion E and the Statement of Significance accurately describes the place.

64 Balaclava Road, St Kilda East (HO220)

The Statement of Significance accurately describes the place but would benefit from referring to the minor alterations to the rear elevation.

124 Balaclava Road, Caulfield North (HO221)

The heritage citation accurately describes the place.

624 Centre Road, Bentleigh East (HO223)

The Heritage Overlay should be applied to the entire property. The Statement of Significance should be revised to delete references to the organ, revise details about the altar wall to reflect its actual materials, and to correct the reference to the spire.

61-63 Gordon Street, Elsternwick (HO227)

The place does not meet Criterion F and the Statement of Significance should be revised.

82 Lumeah Road, Caulfield North (HO234)

The Statement of Significance should be reviewed and revised to note the modifications and changes the building has experienced.

44 Murrumbeena Road, Murrumbeena (HO235)

The Murrumbeena Baptist Church building has not retained its design integrity following alterations which removed integral and significant elements. It no longer has sufficient local heritage significance to justify applying the Heritage Overlay.

49 Rosemont Avenue, Caulfield North (HO237)

The Heritage Overlay should apply to the entire property, consistent with Planning Practice Note 1. The Statement of Significance should be revised to note the recently installed metal security gate.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Glen Eira Planning Scheme Amendment C214glen be adopted as exhibited subject to the following:

- 1. Delete the Heritage Overlay from:**
 - a) 335 Alma Road, Caulfield North (HO216)
 - b) 30 Griffith Street, Caulfield (HO228)
 - c) 40 Lumeah Road, Caulfield North (HO233)
 - d) 44 Murrumbeena Road, Murrumbeena (HO235).
- 2. Amend the Heritage Overlay Schedule to not apply internal controls to 82 Lumeah Road, Caulfield North (HO234).**
- 3. Amend the Statement of Significant for:**
 - a) 195-197 Hawthorn Road, Caulfield (HO207) to identify the non-original front fence of 195 Hawthorn Road and the non-original dwarf wall between the two properties along the driveway
 - b) 58 Norwood Road, Caulfield North (HO212) to note alterations identified by the owners
 - c) 30 Aroona Road, Caulfield North (HO218) to delete reference to the driveway paving as a significant element
 - d) 64 Balaclava Road, Caulfield North (HO220) to identify the cantilevered overhang with altered fascia and potentially altered skylights
 - e) 624 Centre Road, Bentleigh East (HO223) to delete references to the organ, revise details about the altar wall to reflect actual materials and to correct the reference to the spire
 - f) 61-63 Gordon Street, Elsternwick (HO227) to delete reference to Criterion F
 - g) 82 Lumeah Road, Caulfield North (HO234) to:

- delete references to the building interiors being significant
 - identify alterations, namely removal of the front door, skylight and outside metal lamp post, new tiles at the front door and new crazy paving, the non-contributory front fence, the three timber framed single sliding glass doors located on the first floor verandah, large lattice soffit over the main entry (subject to further investigation and confirmation).
- h) 49 Rosemont Avenue, Caulfield North (HO237) to note the added white metal security gate located at the front entrance.

Further recommendations

The Panel makes the following further recommendation:

Amend the relevant heritage citations in the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* to make consequential changes resulting from recommendations in this report to Glen Eira Planning Scheme Amendment C214glen.

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment seeks to implement the recommendations of the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* (Heritage Review). Specifically, the Amendment proposes to:

- reference the Heritage Review in Clauses 21.10-2 and 22.01-6
- apply the Heritage Overlay to four new heritage precincts and 34 individual heritage places shown in Table 1
- incorporate the Statements of Significance for the heritage places and precincts through Clause 72.04
- reference the City of Glen Eira Thematic Environmental History (Refresh) 2020 (Thematic History 2020) and Heritage Review as background documents through Clause 72.08.

Table 1 Exhibited heritage places and submissions received

Place/precinct		Criteria*	HO Ref	SC	Sub**
Bentleigh					
133 Tucker Road	St Elmo - house	A, B, E	HO215		-
Bentleigh East					
624 Centre Road	St John's Anglican Church	E	HO223	Int	1
Caulfield					
2 Edinburgh Avenue	House	E	HO225		-
23 Edinburgh Avenue	House	E	HO226		-
218 Kooyong Road	Robert Lodge - flats	E, F	HO231		-
Caulfield North					
440 Dandenong Road	Olgita – flats	E	HO205		-
158-166 Hawthorn Road	Shops	E	HO206		-
195-197 Hawthorn Road	Houses (pair)	E	HO207		1
575 Inkerman Road	Linden Flats	E	HO208		-
35 Labassa Grove	Meldrum house (former)	E, F	HO209		-
58 Norwood Road	Clarence Lodge - house	B, E, F	HO212		1
335 Alma Road	House	E	HO216		1
386 Alma Road	House	E, H	HO217		-
30 Aroona Road	House	E, H	HO218		1
124 Balaclava Road	Flats	D, E	HO221		1
16 Cantala Avenue	House	E, H	HO222		-
6 Labassa Grove	House	E	HO232		-

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Place/precinct		Criteria *	HO Ref	SC	Sub **
40 Lumeah Road	House	E, F	HO233	Int	1
82 Lumeah Road	House	E, H	HO234	Int	1
70 Orrong Crescent	Fountain Court - flats	E, F	HO236		-
49 Rosemont Avenue	House	E, H	HO237		1
Caulfield South					
325/325a Bambra Road	Duplex	E	HO204		-
158-166 Hawthorn Road	Shops	E	HO206	Ext	-
30 Griffiths Street	House	E	HO228		1
6 Keeron Street	House	E	HO230		-
Elsternwick					
61-63 Gordon Street	House & Gordonlea Flats	E, F, H	HO227		1
McKinnon					
14-16 Clee Street	House	E, H	HO224		-
Murrumbeena					
475 Neerim Road	Bundara - house	A, B, E	HO211		-
44 Murrumbeena Road	Murrumbeena Baptist Church	F	HO235		1
St Kilda East					
1 Lockerbie Court	Flats	B, E	HO210		-
213 Orrong Road	Orrong Court - flats	A, B, D	HO213		-
273 Orrong Road	Craigellachie Flats	A, E	HO214		-
53 Balaclava Road	Greyfriars - flats	A, E	HO219		1
64 Balaclava Road	House	E, H	HO220		1
106 Hotham Street	St Margaret's Presbyterian Church	E, F	HO229		-
Precincts					
Aroona Road Modernist Precinct	43, 45, 47, 49 Aroona Road, Caulfield North	A, E, H	HO238		-
Wimbledon Estate Precinct	1/8, 2/8 Alexandra Street; 1, 1a, 3, 4, 9 Bickhams Court; and 2 Wimbledon Court, St Kilda East	A, E, H	HO239		2
Findon Avenue Precinct	2, 4, 6, 8, 10, 12, 14, 16 Findon Avenue, Caulfield North	A, E	HO240		1
Grimwade Court Precinct	1-6 Grimwade Court, Caulfield North	A, E	HO241		4

* Model criteria specified in Planning Practice Note 1 (see Chapter 2.4) | Sub = Number of submissions, SC: Schedule controls, Int: Internal controls, Ext: External controls | ** Number of submissions received

Environment Protection Authority, National Trust of Australia (Victoria) (National Trust) and Glen Eira Historical Society submissions raised issues regarding the entire Amendment.

(ii) Authorisation

Department of Environment, Land, Water and Planning (DELWP), under delegation from the Minister for Planning, authorised Council to prepare the Amendment on 18 September 2020. This was conditional Council revising the proposed:

- Clause 21.10 to include the proposed reference documents
- Clause 72.08 to refer to the background documents referenced in Clauses 21.10 and 22.01
- Explanatory Report, as marked up by DELWP.

1.2 Background

1996	Glen Eira Heritage Management Plan was prepared
2018	Council adopted the 2018 Planning Scheme Review workplan which included heritage projects
2019	
February	Council engaged Built Heritage Pty Ltd to conduct the Heritage Review
July	Council engaged Built Heritage Pty Ltd to review the Thematic History
2020	
11 August	Council adopted the Heritage Review and the Thematic History 2020
18 September	Minister for Planning authorised Council to prepare and exhibited the Amendment
29 October to 30 November	Council exhibited the Amendment
2021	
2 February	Council resolved to notify submitters to the informal consultation and provide them with a further opportunity to make a submission
12 February to 10 March	Twenty-eight people were invited to make a submission
27 April	Council considered all submissions and resolved to: <ul style="list-style-type: none"> - request the Minister for Planning to appoint a Planning Panel to consider all submissions received - note its intention to longer apply the Heritage Overlay to the three precincts and 14 properties which received objections

1.3 The Panel's approach

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

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

This Report deals with the issues under the following headings:

- Planning context
- Strategic issues
- General issues
- Heritage precincts
 - Wimbledon Estate Precinct (HO239)
 - Findon Avenue Precinct (HO240)
 - Grimwade Court Precinct (HO241)
- Individual heritage places.

Limitations

The Panel has not considered issues of potential privacy and copyright associated with the heritage citations in this report. They are outside the PE Act and are not relevant when assessing heritage significance.

In August 2020, Council decided to exclude properties from the Amendment which the Heritage Review assessed as having sufficient local significance to justify the Heritage Overlay. There were submissions which requested Council to reconsider its position and apply the Heritage Overlay to some of these properties. The Panel has not considered these properties because they do not form part of the Amendment.

2 Planning context

2.1 Planning policy framework

The following Victorian planning objectives in the PE Act and planning clauses in the Planning Policy Framework of the Planning Scheme are relevant to the Amendment. Council referred to most of these in its submission.

Victorian planning objectives

Section 4(1)(d) of the *Planning and Environment Act 1987* (the PE 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
- balance the present and future interests of all Victorians.

Planning Policy Framework

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

Clause 21.10-02 (Heritage)

Clause 21.10-02 includes an objective to “*identify, protect, enhance and promote understanding of Glen Eira’s heritage*” with the following strategies:

- Protect places identified as having architectural, cultural or historical significance.
- Ensure sympathetic redevelopment and renovation of areas and places identified as having architectural, cultural or historic significance in the municipality.
- Enhance knowledge and popular understanding of Glen Eira’s architectural, cultural and historic heritage.

Clause 22.01 (Heritage)

Clause 22.01 includes the following objectives:

- To protect places identified as having architectural, cultural or historic significance and which demonstrate the various eras of Glen Eira’s development.
- To encourage retention, preservation and restoration of all of significant and contributory heritage places within Glen Eira.
- ...
- To ensure that additions and new buildings and works to a heritage place respect the significance of the place and/or precinct.
- ...

- To promote design excellence which supports the ongoing significance of heritage places.

2.2 Relevant planning documents

(i) Plan Melbourne

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

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

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

(ii) Glen Eira Council and Community Plan 2017-2021

The Council and Community Plan 2017-2021 (Council Plan):

- was prepared after consulting with 650 members of the community
- identified the impact of development on heritage as an issue
- sets out themes, long-term community goals and strategic objectives to achieve them.

One of the goals, 'A well planned City that is a great place to be', includes:

Goal: A well planned City is a great place to live.

...

Objective 1. Create prosperous, accessible and vibrant urban places

We will:

...

Ensure future development respects and celebrates our heritage and character by establishing new building and development guidelines.

...

Objective 2. Encourage development that benefits the community

We will:

- Review our heritage places and provide stronger development guidelines to preserve and enhance Glen Eira's heritage buildings and precincts.

The Council Plan sets out its 2017-18 commitments which includes:

We will develop and implement policies and controls that protect heritage, and the character of our residential areas.

(iii) State of Heritage Review: Local Heritage 2020

The State of Heritage Review sought to:

- clarify the current arrangements for local cultural heritage across Victoria
- recommend opportunities for improving how State and local governments work together to recognise, protect and manage local cultural heritage, and anticipate and prepare for future challenges

- improve community understanding of the benefits of local and State cultural heritage protection
- promote and encourage good heritage practice across government and in the broader community.

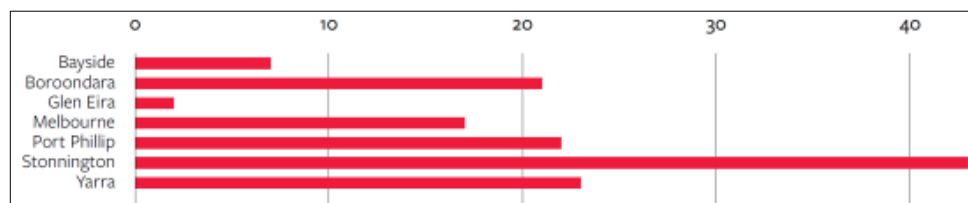
The State of Heritage Review conducted a stocktake of heritage places and precincts in Victorian municipalities, grouped by region. Glen Eira is in the Metro inner group, as shown in Figure 1 and Figure 2.

Figure 1 Heritage stocktake – Metro inner councils

Council (Type)	Council grouping	Council area (km ²)	Council population (2018)	Number of individual heritage places of state significance (5/4/19)	Number of individual heritage places of local significance (5/4/19)	Total number of individual places (5/4/19)	Total number of precinct places (5/4/19)	Total number of heritage places (5/4/19)	Total number of heritage properties (7/11/19)
Bayside (C)	Metro Inner	37	105,718	20	571	591	28	619	2,181
Boroondara (C)	Metro Inner	60	181,289	66	455	521	73	594	14,805
Glen Eira (C)	Metro Inner	39	153,898	21	109	130	17	147	3,275
Melbourne (C)	Metro Inner	37	169,961	386	587	973	53	1,026	12,867
Port Phillip (C)	Metro Inner	21	113,200	133	288	421	35	456	16,878
Stonnington (C)	Metro Inner	26	116,207	55	372	427	85	512	10,266
Yarra (C)	Metro Inner	20	98,521	139	300	439	57	496	22,505
		239	938,754	820	2,682	3,502	348	3,850	82,777

Source: Extract from Table 3.2

Figure 2 Number of heritage studies, reviews and surveys in Metro inner councils



Source: Extract from Figure 3.2

2.3 Planning scheme provisions

The Heritage Overlay purposes are:

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

The Heritage Overlay requires a planning permit to demolish, subdivide, build or carry out works. The Heritage Overlay enables its Schedule to specify additional controls for specific trees, painting previously unpainted surfaces, internal alterations and an incorporated plan (which may exempt buildings and works and other changes from requiring a planning permit). The Schedule may also

identify if a place can be considered for uses that are otherwise prohibited, subject to a planning permit.

2.4 Ministerial Directions and Practice Notes

Ministerial Directions

Relevant Ministerial Directions:

- Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of the PE Act)
- Ministerial Direction 9 (Metropolitan Planning Strategy)
- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction 15 (Planning Scheme Amendments).

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

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

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

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

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

Planning Practice Note 91 – Using the residential zones (December 2019)

Planning Practice Note 91 states:

It is important to understand the differences between neighbourhood character and heritage. While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, state and local agencies, with reference to the Burra Charter. The Heritage Overlay (HO) should be used where the objective is to conserve the existing building or buildings.

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The HO has different objectives from the NCO and is not intended to operate as a neighbourhood character control. However, heritage descriptors may also contribute to the neighbourhood character of an area.

3 Strategic issues

3.1 Supporting strategic work

(i) Glen Eira Heritage Management Plan

Architectural historian, Andrew Ward, prepared the Glen Eira Heritage Management Plan in 1996. Council prepared an addendum to the Plan in 2014. Mr Ward had previously prepared the City of Caulfield Urban Conservation Study early in 1990.

(ii) Thematic History 2020

Council submitted that early in the Heritage Review process, it became apparent that Glen Eira's more than 20-year-old Heritage Management Plan 1996 Volume 1 had insufficient detail regarding development themes, particularly Post-war history. In February 2019, Council engaged Built Heritage Pty Ltd to conduct a high level review of the Heritage Management Plan. The outcome of the review was presented in the Glen Eira Thematic Environmental History [Refresh] 2020 (Thematic History 2020).

Thematic History 2020 sets out themes and subthemes which are grouped into nine categories. Theme 2.5 (Migrating and making a home):

- refers to the migrants who decided to settle in one of Glen Eira's suburbs
- includes the 'Migrating to escape oppression' subtheme for migrants and refugees who arrived since the 1920s and after World War 2 (WW2).

Council adopted the Thematic History 2020 on 11 August 2020.

(iii) Heritage Review

In February 2019, Council engaged Built Heritage Pty Ltd to conduct the Heritage Review. Council adopted a version of the Heritage Review on 11 August 2020 which removed the following places:

- PW03 – 27 Aroona Road, Caulfield North
- PW08 – Lido Chambers, 219-229 Balaclava Road, Caulfield North
- PW11 – 780 Centre Road, Bentleigh East
- PW18 – Caulfield Synagogue, 572-4 Inkerman Road, Caulfield North
- PW22 – 30 Loch Avenue, St Kilda East
- PW24 – 58 Lumeah Road, Caulfield North
- PW29 – Kadimah Cultural Centre, 7 Selwyn Street, Elsternwick.

3.2 Strategic justification

(i) Submissions

At the Hearing, Council considered the adopted Heritage Review methodology, the Statements of Significance and Heritage Overlay Schedule to be thorough, rigorous and consistent with Planning Practice Note 1. It noted the Heritage Review appropriately adopts the Victoria's Framework of Historical Themes.

Council submitted that the Amendment will have positive social and economic effects through protecting significant heritage places for present and future generations, and thereby achieve net community benefit.

National Trust and Glen Eira Historical Society (GEHS) each submitted that the Amendment is strategically justified and supported by the Heritage Review. They considered that the places and precincts affected by the Amendment have sufficient local heritage significance and met the requirements for protection. Both organisations praised Council's work leading to the exhibited Amendment.

GEHS considered the Heritage Review to be *"thoroughly and appropriately researched, referenced and presented"* by a *"highly regarded company with built heritage expertise"*. It noted that the State of Heritage Review – Local Heritage (2020) identified Glen Eira as having the least heritage studies, reviews and surveys out of the seven 'Metro inner' councils (see Figure 2).

(ii) Discussion

The Panel commends Council for recognising that the PE Act obliges it to identify, conserve and enhance buildings, areas or other places of aesthetic, architectural or historical interest or special cultural value. It seeks to balance the present and future interests of all Victorians. This is reflected in the Planning Policy Framework, including Clauses 15.01 and 15.03.

The Thematic History 2020 reflects the thematic themes which are important to the Glen Eira community.

Any reference to identified heritage significance in this chapter refers to properties in the Heritage Review:

- found to have sufficient heritage significance to justify the Heritage Overlay
- which Council acknowledged when it adopted the Heritage Review and exhibited the Amendment.

The Panel has considered each proposed precinct and individual place with unresolved issues raised in submissions in the following chapters to determine:

- whether they have sufficient local heritage significance to justify applying the Heritage Overlay
- the accuracy of each relevant proposed heritage citation and statement of significance.

The Panel has considered whether the exhibited Amendment has sufficient strategic justification. It considers Council's approach since exhibition in Chapter 3.3.

To help achieve objectives in the PE Act and State and local planning policy, Council engaged experience and qualified heritage consultants to:

- conduct preliminary research on candidate places and precincts to assess whether they should be further investigated as having local heritage significance
- further assess places and precincts to confirm their heritage significance and to recommend whether the Heritage Overlay should be applied
- prepare citations including Statements of Significance to properties with such significance.

The Heritage Review follows a sound methodology, consistent with Planning Practice Note 1 and methodologies generally applied for heritage studies of this nature. Council acknowledged the

properties with heritage significance identified in the Heritage Review, by unanimously adopting the report in August 2020.

Consistent with planning policy, the Amendment seeks to preserve properties which are comparable to other examples and have sufficient heritage significance to justify the Heritage Overlay.

No submission presented information which persuaded the Panel to question the methodology.

The Panel considers the Amendment, in its exhibited form, is strategically justified.

(iii) Finding

The Panel finds the exhibited Amendment to be strategically justified and supported by a robustly prepared heritage study.

3.3 Council approach since exhibiting the Amendment

At its 27 April 2021 meeting, Council resolved to note its intention to no longer apply the Heritage Overlay to the three precincts and 14 properties which received objections. This included properties where owners did not object to the Heritage Overlay being applied to part or all their land. The remaining precinct and properties which received no objections were unaffected.

(i) Submissions

At the Hearing, Council advocated its resolved intention to not apply the Heritage Overlay to properties with objecting submissions. It explained that it did not call an expert on heritage for parties to cross examine because of this resolved position. In response to questions from the Panel, Council submitted that its resolution was not based on any strategic reason and did not dispute the findings in the Heritage Review.

At the Hearing, several submitters supported Council's resolution to not apply the Heritage Overlay to their property. This includes one submitter who originally did not object to the Heritage Overlay being applied to part of their property.

National Trust and GEHS consider Council's approach since exhibition to be inappropriate and inconsistent with planning objectives and Planning Practice Note 1. National Trust referred to a letter from the Minister for Planning to the City of Bayside Mayor which stated:

I am advised that in late 2018, the Council abandoned Amendments C158 and C159, which were municipal-wide planning scheme amendments to apply the Heritage Overlay to 51 inter-war and post-war buildings, due to opposition from some property owners and members of the community. As a result, the council undertook a voluntary nomination process for proposed Amendment C187bays, where owners nominated their properties for heritage assessment and the council subsequently undertook a heritage assessment of places to determine its significance.

I have concern with the council's self-nomination approach to protection of heritage places in your municipality. As a planning authority, your council has a responsibility to ensure that buildings, areas and other places of scientific, aesthetic, architectural or historical interests are conserved. This objective is set out in section 1(d) of the Act and supported by council's duties as a planning authority under section 12. Further guidance is set out in Planning Practice Note 1 Applying the Heritage Overlay (August 2018).

Local communities expect local heritage places to be identified and protected, and landowners need certainty when making decisions to sell, purchase or improve their properties. Whilst I note the council's effort to protect the 19 buildings proposed as part of

Amendment C178bays, this self-nomination approach is not appropriate to protect places of heritage significance.

(ii) Discussion

The Panel accepts there may be strategic reasons for Council to no longer support the Heritage Overlay for some properties. This may include new information which questions the significance of these properties. No such information was presented.

Council has based its resolution on whether objections were received or not. The Panel considers this approach to be fundamentally flawed and inconsistent with its Council Plan, local heritage planning policies, state planning policy, the objectives of the PE Act and Clause 71.02-3 of the Planning Scheme.

Council Plan

The Council Plan responds to the broader Glen Eira community identifying heritage as an issue. Not applying the Heritage Overlay to properties with identified heritage significance would not enable Council to achieve its Objective 1 commitment to ensure development respects and celebrates heritage. Heritage would need to be appropriately recognised through the Heritage Overlay to enable Council to assess whether new development respects the heritage fabric.

The PE Act and planning policy

The PE Act and planning policy collectively seek a planning authority to conduct the necessary work to identify places which have sufficient significant to warrant protection. They do not seek to protect everything that is old – only those which meet the local significance threshold. The Amendment is well informed through a comprehensively prepared Heritage Review which used Planning Practice Note 1 criteria to determine such properties.

The PE Act and planning policy obligates a planning authority to recognise identified heritage significance through statutory provisions such as the Heritage Overlay for the existing broader community and for future generations. Not applying the Heritage Overlay to properties with professionally identified heritage significance would be inconsistent with:

- PE Act and planning policy objectives
- Planning Practice Note 1 which does not include objections from a property owner as a criterion for deciding whether the Heritage Overlay should be applied.

Net community benefit

Clause 71.02-3 requires an Amendment to deliver net community benefit. Council has not explained how the individual private impact of not applying to properties with objecting submissions outweighs the net community benefit of applying the Heritage Overlay to locally significant precincts and places for the broader present and future community of Glen Eira.

Based on available information, the Panel considers the net community benefit of achieving planning policies which seek to inform the community about the Glen Eira's heritage outweighs any individual impact. Chapter 4.2 explains how individual owners can continue to develop properties with the Heritage Overlay.

3.4 Conclusions

The Panel concludes:

- The Heritage Review has applied a robust methodology and is generally based on well researched assessments to reach its findings.
- There is no apparent reason to question the Council adopted Thematic History 2020 report, and it can be considered when assessing properties subject to the Amendment.
- The Amendment is:
 - supported by, and implements, the relevant sections of the Planning Policy Framework
 - consistent with the relevant Ministerial Directions and Practice Notes
 - well founded and strategically justified.
- The Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.
- Council's intention to abandon applying the Heritage Overlay based on objecting submissions rather than strategic merit does not align with the PE Act objectives, State and local planning policy and Clause 71.02-3 of the Planning Scheme.

4 General issues

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

4.1 Building condition

(i) The issue

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

(ii) Submissions

The owner of 335 Alma Road submitted that the property had been inspected by engineers and builders and substantial work was needed to comply with the Heritage Overlay requirements.

The owner of 2 Findon Avenue provided photos of 4 Findon Avenue to demonstrate the scale and nature of maintenance needed to bring the building up to a required standard. He submitted the scale of works may make it more cost effective to replace the building.

Council referred to the Advisory Committee final report into Heritage Provisions Review [2007] PPV which recommended that building condition, including structural integrity, should not be a consideration when assessing heritage significance.

(iii) Discussion

The Panel accepts that buildings subject to the Amendment are in varying condition. Some will need considerably more expensive works to improve their condition than others. However, the Panel was not provided with information to demonstrate that a property was structurally unsafe to the point where the building would need to be demolished by the time the Amendment is introduced into the Planning Scheme.

The Heritage Overlay enables an owner to maintain their property in its existing appearance without the need for a planning permit. It does not require a property owner, including the owner of 335 Alma Road, to undertake any works.

(iv) Conclusion

The Panel concludes that building condition is not relevant when assessing the heritage significance of an individual place or a precinct.

4.2 Development opportunity, building alterations and maintenance

(i) The issue

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

(ii) Submissions

There were submissions which opposed the Heritage Overlay because they considered it would reduce existing development opportunities and restrict the ability to alter the dwelling. One submission stated:

Although we do not currently have any plans to redevelop the site, we feel very strongly that our interests and rights to determine the future of our property would be severely compromised if there were to be a heritage overlay.

One submitter sought Council to recognise, through its heritage policy or a statement of significance, that it would permit respectful alterations and additions.

Council acknowledged the Heritage Overlay would add a layer of additional planning control for affected properties, including those capable of consolidation and those with 'development potential'. Council considered this was appropriate to ensure that cultural heritage significance is recognised, properly documented and appropriately managed.

At the Hearing, the National Trust submitted the Heritage Overlay does not restrict owners from applying to alter their place. It referred to Ballarat PSA C58 [2004] PPV which states:

Panels have consistently held that whenever there may be competing objectives relating to heritage and other matters, the time to resolve them is not when the Heritage Overlay is applied but when a decision must be made under the Heritage Overlay or some other planning scheme provision. The only issue of relevance in deciding whether to apply the Heritage Overlay is whether the place has heritage significance.

The panel therefore finds that the Heritage Overlay should be applied to places of identified heritage significance without reference to the effect this may have on other planning objectives. Other issues and objectives should be considered within the context of heritage management policies or the decision-making process.

(iii) Discussion

No privately owned property in Victoria has unrestricted development rights. Properties subject to the Amendment currently have development restrictions and prohibitions through existing property title restrictions, Planning Scheme provisions and policies, and various legislation. For example, many of the properties are in the Neighbourhood Residential Zone which entirely eliminates any development opportunity for a building taller than 9 metres or two storeys. The Special Building Overlay applies to some of the properties, adding further restrictions.

The Heritage Overlay does not prohibit development. It enables a property owner to apply for future development, demolition, works and subdivision through a planning permit application. The permit application is needed so Council can ensure that any future development appropriately responds to existing heritage fabric. The Heritage Overlay enables property owners to maintain their properties in their current form without the need for a permit. Such owners would be unaffected.

The heritage policies at Clause 22.01 of the Planning Scheme sufficiently anticipate and respond to future alterations and additions to heritage places. Statements of significance should be used solely for their intended use without referencing potential alterations.

Any discussion regarding potential development opportunities in the future is hypothetical during the Amendment phase. This is because without detailed plans and a live permit application, such discussion cannot be appropriately informed. For example, there are rear extensions or other alterations to a dwelling that are considered appropriate in response to the heritage fabric. In that instance, the property owner would have achieved their development aspirations. Therefore, the

question of development opportunity can only be logically considered through a future permit application.

During the Amendment phase, the question to be asked is whether a property or precinct have sufficient local heritage significance to apply the Heritage Overlay. Planning Practice Note 1 does not include development opportunity, building alteration and maintenance as criteria for determining whether the overlay should be applied.

(iv) Conclusions

The Panel concludes that development opportunity, building alterations and maintenance:

- are not relevant when assessing the heritage significance of an individual place or a precinct
- are hypothetical issues which cannot be resolved during the planning scheme amendment stage
- should be considered during the planning permit application process when potential impacts can be assessed with available proposal details.

4.3 Heritage significance and neighbourhood character

(i) The issue

The issue is whether the neighbourhood character is a criterion for justifying the Heritage Overlay.

(ii) Submissions

There were submissions which considered the Heritage Overlay should not apply to their property as an individual listing because of the scale of and age of development on neighbouring properties.

(iii) Discussion

There are clear differences between an individual heritage listing, a heritage precinct, and neighbourhood character. The Heritage Overlay should:

- be applied to a place or precinct that achieves local significance by achieving at least one of the heritage criteria
- not be applied to achieve neighbourhood character.

Different policies and assessment criteria apply for determining neighbourhood character. While a heritage precinct will demonstrate a certain neighbourhood character, this is not the purpose of preserving the precinct.

(iv) Conclusions

The Panel concludes:

- The Heritage Overlay should be applied to identified heritage with local significance and not for the sole purpose of achieving neighbourhood character.
- Neighbouring properties do not affect the heritage significance of an individual place with the Heritage Overlay.

4.4 Heritage Overlay curtilage

(i) The issue

The issue is whether the Heritage Overlay should be applied to part of a property rather than its entire extent.

(ii) Submissions

There were several submissions which sought to apply the Heritage Overlay to only to the part of the property which they considered to be significant.

(iii) Discussion and conclusion

The heritage significance of an individual heritage place relies on sufficient curtilage around the heritage fabric. Planning Practice Note 1 refers to this being the entire property area for an urban property. What happens beyond this curtilage is not relevant. An individual place therefore does not rely on what happens on neighbouring properties.

Planning Practice Note 1 states:

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).

The Heritage Overlay therefore needs to apply to the entire property so that:

- there is sufficient curtilage around the heritage fabric
- Council can assess whether development proposed within this space responds sensitively to the existing heritage fabric.

There may be justified reasons to depart from DELWP's practice advice set out in Planning Practice Note 1. No submission persuaded the Panel there was a special circumstance for applying the Heritage Overlay to only part of the property.

(iv) Conclusion

The Panel concludes the Heritage Overlay should be applied to the entire extent of properties, consistent with Planning Practice Note 1, unless there is a special circumstance such as for 58 Norwood Road, Caulfield North.

4.5 Paint controls

(i) The issue

The issue is whether external paint controls should be applied to seven properties in Glen Eira.

(ii) Submissions

GEHS submitted that paint controls should be applied to:

- 133 Tucker Road, Bentleigh – unpainted bichromatic brick exterior (HO215)
- 325/325A Bambra Road, Caulfield South - unpainted brickwork exterior (HO204)

- 195-197 Hawthorn Road, Caulfield North – unpainted clinker brick features on rendered exterior (HO207)
- 35 Labassa Grove, Caulfield North – unpainted exterior stonework (HO209)
- 1 Lockerbie Court, St Kilda East – unpainted clinker brick features (HO210)
- 475 Neerim Road, Murrumbeena – unpainted bichromatic brick exterior (HO211)
- 273 Orrong Road, St Kilda East – unpainted clinker brick exterior (HO214).

GEHS explained that the unpainted brick exterior is a key feature of their heritage significance.

Council referred to Heritage Overlay Clause 43.01-1 which requires a permit to:

Construct a building or construct or carry out works, including:

- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.

Council submitted the Amendment does not have to be changed because the Heritage Overlay already requires a permit to externally paint an unpainted surface.

(iii) Discussion and conclusion

The Panel agrees with GEHS that the unpainted brick exterior of the identified houses is a key feature of their heritage significance. It agrees with Council that the Heritage Overlay addresses this through its requirement for a planning permit to paint an unpainted surface.

The Panel concludes the Heritage Overlay satisfactorily addresses unpainted surfaces on heritage buildings through its requirement for a planning permit.

4.6 Property value and financial implications

(i) The issue

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

(ii) Submissions

There were submissions which opposed the Heritage Overlay because they considered it would:

- reduce property value and limit the ability to sell
- affect the reasonable and economic use of the property
- cause undue economic hardship.

One submitter sought:

- financial assistance such as waiving council rates and charges
- a Council managed maintenance fund to support owners maintain their properties.

Council submitted that there is an inherent economic value in preserving heritage character identified through a robust and rigorous assessment, consistent with Planning Practice Note 1. Council acknowledged the Amendment would potentially increase the number of permit applications. It submitted that this would be offset by the public benefit from preserving the heritage places for the broader community over generations.

Council comprehensively referenced Planning Panel reports and judicial decisions which commented on financial implications. This included Melbourne PSA C207 [2014] PPV which states:

Where the social and economic effects raised in submissions are of a community nature, they may well be relevant matters. To meet the requirements of the Act, planning authorities and Panels will have to endeavour to consider those matters when preparing an amendment along with other relevant issues.

At the Hearing, the National Trust referred to Boroondara PSA C153 [2013] PPV which states:

The social and economic effects most likely to be relevant are those of a broad community nature rather than a personal kind. This has been the long-standing approach taken to such issues in planning decision making by both planning panels and VCAT. Personal economic effects (or the effects for a particular building) will continue to be considered at the permit stage.

The National Trust also referred to Frankston PSA C110 Part 2 [2010] PPV which states:

Council is required by the *Planning and Environment Act 1987* to identify and protect places of heritage significance. The Panel's principal role is to consider whether a property has heritage significance. If heritage significance has been clearly established, it must recommend that appropriate heritage protection be applied unless outweighed by community-wide social and economic considerations.

(iii) Discussion

Section 12(2)(c) of the *Planning and Environment Act 1987* requires a planning authority to take into account its social effects and economic effects when preparing a planning scheme amendment. These effects have been long recognised in planning as being relevant at a broad community nature rather than of private individual circumstances.

The Panel agrees with Council that no submission provided information which demonstrated the Amendment will result in negative economic impacts on the affected properties. This is not surprising because property value and financial implications are determined through many complicated, interrelated, and sometimes unapparent reasons. It is difficult to single out one over another. Reasons may include existing zone and overlay provisions and policy, location, property attributes, title restrictions, broader economic circumstances and whether the owner intends to develop their property. There is no evidence that heritage provisions alone reduce property value.

An owner who maintains their property would not be financially affected because the Heritage Overlay does not require a planning permit for such works.

There is no evidence the Amendment would result in a negative economic impact on the Glen Eira community. The Panel considers the social and economic benefits to the broader Glen Eira community from preserving heritage as sought by the PE Act and Planning Scheme would far outweigh any individual private economic impact.

(iv) Conclusion

The Panel concludes that that property value and private individual financial impacts are not relevant when assessing heritage significance or when deciding whether to apply a Heritage Overlay.

4.7 Heritage citations

Chapters 5 to 6 make recommendations to Statements of Significance proposed to be incorporated into the Planning Scheme. These changes will consequentially affect the heritage citations. While not a formal recommendation, the Panel recommends:

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1. Amend the relevant heritage citations in the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations* to make consequential changes resulting from recommendations in this report to Glen Eira Planning Scheme Amendment C214glen.

5 Heritage precincts

5.1 Wimbledon Estate Precinct (HO239)

Exhibited Statement of significance



What is significant?

The Wimbledon Estate Precinct comprises a group of post-WW2 houses in the cul-de-sacs of Bickhams Court and Wimbledon Court, and one adjacent block on Alexandra Street, built after the 1960 subdivision of what had been the Wimbledon Public Tennis Courts, established in 1923 by the eponymous Charles Bickham. With their stark rectilinear massing, flat roofs and large windows, the individual houses are all reflective of the prevailing modernist idiom of the time. Mostly completed during the 1960s (with a single slightly later example from 1972), the houses in the precinct were all designed for European émigré clients by architects of similar background. The following houses (including any original garages, carports, front fences and hard landscaping where still extant) are deemed to be contributory elements in the precinct: Bickhams Court: Nos 1, 1a, 3, 4, 9; Wimbledon Court: No 2; Alexandra Street: Nos 1/8 and 2/8 (semi-detached pair on corner site)

How is it significant?

Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history

Criterion E: Importance in exhibiting particular aesthetic characteristics

Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history

Why is it significant?

The Wimbledon Estate Precinct is significant as one of very few cul-de-sac residential subdivisions in the Caulfield area that were created and developed from scratch in the post-WW2 era. By the 1950s, most of the north-western part of the present-day City of Glen Eira was already densely settled, leaving only a few atypical pockets of land for further expansion. The Wimbledon Estate, laid out in 1960 on the site of public tennis courts operated by the Bickham family since 1923, thus provided one of the last opportunities for homebuilders to establish themselves on a new subdivision within a well-established suburb.

Consequently, allotments were keenly sought-after and, without exception, would be developed by wealthy European émigré families to create a residential enclave that encapsulated Caulfield's post-WW2 migrant demographic. **(Criterion A)**

The Wimbledon Estate Precinct is significant as small but excellent collection of post-WW2 modernist houses. The earlier houses, erected between 1960 and 1967 and mostly designed by European-trained émigré architects, were all conceived in a consistent hard-edged modernist style, broadly characterised by bold rectilinear massing, flat roofs with broad eaves, and expansive windows. Within this dominant modernist idiom, most of the houses incorporated a degree of embellishment (such as feature walls of stone, slate or tile) that evoked the early '60s fad for applied ornament, famously dismissed by Robin Boyd as 'Featurism'. These contrast with the later house on the south side of Bickhams Court that, of monumental and expressionistic form, demonstrates a return to a purer and more unadorned approach. **(Criterion E)**

The Wimbledon Estate Precinct is significant for associations with a number of architects of Continental European background (including Holgar & Holgar, Robert Rosh, Erwin Kaldor and Harold Shafer) who, consequent to their strong personal and professional links to Caulfield's thriving post-WW2 Jewish émigré community, are known to have been notably active in this part of the present-day City of Glen Eira during the 1950s, '60s and '70s. **(Criterion H)**

(i) The issues

The issues are:

- whether the proposed Wimbledon Estate Precinct (HO239) in St Kilda East has sufficient local heritage significance to justify applying the Heritage Overlay
- whether 3, 5 and 7 Bickhams Court and 8 Alexandra Street should be included in the Precinct.

(ii) Submissions

The owners of 3 Bickhams Court and 2/8 Alexandra Street each objected to their property being included in the Precinct. The 3 Bickhams Court referred to other projects designed by Robert Rosh, one of the architects identified in the HO239 heritage citation and submitted:

- 335 Alma Road is a more unique design
- 21 Fellows Street, Kew is in a heritage precinct without a specific Heritage Overlay or any controls
- the Moorabbin Hebrew Congregation (Now L'Chaim Chabad) and the Kadimah Centre are not uniquely designed and a permit was granted to demolish the Kadimah Centre, demonstrating that Robert Rosh was not a noted designer.

The 3 Bickhams Court owner submitted:

- “*wealthy European émigré families*” residing in the area at the time does not have heritage significance
- the HO239 heritage citation contradicts itself by referring to Robert Rosh as an architect when he was not registered.

The 2/8 Alexandra Street owner submitted that the street has experienced changes which have diminished its unique character. He explained that 2A Bickhams Court had a second storey extension and 11 Bickhams Court was demolished. He considered 7 Bickhams Court and 1 Wimbledon Court did not significantly contribute to the Precinct's character.

In the report attached to its 27 April 2021 meeting agenda, Council responded to these submissions. The Council officers stated:

- the Precinct is highly unusual because it was developed entirely after WW2 rather than from demolishing an older home
- the Precinct's association with émigré designed homes bought by émigré families after WW2 is historically significant to Glen Eira
- Robert Rosh was talented, and his buildings have heritage significance even if he was not registered.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the Precinct.

At the Hearing, Council submitted that Robert Rosh trained and worked as a registered architect in Europe before relocating to Australia. It added that, though he was not a registered architect in Australia, 3 Bickhams Court is an excellent representative example of aesthetic values identified for the Precinct.

The Panel queried the non-contiguous Precinct which had 9 Bickhams Court separated by 5 and 7 Bickhams Court which have been excluded. The Panel asked Council whether those properties were needed to be included as non-contributory properties to protect the heritage fabric of the

Precinct. Council explained that properties were originally identified for their individual significance before it was appreciated how many places clustered around Bickhams Court. Council considered this to be more common with a serial listing than a Precinct.

Council submitted:

Council officers accept the Panel's observation that the unsympathetic development of 5 and 7 Bickhams Court, St Kilda East could lead to a lessening of the values of the precinct.

Council officers also accept that 5 and 7 Bickhams Court, St Kilda East are located in a way that would, theoretically, befit their inclusion in the precinct as mapped.

Given these places have not been identified for inclusion in the Amendment, Council officers consider there would be some lack of procedural fairness to flow from any decision to include the properties at 5 and 7 Bickhams Court, St Kilda East at this late stage of the Amendment process.

The Panel queried the nature of works undertaken at 1 Bickhams Court. Council responded that Mr Reeves was aware of alterations to the house when conducting the Heritage Review. It noted HO239 heritage citation shows the renovations in a photo.

(iii) Discussion

The Wimbledon Estate Precinct is highly intact and achieves Criteria A, E and H. The Precinct land forms part of the former Wimbledon Public Tennis Courts which the Bickham family operated from 1923. The land was later subdivided to enable the housing estate.

Criterion H relates to the association with architects of Continental European background whose works were notable in the Glen Eira area in the 1950s, '60s and '70s. They were the preferred architects for building designs in the area during that era and form an important part of Glen Eira's local history.

The Panel disagrees that issuing a permit to demolish the Kadimah Cultural Centre at 7 Selwyn Street reflects the recognition or quality of Robert Rosh's work. The Heritage Review found the property met Criteria A, E, F and H. There is no evidence that Council excluded 7 Selwyn Street from the Amendment in August 2020 because it questioned the property's heritage significance or the building's design.

There is a relationship between 9 Bickhams Court and the remainder of the Precinct, though relatively weak. Insensitive development at 5 and 7 Bickhams Court could diminish this relationship, negatively affecting the ability to interpret 9 Bickhams Court as being part of the Precinct. This may result in the Heritage Overlay no longer being justified for this property.

The Panel suggests that Council consider including 5 and 7 Bickhams Court as non-contributory properties through a separate process. The Panel makes no formal recommendation because these properties do not form part of the Amendment and affected owners were not given the opportunity to express their views.

Regarding the Heritage Overlay (HO143 – Barry Street Precinct) at 21 Fellows Street, Kew, the Panel is uncertain what the submitter was referring to because the Heritage Overlay planning provisions apply.

(iv) Conclusions

The Panel concludes:

- The proposed Wimbledon Estate Precinct (HO239) in St Kilda East has sufficient local heritage significance to justify applying the Heritage Overlay.

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- Council should consider including 5 and 7 Bickhams Court as non-contributory properties through a separate process.

5.2 Findon Avenue Precinct (HO240)

Exhibited Statement of significance



What is significant?

The Findon Avenue Precinct comprises a row of detached double-storey brick residences of grand scale and prepossessing architectural form, occupying elevated sites on the east side of the street. They were erected over a period of three years following the 1938 auction of allotments on the Cantala Estate, created from the subdivision of the eponymous mansion, Cantala, former home of the Miller family, which occupied fourteen acres on Dandenong Road. The houses, all built by wealthy families (some of whom engaged leading architects such as Edward Billson, Frederick Morsby and the firm of Yuncken, Freeman Brothers, Griffiths & Simpson), express a range of fashionable architectural styles of the day including Moderne, Functionalist and Georgian Revival. The following houses are deemed to be contributory elements in the precinct: Findon Avenue: Nos 2, 4, 6, 8, 10, 12, 14, 16

How is it significant?

Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history
 Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The Findon Avenue Precinct is historically significant for associations with the creation and early development of the Cantala Estate, which was the largest, most ambitious and most prestigious inter-war residential subdivision in Caulfield. Created from a fourteen-acre property that had been held by the Miller family since 1895, the Cantala Estate (released in three stages in 1933, 1938 and 1939) attracted considerable attention from the press and potential buyers. While allotments on the estate were all highly desirable for their proximity to Dandenong Road (and the electric tram line thereon), it was the elevated land along the east side of Findon Avenue that proved to be the most sought-after. These sites, sold and developed within only three years of the 1938 auction, were snapped up by wealthy families who proceeded to build suitably grand dwellings (some designed by noted architects) to exploit the elevated position and bayside views. This continuous row of eight dwellings now remains as the most extant collection of original houses on the entire Cantala Estate. **(Criterion A)**

The Findon Avenue Precinct is aesthetically significant as a cohesive group of stylish and palatial residences of the late inter-war period. Erected by wealthy families who engaged the services of leading architects and builders, the houses exhibit notable consistency through their imposing scale, common setbacks, elevated siting, and various elements (such as expansive windows, balconies and sun decks) that were incorporated to take advantage of bayside views. The houses demonstrate the pervasive influence of the fashionable architectural styles of the period, including outstanding individual examples of the Georgian Revival (No 10), Streamlined Moderne (Nos 4, 12) and Functionalist (No 16), and others (Nos 2, 6, 8 and 14) displaying a confident melding of different styles. Collectively, the houses form a consistent and substantially intact streetscape of uncommonly grand dwellings from the late 1930s and early 1940s. **(Criterion E)**

(i) The issues

The issues are:

- whether the Findon Avenue Precinct (HO240) has sufficient local heritage significance to justify applying the Heritage Overlay
- whether 2 and 4 Findon Avenue should be included in the Precinct.

(ii) Submissions

One submitter considered the Heritage Overlay should not be applied to properties in the proposed Findon Avenue Precinct because they did not have “*any significant iconic legacy*”.

The owners of 2 Findon Avenue made submissions on behalf of their property and 4 Findon Avenue. Regarding 2 Findon Avenue they submitted:

- the property was only included because it ‘conveniently bookends’ the row of houses
- there are similar style properties in the immediate area
- the house was not designed by a noted architect and does not have the features described in the HO240 heritage citation
- the house has been altered, including a front attic with window, rear extension and internal changes
- the Heritage Overlay must take into account the west side of Findon Avenue and Cantala Avenue.

Regarding 4 Findon Avenue, they submitted the building:

- was significantly and extensively damaged beyond repair
- dampness from structural defects has resulted in life-threatening conditions.

At the Hearing, the 2 Findon Avenue owner noted that he had an on-site meeting with Council. Council later clarified the meeting was between councillors and the owner.

In the report attached to its 27 April 2021 meeting agenda, Council responded to these submissions. Council stated:

- any house at the end of a streetscape can be termed a ‘bookend’
- the comparative properties in the immediate area are interspersed and do not form a cohesive heritage precinct like the Findon Avenue Precinct
- there is no evidence that 2 Findon Avenue was not designed by a noted architect, and the Precinct’s significance has not been diminished by not attributing an architect
- 2 Findon Avenue represents the architectural era and style of the Precinct, and its alterations are at the rear which cannot be seen from the street
- from the street, 2 and 4 Findon Avenue appear to be in excellent condition
- the Precinct does not need to consider:
 - properties outside its boundary, consistent with accepted methodologies
 - internal building alterations and condition
- the HO 240 heritage citation describes architectural styles and features at a precinct level and does not have to describe details for each house
- the Heritage Overlay will not prevent alterations to address water penetration and dampness.

Council advised that the heritage consultant would investigate the upper floor and attic window at 2 Findon Avenue to determine whether it is a later addition. If found to be a later addition, Council would revise the heritage citation to note this alteration.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the Precinct.

(iii) Discussion

The Panel considers that the Precinct achieves Criteria A and E because it is important to the course of Glen Eira's history and because it exhibits particular aesthetic characteristics. The subject properties, notwithstanding that a few have had some alterations, are sufficiently intact to be viewed as a cohesive heritage precinct associated with the Cantala Estate. The HO240 Statement of Significant described the estate as Caulfield's "*largest, most ambitious and most prestigious interwar residential subdivision*" created from a 14 acre property.

Unlike Victorian or Edwardian precincts which exhibit more consistent building styles, the Findon Avenue Precinct presents a more eclectic style of building designs. Irrespective of whether the design is Streamlined Moderne, Functionalist or a meld of different styles, the houses collectively create a cohesive precinct of its era. Several of the homes, including 2 Findon Avenue, have building names displayed on their front entry wall – a common practice in the first decade following WW2.

The house at 2 Findon Avenue has had alterations, mostly to the rear and side elevations. They are partly visible when viewed from an acute angle from the street. Having inspected the Precinct, the Panel considers the front attic window at 2 Findon Avenue is likely to be an addition. Attic windows were not a common feature of gabled house from that development era. The weatherboards on the attic walls appear to be in better condition than those expected from a house of such an age.

The Panel is cognisant that the heritage consultant intends to inspect the house to confirm whether the attic window is an addition. This should occur to reconcile their views with those of the Panel.

As discussed in Chapter 4.1, building condition is not relevant when assessing the heritage significance of an individual place. It may be relevant when assessing a planning permit to alter or demolish the building after the Heritage Overlay has been applied to the property.

The building at 4 Findon Avenue has not been declared uninhabitable or ordered to be demolished for safety reasons. The Panel is satisfied the heritage fabric will exist when the Heritage Overlay is applied.

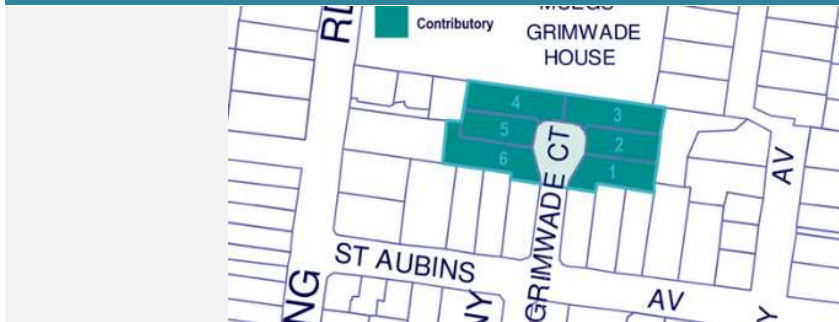
(iv) Conclusions

The Panel concludes:

- The Findon Avenue Precinct (HO240) has sufficient local heritage significance to justify applying the Heritage Overlay and all exhibited properties should be included.
- The attic at 2 Findon Avenue is likely to have been added after the original house was built and does not affect the house's ability to contribute to the Precinct.

5.3 Grimwade Court Precinct (HO241)

Exhibited Statement of significance



What is significant?

The Grimwade Court Precinct comprises a cluster of six large detached brick houses built between 1935 and 1940 following the creation of a 1928 cul-de-sac subdivision from the former site of the Victorian mansion, St Aubins. The houses, built by different owners who selected their own architects, reflect the fashionable Moderne and Tudor Revival styles of the period. While varying in their articulation and detailing, they are broadly similar in form, scale and setback. The following houses are deemed to be contributory elements in the precinct: Grimwade Court: Nos 1, 2, 3, 4, 5, 6. The significant fabric is deemed to include the exterior of all six original houses (and original garages) as well as original brick walls to driveways and street boundaries, and other elements of the front garden that contribute to the inter-war character of the precinct.

How is it significant?

Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history
 Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The Grimwade Court Precinct is historically significant as an exceptional example of an interwar cul-de-sac estate developed on the former site of a Victorian-era mansion. From the 1910s, this pattern of settlement became increasing common in Melbourne's desirable inner-southern suburbs as demand for residential allotments rapidly outstripped the need for grand mansions in expansive grounds. Characteristically, sprawling Victorian-era properties were nibbled away by subdivision until the original residence remained with a nominal curtilage. Grimwade Court, created in 1928 when the mansion St Aubins (originally fronting Orrong Road) was finally demolished, was conceived as a high-end development, taking its name from the adjacent private school. Although subsequent development was delayed by the Depression, the cul-de sac filled out in the second half of the 1930s as the blocks were snapped up and built upon by wealthy residents (most of whom already lived in the area) who saw a rare opportunity to furnish themselves with a grand residence in an exclusive new enclave. As such, Grimwade Court is quite distinct from contemporaneous cul-de-sac estates more typically created by a single builder/developer who erected all the houses and then sold them off individually. **(Criterion A)**

The Grimwade Court Precinct is aesthetically significant as an intact and cohesive cluster group of large detached brick dwellings, erected within a few years of each other in the later 1930s and early 1940s. Although designed by different architects for different clients, the six houses display a notable sense of consistency in their scale (ie double-storey), materials (ie, brick and terracotta tile), articulation (ie, asymmetrical double-fronted facades), setbacks and general sense of grandeur. With four of the houses designed in the Streamline Moderne idiom and two in the Tudor Revival mode, they collectively illustrate the two parallel trends in domestic architecture of the period, favouring progressive and conservative design respectively. Even within the framework of their stylistic similarities, the houses are distinct in their form and detailing. This melding of cohesion and individuality has formed a striking residential enclave, enhanced by the retention of original front walls, driveways, garages and front gardens that, with their expansive lawn areas, garden beds, low plantings and mature trees, remain highly evocative of the interwar period. **(Criterion E)**

(i) The issues

The issues are:

- whether the Grimwade Court Precinct (HO241) has sufficient local heritage significance to justify applying the Heritage Overlay
- whether 1, 3, 4 and 6 Grimwade should be included in the Precinct.

(ii) Submissions

Several owners objected to the Heritage Overlay being applied to the Grimwade Court Precinct and to their property. They submitted the Precinct:

- did not have a consistent character, with each property having a different style, building character, materials and form
- was no more historically significant than other streets in Caulfield North
- was not intact because several houses in Grimwade Court, including numbers 1, 3, 4 and 6 had been substantially altered.

Specifically:

- 3 Grimwade Court: external wall colour and front garden are not original
- 4 Grimwade Court: the paved driveway and front fence are not original
- 6 Grimwade Court: the property was substantially altered in the 1980s to include new external doors, new garage door, glazed elevations and altered roofing.

Attachment 3 to the 27 April 2021 Council meeting agenda responded:

- 3 Grimwade Court appears from the street as a substantially intact 1930s/early 1940s house retaining many characteristic details
- the houses at 4 and 6 Grimwade Court are substantially intact and contribute to the Precinct, even with the changes identified by their respective owners
- the heritage consultant confirmed the Precinct is substantially intact and the heritage citation accurately reflects the Precinct.

In the report attached to its 27 April 2021 meeting agenda, Council responded to these submissions. Council officers recommended no changes to the Amendment. At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the Precinct.

(iii) Discussion

Grimwade Court is a substantially intact heritage precinct which meets Criteria A and E. While some of the houses have been altered over the years, they continue to contribute to the streetscape and do not diminish the Precinct's significance. The HO241 heritage citation accurately reflects the Precinct. Grimwade Court is another fine example of an original estate with a grand Victorian mansion being demolished and subdivided to enable striking residences for wealthy residents. Capturing this heritage significance is consistent with the Thematic History 2020.

(iv) Conclusions

The Panel concludes that Grimwade Court Precinct (HO241):

- has sufficient local heritage significance to justify applying the Heritage Overlay
- should include all exhibited properties.

6 Individual heritage places

6.1 195-197 Hawthorn Road, Caulfield North (HO207)

Exhibited Statement of significance



What is significant?

The two houses at 195-197 Hawthorn Road, Caulfield North, comprised a detached pair of single-storey hip-roofed rendered brick dwellings in a hybrid style combining the horizontal emphasis, round corners and curved windows of the Streamlined Moderne with the fluted columns and applied ornament of the classical tradition. Similar without being identical, the two houses were erected in 1939 by local designer/builder J W Fairbanks & Son, as separate but attached residences for two sisters.

The significant fabric is defined as the exterior of both houses, the detached garage to No 195 (but excluding its front wall, which is a later infill), and the matching dwarf walls (and any original metal gates) along both street boundaries. The non-original garage at the rear of No 197, facing Blencairn Avenue, is not considered significant.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The two houses are aesthetically significant as a distinctive example of domestic architecture from the late 1930s, deftly combining key characteristics of the prevailing Streamlined Moderne style (eg rounded corners and unusually extensive use of curved glazing) with classical touches (ie fluted porch columns) and an uncommon degree of applied ornament (included brick stringcourses and moulded elements). The exuberance and unselfconsciousness of this hybrid design is testament to the fact that it was the work of a talented and enthusiastic designer/builder rather than a qualified architect, reflecting the more populist approach to residential architecture at the time. Designed to be similar without being identical, the two houses form a unique pair and an eye-catching element in the streetscape, enhanced by retention of their original front fences. **(Criterion E)**

(i) The issues

The issues are:

- whether 197 Hawthorn Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO207)
- whether the HO207 Statement of Significance accurately describes the property.
- the extent of property to which the Heritage Overlay should be applied.

(ii) Submissions

The owners of 197 Hawthorn Road objected to the Heritage Overlay being applied to their property. They submitted that 197 Hawthorn Road does not meet Criterion E because its aesthetic qualities:

- have been irreversibly downgraded through changes to houses in the immediate surrounding area
- have limited public or disciplinary recognition.

Building alterations and changes to the surrounding area referred to in their submission include:

- internal and external restoration works and an added rear garage
- many original houses along Hawthorn Road and 1 Blencairn Avenue have been replaced with larger buildings
- at 195 Hawthorn Road, the entire front yard has been concreted for off-site parking, its original front fence has been replaced, and a retaining wall and 1.8 metre paling fence along the 197 Hawthorn Road side boundary.

Regarding the property's recognition, the owners submitted that the houses at 195 and 197 Hawthorn Road:

- are not a pair and are not unique
- are on separate titles with no common or shared facilities
- are not known because of the builder or his reputation.

Since exhibiting the Amendment, Council proposed to revise the HO207 heritage citation and statement of significance to note:

- the non-original front fence of 195 Hawthorn Road
- the non-original dwarf wall between the two properties along the driveway.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to both properties.

(iii) Discussion

The distinctively paired properties at 196-197 Hawthorn Road are a comparable place which exhibit particular aesthetic characteristics that meet Criterion E. When read together, the properties collectively present as an intact example of the 1930s Streamlined Moderne style.

The Panel agrees with the HO207 heritage citation that *"the two houses are aesthetically significant as a distinctive example of domestic architecture from the late 1930s'...and 'this hybrid design is testament to...work of a talented and enthusiastic designer/builder rather than a qualified architect' "*.

The citation notes:

- the approximately 47 year-old builder who, as a transient carpenter/builder, relocated to Victoria in around 1918 to purchase and renovate properties
- the two properties were designed and constructed by the same carpenter/builder for two siblings and the buildings collectively exhibit similar and differing aesthetic characteristics demonstrating a uniqueness towards the post-war thematic history of Glen Eira.

The Panel agrees with Council's proposed changes to the heritage citation which acknowledge:

- the non-original front fence of 195 Hawthorn Road
- the non-original dwarf wall between the two properties along the driveway.

(iv) Conclusions and recommendation

The Panel concludes:

- The place at 195 and 197 Hawthorn Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO207).
- The Heritage Overlay (HO207) should apply to both properties because they collectively contribute to the heritage place.
- The HO207 Statement of Significance should be revised to describe the place more accurately.

The Panel recommends:

Amend the Statement of Significant for 195-197 Hawthorn Road, Caulfield (HO207) to identify the non-original front fence of 195 Hawthorn Road and the non-original dwarf wall between the two properties along the driveway.

6.2 58 Norwood Road, Caulfield North (HO212)

Exhibited Statement of significance



What is significant?

Clarence Lodge, at 58 Norwood Road, Caulfield North, is a large single-storey double-fronted hip-roofed Late Victorian villa in a hybrid Queen Anne style, with tall chimneys, prominent gable end, shaped bargeboards, canted bay window, leadlight windows and expansive return verandah with turned posts, lattice freeze and tessellated floor. Designed by architect R B Rieusset, the house was built in 1890 for successful Boom-era businessman and his wife, who lived there only very briefly before his business collapsed in 1891. The significant fabric is defined as the entire exterior of the house.

How is it significant?

Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history
 Criterion E: Importance in exhibiting particular aesthetic characteristics
 Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

Why is it significant?

Clarence Lodge is aesthetically significant as a distinctive and idiosyncratic example of Boom-era residential architecture. Its design freely adapted the typical forms and motifs of the prevailing Late Victorian villa style (eg double-fronted asymmetrical façade composition, return verandah and canted bay window), merged with those that are more indicative of the emerging Queen Anne style (eg overscaled gable end with shaped bargeboards, turned posts and tall chimneys). Within this unusual composition, several elements are particularly quirky, such as the verandah extended across the projecting bay, the canted highlight window above the verandah roof, and the turned timber finials supporting the gablet eaves. The house demonstrates a high degree of creative achievement as an early manifestation of the gradual shift towards the Federation style, which would dominate domestic architecture in Australia in the first decade of the twentieth century. It is rare as one of only a small number of houses in Melbourne from the late 1880s and early 1890s that can be considered as prototypes for this important aesthetic shift. **(Criteria B, E and F)**

(i) The issues

The issues are:

- whether 58 Norwood Road, Caulfield North is sufficiently intact with local heritage significance to justify applying the Heritage Overlay (HO212)
- whether the HO212 Statement of Significance accurately describes the property.

(ii) Submissions

The owners of 58 Norwood Road objected to the Heritage Overlay being applied to their property because it has been significantly altered. They submitted:

- the original slate roof with terracotta edging has been replaced
- the attic window has been removed
- woodwork on the front battened gable wall have been removed
- the original brickwork and chimneys have been rendered
- the verandahs have been extended to the south and west elevations
- the west facing extension has altered the roofline
- the rear south elevation has new windows.

In the report attached to its 27 April 2021 meeting agenda, Council responded to these submissions. Council stated:

- the heritage citation acknowledges the house has been altered
- despite the changes, the overall form of the house remains substantially intact when seen from the street
- the building's most distinctive and noteworthy element is its overall form, with its highly unusual asymmetrical triple-fronted façade and continuous verandah penetrating a canted bay window
- the dramatically altered rear elevation cannot be seen from Norwood Road
- standard methodologies for assessing intactness does not include a rear elevation.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing with its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The building exhibits Criteria B, E and F through its distinctive architectural detailing in a hybrid Queen Anne style. The architect's grand design for a prominent businessman demonstrates a high degree of creative and technical achievement of the late Victorian era.

The building has had various alterations, predominantly to the west, east and south elevations. The relatively minor alterations to the building's façade have not diminished the ability to understand its original design. The building continues to be sufficiently intact and exhibits its original highly detailed architectural features.

The Panel considers the northern alterations, including the removal of the attic window, to be reversible. This would require having photos of the original building, or if not available, of a similar building, to faithfully restore its original fabric.

The Panel disagrees with the HO212 heritage citation that the entire building exterior is significant fabric. It should be revised to note the alterations identified by the owners to differentiate

between heritage fabric and non-significant elements. It would also assist anyone seeking to restore the building to its original state.

(iv) Conclusions and recommendation

The Panel concludes:

- 58 Norwood Road, Caulfield North is sufficiently intact with local heritage significance to justify applying the Heritage Overlay (HO212).
- The HO212 Statement of Significance should be revised to note the building's facade has been altered through:
 - removal of attic window
 - rendering and painting the chimney stacks
 - removal of some woodwork from the front battened gable wall
 - replacing the roofing materials.

The Panel recommends:

Amend the Statement of Significant for 58 Norwood Road, Caulfield North (HO212) to note alterations identified by the owners.

6.3 335 Alma Road, Caulfield North (HO216)

Exhibited Statement of significance



What is significant?

The house at 335 Alma Road, Caulfield North, is a two-storey flat-roofed beige brick house in the post-WW2 modernist style, with white marble cladding at the upper level, mosaic tiled columns and stone-clad dwarf walls. Erected in 1968 for a Polish-born clothing manufacturer and his wife, it was designed by Czech-born Robert Rosh. The significant fabric is defined as the entire exterior of the house as well as the contemporaneous brick boundary wall, letterbox and stone-clad dwarf walls to the front garden.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The house is aesthetically significant as a particularly unusual example of modernist residential architecture of the 1960s. The work of a Czech-born émigré designer who, while professionally qualified, did not become registered as an architect in Victoria, the house exhibits an idiosyncratic strain of modernism where the trademark rectilinear massing, balanced façade and generous fenestration is relieved by decorative embellishments that include mosaic tiled columns, concrete breeze block screen, stone-clad dwarf walls and, most strikingly of all, white marble cladding to the upper level of the street façade. Occupied by the original residents for nearly fifty years, this virtually unaltered house remains an eye-catching element in the streetscape. **(Criterion E)**

(i) The issues

The issues are:

- whether 335 Alma Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO216)
- whether the HO216 Statement of Significance accurately describes the property.

(ii) Submissions

The owner of 335 Alma Road objected to the Heritage Overlay being applied to their property.

Their reasons included:

- the Heritage Review is inaccurate and should be either peer reviewed, or a new study should be commissioned
- the architect wasn't registered and there is no record of their work, therefore the property has little heritage significance
- the building needs works.

Since exhibiting the Amendment, Council proposed to revise HO216 heritage citation to clarify the building's facade only has one column. At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The Panel considers that 335 Alma Road does not compare well with other examples in the Glen Eira municipality, including those subject to the Amendment and designed by Robert Rosh.

The building has an interesting mix of materials, however this does not translate into exhibiting aesthetic characteristics to meet Criterion E. The Panel does not agree with the heritage citation that brick boundary walls and dwarf garden walls have a particular aesthetic characteristic.

The property therefore does not have sufficient local heritage significance to justify the Heritage Overlay (HO216).

(iv) Conclusions and recommendation

The Panel concludes that 335 Alma Road, Caulfield North:

- is not a comparable example of particular aesthetic characteristics
- does not have sufficient local heritage significance to justify applying the Heritage Overlay.

The Panel recommends:

Delete the Heritage Overlay from 335 Alma Road, Caulfield North (HO216).

6.4 30 Aroona Road, Caulfield North (HO218)

Exhibited Statement of significance



What is significant?

The house at 30 Aroona Road, Caulfield North, is a two-storey flat-roofed brick house in the post-WW2 modernist style, with a projecting upper storey that, supported on paired struts, forms a ground level undercroft. It incorporates expansive windows, two corner balconies with timber-lined eaves and a range of decorative finishes including rock-faced marble chips to the first floor spandrel, projecting brick courses at the lower level, feature stone cladding and concrete breeze block screens to the side elevations. Erected in 1963 for Czechoslovakian-born husband-and-wife clothing manufacturers, the house was designed by German-born architect Michael R E Feldhagen. The significant fabric is defined as the exterior of the house, and the crazy paved-stone driveway.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history.

Why is it significant?

The house is aesthetically significant as an exceptional example of modernist residential architecture of the early 1960s. While the expression of a two-storey house with an upper level projecting over a recessed lower level is a recurring motif in modernist architecture (represented by many examples in what is now the City of Glen Eira), this one is outstanding for its more distinctive and idiosyncratic articulation, which includes a subtle concave curve to the street façade, pairs of angled strut-like supports, corner balconies (rather than a full-width balcony) and an uncommonly varied application of decorative surface treatments that include rock-faced marble strips, feature stone cladding, projecting brick courses, concrete breeze block screens and a crazy paved driveway. With the house owned by its original family for many years, its exterior remains remarkably intact to the period, and is a striking element in the streetscape. **(Criterion E)**

The house is historically and architecturally significant as one of the most outstanding examples of the work of German-born architect Michael R E Feldhagen, a former employee of Dr Ernest Fooks who, reportedly at the urging of Fooks' clients, left to commence his own practice in 1963 and soon became sought-after as a designer of high-end residences, mostly for fellow European émigrés. While Feldhagen is said to have been notably active in Caulfield in the 1960s and '70s, few of his buildings have been conclusively identified therein. This standout example, with its uncommonly lively and virtually unaltered exterior, remains as his best known residential project. **(Criterion H)**

(i) The issues

The issues are:

- whether 30 Aroona Road, Caulfield has sufficient local heritage significance to justify applying the Heritage Overlay (HO218)
- whether the HO218 Statement of Significance accurately describes the place.

(ii) Submissions

The owners of 30 Aroona Road objected to the Heritage Overlay being applied to their property.

Reasons include:

- the building's modernist features are not significant enough to warrant protection and found in many houses throughout Caulfield
- the architect, Michael Feldhagen, was not registered and is not well known
- there are other examples of the architect's houses and apartments in Glen Eira
- the crazy paved driveway being replaced
- the interior has been substantially altered.

Since exhibiting the Amendment, Council proposed to revise the HO218 heritage citation and statement of significance to delete reference to the crazy paved stone driveway as a significant element. At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing with its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The building is an exemplar example of post-WW2 modernist style designed by German-born architect Michael RE Feldhagen. It is one of few houses designed by Feldhagen, a residential designer which clearly exhibits particular aesthetic characteristics to the post-WW2 modernist style with a cantilevered upper floor, paired struts, and range of decorative finishes to the façade.

The property therefore meets Criteria E and H.

The building has had some alterations, but its street elevation remains intact. The Panel agrees with Council's post-exhibition change to the statement of significance to delete reference to the crazy stone which no longer exists.

(iv) Conclusions and recommendation

The Panel concludes:

- 30 Aroona Road, Caulfield has sufficient local heritage significance to justify applying the Heritage Overlay (HO218).
- The HO218 Statement of Significant should be revised to delete reference to the crazy paved stone driveway as a significant element.

The Panel recommends:

Amend the Statement of Significant for 30 Aroona Road, Caulfield North (HO218) to delete reference to the driveway paving as a significant element.

6.5 53 Balaclava Road, St Kilda East (HO219)

Exhibited Statement of significance



What is significant?

The Greyfriars flats at 53 Balaclava Road, Caulfield, is a development of forty-three flats in two-and three-storey hip-roofed cream brick blocks around a central garden area. The two blocks facing the street are expressed in a stark Functionalist style (linked by a garden wall), while those to the rear have angled stepped facades, exposed hipped roofs and open staircases/walkways. Erected in 1949-51 as Melbourne's first flats conceived on a co-operative system, they were designed by entrepreneurial architect Bernard Evans, who was also a director of the company that built them. The significant fabric is defined as the entire original exterior of the flats, including the garden wall that links the two flat-roofed front blocks. The front fence is not considered to be significant.

How is it significant?

Criterion A: Importance to the course, or pattern, of Glen Eira's cultural history
 Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The Greyfriars flats are historically significant as a milestone in post-WW2 apartment dwelling in what is now the City of Glen Eira. Designed in 1949, this complex of 43 units was the first major block of flats to be erected in the study area in the post-WW2 era, anticipating the significant influx of higher-density living that would transform the study area (and especially the former City of Caulfield) in the 1950s, '60s and '70s. Conceived on a then-innovative co-operative basis, whereby ownership was vested in a co-operative society in which each resident was a member, Greyfriars is historically significant as the first development of that type in Melbourne. This ushered in new modern era of own-your-own flats, which subsequently became the norm and ultimately lead to the introduction of strata title legislation in the late 1960s.

(Criterion A)

The Greyfriars flats are aesthetically significant as an unusual example of post-WW2 modernist architecture. While conceived as a single development, with a consistent palette of face brickwork (mostly cream), the individual blocks are expressed in contrasting forms. The two front blocks are articulated in a stark Functionalist mode, with bold rectilinear massing, corner balconies and roofs concealed by parapets, while the rear blocks have a more traditionally domestic character with exposed hipped roofs, stepped angled facades and open stairwells and walkways. With the flats arranged in a U-shaped configuration around a pleasant central garden/carpark area, Greyfriars remain as a highly distinctive example of a post-WW2 apartment complex. **(Criterion E)**

(i) The issues

The issues are:

- whether 53 Balaclava Road, St Kilda East meets Criterion E
- whether the HO219 Statement of Significance accurately describes the place.

(ii) Submissions

The owners of one of the apartments at 53 Balaclava Road supported the HO219 heritage citation's assessment that the property is "*important to the course, or pattern, of Glen Eira's cultural history*" (Criterion A). They disagreed that the property exhibited particular aesthetic characteristics (Criterion E).

The owners submitted that the HO219 Statement of Significance should be corrected to:

- describe the south block to the rear
- more accurately describe the windows and their orientation
- not describe the chimneys as 'prominent' features of the rear blocks because they are almost invisible from most angles on the ground level
- note that the building has been altered, including additions, over the last 70 years.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing with its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The property is a group of 43 flats constructed in 1941-51, with intact Post-WW2 modern brick façade and elements, Period steel pressed windows, and themed gateway entry in themed brick style.

The Greyfriars multi-unit residential development is a sound example of the construction boom delivering higher-density living with importance to the course of Glen Eira's history (Criterion A). The property's 1950s high-density response to residential living with each block of flats surrounding a central garden and/or garden outlook exhibit particular aesthetic characteristics (Criterion E).

The statement of significance refers to the entire development, including all blocks irrespective of whether they are visible from the street. The statement accurately describes the place and does not have to be revised. The Panel acknowledges the southern block and other various elements are not clearly visible from the public realm. The Panel's inspection was limited to what it observed from the street. However, it expects these elements would be visible by residents and visitors from the common area of the property.

(iv) Conclusions

The Panel concludes:

- 53 Balaclava Road, St Kilda East meets Criterion E.
- The HO219 Statement of Significance accurately describes 53 Balaclava Road.

6.6 64 Balaclava Road, St Kilda East (HO220)

Exhibited Statement of significance



What is significant?

The house at 64 Balaclava Road, St Kilda East, is a two-storey skillion-roofed cream brick house in a stark post-WW2 modernist style, with asymmetrical street facade incorporating a wide stone-clad chimney, large windows and north-facing sun decks. Designed in 1951 by Austrian-trained architect Dr Ernest Fooks, the house was commissioned by a compatriot who was a successful canned fruit magnate, and whose family occupied it for three decades. The significant fabric is defined as the exterior of the entire house, along with the matching brick garden wall and boundary walls (with metal gates) along both street frontages. The garage to the rear, which occupies the footprint indicated on Fooks' drawings, is not considered significant.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history

Why is it significant?

The house is aesthetically significant as an early and unusually substantial example of post-WW2 modernist residential architecture. Designed by an architect who trained and even practiced in Austria before migrating to Australia in 1939, the house represents a confident and authentic articulation of the International Style, with its bold rectilinear massing, stark planar walls, broad-eaved skillion roof, expansive windows and sun deck above a columned undercroft. Atypically large for its time, this grand two-storey residence, occupying a prominent corner site at the junction of two major roads, remains a conspicuous element in the streetscape. **(Criterion E)**

The house is historically significant for associations with Austrian-trained architect Dr Ernest Fooks, who started private practice in Melbourne in 1948 and soon became sought-after as a designer of residential projects for fellow European émigré clients. Notably prolific in the former City of Caulfield (where he himself resided, in Howitt Street, from 1966 until his death), Fooks maintained a long personal and professional association with what is now the City of Glen Eira, including several art exhibitions held at the Caulfield Town Hall. Dating from 1951, the house is one of Fook's two oldest surviving buildings in the study area (along with another at 16 Cantala Avenue, also 1951) that, together, provide rare and significant evidence of the early presence of an architect whose work re-shaped the Caulfield area. **(Criterion H)**

(i) The issues

The issues are:

- whether 64 Balaclava Road, St Kilda East has sufficient local heritage significance to justify applying the Heritage Overlay (HO220)
- whether the HO220 Statement of Significance accurately describes the place.

(ii) Submissions

The owners of 64 Balaclava Road objected to the Heritage Overlay being applied to their property.

They noted that Mr Fooks designed:

- his first houses in the late 1940s, mostly for Jewish clients who migrated from Europe
- over 40 blocks of flats over 30 years since 1950
- his own house in Caulfield in 1966 in a courtyard theme
- 124 Balaclava Road, and 43 and 47 Aroona Road, which are included in the Amendment
- the courtyard house design in the following years, including one in Balwyn in 1970 and another in Camberwell in 1971.

The owners disputed the property's heritage significance because:

- the dwelling:
 - is not an indicative example or a significant exemplar work of Mr Fooks so the Heritage Overlay would elevate his legacy beyond what is justified
 - does not appear in Harriet Edquist's book, Ernest Fooks, Architect
 - is not a single storey courtyard house or typical of Mr Fooks' domestic design
 - is not visible from the street so it cannot exhibit its particular aesthetic characteristics referred to in the HO220 heritage citation
- there is nothing significant about the original or current owners to justify the Heritage Overlay
- the heritage citation does not clearly explain how the property is locally significant.

The owners submitted the heritage citation was inaccurate because:

- the dates of the plans are incorrect and were dated several years after 1951
- there have never been any bedrooms downstairs
- the dwelling's interior:
 - has been substantially altered
 - has several art deco features including the staircase but it is not modernist
- the dwelling's exterior has been altered
- reference to the dwelling's 'grand proportions' is overstated.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The property draws a special association with the life works of architect Dr Ernest Fooks (Criterion H). Dr Fooks was known for designing single storey dwellings, and this property offers an evolution in his work to two storeys, and commissioned by and for a local successful businessman.

The particular aesthetics (Criterion E) referred to in the heritage citation are screened from street view by a series of large shrubs and hedged trees. On its inspection, the Panel noted:

- intact Period detailed metalwork in the form of balustrades and gates

- intact Period brickwork
- intact feature stone cladding and accent elements
- altered windows with double glazing detracting from its appearance
- potentially altered rear balcony overhang.

The statement of significance describes the property well, however the included photo does not clearly represent its significant elements.

The building has had minor alterations to the side and rear elevation which do not affect its intactness. These include a cantilevered overhang with altered fascia and potentially altered skylights. The alterations should be identified in the Statement of Significance to reflect the place more accurately.

(iv) Conclusions and recommendation

The Panel concludes:

- 64 Balaclava Road, St Kilda East has sufficient local heritage significance to justify applying the Heritage Overlay (HO220)
- The HO220 Statement of Significance accurately describes the place but would benefit from referring to the minor alterations to the side and rear elevation.

The Panel recommends:

Amend the Statement of Significant for 64 Balaclava Road, Caulfield North (HO220) to identify the cantilevered overhang with altered fascia and potentially altered skylights.

6.7 124 Balaclava Road, Caulfield North (HO221)

Exhibited Statement of significance



What is significant?

The building at 124 Balaclava Road, Caulfield North, is a large flat-roofed two-storey cream brick block of flats in a stark Functionalist style. Occupying a corner site, it has bold rectilinear massing and elongated elevations with rendered banding, wide windows, corner balconies with balustrade walls, and entries with cantilevered slab canopies and tall multi-paned window bays. Built in 1950-51 as an investment property for a Polish émigré couple, the flats were designed by Palestinian émigré architect Mordechai Benshemesh. The significant fabric is defined as the exterior of the building and the matching dwarf wall along each of the two street boundaries. The garage block, to the rear, is not considered significant.

How is it significant?

Criterion D: Important in demonstrating the principal characteristics of a class of cultural or natural places or environments

Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

The block of flats is architecturally significant as an exceptional example of a modern apartment building in the minimalist tradition of progressive Continental European counterparts. Comprising seven compact and tightly-planned two- or three-bedroom units with private balconies and shared stairwells, the development was conceived for the existenzminimum lifestyle that was the norm in larger European cities. This authenticity is underscored by the fact that the building was commissioned by a Polish-born couple, designed by a Palestinian-born architect, and initially tenanted exclusively by Eastern European émigré families who would have been well accustomed to living in such premises. Designed in mid-1950, it can be considered as one of the earliest manifestations of the post-WW2 modernist apartment blocks that would become such a defining characteristic of the Caulfield area in the later 1950s, '60s and '70s. **(Criterion D)**

The block of flats is aesthetically significant as a highly confident expression of the European Functionalist style. This is evident in its stark rectilinear massing and uncommonly elongated street facades, where the innate horizontality is heightened by rendered banding, wide rectangular windows and the conspicuous articulation of concrete slabs to the floors and canopies of corner balconies. Characteristically, the strong horizontal emphasis is relieved by the stepped facades and the contrasting vertical focus on the two street entrances, where tall-multi-paned window bays articulate the stairwells within in the best Functionalist tradition. Occupying an uncommonly large corner site along a major thoroughfare, this prominent building remains an eye-catching and distinctive element along the Balaclava Road streetscape. **(Criterion E)**

(i) The issues

The issues are:

- whether 124 Balaclava Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO221)
- whether the HO221 Statement of Significance accurately describes the place.

(ii) Submissions

The owners of one of the apartments at 124 Balaclava Road objected to the Heritage Overlay being applied to the property and disagreed that it met Criteria D and E. They submitted that the HO221 heritage citation has issues, including:

- the term ‘functionalism’ is a confusing principle, and there is no explanation why the building achieves this style
- ‘stark example’ is misleading without agreement from the profession
- the significant fabric, being the building exterior and the matching dwarf wall along each of the two street boundaries is common in Glen Eira and surrounding areas.

Regarding the Criterion D assessment, the owners submitted:

- the Heritage Review author:
 - is expressing personal subjective opinion
 - should not presume what premises the owners were accustomed to
 - is biased because he refers to his own ‘paper’ about the architect
- the Citation inappropriately connects the owners’ and tenants’ European backgrounds.

Regarding the Criterion E assessment, the owners submitted:

- there is no explanation why the building is considered to have a Functionalist style
- weight has been put on the building’s location rather than its features.

The owners considered the property would not meet Criteria D and E if it applied the thresholds in the Victorian Heritage Register (VHR) Criteria and Threshold Guidelines for state place.

The owners submitted that there are many various types of residential buildings with common features to those at 124 Balaclava Road. They referred to 12 other local properties as examples, including 53 and 64 Balaclava Road which form part of the Amendment.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission. The Council officers stated:

- the heritage consultant:
 - maintained the term ‘functionalism’ has been correctly applied
 - maintained that European émigré families were far more accustomed to minimalist apartment living than Australian contemporaries when the building was constructed
 - is qualified to express their professional view on émigré architects and Melbourne’s European diaspora of the twentieth century
 - has never written a paper on Mordechai Benshemesh, and it cannot be concluded he is biased towards that architect because his organisation’s webpage has a library of architectural biographies
 - was not persuaded the submitter’s cited 12 buildings are comparable or better than 124 Balaclava Road
- it was never implied that the low walls were rare or unique in the study area or that every example is worthy for protection.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

This property displays as an excellent example for Functionalist Modern style with particular aesthetic characteristics (Criterion E) of Functionalist Modern style. The Panel agrees with the Council Officer's response to the submitter's issues regarding Criterion D. It has no reason to question the heritage citation's assessment.

The building compares well with, if not better than, the examples in the HO221 heritage citation. Heritage is founded on the methodology set out in Planning Practice Note 1 and applied through the Heritage Review. This methodology does not refer to a quota on the number of properties with the Heritage Overlay in the municipality or swapping one property for another comparable property.

The Panel does not comment on the Victorian Heritage Register Criteria and Threshold Guidelines because they are for assessing places of state significance.

(iv) Conclusions

The Panel concludes:

- 124 Balaclava Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO221).
- The HO221 Statement of Significance accurately describes the place.

6.8 624 Centre Road, Bentleigh East (HO223)

Exhibited Statement of significance



What is significant?

St John's Anglican Church at 624 Centre Road, Bentleigh East, is a post-WW2 modernist cream brick church with a truncated A-framed nave, spiky metal steeple, and facade with false arched windows, pebbled wall finish and mosaic tiled spandrels. Erected in 1961-62 to replace an existing church on the site dating back to 1873, the building was designed by architects Gawler, Churcher & Boardman (who had previously designed a new church hall for the same site). The significant fabric is defined as the entire exterior of the 1961-62 church building, and interior fittings as follows: the three stained glass windows from the old church, full immersion baptismal font, decorative iron grille between Pioneers' Chapel and choir stall, decorative iron altar rail, timber panelled wall behind the altar, and pendant light fittings in the nave. The other buildings on the site, namely the adjacent hall (by the same architects, but of little architectural interest), vicarage, kindergarten and toilet block, are not considered to be significant.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

Why is it significant?

St John's Anglican Church is aesthetically significant as an exceptional example of ecclesiastical architecture in a lively sub-style of post-WW2 modernism characterised by a playful expression of non-structural elements, applied ornamental and decorative finishes. Famously dismissed by Robin Boyd as "Featurism", this sub-style was mostly associated with commercially-oriented buildings (eg shops, showrooms, motels, etc) and houses, and was rarely adopted for ecclesiastical buildings. St John's Church, with its truncated A-framed nave, false-arched arcade (with pebbled finish and mosaic tiled spandrels) and spiky metal-framed steeple evocative of the American 'Googie' style, is a notable (and notably intact) example of the Featurist approach, as atypically applied to a church. With its deliberately eye-catching design and prominent siting at the corner of two major roads, the building remains a distinctive element in the streetscape. The nave interior is notable for retention of original finishes and fittings including panelled nave wall, decorative ironwork, pendant light fittings and a cruciform full-immersion baptismal font (an element seldom found in Anglican churches). **(Criterion E)**

(i) The issues

The issues are:

- whether 624 Centre Road, Bentleigh East has sufficient local heritage significance to justify applying the Heritage Overlay (HO223)
- whether the HO223 Statement of Significance accurately reflects the place.

(ii) Submissions

St John's Bentleigh supported some external control of the building but opposed internal controls. It questioned the need for the additional controls considering:

- their record in respecting the building's heritage
- the need for churches to be free to manage their own affairs.

St John's Bentleigh requested the HO223 heritage citation be revised to:

- describe the real altar wall as plastered with timber trim, but not timber panelled
- refer to an organ rather than a pipe organ which does not exist
- refer to the spire having four tapering metal members rather than three, and note the pole associated with the phone tower equipment installed in or around the 1980s.

St John's Bentleigh included photos showing the church interior from different perspectives. In a later submission it stated:

Removing the adjective 'pipe' from the noun 'organ' will not be sufficient, because the original St John's organ was replaced many years ago, is not on site, and is in no way relevant to the present situation. The organ now in place, as repeatedly indicated, was only installed at St John's in the early 1980s.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission. The Council officers stated:

- the heritage citation should be revised to:
 - update the description of the wall behind the altar
 - note the spires as having four tapering metal members rather than three
 - remove references to the organ from the heritage citation
- internal controls will not prohibit internal alterations.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The St John's Bentleigh Church commands an importance to exhibiting particular aesthetics true to the post-WW2 modernist period of architecture with a strong a-frame nave, metal steeple and articulated facade. The building form offers architecturally technical attention to detail with a *"playful expression of non-structural elements"* which is synonymous with the modernist style. The church, as a place of worship, is identified as an eye-catching design and highly visible from the street.

The Panel agrees with Council's proposed changes to the HO223 heritage citation regarding the wall, spire and organ because they will more accurately describe the place.

The Panel has responded to issues of building alterations and Heritage Overlay curtilage in Chapters 4.2 and 4.4 of this report. Consistent with its findings, the Panel considers the internal

controls should apply to the church's interior and the Heritage Overlay should be applied to the entire property.

(iv) Conclusions and recommendation

The Panel concludes:

- 624 Centre Road, Bentleigh East has sufficient local heritage significance to justify applying the Heritage Overlay (HO223) to the entire property.
- The HO223 Statement of Significance should be revised to delete references to the organ, revise details about the altar wall to reflect its actual materials, and to correct the reference to the spire.

The Panel recommends:

Amend the Statement of Significance for 624 Centre Road, Bentleigh East (HO223) to delete references to the organ, revise details about the altar wall to reflect its actual materials, and correct the reference to the spire.

6.9 61-63 Gordon Street, Elsternwick (HO227)

Exhibited Statement of significance



What is significant?

The residential complex at 61-63 Gordon Street, Elsternwick, comprises a two-storey dwelling (No 63) and an adjacent two-storey L-shaped block of flats (No 61), consistently expressed with stepped façades, plain cream brickwork, low skillion roofs and large window bays. It was designed in 1956 by Austrian émigré architect Kurt Popper to provide a residence for his own family, with the adjacent flats as an investment. The significant fabric is defined as the exterior of both buildings and the brick boundary wall.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

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

Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history

Why is it significant?

The house and flats are aesthetically significant as a distinctive example of post-WW2 modernism. Considered as a cohesive single development, the two components display a consistent modernist expression of stark volumetric massing, planar walls, wide window bays and low skillion roofs with broad timber-lined eaves. At the same time, undue repetition is avoided, so that the house and the flats remain readily interpreted as two related but separate buildings. While the entire complex is characterised by a minimalism that hints at the architect's European background, the single dwelling to the north, which was his own residence, is granted emphasis with eye-catching feature walls of random stonework and dark-coloured brick. **(Criterion E)**

The house and flats are architecturally significant for their innovative design and planning. Described on the working drawings as a "maisonette and six flats", this unusual combination of a large but compact single family dwelling with an attached block of lettable flats represented a major departure from established traditions of multi-unit living in Melbourne. Slightly predating a building of similar concept at 218 Kooyong Road, Caulfield (Winston Hall Associates, 1957-59), this distinctive residential development represented a hybrid typology that was rarely seen in the study area the 1950s and remained uncommon even into the 1960s. **(Criterion F)**

The house and flats are historically significant for associations with Austrian émigré architect, who conceived them as a residence for his own family with a lettable investment property alongside. Popper, who began private practice in Melbourne in 1946, became sought-after as a designer of residential projects for fellow European émigré clients, and is acknowledged as a leading exponent of higher-density living in Melbourne (ultimately designing some of the first highrise apartment blocks in the CBD and inner suburbs). His own house in Gordon Street, where he lived for more than four decades before his death in 2000, provides evidence of the significant local presence of a resident architect who undertook a notable amount of work in what is now the City of Glen Eira (and especially Caulfield and Elsternwick), while the adjacent Gordonlea flats represents one of Popper's earliest (of many) multi-unit projects in the municipality. **(Criterion H)**

(i) The issue

The issue is whether 61-63 Gordon Street, Elsternwick has sufficient local heritage significance to justify applying the Heritage Overlay (HO227).

(ii) Submissions

The owners of 61 and 63 Gordon Street objected to the Heritage Overlay being applied to their property. They submitted their father, who was an architect, designed the house for their family, and he would not necessarily have wanted to see it preserved. They were concerned the Heritage Overlay would not be in their family's best interest.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission. The Council officers stated:

- the claim that Mr Popper did not consider his house to be a notable example of his own architectural talents is not supported by the fact he chose to live there for half a century
- the Heritage Overlay does not inhibit the owner's rights to alter the property, provided they respect the place's heritage fabric.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing with its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The Panel considers that 61-63 Gordon Street achieves Criterion H for its special association with the works of noted Architect, Kurt Popper, where he chose to live and practice for over 50 years.

Mr Popper demonstrated an entrepreneurial vision to develop his property with an attached adjoining six-flat building to be delivered as an investment. While some better examples exist in the municipality, the property:

- is comparable with them and has sufficient aesthetic characteristics to meet Criterion E
- reflects post-WW2 modernism with strong volumetric massing.

Mr Popper did a good job combining the buildings through consistent design elements. However, the Panel does not agree with the Statement of Significance that it has a high degree of creative or technical achievement to meet Criterion F.

(iv) Conclusions and recommendation

The Panel concludes that 61-63 Gordon Street:

- has sufficient local heritage significance to justify applying the Heritage Overlay (HO227)
- does not meet Criterion F.

The Panel recommends:

Amend the Statement of Significance for 61-63 Gordon Street, Elsternwick (HO227) to delete reference to Criterion F.

6.10 30 Griffiths Street, Caulfield South (HO228)

Exhibited Statement of significance



What is significant?

The house at 30 Griffiths Street, Caulfield South, is a two-storey orange brick dwelling of unusual sculptural form. Occupying a corner site, it is laid out on an irregular plan (based on a rotated 45-degree modular grid), extruded to form two contrasting and mostly blank street elevations with projecting wing walls, half-round stairwell bay, a Diocletian window and an asymmetrical roofline of separate skillions with flat or raked parapets. The house was erected in 1977-78 as a speculative project for Karl Fink's construction company, and was designed by his architect son, Leon Fink. The significant fabric is defined as the exterior of the entire house, including various brick walls that project from the house and extend along the street boundaries.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics.

Why is it significant?

The house is aesthetically significant as a distinctive example of modernist residential architecture of the late 1970s, showing the pervasive influence of the so-called Chamfer style that was popular for much of that decade. Its highly sculptural appearance is the result of a modular plan that was rotated by 45 degrees to respond to the corner site, then extruded into a series of irregular forms. The two street elevations, starkly and differently expressed, incorporate splayed corners, tapered wing walls, projecting half-round stairwell and an irregular skillion roofline with flat and raked parapets. The starkness is softened by the use of pale orange brick (rather than the concrete block or rendered finish more typically associated with the Chamfer style), and relieved by quirky details such as the projecting downpipes and Diocletian window to Goe Street, which hint at the influence of the emerging Post-Modernist style. Virtually unaltered since completion in 1978, the house remains an eye-catching element in a predominantly pre-war residential streetscape. **(Criterion E)**

(i) The issues

The issues are:

- whether the property has sufficient local heritage significance to justify applying the Heritage Overlay
- whether the HO228 Statement of Significance accurately reflects the property.

(ii) Submissions

The owners of 30 Griffiths Street objected to the Heritage Overlay being applied to their property. They engaged a heritage consultant to assess their property and attached his letter to their submission.

Having inspected the house and reviewed the Heritage Review documents, the heritage consultant concluded that the house does not meet Criterion E and the HO228 heritage citation has errors. In his letter, he stated:

- it is his understanding the Heritage Review author had not visited the site to thoroughly inspect the house's interior or exterior
- the house has brown (not orange) brickwork
- the house is surrounded by predominantly Post-war housing in Griffiths Street and Goe Street; not Pre-war housing
- the house's projecting walls do not extend along the site's street boundaries
- the citation should pinpoint the exact construction year rather than a date range
- the 45 degree planning of the house is expressed internally and not evident from the public realm
- the house would be better described as Post Modern
- the so-called Chamfer-style referred to in the citation lacks importance in Glen Eira's Post-war built form period
- Planning Practice Note 1 emphasises the need to clearly justify the heritage place's significance
- there has been insufficient rigour applied to the investigation to clearly understand the building.

The owners accepted the heritage consultant's findings.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission.

The Council officers stated:

- the heritage consultant inspected the site, as demonstrated through the photo in the heritage citation
- the brick colour is a medium-neutral hue which can be described as orange, orange-brown or beige
- reference to the surrounding Pre-war streetscape does not impact the place's significance but it can be revised in the heritage citation to avoid confusion
- Council's heritage consultant referred to a photo which shows, from Goe Street, the dwarf wall projecting from the left side of the entry porch and intersecting with a dwarf wall that partly extends along the property boundary
- documents show the dwelling constructed between 1977 and 1979
- the architect, Leon Fink, confirmed in an interview that he had rotated the design to respond to the corner site

- Council's heritage consultant maintained that Chamfer-style is worthy of heritage protection in Glen Eira.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The property at 30 Griffiths Street has an interesting history and association with its construction company, however, the HO228 heritage citation recognises the property solely for its aesthetic characteristics (Criterion E).

The submission's reference to the subject land being among properties of pre-war design is irrelevant because the property has been assessed as an individual place and not as part of a heritage precinct.

Regarding Criterion E, the Panel generally agrees with the heritage consultant's assessment attached to the submission. The house has some particular aesthetic characteristics of post-WW2 modern architecture, however it is insufficient to meet the threshold to justify the Heritage Overlay. Like other architects, Mr Fink used design features to take advantage of the exposure provided through the corner property. While interesting, this does not necessarily make the building a comparable example of other post-WW2 modern architecture. There are other stronger examples in the municipality.

The heritage citation refers to the house's projecting walls extending to the boundary. However, the Panel observed the walls being mostly separated from the building. It also references the internal arrangement and layouts as being virtually unaltered, however there is no supporting images or evidence to confirm this claim.

(iv) Conclusion and recommendation

The Panel concludes that 30 Griffith Street, Caulfield South does not have sufficient local heritage significance to justify applying the Heritage Overlay (HO228).

The Panel recommends:

Delete the Heritage Overlay from 30 Griffith Street, Caulfield (HO228).

6.11 40 Lumeah Road, Caulfield North (HO233)

Exhibited Statement of significance



What is significant?

The house at 40 Lumeah Road, Caulfield North, is a two-storey flat-roofed reinforced concrete house on an elongated and irregular plan. Its street frontage is dominated by a blank elliptical volume penetrated by a projecting rectilinear bay with fin-like mullions and mirrored glazing, with a steel front door and a simple trabeated concrete slab carport. Erected in 1990-94, the house was designed by architects Wood Marsh. The significant fabric is defined as the entire exterior and interior of the house, and other elements of its setting designed by Wood Marsh (including carport, front fence/gates and swimming pool). Controls over internal finishes (eg concrete walls, terrazzo floors, roughcast ceilings) and fittings (including formal staircase and original kitchen and bathroom fitouts) are deemed to be applicable because the architect has stated that the interior is inseparable from the totality of the design.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

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

Why is it significant?

The house is aesthetically significant as an outstanding and idiosyncratic example of modernist residential architecture of the 1990s. Starkly expressed with bold sculptural forms, a curved street facade, a limited palette of materials and minimalist detailing, the house defies convenient stylistic labels. While its massive raw concrete forms evoke the ruggedness of the Brutalist idiom, the projecting mirrored curtain-wall bay recalls the slickness of the International Style. The interior has prompted observers to make comparisons with Egyptian architecture and the work of the Italian Rationalists. A house that literally stopped traffic at the time of its construction, it remains a striking and wholly unexpected element in this suburban residential streetscape. **(Criterion E)**

The house is architecturally significant as a ground-breaking re-invention of the modern house. With a basic brief that effectively gave the architects a wholly free hand, the project represented a noted departure from contemporary trends in planning, materials, forms and finishes. With a cave-like foyer incorporating a grand curving staircase, and a vast entertainment area (for 350 guests) that doubled as a corridor, the interior planning challenged conventional notions of domestic living. Its limited palette of low-maintenance materials, and use of industrial finishes such as brushed metal sheeting, was then uncommon (and has only been embraced more widely since). Also unusually for the time (and still today), the project was conceived as a true totality of design, with its interior inseparable from the exterior, and the architects engaged to design furniture, fences and swimming pool, and even select the artwork. **(Criterion F)**

The house is architecturally significant as an important and influential early undertaking by the internationally-recognised partnership of Wood Marsh. One of the fledgling firm's first major projects, this high-end commission provided a rare opportunity to fully develop and articulate their architectural standpoints. Generating a flood of attention and publicity, and winning two prizes at the 1994 RAI Awards, it remains one of the firm's best-known and most celebrated projects. It has continued to provoke scholarly and popular attention into the twenty-first century, with a photograph even gracing the front cover of the firm's recent monograph. **(Criterion F)**

(i) The issues

The issues are:

- whether 40 Lumeah Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO233)
- whether the HO233 Statement of Significance accurately describes the property.

(ii) Submissions

The owners of 40 Lumeah Road objected to the Heritage Overlay being applied to their property.

They submitted:

- the Heritage Review relied on published material and an inspection from the street
- the property is no old enough to have sufficient heritage significance
- the HO233 heritage citation does not accurately describe the property, and incorrectly describes over 60 identifiable features
- a concrete house is not unique or unusual
- Woods Marsh did not design all elements of the property and its settings
- the building is not elliptical, the front internal staircase is not formal, the kitchen is standard and there is no front fence
- internal features have never been inspected
- references to a cave-like foyer and entertaining space for 350 guests are incorrect
- reference to the interior planning challenging notions of domestic living contradicts the design brief
- they would be happy to work collaboratively with Council to adopt an alternative approach to the Heritage Overlay.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission.

The Council officers stated:

- the Heritage Review applied an acceptable methodology for assessing the property's heritage significance
- there is no requirement for a building to reach a certain age to be considered for heritage significance
- the heritage consultant maintains:
 - at the time of construction, it was highly unusual to use reinforced concrete on such a scale
 - the interior design challenges conventional notions of domestic living
- the Statement of Significance refers to specific elements designed by the architects and does not claim they designed all elements
- in a 2014 interview, the architect referred to:
 - the front wing as an 'elliptical space' and 'elliptical form'
 - a cave-like foyer
 - a large entertaining space for 350 guests
- online photographs show a formal staircase and a kitchen with unusual non-standard elements
- the heritage citation refers to 'front fence/gate' to refer to the consolidated structure
- they would be happy to work collaboratively with the owners but not conditional to removing the Heritage Overlay.

Since exhibiting the Amendment, Council proposed to revise the HO233 heritage citation and statement of significance to:

- describe the house as being of 'reinforced concrete and brick construction'
- replace reference to a 'front fence' with 'gateway unit'.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

At the Hearing, the Panel interrogated the issue of the building's age with parties. Council and the National Trust submitted there is no age limit for considering heritage.

The National Trust referred to Federation Square as an example of heritage for a place completed less than 18 years ago. The National Trust provided Heritage Victoria's recommendation and the Victorian Heritage Council's determination.¹ Heritage Victoria's recommendation stated:

The assessment of a place for heritage listing within a generation of its construction is uncommon. The [Act] does not specify a minimum age for places to be nominated, assessed or registered. The age of a place is not a criterion for inclusion in the Victorian Heritage Register.

The recommendation referred to the VHR Guidelines which state:

As a general principle, a generation (or approximately 25-30 years) should pass after the creation of a place or object before that place or object is considered for heritage listing at any level. The passing of time allows the enduring cultural heritage values of a place or object to be more rigorously and objectively assessed.

The Panel provided parties with Australian Bureau of Statistic figures which showed the median age for having a child to be between 31.2 and 33.3 years.²

(iii) Discussion

The owner of 40 Lumeah Road has questioned whether the 18-year-old building is sufficiently old to qualify as heritage. The VHR Guidelines applies the general principle of a generation (about 25 to 30 years). While the Guidelines are intended for assessing places of state heritage, this principle is equally applicable to local places.

The Panel considers that a local place has to be at least a generation old to be considered for the Heritage Overlay. It agrees with Council and the National Trust to the extent that there is no specific threshold number of years. The VHR Guidelines upper range of 30 years is roughly comparable to the actual generational figure of 31 to 33 years. Irrespective, 40 Lumeah Road falls well short of being about 25 to 30 years old and upwards.

The Panel then explored whether 40 Lumeah Road demonstrated exceptional circumstances to depart from this general rule. Federation Square is one such exception. The (then) 17 year-old place is of State significance (Victorian Heritage Register), owned by the State of Victoria, and open to the public. The public/civic architecture at Federation Square does not compare with the privately owned and publicly inaccessible domestic architecture at 40 Lumeah Road.

The Panel considers it inappropriate to apply the Heritage Overlay at this time because:

- there is no special justified reason to apply the overlay prematurely
- applying the overlay prematurely:

¹ Documents 10 and 11

² Document 4

- will blur the line between innovative and notably designed buildings and heritage buildings recognised for their aesthetics and high degree of creativity
- risks devaluing the appreciation of heritage places which genuinely warrant heritage protection.

The Panel accepts that the building has an innovative and unusual design. Council will be in a better position to assess whether this translates into heritage significance at the appropriate time in the future.

(iv) Conclusion and recommendation

The Panel concludes that 40 Lumeah Road, Caulfield North does not have sufficient local heritage significance to justify applying the Heritage Overlay (HO233).

The Panel recommends:

Delete the Heritage Overlay from 40 Lumeah Road, Caulfield North (HO233).

6.12 82 Lumeah Road, Caulfield North (HO234)

Exhibited Statement of significance



What is significant?

The house at 82 Lumeah Road, Caulfield North, is a two-storey flat-roofed house in a characteristic post WW2 modernist form, with the upper storey expressed as a rectilinear glass-fronted volume that projects over a recessed lower level. The upper level has a balcony with an unusual Moorish-style vaulted arcade, while the lower level has a blank wall (concealing a carport entered from the side) with a grand staircase leading to the front door at the first floor. It was erected in 1972-73 for a Polish-born businessman and his wife, to a design by compatriot architects Holgar & Holgar. The significant fabric is defined as the entire exterior, key elements of the original interior fabric (namely the built-in furniture, light fittings, conversation pit, and kitchen/bathroom fitouts), the original external paving (front and rear), driveway lamp-post and in-ground swimming pool.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history

Why is it significant?

The house is aesthetically significant as a highly idiosyncratic example of post-WW2 modernist residential architecture. While it adopts the trademark European modernist expression, with a glass-walled upper storey projecting above a recessed lower level, it incorporates some unusual detailing that hints at overseas influences rarely seen in Melbourne, except in other houses by Holgar & Holgar. An entirely blank wall at street level, concealing a triple carport entered from the side, is relieved by a full-width balcony at the upper level with a Moorish-style vaulted arcade which extends across a void containing a wide staircase to the front door. With a luxurious interior that remains substantially intact (including built-in furniture, conversation pit, imported light fittings and high-end bathroom and kitchen fitouts), it is an outstanding example of this rare type of glamorous post-WW2 residence, so strongly associated with Holgar & Holgar. **(Criterion E)**

The house is historically and architecturally significant for associations with the Polish-born husband-and-wife architectural partnership of Holgar & Holgar, which was notably active in Caulfield and environs in the 1960s, '70s and '80s. Dating from 1972-73, this house is one of best local examples of the partnership's high-end residential work from the peak period of their career in the 1970s. Occupied by its original owners for almost thirty years, it also exhibits a remarkably high degree of physical intactness, thus representing a rare survivor amongst the couple's extensive body of work in the City of Glen Eira. **(Criterion H)**

(i) The issues

The issues are:

- whether 82 Lumeah Road, Caulfield North has sufficient local heritage significance to justify applying the internal controls through the Heritage Overlay Schedule (HO234)
- whether the HO234 Statement of Significance accurately describes the place.

(ii) Submissions

The owners of 82 Lumeah Road supported the Heritage Overlay being applied to their property but objected to the proposed internal controls. They requested changes to the HO234 heritage citation because it did not identify all the property's alterations. The owners included historic and current photo evidence and descriptions of these alterations. This information showed the building has had:

- front door replaced
- internal bespoke timberwork panelling removed
- light fittings and skylight removed
- most external windows and doors replaced with floor to ceiling sliding door panels
- the futuristic kitchen removed
- flooding cause irreparable damage to the main bathroom
- the family bathroom colour scheme changed
- landscaping and works, including new crazy paving, and pool alterations.

The owners attached an assessment prepared by a professionally qualified heritage consultant. The assessment reiterated the alterations identified by the owners and provided further images and information to confirm the extent of alterations. Accordingly, the consultant advised that it would not be reasonable to apply the internal controls. He stated:

Internal heritage controls are rare under local planning schemes, nevertheless they are warranted in special circumstances where important and well preserved internal spaces and features remain from past eras. This is not the case in relation to the Kurtz House where the original interiors, although reasonably well recorded, have all but disappeared. The most critical surviving internal space, the conversation area, is wedded inextricably to the house external appearance and its retention as a space will be protected by external heritage controls.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission. The Council officers proposed to revise the HO234 heritage citation and Statement of Significance to:

- delete the importance of the building's interiors
- delete external elements which have been confirmed to be removed or altered
- note the new front fence as a non-contributory element.

Council officers proposed to revise the Heritage Overlay Schedule to no longer apply internal controls.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The owners have not objected to the Heritage Overlay being applied to 82 Lumeah Road. Their issues are limited to the internal controls and heritage citation.

The Panel agrees with the owners, their heritage consultant's assessment and Council, that the building's interior is no longer intact. There is compelling photographic and documentary evidence to support this. There is insufficient internal heritage fabric to justify the internal controls.

Like Council, the Panel accepts the external alterations to the building and property identified by the owners should be noted in the heritage citation. Again, they were supported by documented evidence.

During its inspections, the Panel observed the lattice entry soffit which appears to be a late addition due to its awkward construction alignment to both the vertical plane of breeze blocks and the horizontal plane of the vaulted balcony awning. Subject to further investigation and confirmation, this should also be noted as an alteration.

(iv) Conclusions and recommendations

The Panel concludes:

- 82 Lumeah Road, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO234).
- The HO234 Statement of Significance should be reviewed and revised to note the modifications and changes the building has experienced.

The Panel recommends:

Amend the Heritage Overlay Schedule to not apply internal controls to 82 Lumeah Road, Caulfield North (HO234).

Amend the Statement of Significance for 82 Lumeah Road, Caulfield North (HO234) to:

- a) delete references to the building interiors being significant
- b) identify alterations, namely removal of the front door, skylight and outside metal lamp post, new tiles at the front door and new crazy paving, the non-contributory front fence, the three timber framed single sliding glass doors located on the first floor verandah, large lattice soffit over the main entry (subject to further investigation and confirmation).

6.13 44 Murrumbeena Road, Murrumbeena (HO235)

Exhibited Statement of significance



What is significant?

The Murrumbeena Baptist Church at 44 Murrumbeena Road, Murrumbeena, is a large orange brick building in a stark post-WW2 modernist style, erected in two stages to the design of the same architect, Eric Lyon (formerly of Smith, Tracey, Lyon & Brock). The older portion, fronting Murrumbeena Road (1961-62) is a tall hall-like structure with zigzag roof, narrow copper spirelets and a façade of angled bays, while the rear addition (1967) is a smaller hip-roofed wing; both components have rose windows to the Sydney Street elevation, with coloured glazing. The significant fabric is defined as the exterior to the entire building to the extent of the original 1961-62 building and the 1967 addition. The subsequent rear addition, containing office space and such, is not considered significant.

How is it significant?

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

Why is it significant?

The Murrumbeena Baptist Church is aesthetically significant as an unusual example of post-WW2 ecclesiastical architecture incorporating historicist references in a modernist framework. By his own admission, Eric Lyon took inspiration from Milan's celebrated fifteenth century Late Gothic cathedral, built in the Flamboyant style characterised by a spiky roofline of pinnacles, spirelets and flying buttresses. For Murrumbeena, Lyon re-interpreted this intricate effect with a minimalist modernist sensibility, reducing it to a low zigzagging roofline (a motif popular in the early 1960s, mostly for commercial and industrial architecture) with a row of slender copper spirelets. Along Sydney Street, a parabolic arched entry bay and rose windows (with coloured glass in an abstract pattern) provide more generic historicist references. While the church has been altered by removal of the concrete block screens along Murrumbeena Road, it remains a distinctive and eye-catching example of post-WW2 ecclesiastical architecture, demonstrating a high degree of creative achievement in its deft melding of contemporary and traditional influences. **(Criterion F)**

(i) The issues

The issues are:

- whether 44 Murrumbeena Road, Murrumbeena has sufficient local heritage significance to justify applying the Heritage Overlay (HO235)
- the extent of property the Heritage Overlay should be applied to
- whether the HO235 Statement of Significance accurately describes the place.

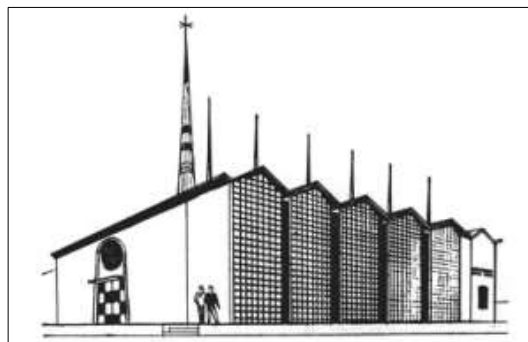
(ii) Submissions

Murrumbeena Baptist Church Community and Leadership (Murrumbeena Baptist Church) object to the Heritage Overlay being applied as exhibited to 44 Murrumbeena Road. It submitted:

- the 1967 annexe should not be part of the heritage
- the building has been substantially altered from its original design to:
 - demolish the cement brick matrix wall
 - remove the series of stained glass doors along the western elevation and replace it with a solid brick wall
 - relocate the church entrance and use the small arch entrance as an emergency exit
 - add further brick walls and gardens to hide the unattractive Murrumbeena frontage.
- the building's external appearance is fairly boring and unwelcoming, which contradicts what a church should convey
- the heritage citation's reference to the Milan Cathedral is vague because there is little resemblance between the two buildings
- a couple of obscure features do not justify applying the Heritage Overlay.

At the Hearing, Murrumbeena Baptist Church referred to a photo of the building's original glass windows and formal entry which have since been removed. They have been replaced with a similarly coloured full height brick wall.

Figure 3 Original perspective drawing for the Murrumbeena Baptist Church



Source: HO235 heritage citation, Heritage Review

The Church explained these alterations were needed to resolve high noise levels from Murrumbeena Road which impacted its ongoing church services. This elevation has been screened with shrubs.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission. The Council officers stated:

- the 1967 annex should be included as significant fabric because it was designed by the same architect in a matching style
- the heritage citation acknowledges external alterations and concludes they have not defaced the building's "*distinctive and eye-catching post-WW2 church building*"
- a newspaper article quoted the architect being inspired by the Milan Cathedral.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The Panel explored whether the church building at 44 Murrumbeena Road is sufficiently intact to be considered for the Heritage Overlay. It is unusual and unfortunate there are no photos to show how the building appeared in 1962 when it was completed. The Panel is uncertain whether the building was constructed entirely in line with the original perspective drawing shown in the heritage citation. Irrespective, the building has experienced considerable alterations.

The Panel considers the original heritage fabric lost through alterations were integral to the architect's original design, particularly his inspiration from the Milan Cathedral. While some significant elements exist in isolation, they are insufficient for an observer to appreciate the building's overall original design.

The building no longer presents itself to Murrumbeena Road. The building has lost important features and design elements along its western elevation which formed part of its design creativity and technical achievement. There was an attempt to sensitively respond to the existing building by selecting a matching brick colour to the added solid brick wall. However, the bricks appeared to have been laid in a relatively sloppy manner. The western façade's once grand presentation to Murrumbeena Road has transformed into one which the Murrumbeena Baptist Church has sought to screen behind vegetation.

The Panel agrees with the Murrumbeena Baptist Church that the solid brick wall creates a more enclosed and less welcoming building compared to one with more glazing and its original design features. The building's integrity has been further compounded by the alterations associated with relocating the church's entrance. This includes the front path under the porch which leads to a blank brick wall.

(iv) Conclusions and recommendation

The Panel concludes that 44 Murrumbeena Road, Murrumbeena:

- has not retained its design integrity following alterations which removed significant elements
- does not have sufficient local heritage significance to justify applying the Heritage Overlay (HO235).

The Panel recommends:

Delete the Heritage Overlay from 44 Murrumbeena Road, Murrumbeena (HO235).

6.14 49 Rosemont Avenue, Caulfield North (HO237)

Exhibited Statement of significance



What is significant?

The house at 49 Rosemont Avenue, Caulfield North, is a two-storey flat-roofed house of a characteristic post WW2 modernist form, with the upper storey expressed as a rectilinear glass-fronted volume (in this case, atypically embellished by an ornate perforated grille screen) that projects over a recessed lower level, supported on curving piers. The house was erected in 1972-73 for a Cypriot-born cinema magnate and his wife, to a design by Polish-born husband-and-wife architects of Holgar & Holgar. The significant fabric is defined as the entire exterior of the house, including rear verandah and boundary wall. The detached garage, while also designed by Holgar & Holgar, is a utilitarian structure of limited interest, and is not considered to be significant.

How is it significant?

Criterion E: Importance in exhibiting particular aesthetic characteristics

Criterion H: Special association with the life or works of a person, or groups of persons, of importance in our history

Why is it significant?

The house is aesthetically significant as a highly idiosyncratic example of post-WW2 modernist residential architecture. While it adopts the trademark European modernist expression, with a glass-walled upper storey projecting above a recessed lower level, it is overlaid with some unusual detailing that hints at overseas influences rarely seen in Melbourne, except in other houses by Holgar & Holgar. Rendered piers, curving to form a porch balustrade, recall the expressionistic work of Brazilian architect Oscar Niemeyer, while the full-width decorative screen at the upper façade evokes the glamorous 1960s residences of the Hollywood hills. An outstanding and remarkably unaltered example of this rare type of glamorous post-WW2 residence, so strongly associated with Holgar & Holgar, it remains a striking element in the streetscape. **(Criteria E)**

The house is historically and architecturally significant for associations with the Polish-born husband-and-wife architectural partnership of Holgar & Holgar, which was notably active in Caulfield and environs in the 1960s, '70s and '80s. Dating from 1972-73, this house is one of the finest and most intact local examples of the partnership's high-end residential work from the peak period of their career in the 1970s. Remarkably intact on account of still being occupied by the family that commissioned it, the house has undergone only minor changes. Some of these, namely the rear verandah (1979) and boundary wall (1986) were also designed by Holgar & Holgar, demonstrating a rare sense of continuity where, for over a decade after completion of the house, the architects maintained an ongoing association with it. **(Criterion H)**

(i) The issues

The issues are:

- whether 49 Rosemont Avenue, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO237)
- the extent of property the Heritage Overlay should be applied to
- whether the HO237 Statement of Significance accurately reflects the place.

(ii) Submissions

The owners of 49 Rosemont Avenue objected to the Heritage Overlay being applied to their properties. They submitted:

- the property does not have sufficient heritage significance to justify the Heritage Overlay
- the family that commissioned the design and construction of the property continue to live there
- the side elevation to Crotonhurst Avenue makes a negligent contribution to the streetscape
- the rear elevation is only partially visible from the street
- the rear verandah was added later by the owners, but given it is largely obscured from public view, it should have less weight than the Rosemont Avenue façade.

The owners further added:

Whilst we acknowledge that the principal façade of high heritage value and do not content its significance, we submit that other elements of the property are not worthy of the same level of protection as the façade.

In the report attached to its 27 April 2021 meeting agenda, Council responded to this submission.

The Council officers stated:

- the front façade has high heritage value
- the HO237 heritage citation did not recommend internal controls
- applying the Heritage Overlay to the entire property is consistent with current methodologies
- the rear verandah and boundary wall are significant elements because they were also designed by Holgar & Holgar and are clearly elements of some aesthetic interest.

Council officers considered the later additions did not diminish their significance. If anything, they enhanced the broader significance of the place by demonstrating that the original architects retained involvement with the property over a period of many years. This is unusual.

At its 27 April 2021 meeting, Council resolved to note that it would advocate at the Hearing its intention to no longer apply the Heritage Overlay to the property.

(iii) Discussion

The property presents well as a comparable example of 1970s life works of architects Holgar & Holgar. The Rosemont Street elevation presents itself as a fine example of post-WW2 modern architecture which exhibits particular architectural elements.

The building's rear elevation, again designed by Holgar & Holgar, is partly visible from the street. During its inspection, the Panel observed a white metal security gate which did not appear in the photo in the Statement of Significance. This alteration does not detract from the building's overall

heritage fabric and striking design. The new gate should be identified as a non-significant element in the Statement of Significance.

Consistent with findings in Chapter 4.4 and with Planning Practice Note 1, the Panel considers the Heritage Overlay should apply to the entire property. Applying the overlay to part of the site may result in facadism or insensitive development on the unaffected part of the property.

(iv) Conclusions and recommendation

The Panel concludes:

- 49 Rosemont Avenue, Caulfield North has sufficient local heritage significance to justify applying the Heritage Overlay (HO237).
- The Heritage Overlay should apply to the entire property, consistent with Planning Practice Note 1.
- The HO237 Statement of Significance should be revised to note the recently installed metal security gate.

The Panel recommends:

Amend the Statement of Significance for 49 Rosemont Avenue, Caulfield North (HO237) to note the added white metal security gate located at the front entrance.

Appendix A Document list

No.	Date	Description	Provided by
2021			
1	23 June	Panel Directions and Timetable	Sarah Vojinovic, Planning Panels Victoria (PPV)
2	16 July	Council Part A submission	Jacqui Brasher, Council
3	22 July	Submitter map	Jacqui Brasher
4	23 July	Australian Bureau of Statistics (3301.0 – Births, Australia, 2016)	Sarah Vojinovic
5	23 July	Submission – Council Part B	Jacqui Brasher
6	23 July	Memorandum – Peer review of Thematic History	Jacqui Brasher
7a	23 July	Submission – National Trust of Australia (Victoria)	Felicity Watson
7b	23 July	Attachment 1 – Boroondara PSA C153 PPV report	Felicity Watson
7c	23 July	Attachment 2 – Frankston PSA C110 Part 2 PPV report	Felicity Watson
7d	23 July	Attachment 3 – Ballarat PSA C58 PPV report	Felicity Watson
7e	23 July	Attachment 4 – Letter from Minister for Planning to Bayside City Council regarding heritage matters	Felicity Watson
8	26 July	Submission – Susan Smith	Bruce Smith
9	26 July	Submission – Glen Eira Historical Society	Anne Kilpatrick
10	26 July	Heritage Council decision on Federation Square	Felicity Watson
11	26 July	Heritage Victoria Executive Direction recommendation for Federation Square	Felicity Watson
12	26 July	Submission presentation – Murrumbeena Baptist Church	Brett Inder
13	2 August	Council closing submission	Simone Jackson, Marcus Lane Group