

Moreland Amendment C208: Heritage Nominations Study

Expert Witness Statement of
Dr Luke James

Client: Moreland City Council

Version: 1



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Moreland Amendment C208: Heritage Nominations Study—Expert Witness Statement of Dr Luke James

Introduction and declaration

1. My name is Dr Luke James. I am a Senior Associate with Extent Heritage Pty Ltd, and my address is Level 1, 52 Holmes Street, Brunswick East 3057.
2. I hold a PhD (2020) and Master of Cultural Heritage (2011) from Deakin University, and Bachelor of Laws (Hons) and Arts (architectural history major) from the University of Melbourne (both 2003). My PhD research investigated the role of technical experts in the UNESCO World Heritage regime. I am admitted to practice as a barrister and solicitor of the Supreme Court of Victoria and High Court of Australia, and I am a Full International member of the International Council on Monuments and Sites (ICOMOS).
3. I have over fifteen years' experience as a cultural heritage professional, including as a heritage, planning and environment lawyer, a consultant to UNESCO, a senior heritage officer for the Commonwealth Government, an academic researcher and a heritage consultant in private practice. My experience has included advising on the nomination, evaluation and management of local, state, Commonwealth, National and World Heritage places, including the development of heritage impact assessments and statements, and conservation management plans. I am a heritage advisor to the cities of Boroondara and Yarra, and my experience includes evaluating places for inclusion in the municipal heritage overlays for Melbourne, Moreland and Stonnington as part of large-scale heritage studies, and appearing before Planning Panels Victoria.
4. I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

Dr Luke James

Senior Associate | Extent Heritage

Instructions and scope of engagement

5. I have been engaged by Moreland City Council as an expert witness in relation to Planning Scheme Amendment C208more (hereafter 'Amendment') to include additional places and precincts in the City of Moreland heritage overlay.
6. My instructions and scope of engagement are as follows:
 - original written instructions dated 4 May 2021, which formed the scope of the Consultancy Services Contract dated 16 August 2021, to
 - Prepare an expert witness report; and
 - Present and be cross examined during the Panel hearing; and
 - supplementary written and verbal instructions to consider additional places the subject of submissions received outside the exhibition period.
7. In the course of preparing this statement, I have made reference to the following policy and technical guidance documents and material:
 - Planning Panels Victoria, *Guide to Expert Evidence* (February 2020)
 - Australia ICOMOS, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (2013)
 - Department of Environment, Land, Water and Planning, *Applying the Heritage Overlay, Planning Practice Note 1* (August 2018)
8. My colleagues Corinne Softley and Benjamin Petkov prepared some material that has been reviewed and revised by me to form parts of this statement.

Facts, matters and assumptions relied upon

9. I am an author of the *Moreland Heritage Nominations Study – Stage 2* report (August 2020; hereafter ‘Heritage Study Report’) which included recommendations that formed the basis for the Amendment.
10. The Heritage Study Report records the results of the Moreland Heritage Nominations Study – Stage 2 (‘Heritage Study’). My roles in the Heritage Study included:
 - Undertaking site inspections for new places, precincts and precinct extensions;
 - Assessment, including comparative assessment and analysis against HERCON criteria;
 - Preparation of statements of significance and full citations; and
 - Review of citations prepared for others.

Strategic basis to Amendment

11. The Amendment seeks to implement the findings and recommendations of the Heritage Study, towards fulfillment of Council’s obligation under the Moreland Planning Scheme to ‘Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme’ under VPP 15.03-1S.
12. The Amendment also seeks to implement a residual recommendation from the Moreland Heritage Gap Study (2019) to include 151A Lygon Street, Brunswick East in the Moreland Heritage Overlay as an individually significant place.

Summary of recommendations

In response to the submissions that seek changes to the Amendment, the following is recommended:

- To remove the following places from the Amendment:
 - HO586 13 Ash Grove, Oak Park – House (See Appendix A)
 - 78 Albion Street Brunswick (in relation to HO85 Glenmorgan, Albion and Clarence Streets Precinct (Extension) (Submission 25, see Appendix A and Appendix L)
 - HO593 Duke Street Precinct, Brunswick East (Submissions 32, 34-7, and 39, see Appendix A)
- To change the proposed Heritage Overlay extent of the following places:
 - HO172 The Grove/Sydney Road Precinct, Coburg (Submission 30, see Appendix C and Appendix D)
 - HO585 Deveraux Street and surrounds includes: Deveraux Street, Ash Grove, Vincent Street, Short Street, Draska Court and Xavier Street, Oak Park - Bluestone Retaining Walls (Submission 10, see Appendix A and Appendix I)
- To change the grading of the following properties:
 - 54 Hanover Street, Brunswick (within HO594 Hanover Street Precinct, 27-49 and 2-64 Hanover Street, Brunswick) (Submission 43, see Appendix G)
 - 487 Moreland Road, Pascoe Vale (within HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)) (Submission 24, see Appendix A and Appendix H)
 - 491 Moreland Road, Pascoe Vale (within HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)) (Submission 8, see Appendix A and Appendix H)

- To change the proposed Heritage Overlay extent, make consequential changes and correct minor errors in the citation and statement of significance for 31 The Avenue, Coburg (Submission 30, see Appendix C)
- To correct minor errors in the citation and/or statement of significance for the following places:
 - HO550 383 Brunswick Road, Brunswick - Concrete House & Fence (Submission 33, see Appendix C)
 - HO583 28 McMahons Road, Coburg North – House (Submission 18, see Appendix A and Appendix I)
 - HO577 415–425 Sydney Road, Coburg - Coburg Market (Submission 22, see Appendix A)
 - HO563 113 Nicholson Street, Brunswick East – Flats (Submission 27, see Appendix A and Appendix K)
- To make changes to the citation and/or statement of significance for the following places:
 - HO559 Lee Street, Brunswick East - CERES Park, and HO572 131 Harding Street, Coburg - Joe's Market Garden (Submission 29, see Appendix B)
 - HO552 198 Edward Street, Brunswick - Loretto (Submission 38, see Appendix F)
 - HO594 Hanover Street Precinct, 27-49 and 2-64 Hanover Street, Brunswick (Submissions 6, see Appendix A and Appendix G)
 - HO207 Coonans Hill Precinct, Pascoe Vale South (Extension) (Submissions 8, 9, 23, see Appendix A and Appendix H)

- To make changes to the Moreland Heritage Exemptions Incorporated Plan for the following place:
 - HO594 Hanover Street Precinct, Brunswick (Submission 40, see Appendix A)

No other changes to the Amendment are recommended.

Heritage Study methodology

13. Below is a summary of the methodology used in the Heritage Study. Specifically, it outlines the actions taken to establish the context and significance of the assessed places and precincts. The process involved a review of existing documentation, physical survey, historical research, comparative analysis, and assessment of significance.

Resources

14. The Heritage Study was prepared in accordance with best practice resources, primarily including:
 - Australia ICOMOS. 2013. *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*. Burwood, Vic.: Australia ICOMOS.
 - Department of Environment, Land, Water and Planning (DELWP). 2018. *Practice Note 1: Applying the Heritage Overlay*. Melbourne: DELWP.

Documentation review

15. The Heritage Study that forms the basis of this Amendment represented Stage 2 of the Moreland Heritage Nominations Study, and built on the results of the Stage 1 study.¹ Extent Heritage reviewed the Stage 1 study assessment and findings in detail to become familiar with the places under consideration and the reasons they were recommended for further assessment. A summary of the findings was also provided by Council in a Microsoft Excel spreadsheet. It was noted that for many places no clear reason (and in some cases, no reason at all) was given for their further assessment. In these instances, a review of the original community nominations or additional desktop research was required to clarify potential significance. Again, these nominations varied

¹ Context, August 2019, *Heritage Assessment of Public Nominated Places: Stage 1 Final Report*, Prepared for Moreland City Council.

in comprehensiveness, with some simply including the name or address of a place, and others including detailed research and clarification of significance.

Research

16. The Heritage Study involved a substantial amount of desktop research, including from historical and archival sources, to clarify the history and context of the nominations. This research was critical for developing recommendations in the Heritage Study.
17. Historical research was undertaken using a wide variety of materials held by the Moreland Library, Heritage Victoria, National Trust of Australia (Victoria), Australian Heritage Council, Public Record Office Victoria, State Library of Victoria, Landata, Picture Victoria and Coburg Historical Society. Many of these libraries were searched via the search engine Trove, which is managed by the National Library of Australia. Resources sourced from these places included images, aerial photographs, plans and maps, articles, newspapers, films and government gazettes. Of particular use was the Melbourne Metropolitan Board of Works (MMBW) plans produced between the 1880s and 1950s, as well as the Sands & McDougall Directory of Victoria. Both resources are held online by State Library of Victoria.
18. Where items were only found to remain in hard copy at Public Record Office Victoria and State Library of Victoria, archival research was undertaken on site. A visit to the Coburg Historical Society was also undertaken to collect various resources.
19. The Heritage Study was supported by HERMES database research and consultation with previous heritage studies for the Moreland municipality and its predecessors, including the City of Brunswick and City of Coburg. While most previous studies and citations were initially provided by Council or publicly available online, further relevant materials (some in draft form) were further provided by Council on specific request. There were several nominated places which had been researched previously and this information was recorded in a HERMES database entry. Similar examples of sites nearby to various nominations also presented histories which could be likened to the sites under review. Finally, the database was utilised to research comparative examples.

20. To assist with the identification of architectural styles and materials, generalist architectural resources available online and in the Extent Heritage office library were also utilised as needed to inform the physical and comparative analyses.

Fieldwork

21. A comprehensive fieldwork program was developed to undertake a site inspection of each nominated place. A fieldwork form was also developed to populate with written information about each place. The form included information on the built and landscape setting of the place or precinct, as well as its condition and integrity. This was paired with a heritage curtilage map prepared using ArcGIS mapping software to contextualise the extent of the site.
22. The nominated sites were inspected and photographed between November 2019 and January 2020, with follow up inspections undertaken on an as needed basis through to April. A visual inspection of each property was undertaken from the public domain, on foot. During the inspection, the fieldwork form was prepared and the site photographed. This component of the project provided us with an opportunity to ground-truth any existing data on the nominations and to capture new, previously unrecorded information.

Comparative analysis

23. Comparative analysis is an important part of the heritage assessment process. This type of assessment allows one to properly benchmark the place against similar examples to establish whether it meets the threshold for significance, and to understand the representative and rarity value of a place.
24. The resources utilised for the comparative analysis in the Heritage Study included:
 - Heritage Victoria's HERMES database;
 - Moreland Planning Scheme – Schedule to the Heritage Overlay ('Heritage Overlay');
 - Previous heritage studies prepared for Moreland City Council; and
 - Victorian Heritage Database (VHD).

25. The existing Heritage Overlay includes a large number of precincts, serial listings and individual places listed mostly for their local heritage value. A comparative analysis of the nominated places against those already captured on the Moreland Heritage Overlay, in most cases, provided a clear indication of comparative value. This analysis was based on heritage place typologies (e.g. architectural styles, functional characteristics, etc.) as well as thematic contexts, as relevant. In most cases, it was unnecessary for the comparative analysis to go beyond a review of the Heritage Overlay and associated documentation on HERMES, the VHD and/or previous heritage studies. Where necessary, and if no appropriate comparative places could otherwise be located in the Heritage Overlay, places on the Heritage Overlay under an interim control were used. This recognised that in Moreland such places have generally been found to meet the technical threshold for inclusion on the HO through a previous heritage study.
26. Where no comparative examples were identified on the Heritage Overlay, this was noted in the citation and then followed up with further research outside of the municipality. A review of other heritage places aimed to assess the comparative value of the place in other council areas and, in a case where it was a new type of listing, any precedents for listing places of a particular type.
27. In some instances, comparative examples emerged from within the Heritage Study. These were noted and their inclusion clarified as needed.
28. HERMES formed a primary component of the comparative analysis methodology, allowing one to search specific criteria of interest such as architectural style/era, architect name, builder and heritage study name. This allowed for a more focused comparative assessment in many cases.

Assessment of Significance

Establishing local significance

29. The Heritage Victoria standard brief for Stage 2 heritage studies states, 'It is expected that a heritage study will include a holistic assessment in terms of place types, periods and heritage values. Where a place is identified, a coherent and coordinated

assessment against the HERCON criteria is expected' (DELWP 2010, 2). The National Heritage Convention (HERCON) criteria are defined as follows:

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).

Criterion C: Potential to yield information that will contribute to understanding our cultural or natural history (research potential).

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

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

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

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

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance). (DELWP 2018, 1–2)

30. For the Heritage Study, each nomination was assessed against the above HERCON criteria after the research and fieldwork data had been gathered. The place, serial listing or precinct needed to meet at least one criterion to meet the threshold for local significance to Moreland. It should be noted that meeting more than one criterion does not make a place more significant, it simply means that the place is significant for a variety of reasons.

31. Within the citations, a tabulated section has been included to show how the HERCON criterion was addressed. Where a criterion was not met, a note stating 'The place does not meet this criterion' was added.
32. Where a criterion was met, the reasons for this were specifically provided as relevant to the specific criterion being addressed. The results of the tabulated assessment were used to formulate the full Statement of Significance for the nomination.

Establishing state significance

33. Where merited by the initial assessment (and the comparative assessment in particular), it was considered whether places that easily surpassed the threshold for local significance might be of State significance such as to be considered for nomination to the Victorian Heritage Register. In this regard, the *Victorian Heritage Register Criteria and Threshold Guidelines* (Heritage Victoria 2019) was consulted to establish the prima facie case to claim potential state significance. The comparative assessment extended beyond the municipality to assist in establishing potential state-level significance. It is noted, however, that further comparative assessment would be undertaken as part of a full evaluation for nomination to the Victorian Heritage Register.
34. For places that were assessed and recommended for nomination to the Victorian Heritage Register, Extent Heritage closely involved Senior Associate Dr. Anita Smith who holds a PhD (2000) from the La Trove University. Anita is an accomplished heritage advisor, academic, lecturer and internationally recognised expert on World Heritage matters. She has successfully prepared assessments and expert reviews of nominations for heritage places of State, National, Commonwealth and World heritage significance, and is Australia's cultural heritage expert on its World Heritage Committee delegation. Anita also has extensive experience in providing expert heritage management advice at both State and Commonwealth government levels. For this project, Anita oversaw the assessment and benchmarking of places against the Victorian Heritage Register criteria.

Assessment of integrity

35. A critical aspect in assessing the significance of a property is a consideration of overall integrity. The integrity of a place 'in respect to a heritage place is a descriptor of the veracity of the place as a meaningful document of the heritage from which it purports to draw its significance. It usually describes the basic structural sufficiency of a building' (Moreland City Council 2002). An integrity grading was provided for each assessment based on the definitions outlined below, which were prepared by Context Pty Ltd in 2012 within a study called 'Lygon Street Heritage Study: Stage 2'.
36. It is important to note that integrity is not the only factor taken into consideration when assessing the overall significance of a place. There may be instances where a place that is deemed to be 'individually significant' is of moderate or even low integrity. An example may be a site which has retained a significant use over time but has been heavily changed. The gradings are a guide only and must be subject to consideration on a site-by-site basis.

Integrity	Description	Significance Level Guide
High	<p>'The building appears to be very intact externally with little change to the principal elevations (i.e. façade and side walls) – i.e. weatherboards and/or roofing iron may be original, windows and front door are original. Most, if not all, of the other original detailing is intact. Other features that contribute to the setting of the place such as fences, garden plantings etc. may be intact.</p> <p>Note: this term may be applicable to a building where an addition has been made, but the form and detailing of the original section of the building remains intact.' (Context Pty Ltd 2012, 10)</p>	Contributory or Individually Significant
Moderate	<p>'Minor alterations have been made, but much of the original form and detailing remains intact. Where materials or detailing have been replaced, similar or 'like for like' materials have often been used. Where changes have been made they are often reversible – such as the replacement of windows and doors within existing openings. Where additions have been made they are sited or of such a scale that they do not overwhelm the original building – e.g. they have been made to rear or secondary elevations and do not affect the principal or primary elevations of the building or are smaller freestanding structures.' (Context Pty Ltd 2012, 10)</p>	Contributory

Integrity	Description	Significance Level Guide
Low	'Major alterations or additions have been made to the building, often to the extent that the original form and style is hard to recognise. Cladding materials have been replaced using different materials. The roof has been significantly modified or removed entirely. Chimneys have been removed, windows and doors have been replaced, and the form/size may also have been altered. Many of the changes are not readily reversible.' (Context Pty Ltd 2012, 10)	Non-contributory

Assessment of condition

37. Another important aspect in assessing the significance of a property is a consideration of overall condition. Condition assessments can assist in identifying significant fabric and what maintenance or repair work may be required to maintain that significance. Condition assessments were undertaken through public domain inspections, assessment of photographs and reviews of previous relevant reports, if available. A condition grading was provided for each assessment based on the definitions outlined below.

Condition	Description
Good	Little to no maintenance and repair works required.
Fair	Some maintenance and repair works required.
Poor	Significant maintenance and repair works required.

Precinct designation assessment

38. The nominated precincts and precinct extensions within the Heritage Study were analysed to be given a putative common theme or theory of possible significance, and then assessed against the HERCON criteria. To support this analysis, particularly with regards to Criterion D: Representativeness and Criterion E: Aesthetic significance, a precinct designation assessment was undertaken to understand the relative contribution of individual properties towards the significance of the study area as a whole. The following designations were applied to each place as relevant:

- Contributory (C): elements that that contribute to the significance of the precinct;

- Non-contributory (NC): elements that do not make a contribution to the significance of the precinct; and
- Individually Significant (IS): a place that is both individually significant, independent of its context within the precinct, and contributes to the significance of the precinct (DEWLP 2010, 6).

39. Following fieldwork for each precinct, each individual property was given a designation based on the above criteria. This designation generally took into consideration the aesthetic and representative attributes of the place (similar fabric, construction era, intactness etc.), relative to the common theme upon which the precinct was nominated. For example, a potential precinct may have been nominated for its high-quality and intact Federation era dwellings. In that instance, later structures such as interwar or post war dwellings may not have fitted the criteria from a heritage contribution perspective.
40. Most places within precincts were either found to be contributory or non-contributory. In a small handful of cases, some properties were identified as individually significant. In that instance, the site contributed towards the common theme of the precinct but was also of stand-alone cultural heritage significance in its own right. The results of this assessment were applied to a Geographic Information Systems (GIS) site plan of the precinct from ArcGIS to show a visual allocation of the three designations. For the purposes of this study, 'intactness' within precincts was measured as percentage of contributory places with 'low' being less than sixty per cent, 'moderate' being sixty to eighty per cent, and 'high' being eighty to a hundred per cent. Generally speaking, a potential precinct would be expected to have at least 'moderate' intactness and in some cases 'high' intactness. In some cases, this assessment helped to identify which portion of a nominated precinct should be recommended for the HO and which parts should be excluded from the curtilage. Where a precinct was considered as a precinct extension or when two precincts were nominated in close vicinity of each other on the basis of a common theme, in some cases this analysis compared the proportion of contributory properties in the existing or other proposed Heritage Overlay as a benchmark for assessing the nominated extension.

41. In some cases, places assessed as non-contributory were included on the edges of proposed precincts. These places were retained within the curtilage to encourage sympathetic changes to the site in the future. The place may see the reinstatement of period appropriate features, sympathetic additions, or a new build which is respectful towards the prevailing character of the streetscape in terms of form, scale and materiality. This will protect the overall character of the precinct in the longer term.
42. It is critical to note that this mapping formed only one component of the overall assessment of precincts in this study and was not of itself determinative. There were instances where precincts were of moderate or high intactness but was still given a 'below threshold' recommendation. In this instance, other factors such as condition or integrity were taken into account or, alternatively, it was found to not be a good representative example of a set of buildings when compared with other similar precincts on the Heritage Overlay.

Statements of significance

43. Following an assessment of each place against the HERCON criteria, a Statement of Significance was developed for each place that was found to meet the threshold for local listing. The Statement of Significance was written based on the following guidelines from the Planning Practice Note 1:

What is significant?

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

How is it significant?

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

Why is it significant?

The importance of the place needs to be justified against the heritage criteria listed above. A separate point or paragraph should be used for each criterion satisfied. The relevant criterion reference should be inserted in brackets after each point or paragraph, for example '(Criterion G)'. (DELWP 2018, 2)

Curtilage assessment

44. Proposed heritage curtilages were, on the most part, dictated by the property boundary. This was particularly the case for residential sites where it is more practical from a planning perspective to nominate the whole parcel of land. For larger, more complex sites such as industrial buildings, churches, parks, and landscaping elements such as bluestone retaining walls, a specific curtilage was nominated to account for the significant components of that place.
45. While the large majority of curtilages remain within private property, there are several places assessed within the Heritage Study which are owned and/or managed by Moreland City Council. This may be represented in the item in its totality, or in part where the curtilage of a heritage place extends outside of the boundary of a private property onto Council land.

Mapping

46. A set of GIS mapping data for the Planning Scheme Heritage Overlay base maps was provided by the Council at the beginning of the project. This dataset was updated using

ArcGIS to include polygons for the recommended curtilage for the assessed places in response to the findings of the project.

Identification of additional places

Throughout the course of the project, a series of additional places were identified for inclusion in the study. There were a range of reasons for these findings, including:

- mapping of Register of the National Estate curtilage data against the existing Heritage Overlay to identify sites not captured by the HO;
- identification of sites of interest during fieldwork followed by additional background research;
- identification of sites during desktop research; and
- identification of Individually-Significant places during precinct assessments.

After review and approval by Council, additional citations were prepared for these places for inclusion in the study.

Response to submissions - Appearing

47. This and the next Part of the statement provides a summary of the submissions to Council that suggested a change to the proposed Amendment, and my responses.²
48. My opinion is restricted to matters relevant to assessing heritage significance.

² Submissions that were classified by Council as either 'Supportive' of or 'Neutral' toward the Amendment that did not request a specific change to the proposed amendment are as follows: Submissions 1-5; Submission 7; Submissions 11 & 12; Submission 14; Submission 15; Submission 20; and Submission 26.

HO559 Lee Street, Brunswick East - CERES Park, and HO572 131
Harding Street, Coburg - Joe's Market Garden (Submission 29)



Figure 1. CERES Park.



Figure 2. Joe's Market Garden.

49. These properties were both assessed in the Heritage Study to be of local and state significance and recommended for inclusion in the Moreland Heritage Overlay as individually significant places. The statements of significance are as follows:

HO559 Lee Street, Brunswick East - CERES Park

What is significant?

CERES Park at 7 Lee Street Brunswick East is significant. The visitor centre, meeting rooms, energy park, nursery, propagation nursery, EcoHouse, dam, Ngaragee learning centre, resource hub, market gardens, bike shed, play space, cafés, Village Green and amphitheatre and other elements of the site that contribute to its environmental education function are significant. The car park, and portions of the Merri Creek Trail within the boundary curtilage, are not significant.

How is it significant?

CERES Park is of state significance for historical, rarity and social value to the State of Victoria.

Why is it significant?

CERES Park at 7 Lee Street Brunswick East is historically important for its use as a 19th century and early 20th-century Chinese market garden, followed by a

blue stone quarry between 1945-1982, and its 1982 conversion into a volunteer-led sustainable garden and educational space. (Criterion A)

CERES Park is rare for its combination of functions, including environmental education, recreation, community gardens and revegetation. (Criterion B)

CERES Park has a strong social significance as a volunteer-lead community urban farm, educational hub, and recreation space. CERES Park has a strong association with Victoria's desire to live sustainably. While no investigation of contemporary social value has been undertaken as part of this assessment, the strength of this association can be inferred from its history and use. (Criterion G)

HO572 131 Harding Street, Coburg - Joe's Market Garden

What is significant?

Joe's Market Garden at 131 Harding Street Coburg is significant. The fields are significant. The two structures are not significant.

How is it significant?

Joe's Market Garden is of state significance for historical and rarity value to the State of Victoria.

Why is it significant?

Joe's Market Garden at 131 Harding Street is historically important as one of the earliest known market gardens to operate on the Merri Creek, being farmed continuously for 180 years, and has employed people from Coburg's early population through to today, providing and continuing to provide local produce. (Criterion A)

Joe's Market Garden is rare as one of the last operational urban market gardens in Melbourne. While no investigation of contemporary social value has been undertaken as part of this assessment, the strength of this association can be inferred from its history and use. (Criterion B)

Issues raised

50. In summary, the submission:

- Supports the recognition of the social significance of CERES Park and Joe's Market Garden;
- Proposes to offer material to improve the accuracy and content of the citations;
- Notes that the proposed heritage overlay curtilage differs from the leasehold (of CERES Park);
- Conveys a concern about the additional regulatory requirements to already complex sites;
- Argues that the Heritage Overlay is not the right tool for managing significance. The permit requirements of Clause 43.01 (Heritage Overlay) relate to physical changes, and do not assist with managing intangible attributes of relevance to both sites;
- Notes that as ultimate owner of both properties, Council has ability to conserve the identified heritage values beyond those afforded by the Moreland Planning Scheme;
- Requests that Council agrees to:
 - Modify the Amendment to include an incorporated plan that provides exemptions for the irrelevant permit requirements of Clause 43.01 for interim management;
 - Consider the submitters input to refine the accuracy and detail of the citations; and
 - Commission a conservation management plan for the long-term management of the heritage attributes of the sites, which would include assessment of social significance.

Response to submission

51. Neither the formal submission nor supplementary material supplied by the submitter disputed the local significance of the places. Rather, the submission sought to explore whether there are more suitable means to achieve the ongoing conservation and

management of that significance other than inclusion in the Moreland Heritage Overlay, and the non-physical or intangible dimensions of that significance in particular. As I understand, the submission does not bear directly on the issue of heritage significance itself, but rather ongoing management, and is outside the scope of consideration for this statement in relation to the Amendment.

52. As noted in the summary, the submission claimed the citations contained a number of inaccuracies, and the submitter provided supplementary material to substantiate these. As a result of this supplementary material, it is recommended that the citation be amended as shown at Appendix B. None of these amendments change the recommendation that both places are of local heritage significance, and otherwise no change to the Amendment is recommended in relation to these places.

31 The Avenue, Coburg (Submission 30)



Figure 3. 31 The Avenue, Coburg

53. This property was assessed in the Heritage Study to be of local significance and recommended for inclusion in the Moreland Heritage Overlay as an individually significant place. It is currently within HO172 The Grove/Sydney Road Precinct, Coburg as part of the former Moreland High School. The statement of significance is as follows:

What is significant?

The Moreland Secondary College and Kangan Institute TAFE Campus (former) at 31 The Avenue, Coburg (south west corner of The Avenue and The Grove) is significant. The form, scale and materiality of the Brutalist style building is significant, as well as the off-form concrete construction technique. The exposed concrete detailing to walls and ceilings within the building is significant, as well as the lightwell in the hallway.

How is it significant?

The Moreland Secondary College and Kangan Institute TAFE Campus (former) is of local aesthetic and technical significance to the City of Moreland.

Why is it significant?

The Moreland Secondary College and Kangan Institute TAFE Campus (former) is highly intact and exhibits high-quality aesthetic characteristics reflective of late twentieth-century brutalist design, with regards to the scale, geometric building form and use of off-form concrete. (Criterion E)

The use of off-form concrete represents a high degree of technical achievement, as related to the Brutalist era. (Criterion F)

Issues raised

54. In summary, the submission does not agree there is heritage merit for including the individual heritage listing 31 The Avenue Coburg, for the following reasons:
- Unusual for such a recent building to receive heritage protection without more comprehensive understanding of potential architectural merit: there are gaps in the history of the site, no architect or precise construction date identified, and unusual that no historical significance (Criterion A) was assessed;
 - While the building demonstrates the aesthetic characteristics detailed in the citation, the comparative analysis that should establish a threshold of local significance is weak as it uses comparators that are either different in character or clearly superior.

Rather, a comparative analysis of a wider group of buildings of local level significance is warranted to establish aesthetic significance.

- The place has not been compared to other Brutalist buildings in the municipality, including the Glenroy Library (which is quite different but uses off form concrete) and Commonwealth Bank Glenroy (former) to which it compares more readily, but which was considered below the threshold of local level significance in the Heritage Study;
- The citation fails to specifically explain how the use of off-form concrete in this example represents a technical achievement to meet Criterion F (Technical significance). Aerial imagery establishes that it was constructed in the 1980's, which is late for Brutalist architecture. Thus, query how the building demonstrates innovative construction as there are earlier examples in Moreland.
- The statement of significance describes internal elements as significant features, but the citation does not propose internal controls;
- The proposed curtilage includes a building to the south that is a later addition.

Response to submission

55. The submitter, which is undertaking site investigations to determine its suitability for redevelopment, engaged a reputable architectural and heritage consultancy to undertake a preliminary peer review of the citation, which is appended as part of the submission. The findings of the peer review, detailed above, does not state that the place does not meet the threshold of local significance, but rather that the citation contains a number of deficiencies. I now turn to each claimed deficiency, as follows.
56. As noted in the peer review, it is true that neither a precise date of construction and architect/designer are identified in the citation, and also that neither of these are fatal deficiencies to a building being assessed as reaching the threshold of local level significance. At one point the citation does refer to construction in the '1970s' and based on evidence of aerial photography that shows the site cleared in 1979, this is clearly an error, and it is recommended that the citation be amended accordingly. While the lack of specific construction date and architect may be unusual for a building of this scale some forty years old, the citation is not unique in this regard. It is noted that a heritage

assessment for the larger former Moreland High School / Kangan Institute site prepared for Moreland Amendment C143 also did not identify a specific construction date or architect / designer, despite including a lengthy historical analysis which identified likely construction dates and architect of the original 1887 Moreland State School, and which nevertheless assessed that the building was architecturally significant and an attribute of the overall local significance of the site.³

57. It is not relevant nor a deficiency in the citation that the building was not found to meet the threshold for historical significance (Criterion A) at the local level. It is well established that each criterion must be able to stand in its own right in isolation from the others, and assessing that a place does not meet one criterion does not weaken a finding that the place is of local heritage significance under other criteria.
58. As set out in the citation, the finding that the place meets the threshold of local aesthetic significance relates to its ability to exhibit ‘high-quality aesthetic characteristics reflective of late twentieth-century brutalist design, with regards to the scale, geometric building form and use of off-form concrete’. The peer review does not dispute that these characteristics are present in the building, but rather that the comparative analysis fails to establish the threshold of local heritage significance is met. In this regard, there is a particular focus on the need to conduct a comparative analysis of a wider group of buildings at the local level. The peer review does not however put forward an alternative comparative analysis nor identify such a group of buildings. It notes both the Glenroy Library and Commonwealth Bank Glenroy (former) as buildings that share some characteristics within the municipality, but, as it also notes, these buildings were assessed in the Heritage Study and at the time of assessment were not included in the Moreland Heritage Overlay and so may not necessarily assist with thresholding.
59. *Planning Practice Note 1, Applying the Heritage Overlay*⁴, states that

to apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other

³ Sullivan, Diahn, *Former Kangan Institute, Moreland Campus, 31 The Avenue, Coburg, Heritage Assessment*, June 2012.

⁴ Department of Environment, Land, Water and Planning, August 2018.

similar places *within the study area*, including those previously included in a heritage register or overlay. (Page 2, emphasis added)

Quite simply, there are no comparable Brutalist buildings on the Moreland Heritage Overlay, and indeed neither the peer review and Sullivan's earlier assessment identified any. The citation performs a comparative assessment against three places outside the municipality that were assessed to be sufficiently comparable, which is not to say that there are not others that could have been used. In her assessment, Sullivan identified a number of buildings in addition to those referred to in the citation for 31 The Avenue for comparison and (as noted above) assessed that 31 The Avenue was architecturally significant at the local level. It is not considered that a wider comparative assessment is merited.

60. Through the Heritage Study methodology (see above), alongside the comparative analysis within the citation for thresholding, similar place types under assessment were compared internally at an earlier stage in the Heritage Study to help determine which examples merited detailed assessment. At that point, it was determined that 31 The Avenue was clearly superior to Commonwealth Bank Glenroy (former) as an example of Brutalism in the municipality, and—as also identified by the peer review—despite sharing off-form concrete as a common material, Glenroy Library was a sufficiently different architectural expression with its own merits. While this did not necessarily confirm the place met the threshold of local significance, this internal comparison strengthened its potential claims.
61. The peer review queries whether Criterion F is met in relation to the importance of the place in demonstrating a high degree of technical achievement at a particular period through its use of off form concrete. Here, the peer review appears to rely substantially on the period of construction, likely the early 1980s, as a late example of Brutalism, post-dating other uses of off form concrete. In particular, the peer review appears to rest heavily on the contention that innovation is required to meet this criterion.

62. The *Victorian Heritage Register Criteria and Threshold Guidelines*⁵ proposes a basic test for satisfying Criterion F, being that ‘The place ... contains *physical evidence* that clearly demonstrates creative or technical *achievement* for the time in which it was created’ AND ‘The physical evidence demonstrates a *high degree of integrity*’ (Page 16, emphases in original). It then sets out as a further step a test for determining ‘state level significance’. While this is useful in principal, it is important to recall that the threshold required to be met is local significance to the municipality, and so the test for determining state level significance is inappropriate.
63. Earlier uses of off-form concrete in Brutalist architecture can be found in Melbourne, predating 31 The Avenue by up to fifteen years. In Moreland, as noted in the peer review, Glenroy Library (1971) used off form concrete in its arcade and loggia, melding Brutalist and neo-classical influences. However this was not to the scale or degree of 31 The Avenue, which successfully achieved massing of its forms across the three stories uniformly constructed in off form concrete. The photograph on Sullivan’s report cover shows with appropriately granular detail the impressive effect of this construction technique achieved at this scale, and certainly nothing comparable has been identified in the municipality (see Figure 4).

⁵ Heritage Council of Victoria, endorsed 6 December 2012, reviewed and updated 4 April 2019.



Figure 4. Detail showing off form concrete construction at scale. Source: Diahne Sullivan, 2012.

64. Finally on this point, the construction date of the early 1980s is not necessarily late for Brutalism but is of the later portion of the Brutalist period. Apperley, Irving and Reynolds⁶ identify ‘Late Twentieth Century Brutalist’ style period as, at time of publishing in 1989, ‘1960—’, and include prominent examples constructed up to 1986. Indeed, the High Court and National Gallery Precinct, included in the National Heritage List, is recognised at the national level, with the buildings recognised for architectural significance as examples of the Late Twentieth Century Brutalist style including under Criterion F, for its ‘high quality integrated concrete structures ... combined with the craft based approach to concrete construction’. The High Court of Australia was completed in 1980 and the National Gallery of Australia in 1982, both therefore approximately contemporaneous with 31 The Avenue.⁷
65. As I understand Council has communicated subsequently to the submitter, supporting documents to the Heritage Study recommended internal alterations controls (and external paint controls) be put in place for 31 The Avenue. Documented information

⁶ Apperley, R, Irving, R, Reynolds, P. *A pictorial guide to identifying Australian architecture: styles and terms from 1788 to the present* (Angus & Robertson: Pymble, NSW), pp. 252-255.

⁷ Department of Agriculture, Water and the Environment, *Australian Heritage Database*, ‘Place details: High Court – National Gallery Precinct, Parkes, ACT, Australia’, https://www.environment.gov.au/cgi-bin/ahdb/search.pl?mode=place_detail;place_id=105745, accessed 10 February 2022.

about the interior spaces confirm that the Brutalist interiors represent strong continuity with the external aesthetic and materiality and are likely intact.

66. It is agreed that the rear (southern) wing of the building proposed for HO580 does not share the significance of the Brutalist building, although some integration works are visible at the interface. It is recommended that the curtilage of HO580 be reduced to apply only to the original Brutalist building. A copy of the amended citation is at Appendix C, which also includes consequential alterations as a result of the change of curtilage.
67. Other than the alteration to the boundary curtilage recommended above, no change to the Amendment is recommended in relation to this place.
68. On the basis of a separate assessment undertaken on Council's behalf (not included in the Heritage Study) it is further recommended that the balance of the former Moreland High School site overall be removed from HO172. A copy of advice to Moreland City Council that forms the basis for this recommendation is at Appendix D.

HO550 383 Brunswick Road, Brunswick - Concrete House & Fence (Submission 33)



Figure 5. 383 Brunswick Road, Brunswick

69. This property was assessed in the Heritage Study to be of local significance and recommended for inclusion in the Moreland Heritage Overlay as an individually significant place. The statement of significance is as follows:

What is significant?

The house and fence at 383 Brunswick Road, Brunswick is significant. The form and concrete construction technology of the house is significant, along with the associated original front boundary fence. The rear extension and garden is not significant.

How is it significant?

The house and fence is of historical significance and rarity value to the City of Moreland. It also demonstrates a high degree of technical achievement at the local level.

Why is it significant?

The house and fence have historical significance as evidence of early concrete house construction in Brunswick and Moreland more generally (Criterion A).

The place is rare as one of four (known) houses of concrete construction in Moreland, likely to be among the earliest known surviving examples in Victoria (Criterion B).

The place demonstrates a high degree of technical achievement through the use of concrete construction in the early twentieth century (Criterion F)

Issues raised

70. In summary, the submission does not support inclusion of the property in the Moreland Heritage Overlay on the following grounds:
- The period in which to respond to notification of the proposed inclusion of the property in the Moreland Heritage Overlay was inadequate, especially in light of Covid restrictions (30 days notice is inadequate);

- The heritage assessment was limited to a visual inspection from the public domain of the front exterior of the building only;
- The building at 383 Brunswick Road, Brunswick, is in a significant and 'life-threatening' state of disrepair, and continues to deteriorate.
- The heritage overlay will add to the existing development restrictions to 383 Brunswick Road, Brunswick.
- The submission does not agree with the heritage assessment of 383 Brunswick Road Brunswick against the HERCON criteria;
- The fence was built in 1960, and therefore does not have heritage significance;
- The place provides no contribution to the area as it is largely concealed from views from the street and is overshadowed by a development at the rear.
- Development at 1 Heller Street and other surrounding properties dominate the area and reduce potential heritage value of the place;
- The Amendment to include the property in the Heritage Overlay is inconsistent with heritage policy in the Scheme, because the place would not contribute to the local heritage precinct and existing modifications to the property reduce its heritage significance;
- The finding that the property demonstrates a high degree of technical achievement is refuted as the building was constructed using poor quality unreinforced concrete;
- The property has no associations with citizens of historical significance;
- Little weight should be given to the Moreland Heritage Nominations Study as the writer has not been called to substantiate their view.

Response to submission

71. The submission's contentions can be separated into three propositions:

- a. that the property and / or its surrounding area has experienced dilapidation and/or modification such as to have had its heritage significance compromised;

- b. that the place does not otherwise reach the threshold of local heritage significance due to various deficiencies; and
- c. that inclusion in the Heritage Overlay would result in unreasonable development restrictions particular to the access arrangements at the site –however this is not relevant to an assessment of significance, and is not considered in this statement.

72. Part of the submission appears to be based on the erroneous belief that the Amendment would include the property in the adjoining precinct, HO139; and that development in surrounding areas may reduce the significance of the property. The Amendment proposes to include the property as an individually significant place separate to the adjoining precinct. This means that the significance of or development within the precinct has no bearing on assessment of the property for the purposes of the Amendment. Further, given the proposed boundary curtilage would include the entire residential parcel of 383 Brunswick Road, it is considered that no consideration of development outside the site is required nor would affect the basis for the finding of local level significance. Contemporary additions or alterations to the rear of the property are neither visible from the street nor appear (from aerial view) to affect the fabric of the property that forms the basis for its significance, being the retained main portion of the original house and front fence.
73. It is claimed that the place does not meet Criterion F (technical significance) in particular due to the poor quality (and hence current condition) of the unreinforced concrete used in its construction. As noted above in relation to the previous submission, Victorian Heritage Register Criteria and Threshold Guidelines proposes a basic test for satisfying Criterion F, being that ‘The place ... contains physical evidence that clearly demonstrates creative or technical achievement *for the time in which it was created*’ AND ‘The physical evidence demonstrates a high degree of integrity’ (Page 16, my emphasis). At the time of its construction (some time between 1908 and 1915), concrete construction was at a very early stage of its application in construction in Victoria and its application to residential housing was a technical achievement such as to meet this criterion. Notwithstanding identified issues about its current condition, the property appears to exhibit a high degree of integrity overall.

74. The current condition of the place is not an impediment to the findings regarding significance. Recently Panel found that ‘building condition should be a secondary consideration and not a determinative factor in considering whether a Heritage Overlay should be applied’.⁸ In this case, it is acknowledged that there appears to be some internal cracking and damage to external tiling likely to have been caused by movement in the foundations. Nevertheless, the building retains a high level of integrity. The new evidence of the further information about condition does not warrant a change from ‘Good’ to ‘Fair’ condition in the citation. Nevertheless, it would be advisable to have the footings investigated and for underpinning works to be considered if necessary to reduce the degree of movement causing damage.
75. It is claimed the fence is of comparatively recent construction (c. 1960) and therefore non-original or early. However, it is evident that one of the other concrete houses included in the Moreland Heritage Overlay, ‘Kororoit’, 70 Heller Street, Brunswick West (HO522) has a strikingly similar fence in unrendered form (see Figure 6 below). In the absence of further substantiation of this claim, this evidence would suggest that the fence is likely original and built in a similar style to this other concrete house in close vicinity.

⁸ Baw Baw Planning Scheme Amendment C138bawb, *Panel Report*, 24 July 2020.



Figure 6. HO535 1 South Daly Street, Brunswick West. Note design of remnant fence. Source: Google Street View, April 2021.

76. There is no requirement under the criteria for which the place has been assessed to meet that the property has associations with citizens of historical significance. Such a requirement would only be relevant under Criteria H (associative significance) or potentially other criteria where the place can be associated with a particular resident, event or architect/designer, for example. In this case, this is not claimed.
77. It is claimed that the citation is deficient because it is based on a visual inspection of the exterior of from the public sphere only, and that the assessor has not been called upon to substantiate their view. Visual inspection from the public domain is a necessary condition of practice for municipal heritage studies unless the assessor is invited to inspect the property, which is not part of the usual methodology on which heritage studies have been conducted for decades. In the case of this property, the grounds for heritage significance could be substantiated from visual inspection from the public sphere.
78. It is recommended that a few small changes be made to the statement of significance in the citation to improve its grammar, and clarify the basis of its significance under Criterion B (rarity). The recommended changes are set out at Appendix C. No other changes are recommended to the Amendment in relation to this place.

HO552 198 Edward Street, Brunswick - Loretto (Submission 38)



Figure 7. 'Loretto', 198 Edward Street, Brunswick.

79. This property was assessed in the Heritage Study to be of local significance and recommended for inclusion in the Moreland Heritage Overlay as an individually significant place. The statement of significance is as follows:

What is significant?

The house at 198 Edward Street, Brunswick East (otherwise known as 'Loretto') is significant. The form of the Victorian Boom-era style dwelling, along with the ornate decorative features associated with the parapet, chimney and windows. The plantings, front fence and rear extension are not significant.

How is it significant?

Loretto is of local historical and aesthetic significance, and is of local significance for its rarity and representativeness value, to the City of Moreland.

Why is it significant?

Originally built as early as 1853, Loretto is historically significant as one of the oldest houses in the area. Through major changes to its façade from the later Victorian period, the dwelling also provides evidence of the Boom-era, when

Victoria's expanding economy started to generate a boom in construction and land subdivision. (Criterion A)

Loretto is uncommon within the Moreland municipality as a single-storey freestanding Victorian Boom-era style residence. (Criterion B)

Loretto demonstrates principal characteristics of the Victorian Boom-era, including the elaborate pediment detail and architraves, and Italianate style chimney cornice. (Criterion D)

Loretto has aesthetic significance as a well-kept and intact Boom-era terrace-style dwelling, with ornate decorative details. (Criterion E)

Issues raised

80. In summary, the submission is broadly supportive of inclusion of the property in the Moreland Heritage Overlay, however makes the following points and recommendations:

- The assessment of 198 Edward Street Brunswick East is based on an incorrect construction date and era of the dwelling and historical information relating to the neighbouring dwellings.
- There is a need to protect the east end of Edward Street, and accordingly recommends the following in the alternative:
 - The inclusion of 198 Edward Street, Brunswick East in the Moreland Heritage Overlay as an individual place be postponed, and that the property be investigated as part of a new heritage precinct at the east end of Edward Street;
 - The additional inclusion of 192-196 Edward Street into the Heritage Overlay proposed under the Amendment; or
 - The additional inclusion of 196 Edward Street into the Heritage Overlay proposed under the Amendment, with exemptions into the Schedule to the heritage overlay allowing for reversal of the plantings and cyclone fence to allow sympathetic restoration.

Response to submission

81. The submission provides thorough reasoning and evidence, including some not in the public sphere, that convincingly refutes the claim in the citation that the building was originally constructed in 1853. On this basis, it is recommended that the place no longer meets Criteria A (historical significance) and B (rarity), and that the citation be altered as shown in Appendix F accordingly in relation to the statement of significance, HERCON Criteria Assessment and Historical Notes.
82. As noted above in discussion regarding Submission 30, it is well established that each criterion must be able to stand in its own right in isolation from the others, and assessing that a place does not meet one criterion does not weaken a finding that the place is of local heritage significance under other criteria. It is recommended that the place remains of local significance under Criteria D and E and be included in the Moreland Heritage Overlay as an individually significant place through this Amendment.
83. The submission recommends that the place be assessed as part of a new heritage precinct at the east end of Edward Street. It is understood that a number of previous heritage studies had assessed and declined to recommend substantially similar precincts be included in the Moreland Heritage Overlay.⁹
84. Alternatively, the submission recommends the inclusion of 192-196 Edward Street into the Heritage Overlay under this Amendment. 192-196 Edward Street is a row of dichrome face brick Victorian terrace houses which, in isolation, does not appear to merit inclusion in the Moreland Heritage Overlay in its own right—that is, outside a precinct to which the row may be contributory. The terrace row does not exhibit the distinctive boom era detailing found at ‘Loretto’, and indeed there is little relationship between the styles of 192-196 Edward Street and 198 Edward Street apart from their construction during the Victorian period. On this basis, the further alternative recommendation to include ‘Loretto’ and No. 196 alone into the Heritage Overlay does not have heritage merit.

⁹ See: Context Pty Ltd, 2008, *Moreland Local Heritage Places Review*; Context Pty Ltd, 2019, *Moreland Heritage Gap Study*, both prepared for Moreland City Council.

85. The suggestion that there be an exemption into the Schedule of the heritage overlay to allow the reversal of plantings and cyclone fence presumably is intended to obviate the need for a planning permit for such works under the heritage overlay. I do not have a view on this in principle, apart from to note that the citation regards the plantings as unsympathetic and cyclone fence as intrusive, and should a permit be sought for their removal and replacement with more sympathetic fence and plantings it would likely be supported from a heritage perspective.

HO590 413 Gaffney Street, Pascoe Vale - House (Submission 42)



Figure 8. 413 Gaffney Street, Pascoe Vale.

86. This property was assessed in the Heritage Study to be of local significance and recommended for inclusion in the Moreland Heritage Overlay as an individually significant place. The statement of significance is as follows:

What is significant?

The house and landscaping at 413 Gaffney Street, Pascoe Vale is significant. The triple fronted built form of the postwar house is significant, along with key features including the chimney design, corner windows and face brick. The

terraced landscaping and stone lined driveway are also significant. The garage and rear extension are not significant.

How is it significant?

The house and landscaping are of local representative and aesthetic significance to the City of Moreland.

Why is it significant?

The house and landscaping demonstrate the principal characteristics of the postwar era 1950s suburban house, a characteristic recognised as quintessentially Australian and emblematic of the Australian suburbia. This is owing to its triple fronted built form, brickwork to the façade and chimney, window form, and terraced landscaping. (Criterion D)

The house and landscaping have aesthetic significance as an intact and well-kept post-war house with notable features including the chimney design, corner windows, terraced garden and stone lined driveway. The building is located on a prominent street corner. (Criterion E)

Issues raised

87. In summary, the submission does not support inclusion of the property in the Moreland Heritage Overlay on the following grounds:
- The submitter claims they were not notified of the Amendment.
 - The property at 413 Gaffney Street Pascoe Vale has no significance beyond some particular features that are not themselves unique, only met two of the eight HERCON criterion, and consultation and inspection were inadequate.
 - The heritage listing ignores the fact that the property is in a local activity centre designated for growth. The purpose of the Residential Growth Zone (RGZ) is to facilitate increase housing outcomes to the land and this should outweigh the application of a heritage overlay.

- There has been no financial modelling provided to establish the impact of adding a HO to the property value, rates and extra maintenance costs, and queries what support will Council provide to manage the maintenance cost and (claimed) loss in property value.

Response to submission

88. It is noted that only one of the grounds provided in the submission relates to heritage significance, which is addressed here.
89. The submission claims that the property has no significance beyond some particular features that are not themselves unique. The place has been assessed as having representative significance (Criterion D) and aesthetic significance (Criterion E) at the local level. 'Uniqueness' is not a requirement under either of these criteria, and indeed representative significance requires that it be typical in some way of the particular class of place being represented – here, the post-war 1950s suburban house as a quintessentially Australian form that is emblematic of Australian suburbia. It was first established that the post-war 1950s suburban house is a class of place that would merit consideration under this criteria, being 'a class of place ... that has a clear association with an event, phase, period, process, function, movement, important person(s), custom or way of life' in Moreland's history.¹⁰ This was established primarily through reference to the Moreland Thematic History. It meets Criterion D through the remarkably intact retention of high-quality features that typify the style, being its triple-fronted built form, brickwork to the façade and chimney, window form and terraced landscaping. Under Criterion E it was assessed that its aesthetic significance lay in its intact overall form comprised of notable individual features, including the chimney design (acknowledged as possibly significant in the submission), corner windows, terraced garden, stone lined driveway and prominent street-corner position. The emblematic, quintessentially Australian nature of this form and its aesthetic appreciation is also represented in the work of painter Howard Arkley.¹¹

¹⁰ Victorian Heritage Register Criteria and Threshold Guidelines (2019): 12.

¹¹ See for example his work 'Triple Fronted' (1987), Art Gallery of NSW,
<https://www.artgallery.nsw.gov.au/collection/works/1.2014/>

90. To assess that it reached the threshold of local level significance, the place underwent a comparative analysis, including against two 1950s houses already included in the Moreland Heritage Overlay,¹² against which the place was deemed to compare favourably. It was further noted through this exercise that the style is generally underrepresented on the Moreland Heritage Overlay. While not being evidence of significance per se and having no bearing on our assessment of the place, it is further noted that of the approximately 850 places nominated and otherwise identified, the place was chosen by another heritage consultancy to represent the cover of the Stage 1 report that initially considered the nominations ultimately assessed in the Heritage Study.¹³
91. The Submission also claims that as the place has been assessed to meet only two criteria it is not significant, and that absent a weighting consideration, some additional numerical threshold in relation to number of criteria met is required to be met. As noted above in relation to Submission 30, it is well established that each criterion must be able to stand in its own right in isolation from the others, and here I add that it is established that for a place to be assessed as being of significance at least one criterion need to be satisfied, but that no more than one criterion is required. The greater the number of criteria does not mean the greater the significance of a place; rather it signals a broader basis for significance.
92. No change to the Amendment is recommended in relation to this place.

¹² HO354, House at 54 Rainer Street, Pascoe Vale South and HO355, House at 55-57 Rainer Street, Pascoe Vale South.

¹³ Context, August 2019, *Heritage Assessment of Public Nominated Places: Stage 1 Final Report*, Prepared for Moreland City Council.

HO594 Hanover Street Precinct, 27-49 and 2-64 Hanover Street, Brunswick (Submission 43)



Figure 9. Streetscape within Hanover Street Precinct.

93. This precinct was assessed in the Heritage Study to be of local significance and recommended for inclusion in the Moreland Heritage Overlay. The statement of significance is as follows:

What is significant?

The Hanover Street Precinct, comprised of houses at 27-49 and 2-64 Hanover Street, Brunswick, is significant. With respect to contributory properties, the facades, roof forms and setbacks of the Victorian and Edwardian era dwellings are significant, as well as their timber picket fences. The brick and metal fences, as well as rear extensions, are not significant.

Contributory properties include: 2, 4, 6, 8, 14, 18, 20, 22, 24, 26, 27, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 45, 47, 48, 49, 50, 52, 54, 56, 58, 60, 62 and 64 Hanover Street.

Non-contributory properties include: 10, 12, 16, 28, 29, 41, 1/41, 2/41, 46, 1/46 and 2/46 Hanover Street.

How is it significant?

The Hanover Street Precinct is of local historical, representative and aesthetic significance to the City of Moreland.

Why is it significant?

The Hanover Street Precinct is historically linked with the broader developmental narrative of Brunswick during Melbourne's building boom period, specifically evidenced by the subdivision of the site in 1883 and presence of Victorian era cottages. (Criterion A)

The Hanover Street Precinct demonstrates the principal characteristics of Victorian era cottages and terraces, with an array of features specific to this style including a single-fronted form, timber weatherboards and joinery, bullnose or skillion awning, iron lacework, and hipped roofs. Further, the Hanover Street Precinct demonstrates the principal characteristics of Edwardian era dwellings, with an array of features specific to this style including a range of timber joinery to both the built form and as decorative features, gable ends, hipped roofs, use of iron lacework, and use of pressed metal to the gable end. (Criterion D)

The Hanover Street Precinct has aesthetic significance as a relatively intact and visually cohesive street of predominantly Victorian and Edwardian era dwellings dating from the 1880s land boom through to the 1910s. The streetscape is primarily made up of historic building stock which have a consistent scale, setback and materiality which creates a streetscape pattern, character and sense of cohesion. Several rows of matching building styles adds further to this character. (Criterion E)

Issues raised

94. In summary, the submission does not support inclusion of the precinct in the Moreland Heritage Overlay on the following grounds:

- Previous heritage studies did not recommend inclusion of Hanover Street in the Moreland Heritage Overlay;
- There is at least one inaccuracy in the citation in relation to year of construction;
- The citation overstates the integrity of the precinct, with many properties having been altered over time to lose key heritage characteristics;
- It is inconsistent to have excluded 1-25 Hanover Street as these share the same characteristics as the rest of the street – if these properties have been excluded, so should the others;
- Inclusion in the Moreland Heritage Overlay would result in economic disadvantage to owners, resulting in increased maintenance and building costs.

Response to submission

95. The submission raises a number of grounds related to heritage significance, and one ground regarding economic disadvantage which is not considered here. I turn to each of the grounds related to significance below.
96. The fact that previous heritage studies did not recommend a place or precinct is not necessarily of any relevance to the significance of a place. There may be a myriad of reasons why a place or series of properties is not recommended in a heritage study for inclusion in a heritage overlay, and it cannot be assumed that this means that it is not significant. The heritage studies referred to in the submission did not assess properties in Hanover Street as part of a potential precinct, and so it is not the case that a Hanover Street precinct had been specifically assessed and not recommended. Indeed, the Stage 1 part of this Heritage Study recommended 1-49 & 2-64 Hanover Street for detailed assessment as a potential precinct, and it was this recommendation that led to the assessment and recommendation as part of the Heritage Study. If the fact that a place or precinct was not recommended for inclusion in a heritage overlay in a past study or studies meant that it should not be included in a heritage overlay pursuant to future heritage studies, it would follow that future heritage studies would be redundant. This would be contrary to all Victorian municipalities' obligation under their planning

schemes to 'Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme' under VPP 15.03-1S.

97. The submission claims at least one inaccuracy in the citation in relation to 'year of construction', pointing to the example of No. 47 Hanover Street. I agree with the claim in the submission that the property was constructed between 1910 and 1915, based on evidence from the Sands and McDougall street directories held by the State Library of Victoria. However the citation does not claim this as the year of construction, which does form a specific field in our citations for individually significant places, but rather as the 'Style / Era'. No. 47 was constructed between 1910 and 1915, but it observes a late Victorian design: hence classified as 'Victorian Period (1851-1901)' that is associated with, but does not dogmatically align with, the period of Queen Victoria's reign. It nevertheless remains of a style that makes a contribution to the precinct, which is characterised by dwellings representing both Victorian and Edwardian periods.
98. It is acknowledged that there is a substantial error in relation to the period represented by 54 Hanover Street, which was constructed in 2009. This is not a Victorian period dwelling as claimed in the citation and it is recommended that the citation be amended to change its grading to 'Non-contributory'.
99. It is further claimed in the submission that the precinct insufficiently takes into account modifications that compromise its heritage integrity. The precinct was assessed as being of high integrity and good condition. To expand on the methodology set out above, the integrity of a precinct is assessed by considering how each building individually contributes to—in this case, regarding the relevant criteria—the historical narrative of the precinct, the styles it is representative of, and its aesthetic attributes of significance. As these buildings have been assessed in relation to how their individual contributions *cumulatively* comprise a precinct, site-by-site alterations are arguably more lenient to a point.
100. To substantiate its point regarding integrity, the submission refers specifically to:
 - Large, visible, modern extensions on Nos. 52, 54, 60, 62.
 - Fibre cement weatherboard at No. 47.

- Modern fencing at Nos. 39, 43, 45, 47.

101. Addressing each of these in turn, the rear extensions at Nos. 52, 54, 60 and 62 are minimal in their impact to the streetscape, due to their setback. The facades are all intact and homogenous to the streetscape, ensuring their contributory status. The claimed (but unspecified) use of fibre cement weatherboards at No. 47 is understood not to relate to the façade, which is comprised of original incised weatherboards simulating blocks of stonework, and largely original form and detailing that makes it homogenous to the streetscape and contributory to the precinct. The modern fencing at Nos. 39, 43, 45, 47 is also considered a minimal imposition on the aesthetic significance of the streetscape as it is a largely small scale and reversible alteration to each individual site.
102. The integrity of the precinct can also be demonstrated through the assessment and recommendations for properties not to be included. Whilst nominated, the properties from Nos. 1-25 (western side – odd numbers only) were not included within the curtilage of the Hanover Street Precinct due to the poor integrity of this portion of the street. Nos. 1-25 have a far greater proportion of infill development and alterations, and only 54% of this portion of the street was assessed as contributory, reflecting its low integrity. By contrast, 89% of the precinct included in the heritage overlay is graded as contributory.
103. As a result of this submission, it is recommended that the citation be amended to change the grading of 54 Hanover Street from 'Contributory' to 'Non-contributory'. Otherwise, no change to the Amendment is recommended in relation to this precinct in relation to this submission. There are also a number of non-appearing submissions in relation to the precinct (Submissions 6 and 40) that are considered at Appendix A and in relation to which further amendments to the precinct citation are recommended. All recommended amendments to the citation are consolidated at Appendix G.

Appendix A. Response to submissions – Not appearing

#	Address	Heritage place / precinct	Summary of issues	Response to submission
6	32 Hanover Street, Brunswick	HO594 Hanover Street Precinct, Brunswick	The submission opposes the inclusion of the property in the Moreland Heritage Overlay or, alternatively, requests that the property be graded as a 'non-conforming' (non-contributory) property, on the basis that the owners are developing the site in accordance with a planning permit that allows the demolition of the existing building and construction of a new double storey dwelling.	<p>On the basis that the place has a valid permit in force to allow demolition, <u>it is recommended</u> the citation be amended to note 'This building has an approved planning permit for demolition. Until such a time as the building is demolished, the place will be considered to have contributory heritage significance.'</p> <p>The loss of this contributory property would not affect the ability of the precinct to reach threshold for local level significance, and no other changes to the Amendment are recommended in respect of this property. Refer Appendix G.</p>
8	485 Moreland Road, Pascoe Vale	HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p> <p>1. The heritage overlay will affect the submitter's ability to develop the property. Noting that 491 Moreland Road was recently demolished, not fair that submitter will be denied the same opportunity.</p>	<p>1. Clause 43.01 of the Moreland Planning Scheme:</p> <ul style="list-style-type: none"> discourages the demolition of places that have been identified as being of cultural heritage significance to the City of Moreland, whether the site is included as contributory or significant in a precinct or individually significant. does allow for alterations and additions to places that have been identified as being of

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			<p>2. The house and retaining wall are in poor condition (as acknowledged in the Heritage Study);</p> <p>3. The house has been subject to a significant extension such that it is no longer in its original form;</p> <p>4. Interwar and postwar housing are too recent a form of housing to be considered heritage;</p> <p>5. Key characteristics of the dwelling in the study are typical and generic features of all houses in 1940's to 1960's and not unique to heritage places; and</p> <p>6. The retaining walls listed as a significant feature are at threat of collapse.</p>	<p>cultural heritage significance to the City of Moreland, provided that development does not adversely affect the significance of the heritage place. In the case of contributory graded building, conservation objectives would relate to the heritage fabric and form that is visible from the street.</p> <p>The property at 491 Moreland Road was assessed as part of this study. An application for demolition had been lodged with council prior to our assessment of 491 Moreland Road and it was Extent Heritage's professional opinion that the integrity of the building was such that it made it a non-contributory building within the proposed extension.</p> <p><u>It is recommended</u> that 491 Moreland Road be re-graded as Non-contributory. Refer Appendix H.</p> <p>2. The precinct citation does not specifically state that the dwelling is in poor condition, but rather acknowledges that the stretch of buildings comprising the precinct extension vary in condition from good to poor condition, the common condition being fair.</p> <p>Refer to response to Submission 33 regarding the role of condition in relation to assessment of significance and inclusion of a place in a municipal heritage overlay.</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
				<p>3. There are no digital plans of the 2009 planning permit available, however it is understood that the work that was undertaken mostly occurred within the existing building footprint, with the key change being the addition of three dormers to the roof in a sympathetic style.</p> <p>It is common for contributory buildings within a precinct to contain some later additions that do not necessarily compromise the intactness of the property. Further, Clause 43.01 supports removal of non-significant elements.</p> <p>The building still clearly exhibits characteristics reflective of interwar and postwar suburban development in Pascoe Vale during the early to mid-twentieth century. These significant elements include but are not limited to the face brick masonry, windows, enclosed entry, original roof form and materiality, siting and massing, as viewed from the street. The works undertaken in 2009 have not adversely impacted these heritage values.</p> <p>4. It is agreed that the building was not constructed in the late nineteenth century. As contained in the Historical Notes section of the citation, the building was constructed between 1945 and 1950. This makes it an early</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
				<p>representation of post-war development in Pascoe Vale South.</p> <p>Interwar and postwar development is considered to be a highly significant period of urbanisation in the City of Moreland and more broadly across Victoria. It is reflective of many important historical themes, including migration settlement, materials shortages and the rise of various architectural styles including Old English and Austerity. These heritage values are reflected in the existing Coonan's Hill Precinct (HO207) and the proposed precinct extension.</p> <p>5. Key characteristics are provided in the citation to illustrate that the buildings are representative of a class and style of dwelling constructed in a specific period, and that they form part of a broader development pattern. It is acknowledged that these characteristics are not rare in the City of Moreland and this is reflected in the statement of significance through identification of the relevant heritage criteria. However, the materials are critical to providing an understanding of how the buildings fit into the development pattern of the existing Coonan's Hill Precinct, specifically in relation to their representative (Criterion D) and aesthetic (Criterion E) significance. Characteristics such as roof form and</p>

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				<p>materials are not significant in relation to a single property in isolation but across the precinct extension combine to form a cohesive group of buildings that reflect a period of development.</p> <p>6. The presence of terraced landscaping and retaining walls in varying materials - brick masonry and stone - is of aesthetic (Criterion E) significance for this particular streetscape. It is also acknowledged that some properties do not have original materials to their terraced landscaping, however these landscape settings are mostly consistent with the heritage character of the streetscape through form and their choice of materiality. Clause 43.01 would not prevent repair and replacement work in a sympathetic style/form should it be required. This is particularly the case if there is a safety risk, such as risk of collapse. In summary, it is understood that the Heritage Overlay would not prevent repair or replacement works provided the work was undertaken to a sympathetic design.</p> <p>It appears that the following description of the materiality in the statement of significance is not clear, leading to a potential undue emphasis on the specific material of retaining walls rather than their ongoing form:</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
				<p><i>The presence of retaining walls in varying materials, ranging from brick masonry to bluestone, are also of aesthetic significance for this particular streetscape.</i></p> <p><u>It is recommended</u> that the statement of significance be modified to replace 'aesthetic significance' with 'contribute to the significance' to better describe the heritage contribution to the streetscape. Refer Appendix H.</p> <p>Other than that described against point 6, no changes to the Amendment are recommended in respect of this property.</p>
9	481 Moreland Road, Pascoe Vale	HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p> <ol style="list-style-type: none"> 1. Inclusion in the heritage overlay may affect a current permit to install a lift to improve access for accessibility as it may impact identified heritage fabric (frontage – terraced gardens) 2. This may incur a financial burden to owners of 467-491 Moreland Road, as it is expensive to maintain the properties identified as having significance. In particular, the retaining walls / terracing due to their poor condition, subsidence and drainage 	<ol style="list-style-type: none"> 1. It is understood that the permit to install the lift was approved prior to exhibition of the C208 and would not be affected by the Amendment. Following an analysis of the endorsed plans pursuant to the approved permit the permitted development is not considered to have a detrimental impact on the heritage significance of the property and the 'Contributory' grading applied to the site will still be appropriate once the works have occurred. 2. Given that the dwellings are sited high above the road, it is understood that a terrace style approach to the front landscaping will be an ongoing landscaping approach for these

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			issues. The material used is also no longer available.	<p>sites in terms of providing pedestrian access and managing drainage, with or without a heritage overlay.</p> <p>The aesthetic significance of the landscaping is derived from the terraced <u>form</u> and <u>visual setting</u>, and so repair or replacement may be with sympathetic materials as opposed to like-for-like. This should be a viable avenue in terms of sourcing materials that are commercially available.</p> <p>As noted in the response to Submission 8 above, a modification to statement of significance and citation has been recommended to better describe the retaining walls' heritage contribution to the streetscape. Refer Appendix H.</p>
10	64 Vincent Street, Oak Park	HO585 Deveraux Street and surrounds includes: Deveraux Street, Ash Grove, Vincent Street, Short Street, Draska Court and Xavier Street, Oak Park - Bluestone Retaining Walls	The walls adjacent to 64 Vincent Street Oak Park do not meet the criteria of the proposed heritage overlay (HO585 - Bluestone Retaining Walls)	It is agreed that the landscaping works adjacent to this property are not significant within the place, and it is <u>recommended</u> that the curtilage of HO585 be reduced to exclude the portion directly adjacent to 64 Vincent Street. Refer Appendix I. No other changes to the Amendment are recommended in respect of this property.

#	Address	Heritage place / precinct	Summary of issues	Response to submission
13	68 Albion Street, Brunswick East	HO85 Glenmorgan, Albion and Clarence Streets Precinct, Brunswick East (Extension)	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p> <ol style="list-style-type: none"> 1. The Heritage Overlay will stop the submitters' plan on replacing their existing home with a brand new modern two-storey dwelling. Current delay is due to Covid-19 pandemic (lockdown and shortage of building materials). Cannot afford to re-locate to another area. 2. A new single dwelling along Albion Street will have no effect on Glenmorgan Street. 	<p>The submission does not raise issues of heritage significance relevant to whether or not the property be included in the Moreland Heritage Overlay as contributory to HO85 . No changes to the Amendment are recommended in respect of this property.</p>
16	13 Ash Grove, Oak Park	HO586 13 Ash Grove, Oak Park – House	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay due to alterations since the heritage assessment of 13 Ash Grove Oak Park (rendering of façade and painting of timber panelling).</p>	<p>Based on a review of the recently undertaken work against the previously identified heritage values of the place, we note the following:</p> <ul style="list-style-type: none"> • The overall built form, floor to ceiling windows and stone tile garden beds remain intact. • Rendering of the walls is considered to be a major and intrusive alteration that will not be easily, or likely to be, reversed. • The integrity/intactness of the building has been reduced from 'high' to 'moderate' overall. <p>Although the building retains a range of key features, it is our opinion that the property no longer meets the threshold for local heritage significance due to the rendering of the</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
				brickwork which was a primary aesthetic component of the building as noted in the statement of significance. <u>It is recommended</u> that the place be removed from the Amendment.
17	70 Albion Street, Brunswick East	HO85 Glenmorgan, Albion and Clarence Streets Precinct (Extension)	The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons: 1. The Heritage Overlay will prevent their plan of building a new dwelling on the land. 2. The existing zoning and covenant to 70 Albion Street restricts development already to one dwelling with a maximum height of 2 storeys. A new modern dwelling will not affect the protection of Glenmorgan Street. This is in contrast to the five-storey building approved at 80-82 Albion Street.	The submission appears to be based on the mistaken belief that the precinct extension is for the primary benefit to the protection of Glenmorgan Street. This is not the basis for the precinct extension; rather, the properties proposed to be included in HO85 have been assessed as contributing to the significance of the precinct in their own right and in addition to the properties on Glenmorgan Street – hence the name of the precinct as ‘Glenmorgan, <i>Albion</i> and Clarence Streets Precinct’. No changes to the Amendment are recommended in respect of this property.
18	28 McMahons Road, Coburg North	HO583 28 McMahons Road, Coburg North – House	The submission supports the Amendment, but identified some inaccuracies in the citation relating to the materials described in the citation and statement of significance. Do not believe painting controls to protect the unpainted brickwork are necessary for this heritage place as the Moreland Heritage Exemptions Incorporated Plan does not provide an exemption for that type of work.	The submission draws attention to a number of minor inaccuracies in the description of materials in the citation. <u>It is recommended</u> that the citation be amended as set out at Appendix I. No other changes to the Amendment are recommended in respect of this property.

#	Address	Heritage place / precinct	Summary of issues	Response to submission
19	28-78 Albion Street, Brunswick East	HO85 Glenmorgan, Albion and Clarence Streets Precinct (Extension)	<p>The submission comprises a petition signed by 22 residents of Albion Street Brunswick East objecting to the proposed extension of HO85 (Glenmorgan Street Precinct) to include 26 to 78 Albion Street, Brunswick East for the following reasons:.</p> <ol style="list-style-type: none"> 1. The zoning and covenant affecting properties along Albion Street restrict development enough to only one dwelling with a maximum height of 2 storeys, which would protect the status of Glenmorgan Street. 2. Adding a heritage listing to properties would ruin their potential and value. 	<p>The submission / petition appears to be based on the mistaken belief that the precinct extension is for the primary benefit to the protection of Glenmorgan Street. This is not the basis for the precinct extension; rather, the properties proposed to be included in HO85 have been assessed as contributing to the significance of the precinct in their own right and in addition to the properties on Glenmorgan Street – hence the name of the precinct as ‘Glenmorgan, <i>Albion</i> and Clarence Streets Precinct’. No changes to the Amendment are recommended in respect of this precinct extension.</p>
22	415–425 Sydney Road, Coburg	HO577 415–425 Sydney Road, Coburg - Coburg Market	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p> <ol style="list-style-type: none"> 1. Disagrees with the citation’s classification of the Coburg Market as having high integrity, noting modifications that have been made to the building over time. 2. Heritage Overlay will constrain future development of the site. 3. Any social history can be recoded and documented in written and photographic form 	<ol style="list-style-type: none"> 1. The citation for the Coburg Market describes how the place is of local historical and is of representative significance to Moreland. It is described as a ‘rare example of an intact interwar municipal marketplace’, describing the brick parapet to the front façade as a significant feature. <p>It is common for the ground level of heritage shopfronts to have had modifications over time, as represented by other shopfronts along Sydney Road that have been included in the Moreland Heritage Overlay. It is often the state of the upper features of the building, such as</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			and/or information plaques incorporated into the entry of any new building.	<p>the parapet form and detailing that are integral to the integrity of a shop in a heritage assessment. Whilst there have been some changes over time to this place, such as to the front awning, shopfronts and entrance area, the heritage assessment found the original form, layout and function of the place was highly intact. In particular, the parapet form was original and contained the interwar detailing in an Art Deco style.</p> <p>It is agreed that some roof trusses are made of timber. <u>It is recommended</u> that the statement of significance and citation is modified to reflect the correct materials for the roof trusses (timber and steel). A copy of the amended citation is at Appendix K.</p> <p>2. This point in the submission does not raise issues of heritage significance relevant to inclusion of the property in the Moreland Heritage Overlay.</p> <p>3. Recording and display / interpretation of the social history associated with the Coburg market is a separate consideration to the retention of its heritage fabric that has been assessed as having heritage significance and thus merits inclusion in the Moreland Heritage Overlay.</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
23	483 Moreland Road, Pascoe Vale	HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p> <ol style="list-style-type: none"> 1. The heritage overlay will prevent the submitters from being able to install a lift to improve access to their home at 483 Moreland Road (to support aging in the home). This is due to the described significance of the terraced gardens. 2. Financial burden to maintain their identified significance. In particular the retaining walls / terracing due to their poor condition, subsidence and drainage issues. 	<p>The submission raises issues mainly unrelated to heritage significance relevant to whether or not the property be included in the Moreland Heritage Overlay.</p> <p>However, the issues raised have been generally addressed in previous responses, in particular:</p> <ul style="list-style-type: none"> • as set out in the response to Submission 9 above, the inclusion of the place as contributory within HO207 does not necessarily prevent modifications to achieve accessibility improvements for occupants, provided they are done in a way that is sympathetic to the significance of the place • as set out in the response to Submission 8 above, a modification to statement of significance and citation has been recommended to better describe the retaining walls' heritage contribution to the streetscape. Refer Appendix H.
24	487 Moreland Road, Pascoe Vale	HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p> <ol style="list-style-type: none"> 1. The property at 487 Moreland Road has had substantial renovations made to the 	<p>It is common for contributory buildings within a precinct to contain some later additions that do not necessarily compromise the intactness of the property. Further, Clause 43.01 supports removal of non-significant elements. However, while the siting and terracing is very much in keeping with the other properties in the vicinity</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			<p>house and is no longer in its original condition.</p> <p>2. The heritage overlay will prevent them from being able to install a lift to improve access to their home (to support aging in the home). This is due to significance described significance of the terraced gardens.</p>	<p>within the precinct, on reviewing the degree of alterations and additions to the building façade in particular, it is considered that the property does not retain sufficient characteristics of its style to be graded as contributory.</p> <p><u>It is recommended</u> that the place be re-graded as 'Non-contributory'. Refer Appendix H</p>
25	78 Albion Street, Brunswick	HO85 Glenmorgan, Albion and Clarence Streets Precinct (Extension)	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p> <p>1. Inclusion in HO85 will provide no benefit to the property, and result in additional compliance requirements and cost preservation of the section of Albion Street proposed for inclusion.</p> <p>2. The character of Albion Street is mixed (ugly and nice apartments, old and new housing, busy thoroughfare).</p>	<p>The south side of Albion Street assessed as meeting threshold for inclusion in HO85 is characterised by a row of intact 1920's Bungalows that are consistent in scale, setback and materiality. On review, it is considered that there is insufficient evidence in the building form or site history to include 78 Albion Street within this characterisation, noting it has also features an uncharacteristic front setback, within which there has been substantial unsympathetic alteration (fence, roller door and front landscaping works).</p> <p><u>It is recommended</u> that 78 Albion Street be removed from the Amendment. This would not impact on, and indeed improve, the integrity of the extended HO85 precinct. A copy of the amended citation is at Appendix L.</p>
27	113 Nicholson Street, Brunswick East	HO563 113 Nicholson Street, Brunswick East – Flats	<p>The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:</p>	<p>1. The place was assessed as meeting the threshold of local heritage significance under criteria D and E for the following reasons:</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			<p>1. Does not agree with the significance of 113 Nicholson Street Brunswick East on the basis that:</p> <ul style="list-style-type: none"> • The aesthetic appeal is overstated • The place does not meet Criteria D and E of HERCON criterion. <p>2. The heritage overlay contradicts the directions of the Brunswick Structure Plan and is not in line with Design and Development Overlay 23 that encourage multi dwelling development and employment outcomes.</p> <p>3. Will impact on the ability to provide required social infrastructure to surrounding residents within a new development.</p>	<p><i>Criterion D - The apartment building demonstrates the principal characteristics of the Art Deco style, including the materiality, overall form and detailing to the brickwork.</i></p> <p><i>Criterion E - The place has aesthetic significance as a highly intact and well-kept Art Deco style residential flats building which contains high quality Art Deco features. Being located on a prominent street corner, it also presents well to the street as a heritage building.</i></p> <p>The assessment included a comparative analysis against three examples within the Moderne Apartment Blocks serial listing in the Moreland Heritage Overlay (HO443), to which 113 Nicholson Street Brunswick East was assessed as comparing favourably, particularly noting its prominent location at a street corner.</p> <p>2. & 3. These points in the submission do not raise issues of heritage significance relevant to inclusion of the property in the Moreland Heritage Overlay.</p> <p>To correct small typographic errors <u>it is recommended</u> that the statement of significance and citation be changed as shown in Appendix K. No other changes to the</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
				Amendment are recommended in respect of this place.
28	475 Moreland Road, Pascoe Vale	HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)	<p>1. The submission opposes the extension of the precinct to 467-491 Moreland Road for the following reasons:</p> <ul style="list-style-type: none"> • Limited visibility of the dwellings due to significant slope of the blocks • Height and slope of block adds complexity and cost to ongoing maintenance • Only includes a limited part of Moreland Road and will result in inconsistent planning controls along the road. • It was the last part of Coonans Hill to be developed and is not in the same era as the other parts of the precinct. <p>2. Alternatively, the submission also opposes inclusion of the property as contributory for the following reasons:</p> <ul style="list-style-type: none"> • The property 475 Moreland Road does not contribute to the heritage of the area: • The dwelling is a poor example of Mid-20th Century Austerity design • The dwelling does not fit with the overall style of most houses in the precinct. 	<p>1. The shared hilly topography of the properties assessed as meriting inclusion in the Moreland Heritage Overlay as an extension of HO207 specifically forms part of the assessed significance that contributes to the precinct. Under Criterion E (aesthetic significance), it was assessed that <i>'the dwellings along Moreland Road are aesthetically significant as sites cut into the incline of Coonan's Hill with terraced gardens overlooking the street'</i>.</p> <p>While later than other portions of the precinct, the properties on Moreland road assessed as meriting inclusion under the extension of HO207 demonstrate a continuation of the historical narrative of development into the post-war era.</p> <p>The other aspects of this point in the submission do not raise issues of heritage significance relevant to whether or not the precinct extension is included in the Moreland Heritage Overlay.</p> <p>2. The property at 475 Moreland Road, Pascoe Vale South, was constructed between 1945 and 1950, making it an early example of post-war austerity development in Moreland. This</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			<ul style="list-style-type: none"> • 475 Moreland Road is in poor state and work to restore the house to as-new is not feasible. 	<p>house is a good representative example of this period of urban development in Moreland, abiding by key aesthetic design characteristics that characterise this period of design. These design features include the stepped double fronted layout of the structure with a projecting bay, deep eaves, corner window, hipped shallow roof form with cement or glazed terracotta tiling, and the use of clinker brick. During the post-war period, material shortages meant that ceiling heights dropped, and this is also represented at 475 Moreland Road. All of these features in combination at 475 Moreland Road Pascoe Vale South work to produce a highly intact and representative example of post-war austerity domestic design in Pascoe Vale, and the broader Moreland metropolitan area.</p> <p>Refer to response to Submission 33 regarding the role of condition in relation to assessment of significance and inclusion of a place in a municipal heritage overlay.</p> <p>No changes to the Amendment are recommended in respect of this property.</p>
31	1 Bonar Avenue, Brunswick West	HO595 Irving Estate Precinct, Brunswick West	The submission opposes the inclusion of the property in the Moreland Heritage Overlay for the following reasons:	The submission does not raise issues related to heritage significance. No changes to the Amendment are recommended in respect of this property.

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			<p>1. Time and costs associated with the Planning permit process and planning requirements for repairs and simple renovations.</p> <p>2. Difficulty in finding tradesman who specialise in period features and the associated costs to maintain and repair heritage features. Concern the heritage overlay is not flexible enough to manage changes that do not replace like for like and queries the permit requirements for changes to the porch and front fencing.</p> <p>3. Impact on the valuation of their home</p> <p>4. May disadvantage houses on the east side of Bonar Avenue as the heritage overlay will restrict changes to manage development on Melville Road.</p>	
32	5 Duke Street, Brunswick East	HO593 Duke Street Precinct, Brunswick East	<p>The lack of consultation with the owners of the Duke Street properties not consulted in relation to Amendment C208more.</p> <p>Describes errors in the description of the façade of 5 Duke Street within the Duke Street Precinct citation.</p>	<p>The Duke Street Precinct was reviewed following a number of submissions raising questions around the merits for the precinct due to the varying styles of dwellings in the street, and in light of new information provided relating to the integrity of a number of dwellings.</p> <p>As a result of the review of the new information provided, it has been determined that:</p>
34	3 Duke Street, Brunswick East	HO593 Duke Street Precinct, Brunswick East	Does not agree that Duke Street warrants preservation in perpetuity. There is little	

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			<p>consistency in the architectural period and style within the street.</p> <p>The heritage overlay will place costly constraints on the ability of owners to improve the dwellings (modernise, increase nature light, improve energy efficiency and amenity)</p>	<p>– Alterations have been undertaken to the front window and awning at 5 Duke Street. While the front fence, though not original, is a contributory element and that works to the side, rear and interior of the building do not impact the ability of the building to contribute to a precinct, the façade alterations however do impact the ability of the building to clearly contribute to the precinct. As a result, this site should be regraded to non-contributory. Given that the precinct is only made up of 15 buildings, this regrading has a significant impact on the overall integrity of the precinct.</p>
35	13 Duke Street, Brunswick East	HO593 Duke Street Precinct, Brunswick East (New)	<p>1. Opportunity for submissions should be extended to a time when 'covid-normal' is attained.</p> <p>2. No evidence that Duke Street Precinct was nominated by the public in 2016</p> <p>3. Disagrees with the Council's response in the Explanatory Report relating to the Amendments environmental response.</p> <p>4. Disagrees with the heritage assessment of meeting HERCON criterion D & E and the subsequent merits for the Duke Street Precinct, including:</p> <ul style="list-style-type: none"> • The physical analysis should be revised to be 'fair' condition 'moderate' integrity. • The citation describes the dwellings as 'not unique'. • All dwellings have been modified in some form over the years. 	<p>– The buildings at 9-13 were identified as being from the interwar period during the citation preparation when they represent a period just prior to this, being the late Edwardian period (1910-1920). While the general built form and materiality is consistent with the character of the precinct set out in the statement of significance, the inclusion of an additional era of development does reduce the ability of the precinct to meet HERCON Criterion D.</p> <p>– 10 Duke Street was constructed after 2009. This would not alter the grading of the property from non-contributory.</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			<ul style="list-style-type: none"> • Description of a bungalow is insufficient evidence to meet Criterion D and E and fails to mention pre-1920's cottages. • Dwellings 9, 11 and 13 are not interwar cottages. • Scale, setback and design of the dwellings is not consistent. 	<p>This new information has meant that the integrity of the proposed Duke Street Precinct was not as strong as initially thought, reducing its ability to meet the threshold for local significance.</p> <p><u>It is recommended</u> that the Duke Street Precinct is removed from the Amendment.</p>
36	7 & 9 Duke Street, Brunswick East	HO593 Duke Street Precinct, Brunswick East (New)	<ol style="list-style-type: none"> 1. Does not agree with the heritage value of the Duke Street Precinct as follows: <ul style="list-style-type: none"> • High degree of variation and variable condition and integrity of the housing • The assessment contains factual errors relating to the description of 9, 10, 11 & 13 Duke Street • The citation describes the housing as 'not unique' and has significantly less heritage value than the nearby Sumner Street. 2. The heritage overlay will limit the type and scope of development to renovations rather than new buildings that use more sustainable building techniques. 3. Consultation process has not been transparent 4. Unclear how or if Duke Street was nominated by the public. 	

#	Address	Heritage place / precinct	Summary of issues	Response to submission
37	1-25 & 29-43 Railway Place, Coburg	HO596 Railway Place Precinct, Coburg (New)	<p>1. Does not agree with the heritage assessment of the Railway Heritage Precinct as follows:</p> <ul style="list-style-type: none"> • Previous heritage studies found the row of houses did not meet the criteria for inclusion • Row lacks cohesiveness and integrity, individually and collectively • Existence of more intact/significant examples of Italianate Victorian row houses elsewhere in municipality. • Queries the emphasis on 'Italian boom era style terraces' for this precinct based on the era, style and modifications of many dwellings. • Visual cohesiveness of the Railway Place houses is interrupted by the dwelling at 9-11 Railway Place. • The individual nature of fences, verandahs and exterior finishes including paintwork. <p>2. Existing neighbourhood character in the Scheme provides adequate protection for the Railway Place row houses.</p> <p>3. The claim that 'timber fences' were originally present is unsubstantiated and such a 'white picket fence' approach to creating a heritage precinct does not account</p>	<p>1. It is understood that based on a review of previous heritage studies of the former City of Coburg and Moreland City Council, a heritage assessment of a Railway Place Precinct / terrace row does not appear to have been previously undertaken. Refer to response to Submission 43 generally in regard to the consideration or omission of places in previous heritage studies.</p> <p>As noted in the Methodology above, generally a potential precinct would be expected to have at least 'moderate' intactness. The precinct was assessed as containing 76% contributory properties, which is at the upper end of the range designated as having 'moderate integrity'. For individual properties to be graded as contributory, they have been assessed as having a sufficient degree of integrity/intactness in their own right. Despite a number of contributory properties having some modifications to their street frontage (including to fences, verandahs, windows and paint schemes, these were assessed as having little impact on their ability to contribute to the precinct and/or be reversible.</p> <p>The classification of the row as exhibiting the characteristics of Italianate boom era style Victorian terrace housing is justified in the</p>

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			<p>for the evolving nature of Coburg. This also has implications to managing pets at home.</p> <p>4. Questions the non-contributory value to 13, 15 and 17 Railway Place.</p>	<p>citation under Criterion D to include 'the matching pointed parapet and associated decorative moulding'. The modifications to dwellings graded as contributory do not involve modification to these elements.</p> <p>The row remains visually cohesive despite the presence of an interruption of a non-contributory dwelling. Indeed, remarkably so for the City of Moreland, incorporating a continuous row of a dozen contributory terraces in the same form without break.</p> <p>2. This point in the submission does not raise issues of heritage significance relevant to inclusion of the property in the Moreland Heritage Overlay. Neighbourhood Character is a separate and additional consideration under the Moreland Planning Scheme.</p> <p>3. There is broad consistency of form and scale of timber picket fences in the row that strongly suggests the original presence of low timber fences, many if not all of which may have been replaced over time like for like or with more or less sympathetic alternatives. It is certainly possible that a woven wire fence (such as seen at No. 39 Railway Place) is early or original, however if this was consistently original across all properties we would expect to see more evidence today as</p>

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				<p>such fences are durable and often do not require replacement. Either way, the low scale of fences is consistent and considered an important aspect of the character of the precinct. It is likely that animals may have been kept at these houses over the past hundred years or more without modification to the fence heights.</p> <p>4. Whilst broadly intact and of the same period, Nos. 13 and 15 are not representative of the Italianate boom era style for which the precinct is representative. No. 17 has undergone substantial irreversible modifications that have affected its integrity such that it no longer contributes to the significance of the precinct as characteristic of the Italianate boom era style.</p> <p>It is noted that the Heritage Study recommended inclusion in the Moreland Heritage Overlay as new HO598 Nos. 223-229 Victoria Street Brunswick, assessed as individually significant as Victorian terraces modified during the post war period in the 'Mediterranean idiom'.</p>
39	5,7,9,10,11,13,15 Duke Street, Brunswick East	HO593 Duke Street Precinct, Brunswick East (New)	1. Does not agree with the heritage value of the Duke Street Precinct as follows:	Refer to response to Submissions 32 and 34-7.

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			<ul style="list-style-type: none"> • High degree of variation and variable condition and integrity of the housing • The assessment contains factual errors relating to the description of 9, 10, 11 & 13 Duke Street • The citation describes the housing as 'not unique' and has significantly less heritage value than the nearby Sumner Street. <p>2. The heritage overlay will limit the type and scope of development to renovations rather than new buildings that use more sustainable building techniques.</p> <p>3. Consultation process has not transparent</p> <p>4. Unclear how or if Duke Street was nominated by the public.</p>	<p><u>It is recommended</u> that the Duke Street Precinct is removed from the Amendment.</p>
40	50 & 52 Hanover Street, Brunswick	HO594 Hanover Street Precinct, Brunswick	<p>1. The mapping of HO594 in the Moreland Heritage Exemptions Incorporated Plan incorrectly shows 29 Hanover Street as having contributory heritage value.</p> <p>2. The Hanover Street Precinct should incorporate all properties within Hanover Street, not just part of the street.</p> <p>3. There is no rationale why 51 Hanover Street is not included in the precinct.</p>	<p>1. The submitter has identified an error in the mapping of HO594 in the Moreland Heritage Exemptions Incorporated Plan. It should show 29 Hanover Street as having non-contributory value in line with the Hanover Street Precinct citation. <u>It is recommended</u> this change be made through this Amendment. Refer Appendix G.</p> <p>2. Please refer to response to Submission 43.</p>

#	Address	Heritage place / precinct	Summary of issues	Response to submission
			4. 50 Hanover Street should have non-contributory heritage value to the Hanover Street Precinct as it has been modified (aluminium windows, Hardie Board externals and modified frontage)	<p>3. 51 Hanover Street was assessed as non-contributory due to a number of alterations that detract from its integrity so as to reduce its ability to contribute to the precinct, including alterations to the porch and front landscaping</p> <p>4. Based on the site inspection in November 2019, there were no apparent issues with authenticity of materials or modifications relating to the elements of the building that contribute to the precinct.</p> <p>Aside from that noted under point 1 above, no change to the Amendment is recommended in relation to this property.</p>
41	469 Moreland Road, Pascoe Vale	HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)	<p>1. Heritage overlay will create added costs to maintain and upgrade their property at 469 Moreland Road (including planning permit requirement costs).</p> <p>2. The heritage overlay will devalue their property.</p> <p>3. Council are not offering any compensation for having to preserve the heritage and history for the community.</p>	The submission does not raise issues related to heritage significance. No changes to the Amendment are recommended in respect of this property.

Appendix B. Amended Heritage Citations:

HO559 Lee Street, Brunswick East - CERES Park
& HO572 131 Harding Street, Coburg - Joe's
Market Garden

Appendix C. Amended Heritage Citation.

31 The Avenue, Coburg

Appendix D. Advice on the contribution of 31 The Avenue, Coburg to HO172

Appendix E. Amended Heritage Citation.

HO550 383 Brunswick Road, Brunswick - Concrete
House & Fence

Appendix F. Amended Heritage Citation. HO552

198 Edward Street, Brunswick - Loretto

Appendix G. Amended Heritage Citation. HO594 Hanover Street Precinct, 27-49 and 2-64 Hanover Street, Brunswick.

Appendix H. Amended Heritage Citation. HO207 Coonans Hill Precinct, Pascoe Vale South (Extension)

Appendix I. Amended Heritage Citation. HO585
Deveraux Street and surrounds includes: Deveraux
Street, Ash Grove, Vincent Street, Short Street,
Draska Court and Xavier Street, Oak Park -
Bluestone Retaining Walls.

Appendix J. Amended Heritage Citation. HO583 28 McMahons Road, Coburg North – House

Appendix K. Amended Heritage Citation. HO577 415–425 Sydney Road, Coburg - Coburg Market.

Appendix L. Amended Heritage Citation. HO85 Glenmorgan, Albion and Clarence Streets Precinct (Extension)

Appendix M. Amended Heritage Citation. HO563 113 Nicholson Street, Brunswick East – Flats