

[REDACTED]

From: [REDACTED]
Sent: Friday, 1 October 2021 1:20 PM
To: Strategic Planning
Subject: Amendment C208: an online submission has been received

Name : [REDACTED]
Address : [REDACTED]
Email : [REDACTED]
Phone : [REDACTED]
Make a submission : have sent submission via email
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Privacy : I agree

1st Oct 2021

Moreland City Council
Strategic Planning
Re: Amendment C208more

Dear Sir/Madam,

As resident owners of 1 Bonar Avenue Brunswick West, one of the properties that now falls within the new proposed precinct, we along with our neighbours, would like to raise some concerns re the implications a heritage overlay may place on our properties.

Firstly, we do agree certain features and characters make this precinct noteworthy and one that should be taken seriously when it comes to new developments that are not in keeping with the area. Especially, given some of the questionable developments that has happened within Moreland over the years and how they were acceptable “fits” in the first place.

The concerns we have are as follows:

1. Added process, time and costs involved.
 - a. A new planning permit process can add time or delay projects.
 - b. How will this affect the process of simple renovations and maintenance projects, as regularly required on old homes, that in the past did not require planning permits?
 - c. If a planning permit is required just for maintenance, will that incur fees? If so, we would hope fees would be minimal or even waived.

Here are a couple of examples of what we refer to, which we consider as cosmetic maintenance or updates.

- Will front fences require planning permits if pickets or wires need replacing/repainting or if bricks were to be rendered?
 - Replacing exterior weatherboards and exterior house painting, would a planning permit be required, and would colours choices also be limited to “in keeping with Heritage”?
2. Replacing “like for like” is a preference for many residents, like ourselves, however that reality can sometimes be a difficult task.
 - a. Finding tradespeople who specialise in period features is not as easy as it once was, speaking from experience, as old-fashioned tradies are a “dying” artform.
 - b. If you are lucky enough to find the right tradesperson the exuberant costs that come with it may not be affordable and compromises may need to be made.
 - c. How will this fit into the Heritage overlay plan? Will it be flexible enough to allow for these unattainables? We would hope so.

An example of this is our front veranda. Although the house is weatherboard, it cost us a large sum over 20 years ago to have the brick portion of the veranda tuckpointed so the home can retain its character. At the time there was only one tradesperson offering this service. It is a delicate and specialised field, one that takes hours and dedication, hence the high costs. If the veranda requires maintenance in near future, to render or paint will be a more suitable and affordable option for us, would this be a heritage issue? Would we be forced to replace “like for like” in this instance? In our opinion it is still in keeping with the period of the precinct, yet we would be very disappointed should this be restricted or require a planning permit with associated costs.

3. Future value of home

- a. We do understand that is always an unknown and dependant on current markets and times, however a heritage overlay can also be looked at negatively by future homeowners. Whilst the precinct may look inviting due to the retained features and characteristics of the homes, it may also deter future buyers not wanting to commit to the planning restrictions that it may place on their finances and lifestyle. This in turn can make a sale difficult for current owners and possibly cause a need to reduce true sale value of home.

4. May disadvantage houses on East Side of Bonar Avenue

- a. How will House nos. 1, 3, 5, 7 & 9 be protected from any future developments that may occur on the Melville Road properties that sits behind them? Will a Heritage Overlay restrict Bonar Avenue homeowners from changes they may wish to make if a development on these Melville Road properties threatens their current home layout?

In conclusion I am sure you agree that old homes need constant maintenance, therefore, it needs to be clear and easy to understand for affected owners as to what will or will not cause the need for planning permits under the Heritage Overlay.

Furthermore, flexible/reasonable options to allow owners to maintain and be able to make small alterations to their homes according to their needs and financial capabilities, without the added stress of planning permits or extra interventions.

We have been residing in our home since 1992 and therefore are long-term residents of Moreland, as are many of our neighbours. We along with our neighbours hope you take our concerns onboard and consider all the above in the planning and decision-making process. We would also welcome any feedback or further discussions.

Warm Regards

[Redacted Signature]
[Redacted Name]
[Redacted Address]

From: [REDACTED]
Sent: Friday, 1 October 2021 1:56 PM
To: Strategic Planning
Subject: CM: Opposition to Amendment C208more

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Authority members

I write to oppose Amendment C208more in relation to Duke Street Brunswick East on the following grounds:

- 1) Neither myself nor any owner in Duke St Brunswick East was consulted in relation to the above amendments. This is in keeping with Moreland Council's historical failure to conduct community consultation on matters that directly affect its residents. Had there been any individual communication the factual errors that appear in the heritage nomination study for Duke Street may have been avoided.
- 2) "The dwelling at 5 Duke Street is a fairly intact Victorian cottage built of brick with original timber joinery, roof form and front facing windows": This statement is incorrect. Lead lighting was not used on simple dwellings in 1890. The front window was an addition post-1950s and directly matches windows to the rear as part of a post-1950s alteration. The house façade has been significantly altered since its construction (roofing, front window, awning, side structure, fencing, grounds, side porch). Further, unless a member of your team inspected the wall and roof cavities there is no evidence for original joinery. I can guarantee no one did this.

I propose that there be direct consultation with myself and the owner-residents of Duke Street prior to any determination being made, and hence reject the proposed amendment.

Kind regards

[REDACTED] owner 5 Duke Street Brunswick East

Contact:

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Friday, 1 October 2021 2:51 PM
To: Strategic Planning
Subject: Amendment C208: an online submission has been received

Follow Up Flag: Follow up
Flag Status: Flagged

Name : [REDACTED]
Address : [REDACTED]
Email : [REDACTED]
Phone : [REDACTED]

Make a submission : Please see the attached file.

Upload your submission : [REDACTED]
[REDACTED]

Privacy : I agree



Email

Date: 1 October 2021

To: Strategic Planning Submission to Amendment C208more
Moreland City Council

Email: strategicplanning@moreland.vic.gov.au

From:

Tel:

Our ref:

Email:

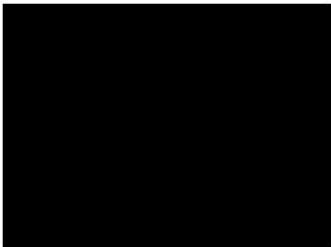
MSY:MSY:212820

Submission to Amendment to C208more

I act for [REDACTED] who is the registered proprietor of the property situate and known as 383 Brunswick Road, Brunswick.

I have been instructed by my client to lodge with council on my client's behalf Submissions to Amendment C208more which Submissions are attached to this letter.

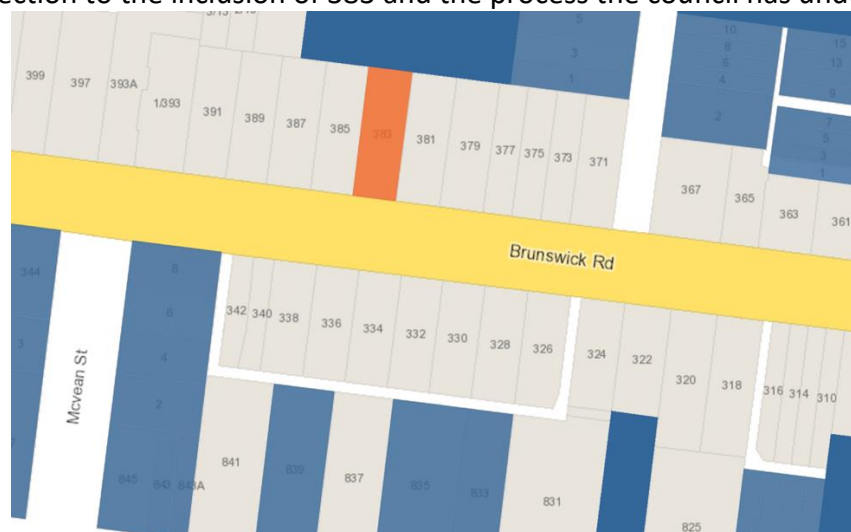
If you have any questions please do not hesitate to contact me.



Submissions Against the inclusion of 383 Brunswick Road, Brunswick in Amendment C208

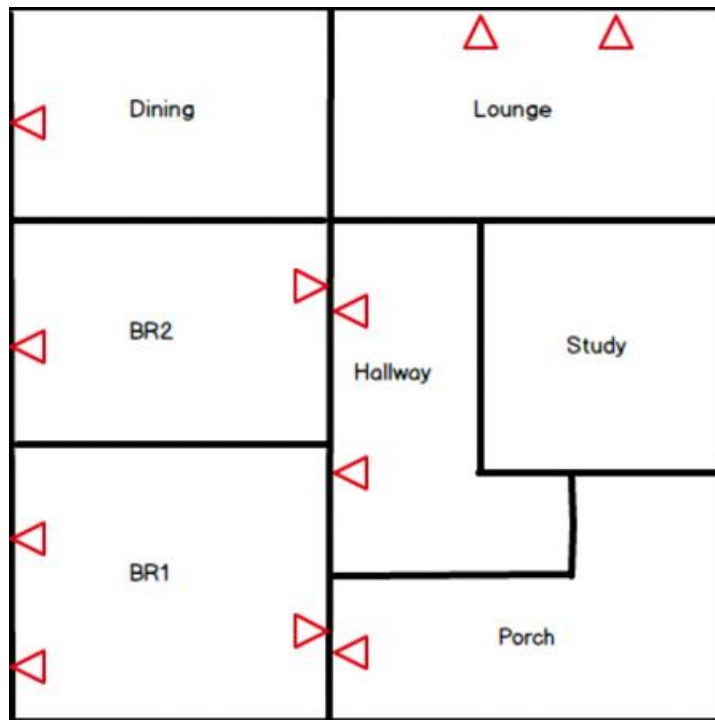
For and on behalf of the owner of 383 Brunswick Rd (383).

1. Amendment C208 is based on two recent heritage studies, the Moreland Heritage Nominations Study (2020) and Moreland Heritage Gap Study (2019) along with the Heritage Citation – Individual Place dated May 2020 all of which reference documents form part of the C208 incorporation into the Moreland Planning Scheme (Scheme).
2. 383 Brunswick Road will be one of 45 individual places with the Heritage Overlay.
3. In broad strokes the C208 amendment (208) and supporting documents suggest the house and fence of 383 is of historical significance as it ‘demonstrates a high degree of technical achievement at the local level for the construction of a concrete dwelling’.
4. These reports prepare a heritage assessment using set criteria which includes the following elements:
 - a. *Importance to the course, or pattern of our cultural or natural history.*
 - b. *Possession of uncommon, rare or endangered aspects of our cultural or natural history.*
 - c. *Potential to yield information that will contribute to an understanding of our cultural or natural history.*
 - d. *Important in demonstrating the principal characteristics of a class of cultural or natural places or environments.*
 - e. *Importance in exhibiting particular aesthetic characteristics.*
 - f. *Importance in demonstrating a high degree of creative or technical achievement at a particular period.*
 - 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 the continuing and developing cultural traditions.*
 - h. *Special association with the life or works of a person, or group of persons, of importance in our history.*
 - i. These submissions will deal with the above factors and additional issues in objection to the inclusion of 383 and the process the council has undertaken.



5. Procedurally there are the following issues with the proposal:

- a. The notice provided to the land owner of 383 setting out C208 included that all filing of objections was to be filed 4 weeks within the receipt of the notice.
 - b. With just 30 days notice prior to the required filing of these submissions there was no real preparation the owner could make.
 - i. In normal times let alone covid times it is not possible to have a heritage expert provide a report setting out an analysis of the negative aspects of including 383 in the 208 amendment.
 - ii. Not only are businesses closed but travel restrictions also meant any heritage expert assessment was going to be prepared far beyond the 1 October 2021 cut off for objections.
6. The Individual Heritage Citation dated May 2020 for 383 along with the other reference documents never included any access to the property or dwelling and where limited to a visual inspection from the public domain.
- a. The interiors of buildings and inaccessible areas such as rear gardens were not accessed including any site condition and site modification assessment of the alterations to the heritage fabric.
7. The reality for the owner is the building is in a significant and life threatening state of disrepair and as it continues to deteriorate there is no rear access or right of way to the property.
- a. In regard to difficulties in maintaining the property the owner will not be able to get builders in to construct a deck in the back yard because there is no access for the most basic machinery.
 - b. Further by putting a heritage overlay on the property, the entire block becomes land locked. It will not be possible to extend up or back because there is no access and the heritage building on the front half of the property can't be changed or moved. This means the front half of the property will be an old house and the rear half will always be an empty yard.
 - c. Despite the whole front of house being re-rendered the cracks are opening up again. In addition the central supporting wall of the house is leaning over in some locations up to 5cm from square (which would be more at the roof level) as a result of the sinking of the west half of the house which has sunken 10cm.
 - i. This is indicative of the entire west half of the house has sunk / leant over time; this is because the building has concrete footings, not bluestone and so the house has sunk to the west.
 - ii. When the floors were restumped and levelled the fireplace hearths were well below floor level. All three fireplaces on the west side of the house are covered up and cannot be seen or used because of this.
 - iii. The tiles are beyond repair and opposite of the council heritage statement saying it's in 'good condition'.
 - d. The earthquake in Melbourne made the dilapidation of the property and already severe lean of the walls even worse as is reflected in the images below.

























8. Now we will consider the criteria from which council makes these recommendations and we submit 383 does not comply:
 - a. Importance to the course, or pattern of our cultural or natural history.
 - b. Possession of uncommon, rare or endangered aspects of our cultural or natural history.
 - c. Potential to yield information that will contribute to an understanding of our cultural or natural history.
 - d. Important in demonstrating the principal characteristics of a class of cultural or natural places or environments.
 - e. Importance in exhibiting particular aesthetic characteristics.
 - f. Importance in demonstrating a high degree of creative or technical achievement at a particular period.
 - 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 the continuing and developing cultural traditions.
 - h. Special association with the life or works of a person, or group of persons, of importance in our history.
9. 383 is not contributing to the immediate and broader heritage context.
 - a. In fact this part of Brunswick has already been remodelled and rebuilt to the point any heritage overlay is wasted on the dilapidated 383.

- b. The failure of any council representatives to actually step into 383 contributes to their failure to consider as it does not respond to the heritage sensitivities of the surrounding area which are already so diluted.
- c. It is a site which makes little or no contribution to the heritage precinct in which it is located and is largely concealed in views from the surrounding streets or overshadowed by new development to the side and rear.



10. The development directly behind to the north is the 4 townhouses at 1 heller St and set at a height which will ensure that its visibility in all views will dominate 383 to the point any vestiges of heritage is overwhelm.

- a. The design response of the rear townhouses dominate the area and view from the public whelm rendering the 383 building fabric to be read from the street as a negligible contribution to the heritage values of this precinct.
- b. The property to the west is a 2 story apartment block along with many surrounding 383 being built leaving 383 surrounded by modern development.
- c. The heritage value of the surrounding properties is negligible and the manner in which they contribute to the precinct is limited and flies in the face of the overlay proposal for 383. Accordingly the overlay proposal of amendment 208 will have no significance on the precinct and the overlay is generally inconsistent with the relevant heritage policy and decision guidelines contained within the Moreland Planning Scheme.

11. The purposes of the heritage overlay include implementing State and Local Planning Policy Frameworks and, relevant to this is, to:

...conserve and enhance heritage places of natural or cultural significance.

...conserve and enhance those elements which contribute to the significance of heritage places.

...ensure that development does not adversely affect the significance of heritage places.

- a. The extensions and additions to 383 including the brick fence which was built in 1960 and far from heritage and dominant and render 383 a dilapidated and contemporary styling and distinguish 383 from the original heritage fabric.
12. Drawn together it can be said that the test for the inclusion of 383 is that the additions, contemporary front fence, dilapidation will adversely affect the significance (i.e. the values) of the local heritage precinct.
- a. The owner refutes that 383 demonstrates a high degree of technical achievement at the local level for the construction of a concrete dwelling. How can the comment of “high degree of technical achievement” be justified when 383 comprises poor quality concrete incorporating a significant amount of lime which makes it powdery without much structural integrity.
 - b. Further the aggregate in the concrete is made up of broken pottery pieces from the now redundant pottery site, which can hardly be regarded as any sort of technical achievement.
 - c. There is no evidence that any reinforcing material (steel) has been incorporated into the concrete of 383 which compromises the structural integrity.
 - d. The house was not constructed (or occupied) by any citizen of historical significance it is just the residence of people over the years.
 - e. As a result we say it does not achieve the required status for an overlay.
13. The statement of significance for precinct states that the precinct is of local historical and social significance. The social significance relates to the history of land use and subdivision. The historical significance related to what is described as the ‘substantially intact modest inter-War housing’ that displays a ‘consistency of scale and setbacks’ which ‘create cohesive and homogenous streetscapes’.
- a. Yet the owners submission is that these elements of consistency in scale, high level of integrity and homogenous streetscape no longer apply to the precinct which is now overtaken by multiple townhouse developments and renovated houses.
 - b. There is a limited degree of retained Inter-War building form and the integrity of the street has been reduced by the introduction of other building types and styles referred to earlier.
 - c. 383 along with many other properties has seen a reasonable degree of modification in a manner that is not sympathetic to nor retains the contribution of original Inter-War heritage fabric.
14. 383 comprises of a building which does not contribute to the heritage values by way of its retained building form.

- a. It is submitted that the retention and ability to read this form in its original context is required in order for this building to continue to contribute to the significance of the precinct and put simply the alterations to the 383 and the dilapidation means it does not contribute.
15. The planning scheme has numerous decision guidelines which provide assistance in the assessment any application for building and works in a heritage overlay. Two of those guidelines are central to the 208 amendment proposal:
 - a. Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
 - b. Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
16. The Council, relying on its own heritage advice, suggests that the contemporary style of the rear additions to 383 and lack of onsite inspection (which resulted in a failure to see the dilapidation of the dwelling, path work and fence work) do not detract from the heritage fabric however the owner says it is completely out of character with the heritage values of the Inter-ware period developments and will dominate the retained portions of the dwelling.
 - a. Hence 383 will reduce the contributory value of the site to the precinct and so is contrary to the outcomes sought under the overlay.
17. It is useful here to refer to the local planning policy on heritage, and in particular the guidance provided for alterations and additions. Relevantly this policy sets out to: Encourage new buildings and alterations and additions that:
 - a. Respect the existing scale, massing, form and siting of contributory or significant elements and do not dominate the heritage place;
 - b. Do not detract from nearby contributory or significant elements within the precinct;
 - c. Avoid alterations to the contributory or significant buildings (including new windows or door openings);
 - d. Adopt innovative and contemporary design that makes a positive contribution to the heritage place; and
 - e. Do not closely replicate historic styles and detailing.
 - f. Ensure that new buildings, alterations and additions do not obscure important view lines to contributory or significant heritage buildings or their features.
18. In particular reference to additions and alterations, policy seeks to:
 - a. Ensure alterations and additions (including upper storey additions) to contributory or significant heritage places adopt the following design guidelines:
 - i. Additions to contributory heritage places should be visually recessive and not dominate the heritage place.
 - ii. Additions to individually significant places should, as far as possible, be concealed by existing heritage fabric when viewed from the front and visually recessive when viewed from any other adjoining street.
 - iii. Existing facades, rooflines, chimneys or other elements that form part of the contributory or significant fabric of the heritage place should be preserved and not altered (such as new windows or door openings).
 - b. 383 fails all design guidelines here because of its dilapidation, alterations and modernization while its isolation amongst contemporary development results in

an overlay control that does not preserve or protect anything of significance and retains and hence exacerbates an already dangerous and dilapidated building with little heritage value.

19. Little weight should be given to the report by council of May 2020, particularly in instances where the writer is not called to substantiate their views under cross-examination nor has the Council advanced any amendment seeking upgrading of the heritage significance of the properties around the subject site.
20. Accordingly, 383 inclusion in amendment 208 provides an inappropriate and unacceptable response when considering the heritage significance of the area.

For and on behalf of the owner of 383 Brunswick Rd Brunswick.

Submission #34

From: [REDACTED]
To: [Strategic Planning](#)
Subject: Submission to Amendment C208more
Date: Friday, 1 October 2021 3:47:11 PM
Attachments: [Objection to Amendement C208 - Duke Street.pdf](#)

To the Moreland City Council Strategic Planning Team,

Please find herewith our letter of objection to Amendment C208.

Regards,

[REDACTED]

[REDACTED]
3 Duke Street
Brunswick East VIC 3057
[REDACTED]
[REDACTED]

Moreland City Council
Strategic Planning
Strategicplanning@moreland.vic.gov.au

To the Moreland City Council Strategic Planning Team,

**OBJECTION TO AMENDMENT C208 - IMPLEMENTATION OF THE MORELAND
HERITAGE NOMINATIONS STUDY**

We write to object to Amendment C208, specifically the implementation of a heritage overlay upon Duke Street, Brunswick East. While the Duke Street streetscape and the individual facades are attractive, it is our view that they do not warrant preservation in perpetuity. We note that there is little consistency in the architectural period and style within the street. While the houses are attractive and well maintained they are not of consequential cultural significance. To place costly constraints on the abilities of owners to improve the amenity of their residences - as a heritage overlay would do - is against the interests of the owners and residents of the Duke Street properties. We ask the Moreland City Council to be mindful of the needs and financial constraints of the families and young people that reside in the street, and to allow considered, thoughtful and modern improvements to be made to the Duke Street properties in the years and decades ahead, without the constraints of an unwarranted overlay. In this instance, a heritage overlay would likely restrict the ability of architects and designers to increase natural light flow, improve energy efficiency and broadly improve the amenity of residences.

Thank you for your time and consideration. You are welcome to contact us should you want to discuss our views on the amendment further.

Kind regards,

[REDACTED]

Submission #35

From: [REDACTED]
To: [Strategic Planning](#)
Cc: [REDACTED]
Subject: Submission to Amendment C208more
Date: Friday, 1 October 2021 4:33:28 PM
Attachments: [REDACTED]

Hello,

Please find attached our submission for amendment C208 - Implementation of the Moreland Heritage Nominations Study.

We look forward to contributing further to this Amendment.

Rgds,

[REDACTED]
[REDACTED]

Strategic Planning Submission to Amendment C208

Moreland City Council

Lock Bag 10

Moreland, VIC, 3058

To whom it may concern,

RE. OBJECTION TO AMENDMENT C208 - IMPLEMENTATION OF THE MORELAND HERITAGE NOMINATIONS STUDY

Please find herein our objection to Amendment C208, specifically in relation to the Duke St Citation and the broader process being followed by Moreland Council.

We find that the process being followed does not stand up to a reasonable level of scrutiny, meanwhile the citation of the Duke St Precinct contains significant factual errors which should otherwise result in the Duke St Precinct, as well as the dwelling at 13 Duke St, not being considered for heritage nomination.

Extension of Submissions – COVID Impacts

Whilst all works (including council) should proceed where safe and practical during the current pandemic we have spoken to all people on our street who have indicated that they would have liked to provide a submission to Amendment C208 but haven't been able to due to severe personal restrictions largely around working from home and home-schooling. **As such, we expect that the submissions should be extended to a time when 'covid-normal' is attained.**

The implementation of Amendment C208 does not appear to be a time-critical activity given the sole-intent is to place planning restrictions over existing properties, of which an interim planning order has already been placed.

Heritage Nomination Process – Failure of Evidence

There is a distinct lack of visibility in the process followed for this amendment. The *Moreland Heritage Nominations Study* states that the study investigated places that were nominated by the public in 2016. However, there is no evidence in any documentation that anyone from the public nominated the Duke St Precinct. When raised in the consultation briefing with Moreland Council, no further evidence was provided (except reference to previous council meetings – which do not provide any evidence that Duke St was nominated).

This is at best a failure of process, or at worst Moreland Council hiding behind a sham 'public nominations' process to justify its objectives.

It is also noted that at no time did Moreland Council or it's heritage consultant engage with any residents of Duke St to discuss or research the information contained within the citation.

Consultation Briefing – Dismissive of issues raised

We attended a briefing with [REDACTED] on Fri 3rd September 2021 to further understand the proposed amendment. Whilst we appreciate that time was made available by Moreland Council and its heritage consultant, we were thoroughly unimpressed with the dismissive tone that was provided by Moreland Council when factual errors and our concerns (many of which are included within this submission) were raised.

Our immediate understanding following this meeting was that Moreland Council has already made its decision that the Duke St Precinct will proceed despite the significant factual errors raised.

Environmental, Social and Economic Effects – Energy & Climate Change

The document *AMENDMENT C208MORE - EXPLANATORY REPORT* states that the amendment is “expected to have a positive environmental impact by protecting a place of historic significance and allowing the reuse and recycling of existing building stock”.

We strongly disagree with this statement for the following reasons.

Our property is classified as a poor quality build (as defined by the building inspection report as part of our due diligence to purchase our property) and as such has reached the end of its lifecycle. As per any structure that is built, it has a ‘used-by-date’ and as such it is inevitable that a house will need to be fully replaced at some point. Our poorly built weatherboard cottage from the 1910’s has already passed its used-by date. This amendment prevents us from rebuilding this house in a modern and environmentally sensitive way but furthermore it will require additional materials and expenses to maintain the property in its poorly built current condition.

Our house is also built along the northern boundary of the land parcel with two double-storey buildings being immediately adjacent to our northern boundary. As such our house experiences very little sun during the winter. This, in combination to the poor quality build, results in a very energy inefficient house with our energy costs being substantial. Also note that the orientation and angle of the roof line creates a sub-optimal arrangement for solar panels in its current position.

This amendment will prevent and/or severely restrict our family from creating an energy efficient house and as such contribute on an individual level to the current climate emergency.

We note that Moreland Council declared a Climate Emergency on 12 September 2018 and has called for urgent action across all levels of government. Moreland Council has also launched Zero Carbon Moreland 2040 with the aim to transition to 100% renewable power.

How can council on one hand declare a Climate Emergency and to call on all levels of government for urgent action but at the same time actively implement amendments that severely restricts and/or prevents individuals from being able to reasonable achieve the very same goals?

We expect council to consider these implications when determining the heritage amendment. It is clear that the amendment should not be proceeded with given the apparent conflict.

Duke St Precinct – Heritage Citation

The details provided herein address the matters as to whether Duke St Precinct should be considered further in the heritage amendments.

In summary, the Heritage Citation for the Duke Street Precinct has numerous errors, inaccuracies or misleading statements. It is poorly researched and poorly presented with documentary evidence that is somewhat lacking. As such, this precinct should have been assessed as not recommended for inclusion into the amendment.

Statement of Significance (Page 2-3):

- *“1920’s Bungalow dwellings and a single Victorian dwelling are significant”* – Properties at 9, 11 and 13 Duke St are not Bungalow dwellings. As such 9, 11 and 13 Duke St should be changed from ‘contributory’ to ‘non-contributory’.
- *“Duke Street Precinct is of local representative and aesthetic significance to City of Moreland”* – Duke St is a typical of any common street within Brunswick and Brunswick East, and as such it is inappropriate to place heritage overlays and subsequent restrictions over a common street. As further discussed below, the citation states that this precinct is “not unique” and this submission demonstrates that it is not aesthetically significant.

HERCON Criteria Assessment (Pages 3-4):

The statement of significance indicates that Criterion D and Criterion E have been met. This is highly disputed and appears that the author has cherry-picked features of the street to justify their position.

Criterion D

- *“The Duke Street Precinct demonstrates the principal characteristics of interwar period 1920s Bungalow dwellings”* - As demonstrated in this submission, the cottages at 9, 11 and 13 are not interwar cottages. Every house has, at some point, been modified and is no longer in their original condition
- *“with an array of features specific to the style including timber weatherboard, double fronted facing gable ends with timber panelling or shingles, low pitched gable roofs, rounded bay windows, sets of multiple timber windows grouped together with leadlight glass panes, and a brick or roughcast enclosed verandah supporting a gable ended verandah roof”* – the author has just described what a standard inter-war period bungalow should look like. This could describe most streets within Brunswick East. As per response to Criterion E, the bungalows are consistently inconsistent. This is demonstrated in the façade, and varied porches (including a dwelling where the porch has been ‘built-in’ to form a room) as well as different pitches of the roofs.
- This description of a bungalow is insufficient evidence that Criterion D has been met – there is no documented justification that it is “important in demonstrating the principal characteristics of a class of cultural or natural places or environments”

Criterion E

- *“The Duke Street Precinct has aesthetic significance as a relatively intact and visually cohesive closed street of predominantly interwar period 1920s Bungalows and cottages”* –

As demonstrated in this submission, the cottages at 9, 11 and 13 are not interwar cottages. Every house has, at some point, been modified and is no longer in their original condition.

- “These dwellings have a consistent scale, setback and materiality which creates a notable streetscape pattern, character and sense of cohesion” – this is a factually incorrect statement. As demonstrated in this submission, the setback of the bungalows are not consistent with a range from 3.5m to 7m. Meanwhile there is a high level of inconsistency between the bungalows in the scale and type of frontage. The only 2 bungalows that are consistent is no. 15 and 14 (which are mirrored). It is noted that the bungalows use inconsistent materials for porches (eg. brick, timber, concrete).

| House | House Type | Setback |
|-------|------------|------------------|
| No 1 | - | ~6m |
| No 3 | Bungalow | ~4.4m (to porch) |
| No 5 | Victorian | ~2m |
| No 7 | Bungalow | ~4m |
| No 9 | Cottage | ~4m |
| No 11 | Cottage | ~4m |
| No 13 | Cottage | ~4m |
| No 15 | Bungalow | ~6.2m |
| No 2 | Bungalow | ~3.5m |
| No 6 | Bungalow | ~7.2m |
| No 8 | Bungalow | ~6.3m |
| No 10 | Modern | ~5.8m |
| No 12 | Bungalow | ~7m |
| No 14 | Bungalow | ~6m |
| No 31 | - | 0m |

- “The precinct also includes one Victorian era dwelling which contributes to the heritage character of the street through form, scale and features” – the Victorian era dwelling has been modified to such an extent that it should not be considered to contribute to the precinct given that the façade has been modified by inclusion of a concrete overhang/porch which does not complement the original heritage value of the dwelling. Meanwhile the leadlight glass panes at front of the dwelling are not original. As such, around 50% of the overall frontage has been modified as some point in time which devalues the heritage value of the dwelling.
- Given the highly varied and modified dwellings within the Duke St precinct, including the missing information in the Citation, as well as the statement that the precinct is “not unique” there is insufficient evidence that Criterion E has been met – there is no documented justification that the precinct is of “importance in exhibiting particular aesthetic characteristics”

Physical Analysis (Page 4-5):

- “No. 15 Duke Street has a second storey addition...partially visible from street” – This is factually incorrect. The second storey addition is fully visible from Duke Street and it quite overbearing on the streetscape (especially in the context of the size of house adjacent).
- “9, 11 and 13 Duke Street are timber weatherboard, single front facing gable ends with roughcast render, side entrance and port with decorative timber brackets to porch posts, a single front facing double-hung sash window” – The citation has inferred that there is consistency in the front windows for 9, 11 and 13. This is an incomplete statement as none

of the windows are original and there is no consistency in the size or material of the windows. Furthermore, there appears to be no clear statement for the justification for contributing to the heritage value of the precinct.

- “No. 11 is set apart from the rest with a rounded bay window” - It is noted that this is not original and is only ~20 years old
- “No. 9 has had a second storey additional...” – Note that No. 11 also has a second storey addition. Whilst this may be considered an oversight, we are concerned that if the author fails to notice such significant features, doubt must be raised as to the authors competency and/or whether they have even surveyed Duke St in person (heritage assessment by Google Streetview perhaps?)
- “10 Duke Street was built as an interwar bungalow....recessed double storey addition” – This is yet another factually incorrect statement. This original house was demolished with a newly built 2 storey construction (~circa 2008). This is clearly shown on Google Streetview.
- The classification of Good Condition and High Integrity has a very poor / non-existent justification given that significant errors in this report and the questionable competency of the person making these assessments (given the factual errors highlighted above). We consider the Condition would be considered ‘Fair’ whilst Integrity considered ‘Moderate’ as best.

Designation of Places Within Precinct (Page 5)

- This table states that 9, 11, 13 Duke Street are classified as “Interwar Period c. 1919-1940”. This is factually incorrect as the Property Sewerage Plan shows this house was built previously to the sewerage network being built in Duke Street during the early 1920’s. As such, we expect 13 Duke St was built prior to 1919. Again, it appears that the author has failed to undertake a reasonable level of research to justify their statements within the report.
- We note that 10 Duke Street is an “Interwar Period” but again this is factually incorrect as the original home was demolished circa-2008.

Comparative Analysis (Page 7-8)

- The analysis identifies that the Duke Street precinct is “not unique”. As such it shouldn’t be considered any further for nomination.
- Whilst the comparative analysis indicates it is “aesthetically significant”, this is very highly disputed given that:
 - Majority of houses are in someway modified from the original condition
 - The errors and misleading statements within the citation (as highlighted in this submission) are not taken into account into this comparative analysis.
 - Taking into account the errors and misleading statements, this should be classified as “not being aesthetically significant as other examples on the Heritage Overlay”

Conclusion

In summary:

- The physical analysis should be revised to be a “Fair” condition and “Moderate” Integrity.
- The citation itself has described the Duke Street Precinct as being “not unique”
- The majority of houses within the precinct have been modified at some point and are therefore less reflective of the original style of house. There is also a lack of consistency between the houses (Victorian, pre-war cottage, post-war bungalow & modern home). Furthermore, most of the bungalows are substantially different to each other with differing setbacks and facades.
- The precinct is not aesthetically significant taking into consideration additional facts not previously considered in the citation.
- The citation repeatedly states that the 1920 bungalows are significant (refer statement of significance) and therefore apparently meet Criterion D and Criterion E. However there is no mention of the pre-1920's cottages and therefore it is our understanding that the pre-1920's cottages have less (or non-contributory) heritage value to the overall precinct.
- It has not been demonstrated that Criterion D and Criterion E have been achieved to a satisfactory level which would stand up to scrutiny.

As such the Duke Street Precinct should be removed from nomination given the above, or at the very least the 3 cottages at 9, 11 and 13 Duke Street are reclassified as “non-contributory”.

From a Moreland Council ratepayers perspective, the ‘vibe’ of a precinct is not sufficient justification to incorporate into a heritage overlay, especially when it doesn’t stand up to a reasonable level of scrutiny as is the case for Duke St precinct.

Please note - we do not support rampant development within the City of Moreland. Any development must be conciliatory within the existing landscape. We are particularly concerned with the significant number land parcels where 3+ multi-storey townhouses are being built to replace a single dwelling. We acknowledge that a heritage overlay may prevent this type of development, however given that most land parcels within the precinct are less than 350m² then it is unfeasible for those type of developments to occur within the precinct.

Rgds,

[Redacted Signature]

Submission #36

From: [REDACTED]
To: [Strategic Planning](#)
Subject: Submission to Amendment C208MORE
Date: Friday, 1 October 2021 4:37:47 PM
Attachments: [Amendment C208MORE submissions 211001.docx](#)

Dear Moreland Council

I own and live at 9 Duke Street, Brunswick East and I also own 7 Duke St, Brunswick East. I am writing to object to the proposal to place a heritage overlay over our street. I have attached a document that I am a signatory too (you will receive a hard copy of this) and which outlines in detail my objections and those of fellow residents of Duke Street.

In summary, we don't believe the overlay will be of any benefit to residents or that there is a particular heritage benefit in preserving the current appearance and style of houses on the street. They have all been significantly altered and renovated over recent years (or partly or fully demolished).

It's also worth noting my disappointment about the lack of consultation about the process or reasons why this move is being proposed. No residents that I'm aware of have requested or suggested this. Further, the citations provided don't seem particularly accurate and I can't see how Duke St has more heritage value than any surrounding streets or areas.

We are committed to environmental sustainability and significant works are often required to achieve this with older houses. The heritage overlay only adds to the burden of ensuring that homes can be optimally renovated to achieve sustainable homes in the street. The outcomes intending to be achieved by placing a heritage overlay on the street can be achieved through the ordinary planning process and as you have noted in your documentation, the renovations that have been undertaken to date have all been appropriate (apart from no 10) to the streetscape and in keeping with the history of the buildings. There is simply no need to add another layer of bureaucracy to the current regime which appears to strike the right balance already.

I would welcome the opportunity to discuss further.

Kind regards

[REDACTED]

[REDACTED]
[REDACTED]

Owner of 7 and 9 Duke St, Brunswick East VIC 3057

IMPORTANT - This email and any attachments may be confidential. If received in error, please contact us and delete all copies. Before opening or using attachments check them for viruses and defects. Regardless of any loss, damage or consequence, whether caused by the negligence of the sender or not, resulting directly or indirectly from the use of any attached files our liability is limited to resupplying any affected attachments. Any representations or opinions expressed are those of the individual sender, and not necessarily those of the [REDACTED].

To: Moreland City Council, Strategic Planning

RE. OBJECTION TO AMENDMENT C208 - IMPLEMENTATION OF THE MORELAND HERITAGE NOMINATIONS STUDY

This document outlines the objections in relation to Amendment C208, specifically related to the Duke St Citation. It has been signed by a number of Duke St residents. The key concerns are:

- **High degree of variation, and variable condition and integrity of housing**
 - The houses and bungalows are not consistent (as described in the citation). They vary in terms of the façade, porches, materials (brick, timber, concrete), roof pitch and setback (ranging from 3.5 to 7m)
 - The citation relies on descriptions of bungalows to demonstrate consistency and integrity, but bungalows account for only ~55% of the houses included in the citation
 - The sole Victorian house has had a concrete overhang and leadlight windows added, most likely in the 1950s. These do not complement the original heritage value of the house.
 - 31 Duke St (a new build) is excluded from the assessment, despite being highly visible and having a negative impact on integrity
 - We do not agree with the statement that Duke St is “a relatively intact and visually cohesive closed street of predominantly interwar period 1920s Bungalows and cottages”
 - Overall, the street does not appear to meet the assessment of “good condition and high integrity” that is required for a heritage overlay
 - The citation even states that Duke St precinct is “not unique”
- **Factual errors in the Heritage Citation, which challenge the overall assessment**
 - 10 Duke St is not “an interwar bungalow....recessed double storey addition”, but a complete knock down and rebuild, completed ~circa 2008
 - Properties at 9, 10, 11 and 13 Duke St are listed as inter-war bungalow dwellings
 - 9, 11 and 13 are not interwar bungalows – they are pre-war, single fronted dwellings
 - 10 Duke St is a new build
 - The second stories are described as “partially visible”, which is not correct, particularly in relation to 15 Duke St. The second story on 11 Duke St is not mentioned
 - ‘Heritage’ features listed, such as the bay window on 11 Duke St, are not heritage but additions made in the last 20 years
 - All houses have been modified, none are in original condition
 - Overall, the number of factual errors challenges the result of the overall assessment as “important in demonstrating the principal characteristics of a class of cultural or natural places or environments”
- **Comparative assessment of Duke St with other Heritage listed streets**
 - Duke St is a typical of any common street within Brunswick and Brunswick East, with a range of houses, many that have been partially renovated
 - As mentioned above, the street is described as “not unique” in the citation
 - The comparative assessment excludes 31 Duke St, which is the first house seen as you enter the street and does not have any heritage value
 - In comparison, Sumner St (500m away from Duke St), is heritage listed. All houses are bungalows of a consistent size, there are very few visible extensions, and all houses have a consistent setback from the street. This has significantly more heritage value than Duke St

- Given this, it is inappropriate to place heritage overlays and subsequent restrictions over a such a common street.
- **Implications for sustainable building and renovation**
 - Placing a Heritage overlay across Duke St significantly limits the type and scope of renovation that can be conducted on the homes
 - The focus of any alternation or renovation will have to be on meeting heritage criteria, rather than maximising using of sustainable building techniques, appropriate placement of buildings on the block and introduction of sustainable energy sources, such as solar panels
 - This is in direct contradiction of the climate emergency declared by MCC on 12 September 2018, and the Zero Carbon Moreland initiative
- **Poor consultation and engagement by Moreland City Council (MCC) throughout the process**
 - The process followed throughout the amendment has not been transparent to the residents of Duke St – the first engagement with residents was the letter notifying us of the proposed amendment
- **Concerns about the nomination process**
 - It is not clear how Duke St was nominated. Although public submissions are discussed in the report, there is no evidence in the documents provided that anyone from the public nominated Duke St
 - It appears that the process intended to find a quota of new heritage precincts, and went looking for these regardless of public nominations

Please note we do not support excessive development within the City of Moreland, and agree that development must be conciliatory within the existing landscape. We are particularly concerned with the significant number land parcels where 3+ multi-storey townhouses are being built to replace a single dwelling. We acknowledge that a heritage overlay may prevent this type of development, however given that most land parcels within the precinct are less than 350m² then it is unfeasible for those type of developments to occur within the precinct. Without heritage overlay, it is likely the overall street scape would change very little - but residents would have the flexibility to meet the changing needs of their families, and achieve sustainability goals.

Signed by the following Duke St residents:

Submission #37

From: [REDACTED]
To: [Strategic Planning](#)
Subject: CM: Submission to Amendment C208more
Date: Friday, 1 October 2021 4:51:30 PM
Attachments: [REDACTED]

Please find attached my Submission to Amendment C208more: creation of a "Railway Place Precinct".

This email does not constitute the submission or part of the submission (just the attachment please!).

For privacy reasons it would be appreciated if my contact details and name were not published and were redacted from the attached submission prior to making it publicly available.

Kind regards

[REDACTED]

Strategic Planning Unit
Submission to Amendment C208
Moreland City Council
Locked Bag 10, Moreland VIC 3058

1 October 2021

Submission to Amendment C208: creation of a “Railway Place Precinct”

I oppose the creation of a Heritage overlay for Railway Place Coburg Victoria and inclusion of the “Railway Place Precinct” (that being 1–43 Railway Place Coburg) within “a new Precincts”.

Earlier heritage studies have determined by omission and comment that the Railway Place row houses (“terraces”) do not meet the criteria for inclusion in a heritage overlay. This may be attributed to:

- their lack of cohesiveness and integrity (individually and collectively as a “set”)
- the existence of more intact and more significant examples of “Italianate” Victorian row houses elsewhere in the City of Moreland.

I question also the emphasis placed on these houses as examples of Victorian “Italianate boom era style terraces”. The curved (“bull-nose”) verandahs evident for many, but not all, of the row houses is potentially a later modification and affectation associated with increasing affluence in the 20th century. They may not be a feature of the terraces as built, given that the “cottages” were built for investment purposes and rented out for their early years. Rather, while built in the late 1880s, some features are suggestive of Early Victorian* influences, which would be consistent also with the lack of internal plaster cornices and embellishments in some properties prior to more recent refurbishments. Similarly, the iron lacework has been added by some owners as a decorative feature in more recent years and cannot be assumed to be an original fixture for all properties.

*Reference for housing styles: Heritage Council of Victoria (2007), *What house is that? A guide to Victoria’s housing styles* (3rd edition).

Existing planning legislation (Moreland Planning Scheme and Victorian State Government planning legislation) provides for adequate protections for the Railway Place row houses under 32.08 “General Residential Zone”. Relevant provisions under 32.08 include:

- To encourage new development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

Under 32.08-3 a planning permit is triggered for major works (“renovations”) to properties on a lot less than 300 square metres. All Railway Place row houses (“terraces”) occupy a lot less than 300 square metres and therefore meet this criterion. Hence, adequate controls and protections already exist which provide for maintaining elements of the Railway Place row houses under the “neighbourhood character” provision which are consistent also with heritage characteristics.

The successful application of 32.08-3 in respect of “neighbourhood character” and heritage elements is demonstrated in:

- the sympathetic character of the two-storey property which now occupies the lot at 43 Railway Place (previously a vacant lot used as a carport by 41 Railway Place Coburg)
- recent planning applications (for example, that for 27 Railway Place Coburg).

The Planning Report for 27 Railway Place (MPS/2020/458) recognises at 5.0 (“The Proposal”):

“The contemporary proposal looks to complement and largely retain the existing original terrace home, which although not subject to the heritage overlay, is considered to be of heritage value. The proposal retains the front façade of the existing dwelling, ensuring the streetscape of terrace homes remains largely unchanged and that new structures do not detract from the original dwelling.”

Similarly, in the “Comments” against the “Relevant [Housing] Objectives” (see “6.2 State Planning Policy Framework”, 6.0 Planning Controls Assessment, page 7), the report reiterates these considerations:

- Proposing design changes to improve liveability/bring the design to suit current needs
- Proposing to maintain the existing built form of the majority of the existing dwelling (in particular, front façade).
- Respecting the neighbourhood character
- Respecting the existing streetscape - the proposed rear alterations and additions will have limited impact on the streetscape (first floor addition being set back from the front boundary 11.7m and set behind existing high feature front parapet).

This demonstrates that the existing Moreland Planning Scheme process adequately addresses heritage concerns with respect of “the existing built form” and “front façade”, “neighbourhood character” and “the existing streetscape”.

The *Moreland Heritage Gap Study 2017* (vol. 1, 30 October 2018, p. 56) reviewed “a group of single and double storey Victorian terrace houses on the north side of Reynard Street between the railway line and Sydney Road.” It “found that all had been altered in detail, reducing their integrity and, consequently, the cohesion of the group as a whole”. In the consultants’ view this “confirmed the original impression that none of the houses reached the threshold of local significance”.

The May 2020 *Heritage Citation – Precinct* recognises that:

“Every [Railway Place] dwelling has undergone some form of alteration over time, resulting in varying styles of front fences, some alternative awnings, rear extensions. They retain a high level of *visual cohesiveness* as a set but have *moderate physical integrity overall*.” (p. 5, my italics)

I contend that the visual cohesiveness of the Railway Place row houses/terraces is interrupted substantially by the dwelling at 9–11 Railway Place and “enhancements” including brickwork and rendering, verandahs, fences and various adornments evident for other properties. Chimneys have been removed from some houses, potentially to provide for increased internal wall space and flexibility in what are otherwise substandard sized rooms modelled on colonial British architectural influences.

As with the findings of the *Moreland Heritage Gap Study 2017* in respect of the relevant properties on Reynard Street, I would suggest that the Railway Place properties under consideration for the heritage overlay similarly have been altered to such an extent that they do not reach “the threshold of local significance” either individually or collectively as a group.

I oppose the suggestion that Railway Place row houses “would benefit aesthetically from a consistent colour scheme”. Neighbourhoods evolve over time. The properties currently have a life of their own through the individualisation of characteristics inclusive of fence type, fence height, gate type, exterior finish, verandah construction (timber deck, concrete paving or tiles) and paintwork.

The property at 1 Railway Place, for example, is notable for its tactile hedge, deep grey painted cement render and the metal geckos which adorn its façade. It is a property much photographed for these elements. These characteristics and adornments are not consistent with “Italianate” heritage elements as described in the Moreland Heritage Nominations Study, but to mandate the installation of a white picket fence at the

expense of a living green element, or the removal of sculptural elements, would be to the neighbourhood's detriment. Rather, the property is part of an evolving landscape with sculptural influences reflecting an artistic and diverse community. The installation of the elevated rail concrete superstructure has also had a significant impact on the local heritage environment and streetscape with massive brightly coloured pink and yellow piers now fronting Railway Place.

No photographic or documentary evidence has been provided in the consultants' report to support the claim that "timber fences" were an original feature of all Railway Place terraces. It is equally likely that timber posts and metal wire fences were constructed (see, for example, 13 Railway Place), as seen elsewhere in Coburg. It is feasible that the picket fences seen today are an affectation associated with increasing affluence and housing trends over the course of the 20th century. I contend that the "white picket fence" approach to creating a "heritage" precinct defers to an outmoded British model which has no place in a vibrant, evolving Coburg community.

Consideration must be given also to other legislation including the *Domestic Animals Act 1994* (Vic) and associated Council regulations in regard to determinations of animals being on or off premises.

Interpretations in recent years suggest that a dog may be considered "off premises" if its nose protrudes through, under or over a fence. Fences must be fit-for-purpose in respect of enabling residents to meet their "responsible pet ownership" obligations and ensure that animals are kept within property boundaries. A low profile timber fence is not fit-for-purpose for those seeking to contain larger dogs or dogs with a propensity to jump or climb, such as terriers.

In the event that a Heritage overlay is to be applied, I question the designation of "non-contributory" ("NC") for the following properties:

- 13 Railway Place – This row house is in original condition and is likely highly representative of the property as built. The timber post and wire fence is potentially consistent with the original fence for that property. The property shows Early Victorian influences in its formal but plain design, simple verandah with flat corrugated iron roofing and limited ornamentation.
- 15 Railway Place – This row house is in excellent condition with exposed rather than painted exterior brickwork and a picket fence. It is arguably one of the "better" examples of a Railway Place terrace. I see no rationale for its current classification as "NC".
- 17 Railway Place – This row house is an example of immigration influences and post Victorian influences including some element of inter-war and art deco features. While this property's Victorian facade has been altered, the property "as is" is representative of broader (non-British) cultural influences and has worth.

Submitted by property owner, Railway Place Coburg.

From: [REDACTED]
To: [Strategic Planning](#)
Cc: [REDACTED]
Subject: C208more submission
Date: Friday, 1 October 2021 5:33:26 PM
Attachments: [REDACTED]

Dear Strategic Planning,

Please find attached our submission to C208more.

Please may I suggest you consult on planning amendments before going straight to the exhibition stage?

The basis for our individual listing is a different house! But there you go!

The community and residents have much more knowledge (and research skills than your heritage consultants in some circumstances) in the case of our house at least.

Sincerely eternally in frustration,

[REDACTED]

**C208more: Submissions by [REDACTED] and [REDACTED],
October 1, 2021**

Lorreto, 198 Edward Street. Formerly 340 Edward Street

Moreland Council Nomination Study, Study ID 8.

Proposed Heritage Overlay: HO552

Background

[REDACTED], owners of Lorreto, (we) are two well-known pro-protectionist conservationists in Moreland. We are working members of Friends of Edward Street, and advocates for community participation in planning. We have owned Loretto for 25 years. In the past seven years, have worked to bring Lorreto back to its former glory. We undertook alterations in 2015. These ensured the integrity of the 1885 house remained high (as the citation states) by removing 1960's addition, and creating an energy-efficient pavilion, at the rear of the block. Overall, we have made an age-in-place, comfortable family home.

In 2016 [REDACTED] attempted to nominate Lorreto, and the adjoining property at #196 for a Moreland heritage listing, along with eight other houses in the area. The investor owner at 196 had shared preliminary plans to add an upper level to the front of 196, and we have concerns it would affect the integrity of the Loretto frontage, and adversely affect the heritage of the three 'Percy Jones built' cottages at #192-196. Especially of concern is the slate roof on 196 Edward Street that the investor at 196 aims to remove.

The Moreland nomination process informed us that the properties were *not under consideration since being dismissed by 1996 study process*. At least on two occasions [REDACTED] raised this as an issue with a representative of Moreland council. It should be noted that the west end of Edward Street, the section in Brunswick has precinct listings, but not in the east end in Brunswick East.

With regret, it is with frustration that we make this submission, mainly because the previous interaction with Moreland Council for nominations of protections of Edward Street's east end precinct has failed. **But also frustration that the premise that this house was built in 1853 is so wrong, and with consultation could have been fixed. Moreland has failed to consult before exhibition, again and again to the frustration of residents.**

There is an acute need to protect all Edward Street houses, built in the boom era in the area surrounding Lorreto, and we are concerned by our house alone being pinpointed for an individual listing (HO552), when in fact many other houses in the area are of the boom-era. Loretto is the safest house in Moreland from the bulldozers, as we - conservationists - own it.

The properties we tried to get listed in the past are:

192-196 Edward Street, (immediately to the west)

237-243 Edward Street, (diagonally opposite)

255-257 Edward Street (towards John)

And 198 Edward Street (Lorreto) subject of this submission, included in C208more

Recommendations

Either

- 1) The Individual HO listing for Lorreto, be removed from amendment C208 and presented next year as a precinct listing with the 13 properties listed above. For instance this can be added as 'logical inclusion' in a future Amendment , **or**
- 2) Retain Loretto on Amendment C208more but add 192-196, **or**
- 3) Retain Loretto on Listing and add 196 Edward Street to C208, **and** included exemptions into sub clause 3 43.01 HO, that allow of reversals of the plantings and cyclone fence in the third sub-clause to allow for sympathetic restoration

Submissions

No evidence Lorreto is 1853.

There is no evidence the house was built in 1953. Therefore, the house would meet the same criteria than other houses (such as Criteria D and E) of the HERCON assessment. Criteria A and B would not be met. We submit the other houses in the area mentioned in this submission that we seek to be on a precinct listing with, as they some are also 1885, and also meet 'boom era terrace style residence' citations that Loretto meets in D and E.

The current proposed HO listing is mostly based on a claim the house was built in 1853, and turned into a boom era house. This claim is highly false. There is no empirical evidence to back up the claim, and Extent are mixing our house up with the documented home of Ann and George Storie, that was next door (where 200 Edward Street is now). If Extent had researched more, it would find the 1853 house in the citation was timber double fronted house, demolished in 1986 by the Mariani family (owners #200 Edward Street, and former owners Lorreto.)

Loretto was clearly built 1880's, and the owners will be presenting evidence to PPV. This includes photos of:

- original roofing, and guttering recently reclaimed from roof cavity,
- internal 1880's features (including structural) that would have been unable to be retro-fitted had the house been built in 1853

- photos of original house at 200 Edward, historical documentation, declarations from Mariani family if necessary (previous owner who demolished the 1853 Storie residence)



Council's claim Loretto was built in 1853 is drawing an assumption between a notice in the Coburg leader that stated Ann Storie died in a house on Edward Street 'where she had lived since 1853', and boom-era Loretto (see left). The article does not state the number of the house Ms Storie lived and died in. The 1853 house referred to by the Coburg Leader, and used by Extent is wrongly used here to justify the Individual listing for HO552.

The house Extent is claiming to have been remodelled to fit on trend 'boom-era' i.e. original Loretto is below, and actually stood on the adjoining lot at 200 Edward Street.

Another member of the Storie family (Frank - born 1863) built and lived in Lorreto until 1919, while his parents lived next door where he was born.

Therefore, we will be submitting to Planning panels Victoria that the premise of the HO is false. George and Ann Storie in fact lived in their 1853 timber house, where #200 now stands. We can provide declarations that this timber house stood. My neighbour [REDACTED] verifies that it is the house they demolished, and it is pictured here as documented by historian Les Barnes in *Street Names of Brunswick* 187.



The Storie family home in Edward Street, Brunswick. Image courtesy Moreland Libraries. Although Les Barnes notes in *Street Names of Brunswick* that Edward Street first appeared in the Sands and McDougall Street Directories in 1864, it seems clear from the Storie family's history that the street had existed for some time before then.

The 1987 Les Barnes history book states that Ann and George Storie lived in the house pictured, and the “family had been living in the same house for 40 years” and “family members remained in the street until well into the 20th century”. The latter sentence refers to son Frank, and potentially others. Frank owned and occupied Lorretto.

This pictured is the original house on the lot where 200 Edward Street stands now. So the lots were in the same ownership (George Storer) and his son Frank lived in Lorretto. You can see the original stables of Lorretto in the right rear. This stable is on the ‘Plan of Drainage’ (partly replaced by a laundry in 1996 when the titles were realigned) was demolished as part of our alterations.

In 1996 we purchased Loretto from the current residents of 200 Edward Street. At the same time a realignment of land boundaries occurred. In 1996, the owners of 200 Edward Street, who had been living in Lorretto (who are still our neighbours) demolished the 1853 timber house, increased the lot size by taking 4m from Loretto, and built their current dwelling.

When Loretto was built (on what was at #340 now 198) the lot was 4m larger, as seen on the 1908 plan of drainage for bathrooms and stables (see end of document). Although George may have technically owned Lorretto, in 1885, it was lived-in by other members (probably Frank), of the Storie family in 1885. The plan of drainage is evidence that a Frank Storie owned and occupied Loretto.

The current 200 Edward is a 4m wider lot than in the 1850s, and the same owner had both properties in the 1980-90s, when the realignment occurred at time we purchased.

On the western side of the allotment, three cottages were also built in 1885. The resident of 192 claims to have knowledge of the original builder Percy Jones, as Mr Jones's grandson was a previous owner, who shared the knowledge including the year of build. Mr Jones lived in the house and built a rare 1910 upper-level extension (see photo figure 4).

The Percy Jones cottages have identical stucco (dappled) to Loretto, on the front parapets, and would suggest the ages are the same. The cottages are of similar significance to Lorreto. If the cottages at 192-196 are to be developed, Edward Street will lose valuable streetscape, as well as Loretto's integrity being affected adversely.

Of note is that as 196 and 194 are owned by the same investor, they are especially at risk of being lost.

In conclusion, Moreland is basing this 'Individual' listing proposal on a non-substantiated assumption in a heritage citation. In fact, the premise of listing is baseless. There are many boom era houses in Moreland that are as set back from the street as Loretto, and this (and can only meeting Criteria D&E, warrant an Individual listing when twelve other houses are boom era, and together warrant a precinct listing.

Due to pandemic, it is not possible to access the original board of works for Edward Street such as State Library of Victoria. However, the reference on the citation (1904. Melbourne & Metropolitan Board of Works, detail plan No. 1866) will only provide information for lot subdivisions from Brunswick Road through to Weston Street

- 1) Can council and PPV please consider a postponement (or removal) of my Individual HO and a new future Precinct HO for the East End of Edward. Given [REDACTED] level of intention to protect the precinct, and past efforts to list at least ten houses in the area. Photos attached show which houses [REDACTED] attempted to nominate, are all boom-era
- 2) Can council please categorically explain how (when [REDACTED] has been informed that Loretto, and the other Edward Street houses were not able to be considered for nomination) is Lorreto the only house listed in the area through this amendment? How can Extent make such an error in saying Loretto was built in 1853, when it's obviously a boom era and the 'boom era' style added later. Especially seeing that a history search would have revealed George and Ann Storie's double fronted timber home with symmetrical chimneys, is actually impossible to claim the brick single fronted Loretto, with one chimney, was remodelled from the Storie house.

End. Appendix to follow – pics.

Ref: <http://morelandpast.blogspot.com/2018/02/the-early-history-of-tip-top-site-in.html?m=0>

1. Photos for proposed Precinct HO Listing with Lorreto.

192-196 Edward Street, Brunswick East. "Percy Jones Built Cottages, 1885" (boom era, next door, two in same investor ownership)



2. 239-241 Edward Street (diagonally opposite, cnr Clarke St boom era terraces under trees)



3. 255-259 Edward Street, towards John Street. Three boom era terraces.



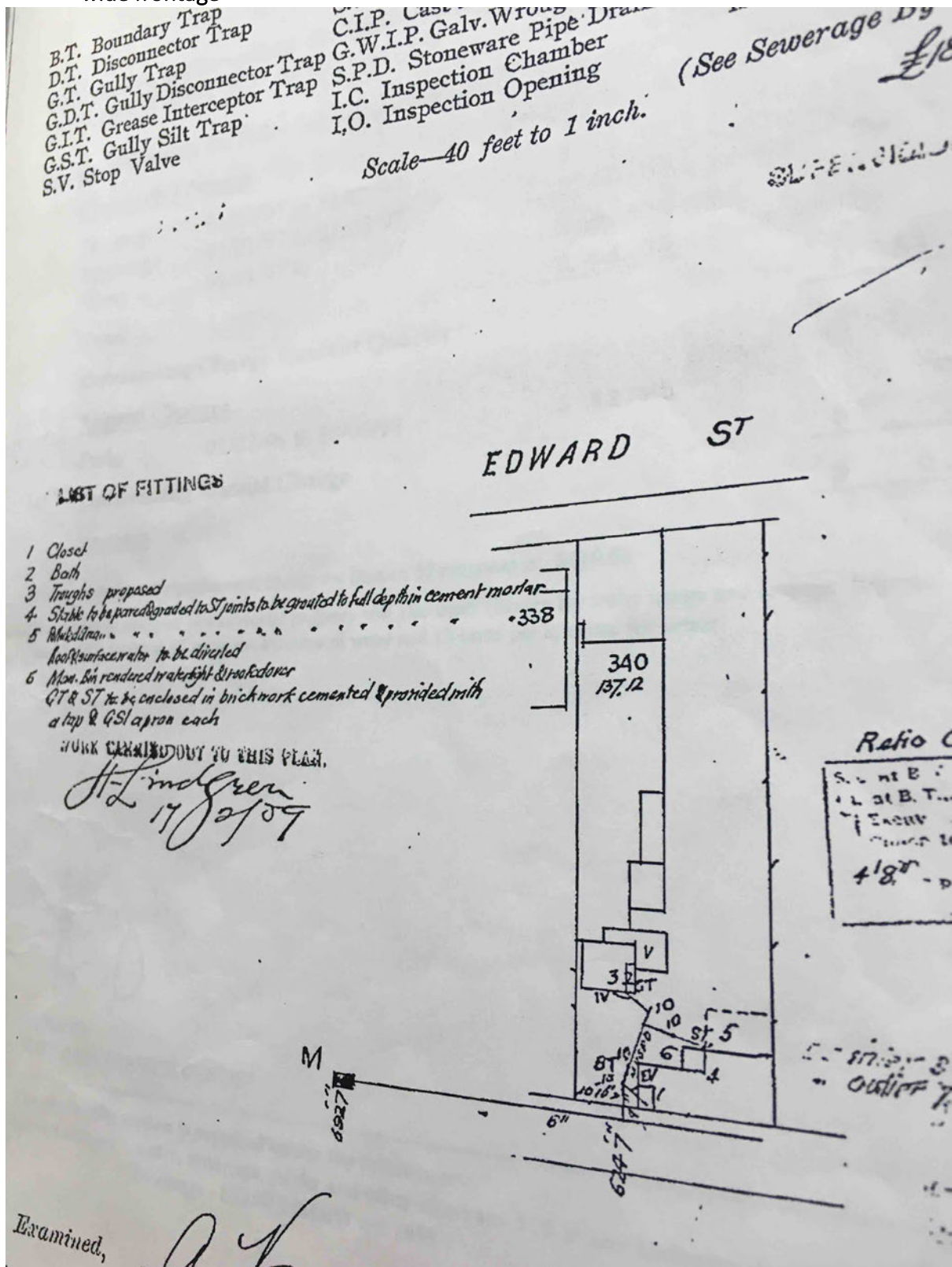
4. Percy Jones extension at 192 Edward Street, Brunswick East 1915 ext of 1885 house



5. 194-192 Edward (same boom-era stucco as Loretto)



6. Drainage Plan 1908 by owner occupier Frank Storie, showing stables location and 14m wide frontage



Fun Submission Facts:

Frank Storie who lived in Loretto was the son of George (from the 1853 house Extent claims is Lorreto. George established the quarry that was the original site for the Tip Top development at 170 Edward Street. Ms Stanley (who lives in Loretto) on a cold Saturday morning in 2012, she stood in front of bulldozer as it tried to demolish the 1915 BES substation, a building that marked the advent of the Brunswick Electricity Supply. That sub-station is on the register, also under consideration to be removed of this amendment). In front of the bulldozer, I rang a councillor who said it has been given a permit to be demolished - so I stepped aside.

Submission #39

From: [REDACTED]
To: [Strategic Planning](#)
Subject: Amendment C208MORE - submission
Date: Friday, 1 October 2021 7:57:04 PM
Attachments: [Amendment C208MORE submissions 211001.pdf](#)

Hello

Attached is a submission in relation to Amendment C208, specifically related to the Duke St Citation. I am submitting this on behalf of a number of residents, who are listed in the document.

We look forward to working with you on the amendment.

Thanks

[REDACTED]

To: Moreland City Council, Strategic Planning

RE. OBJECTION TO AMENDMENT C208 - IMPLEMENTATION OF THE MORELAND HERITAGE NOMINATIONS STUDY

This document outlines the objections in relation to Amendment C208, specifically related to the Duke St Citation. It has been signed by a number of Duke St residents. The key concerns are:

- **High degree of variation, and variable condition and integrity of housing**
 - The houses and bungalows are not consistent (as described in the citation). They vary in terms of the façade, porches, materials (brick, timber, concrete), roof pitch and setback (ranging from 3.5 to 7m)
 - The citation relies on descriptions of bungalows to demonstrate consistency and integrity, but bungalows account for only ~55% of the houses included in the citation
 - The sole Victorian house has had a concrete overhang and leadlight windows added, most likely in the 1950s. These do not complement the original heritage value of the house.
 - 31 Duke St (a new build) is excluded from the assessment, despite being highly visible and having a negative impact on integrity
 - We do not agree with the statement that Duke St is “a relatively intact and visually cohesive closed street of predominantly interwar period 1920s Bungalows and cottages”
 - Overall, the street does not appear to meet the assessment of “good condition and high integrity” that is required for a heritage overlay
 - The citation even states that Duke St precinct is “not unique”
- **Factual errors in the Heritage Citation, which challenge the overall assessment**
 - 10 Duke St is not “an interwar bungalow....recessed double storey addition”, but a complete knock down and rebuild, completed ~circa 2008
 - Properties at 9, 10, 11 and 13 Duke St are listed as inter-war bungalow dwellings
 - 9, 11 and 13 are not interwar bungalows – they are pre-war, single fronted dwellings
 - 10 Duke St is a new build
 - The second stories are described as “partially visible”, which is not correct, particularly in relation to 15 Duke St. The second story on 11 Duke St is not mentioned
 - ‘Heritage’ features listed, such as the bay window on 11 Duke St, are not heritage but additions made in the last 20 years
 - All houses have been modified, none are in original condition
 - Overall, the number of factual errors challenges the result of the overall assessment as “important in demonstrating the principal characteristics of a class of cultural or natural places or environments”
- **Comparative assessment of Duke St with other Heritage listed streets**
 - Duke St is a typical of any common street within Brunswick and Brunswick East, with a range of houses, many that have been partially renovated
 - As mentioned above, the street is described as “not unique” in the citation
 - The comparative assessment excludes 31 Duke St, which is the first house seen as you enter the street and does not have any heritage value
 - In comparison, Sumner St (500m away from Duke St), is heritage listed. All houses are bungalows of a consistent size, there are very few visible extensions, and all houses have a consistent setback from the street. This has significantly more heritage value than Duke St

- Given this, it is inappropriate to place heritage overlays and subsequent restrictions over a such a common street.
- **Implications for sustainable building and renovation**
 - Placing a Heritage overlay across Duke St significantly limits the type and scope of renovation that can be conducted on the homes
 - The focus of any alternation or renovation will have to be on meeting heritage criteria, rather than maximising using of sustainable building techniques, appropriate placement of buildings on the block and introduction of sustainable energy sources, such as solar panels
 - This is in direct contradiction of the climate emergency declared by MCC on 12 September 2018, and the Zero Carbon Moreland initiative
- **Poor consultation and engagement by Moreland City Council (MCC) throughout the process**
 - The process followed throughout the amendment has not been transparent to the residents of Duke St – the first engagement with residents was the letter notifying us of the proposed amendment
- **Concerns about the nomination process**
 - It is not clear how Duke St was nominated. Although public submissions are discussed in the report, there is no evidence in the documents provided that anyone from the public nominated Duke St
 - It appears that the process intended to find a quota of new heritage precincts, and went looking for these regardless of public nominations

Please note we do not support excessive development within the City of Moreland, and agree that development must be conciliatory within the existing landscape. We are particularly concerned with the significant number land parcels where 3+ multi-storey townhouses are being built to replace a single dwelling. We acknowledge that a heritage overlay may prevent this type of development, however given that most land parcels within the precinct are less than 350m² then it is unfeasible for those type of developments to occur within the precinct. Without heritage overlay, it is likely the overall street scape would change very little - but residents would have the flexibility to meet the changing needs of their families, and achieve sustainability goals.

Signed by the following Duke St residents (refer following page):

| Signature | Name | Address | Date |
|-----------|------|----------------------------|----------|
| | | 11 Duke St, Brunswick East | 01/10/21 |
| | | 7 Duke St, Brunswick East | 01/10/21 |
| | | 9 Duke St, Brunswick East | 01/10/21 |
| | | 13 Duke St, Brunswick East | 01/10/21 |
| | | 5 Duke St, Brunswick East | 01/10/21 |
| | | 10 Duke St, Brunswick East | 01/10/21 |
| | | 15 Duke St, Brunswick East | 01/10/21 |
| | | 1 Duke St, Brunswick East | 01/10/21 |
| | | Duke St, Brunswick East | 01/10/21 |
| | | Duke St, Brunswick East | 01/10/21 |

Submission #40

From: [REDACTED]
To: [Strategic Planning](#)
Cc: [REDACTED]
Subject: Submission to Amendment C208
Date: Friday, 1 October 2021 11:58:00 PM

Hello Strategic Planning Department,

I will note down a few issues relating to the C208 Amendment below - they may not contain explicit information so further discussion may be required.

In relation to the nomination of Precinct HO594 - Hanover Street - I do not support this.

The council has not had the courtesy during the investigative works in 2020 to advise residents of these potential amendment changes. This demonstrates the unscrupulous behaviour of the council in this process.

Most heritage overlays have a negative impact to the asset owner with less flexibility for change, no authority to demolish & equity reductions at time of sale.

Specific issues that I wish the council to acknowledge & respond to:

Issue 1:

"Moreland Heritage Exemption Incorporated Plan 2019"

Precinct HO594 - Hanover Street

Issue: House at 29 Hanover Street Brunswick listed as Contributory - this contradicts the Heritage Citation (Extent Heritage report 1.06.2020)

Issue 2:

Hanover Street precinct must incorporate all properties within the street - this would include 2-26 Hanover street.

This would include 7 Contributory houses that have failed to make this register.

There is no reasonable rationale as to why this has been omitted - the entire street must be protected as classified as the 'Hanover Precinct'

Issue 3:

51 Hanover Street must be included in this Precinct HO594 - there is no rationale for this omission & must be included.

Issue 4:

50 Hanover Street requested to be removed as a Contributory property & considered Non-contributory.

This property does not hold any heritage significant in this street - most of the property has been modified/alterd (aluminum windows, Hardie Board externals, modified frontage)

I hope the council can formally respond to this submission

Thanks
[REDACTED]

Owner 50 & 52 Hanover Street, Brunswick

Submission #41

From: [REDACTED]
To: [Strategic Planning](#)
Cc: [REDACTED]
Subject: Submission to Amendment C208 : 469 Moreland Rd Pascoe Vale South
Date: Saturday, 2 October 2021 2:50:48 PM
Attachments: [REDACTED]

To: Strategic Planning Officer

Re: **Submission to Amendment C208**

Proposed Heritage Overlay: HO207
Heritage Overlay Type: Precinct
Precinct name: Coonans Hill Precinct

Coonans Hill Precinct: 467-491 Moreland Rd, Pascoe Vale South
with regards to 469 Moreland Road, Pascoe Vale South

We are writing to object to the new heritage overlay which is proposed which includes our property 469 Moreland Rd, Pascoe Vale South as stated above.

We value that properties need to be preserved to serve the future generations. However we feel that it is unfair to select properties without consultation with the owner of the property. When we purchased this property there was no heritage overlay and this would have influenced our purchase decision. Now an overlay is being proposed.

We object on the grounds this heritage overlay will lead to additional costs when we need to maintain/upgrade the property.

We believe it will have a negative impact on any future sales of the property as it will devalue the property as it would decrease the potential use of the site.

We are not being compensated for having to preserve the heritage and history for all the community. We already pay a substantial amount of rates on the property and do not wish to incur or feel it is justifiable to incur additional costs in the upkeep of our property. For instance: apply to council for a planning permit to construct, install or alter parts of our property, extra costs to source particular material/skills to maintain property. These items would not normally require council approval.

Can you please inform us of the outcome of this submission.

On Behalf of [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

To: Strategic Planning Officer

Re: **Submission to Amendment C208**

Proposed Heritage Overlay: HO207

Heritage Overlay Type: Precinct

Precinct name: Coonans Hill Precinct

**Coonans Hill Precinct: 467-491 Moreland Rd, Pascoe Vale South
with regards to 469 Moreland Road, Pascoe Vale South**

We are writing to object to the new heritage overlay which is proposed which includes our property 469 Moreland Rd, Pascoe Vale South as stated above.

We value that properties need to be preserved to serve the future generations. However we feel that it is unfair to select properties without consultation with the owner of the property. When we purchased this property there was no heritage overlay and this would have influenced our purchase decision. Now an overlay is being proposed.

We object on the grounds this heritage overlay will lead to additional costs when we need to maintain/upgrade the property. We believe it will have a negative impact on any future sales of the property as it will devalue the property as it would decrease the potential use of the site.

We are not being compensated for having to preserve the heritage and history for all the community. We already pay a substantial amount of rates on the property and do not wish to incur or feel it is justifiable to incur additional costs in the upkeep of our property. For instance: apply to council for a planning permit to construct, install or alter parts of our property, extra costs to source particular material/skills to maintain property. These items would not normally require council approval.

Can you please inform us of the outcome of this submission.

On Behalf of [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]


From: webservices@moreland.vic.gov.au
To: [Strategic Planning](#)
Subject: Amendment C208: an online submission has been received
Date: Monday, 4 October 2021 5:36:14 PM

Name : [REDACTED]
Address : [REDACTED]
Email : [REDACTED]
Phone : [REDACTED]

Make a submission : Submission to Amendment C208
more Hi There, I am writing this email in relation to a proposed heritage listing at 413 Gaffney Street, Pascoe Vale, 3044. I understand the cut-off date for responses was the 1st of October, however, I didn't receive any information via postage mail, email, or a phone-call from Moreland Council. In the end, I only found out about it over the last weekend when speaking to a friend who brought it up during conversation. I was shocked when he told me. For such an important change to any owner why wasn't there a check that I am aware of the proposed amendment? How was I notified of this amendment? I wonder how many other property owners are unaware. I have downloaded and read many reports and the heritage citation for this property and while I do support heritage listings in general, more care and thought by individual case needs to be done for standalone listings. There are three main reasons why I oppose the proposed heritage for this property which are as follows 1. The actual place of residence has no real significance outside of some features which are not that unique. It only scored in two out of the eight criteria which is not enough without a substantiated weighting process. Where is the discussion with the owners and not having a proper inspection? Please see attachment for further explanation and opposition to the citation. 2. The proposed heritage listing ignores the important fact that this property is in a local activity centre with RGZ designation. The council cannot have it both ways, where an area is designated for density housing to support population growth (which i support in part), but then decide on heritage listing a property within that Residential growth Zone that does allow/follow RGZ goals and objectives. I believe the needs for RGZ density housing far outweigh the benefits to Moreland for one property in an RGZ location. Please refer to attachment for more detail. 3. No financial modelling or information has been providing, regarding the impact of this decision. For example, what is the impact on property value, rates, extra heritage maintenance costs, etc. What help will council provide to cover extra costs of maintaining a heritage listed home and loss of value to the property? These are important considerations for both council and the owners and nothing has been given. Please refer to attachment for more details. I look forward to Council understanding my concerns and retracting this property from heritage listing. Please feel free to give me a call to discuss. Regards [REDACTED]

Upload your submission :

Privacy : I agree



I oppose the proposed heritage listing for many reasons which are outlined below.

1. Only two out of eight criteria have been met, and without a weighting system of what is more important, how can this still go through? I would think at least 4 out of 8 criteria would be required.
2. Some of the criteria is incorrect or overly stated
 - a. 'Stone lined driveway' – it's an actual retaining and not a feature
 - b. 'Terraced landscaping is significant' – I fail to see how this is significant when every second house has a landscaped garden.
 - i. It is also in need of urgent repairs / new landscaping
3. 'Window form is unique' – These window frames are found in many homes and require urgent repair or replacement which I am working through now.
 - a. These types of windows are not very secure and can't be deadlocked, so without replacement, the security is compromised
4. Triple fronted house – I don't see how this is significant and very common and often decided by land size and position.
 - a. The only possible significant feature of this house is the chimney which doesn't make it heritage listed.
5. The costs to maintain a heritage listed home is expensive and a financial burden which we can't afford and no financial incentive.
6. Extensions are visible enough from the side street, so you can easily see that the property has significant extensions and not unique enough.

How can this decision be made without talking to the owners and having a proper inspection?

However, the most important piece of information for this property has been conveniently ignored in the citation – its current zoning designation of RGZ.

- 1) This property is part of the Residential growth zone for local activity centres recently introduced which I support in part.
- 2) This area has been designated for density housing, so a heritage listed house is a conflict to the goals of RGZ.
- 3) Most recent sales in this RG zone are to developers in line with the RGZ goals.
- 4) A heritage listing will make it impossible to redevelop this property for what can be done under the RGZ designation
- 5) Before Covid hit, we started an informal talk with a developer about how or what is the best option for this property based on the RG zoning.
 - a. This has been postponed for obvious reasons and now it will become nigh on impossible with a heritage listing.

The council can't have it both ways, i.e., have an RG Zone area to promote density housing for expected population growth, but then designate a heritage listed house within that zone that is the opposite of the zone designation goals and objectives.

Lastly, why isn't there financial information and modelling within the report or appropriate appendix such as

1. The financial impact on the value of the property, house, rates, etc.
 - a. This sort of information should be provided by the council as they are looking to make the decision and further helps with an informed decision.
 - b. Where are the economic consequence reports or appendices?
2. What financial and administrative support will council provide to help cover the extra costs to maintain a heritage listed home?
 - a. Will the council provide financial support to help maintain the property to heritage specifications?

I also spoke to a friend who owns a local real estate business today and he estimates a 20-25% reduction in the value of the property if sold as a heritage listed house. Developers simply overlook this property once they see the overlay and private buyers will most likely overlook as apartment/townhouse development continues to dominate this area. He doesn't understand the reason for this citation in an RG zone unless the property had significant cultural, person of interest or natural history for this area.

I would be more than happy to discuss this over a virtual call or come into the office at your convenience.

As you can see, I am more than passionate about keeping the property at its current designation and trust the council will delete this property from a proposed heritage listing.