

DCF13/19 AMENDMENT C174 - MORELAND HERITAGE GAP STUDY DECISION GATEWAY 2 - CONSIDERATION OF SUBMISSIONS AND REQUEST FOR A PANEL - COUNCIL ACTION PLAN ITEM (D19/3550)

Director City Futures

Strategy

Executive Summary

Amendment C174 to the Moreland Planning Scheme proposes to apply the Heritage Overlay to 493 properties in response to recommendations from the *Moreland Heritage Gap Study 2017 (revised 2019)*. The Amendment also seeks to introduce the *Moreland Heritage Exemptions Incorporated Plan 2017* into the Moreland Planning Scheme and to correct errors in the heritage policy and the Heritage Overlay currently in the Moreland Planning Scheme.

Amendment C174 was exhibited from 22 November 2018 to 25 January 2019. Thirty-five submissions were received including one petition. Key themes raised in submissions included financial implications and property values; the heritage significance assessment; unfair imposition on future development opportunities; and maintenance and repairs of heritage places.

Heritage consultants engaged by Council have reviewed all submissions received. The heritage consultants have provided advice and recommendations in relation to each proposed heritage place for which a submission was received. This includes removing four properties from the heritage overlay and changing the heritage grading of two properties from contributory to non-contributory.

This report recommends that Council adopt the changes to the Amendment discussed in this report and listed in detail at Attachment 1 and requests the Minister for Planning to appoint an Independent Planning Panel to consider the Amendment and submissions. Following the Panel Hearing and provision of a written report with recommendations, Council is required to determine whether to adopt the Amendment with or without any changes recommended by the Panel and submit it to the Minister for approval or abandon the Amendment.

Officer Recommendation

That Council:

1. Notes the summary of submissions to Amendment C174 to the Moreland Planning Scheme at Attachment 1 to this report.
2. Endorses the response to submissions outlined in this report and included in Attachment 1 to this report, to form the basis of Council's submission to an Independent Planning Panel.
3. Endorses the *Moreland Heritage Gaps Study 2019* as shown at Attachments 2, 3, 4 and 5 for consideration by an independent Panel.
4. Endorses the proposed changes to the *Moreland Heritage Exemptions Incorporated Plan 2017*; and other Amendment documentation at Attachment 1 and discussed in Section 3 of this report.
5. Requests the Minister for Planning to appoint an independent Panel in accordance with Part 8 of the *Planning and Environment Act 1987* to consider Amendment C174 and associated submissions.
6. Authorises the Director City Futures to make any further changes to Amendment C174 that may be required as part of Council's submission to the Panel and any changes to the relevant documents to correct errors and grammatical changes.
7. Notify all submitters of this resolution.

1. Policy Context

Planning and Environment Act 1987

The *Planning and Environment Act 1987* outlines the objectives of planning in Victoria. Councils have a duty under section 12(1)(a) to implement these objectives. Specific to heritage, these include objectives to:

- Provide for the fair, orderly, economic and sustainable use, and development of land.
- Conserve and enhance those buildings, areas and other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

Council therefore has an obligation to manage its local heritage and subsequently is required to undertake the relevant research to identify places and objects of heritage of heritage significance.

Moreland Planning Scheme

Municipal Strategic Statement (MSS)

The MSS recognises the importance of Moreland's heritage places. A key objective is to ensure development responds and contributes to its context and any relevant heritage significance. Strategies include:

- Ensuring the conservation and enhancement of heritage places; and
- Encouraging the re-use of heritage buildings for suitable industrial or business uses rather than residential uses.

The MSS seeks to implement the objectives and strategies by applying the Heritage Overlay (HO) to places of recognised State or Local Heritage Significance.

Council Action Plan

The Council Action Plan (CAP) 2017-2018 identifies the following deliverable under 'Key Priority 1' to 'Enhance liveability, affordability and sustainability by guiding growth, and excellence in urban design and development':

- **CAP: 34** - Protect Moreland's Heritage via implementation of the Heritage Action Plan - Heritage Gap Study and Amendment.

The action to achieve this directive is to progress the Heritage Gap Study Planning Scheme Amendment (Amendment C174).

Heritage Action Plan

Amendment C174 (the Amendment) proposes to implement the *Moreland Heritage Gap Study 2017* (MHGS) in line with the listed actions within the Heritage Action Plan (the Action Plan) 2017- 2050 endorsed by Council on 14 June 2017 (*DED47/17 Moreland Heritage Action Plan*). The Action Plan specifically sets out the following actions to be delivered by 2018:

- Reference K1 - Commission heritage expert assistance to undertake a detailed assessment of confirmed potential heritage places, Moreland Heritage Gap Study – based on the preliminary assessment completed May 2016;
- Reference P1 – Prepare a planning scheme amendment to introduce the places identified and assessed in the Moreland Gap Study 2017 into the Moreland Planning Scheme, via application of the Heritage Overlay;
- Reference P4 – Prepare an Incorporated Plan that sets out the permit exemptions from the provisions of the Heritage Overlay for minor matters on non-contributory heritage places to streamline the planning process for heritage places in accordance with Clause 43.01-2; and
- Reference P5 – Prepare a Planning Scheme Amendment to introduce the Incorporated Plan into the Moreland Planning Scheme.

Heritage Policy – Clause 22.06

Clause 22.06 has been developed to guide the decision-making for development of properties in the HO, and applies to all land covered by a HO. The policy notes that the protection and management of Moreland's range of heritage assets helps our understanding of the past, enriches the present and will be of value to future generations.

Heritage Overlay (HO) – Clause 43.01

The HO of the Moreland Planning Scheme currently provides statutory controls that protect approximately 11,335 heritage places consisting of 82 precincts, 1 serial listing and 403 individual places. The purpose of the Heritage Overlay 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; and
- Conserve heritage places by allowing a use that would otherwise be prohibited if it assists with the conservation of the place.

2. Background

Moreland Heritage Gap Study 2017 (revised 2019)

Council engaged heritage consultants, GHD Context Pty Ltd (Consultants), to prepare the MHGS. The MHGS was drafted in two stages:

- Stage 1 comprised of a preliminary assessment of over 400 individual places and 12 potential precincts (containing 365 properties), as well as potential extensions to seven current HO precincts. The preliminary assessment was completed in May 2016 and collated and confirmed heritage places and precincts of potential cultural heritage significance that were worthy of further assessment; and
- Stage 2 involved the full research of the places identified during Stage 1 and also additional places identified during fieldwork. A total of 148 individual places, three serial listings, 10 potential precincts, and 10 potential extensions to precinct were assessed as part of this Stage.

The MHGS was prepared in accordance with Heritage Victoria guidelines, the Australia ICOMOS Charter for Places of Cultural Heritage Significance (the Burra Charter) and its guidelines. The study comprised of historical research, field work (site visits) and assessment of potential heritage places by comparing them to similar significant places in the City of Moreland. The MHGS recommends that the HO be applied to the places identified as meeting the local threshold for heritage significance. This includes 95 individual heritage places, 4 heritage precincts, 10 heritage precinct extensions and three serial listings.

Council adoption of the MHGS

At the December 2017 meeting (DED109/17), Council resolved to adopt the MHGS and request authorisation from the Minister for Planning to prepare and exhibit an amendment to:

- Add 95 individual heritage places, 4 heritage precincts, 10 heritage precinct extensions and 3 serial places to the Heritage Overlay on a permanent basis;
- Update Clause 22.06-6 of the Moreland Planning Scheme to include the MHGS as a reference document and make minor corrections;
- Consolidate six currently individual heritage places into new serial listings; and
- Introduce an incorporated plan to Clause 81 (now Clause 72.04) to exempt minor matters from requiring a permit in the Heritage Overlay.

In addition, Council resolved to request the Minister for Planning use his powers of intervention to apply interim heritage controls for properties identified in the MHGS while the planning scheme amendment for permanent controls was underway.

Amendment C174 Authorisation

On 31 July 2017, officers sought Authorisation from the Minister for Planning to prepare and exhibit the Amendment. The Department for Environment, Land, Water and Planning (DELWP) requested on 7 August 2018 that officers review the properties included in the MHGS 2017 and Amendment, namely places that had been demolished, places with existing planning permits and places that had been renovated or extended and that no longer met thresholds of significance. This information was provided to DELWP on 17 August 2018.

A further request for information was received from DELWP on 12 September 2018. This request required officers to undertake a further comparative analysis of the proposed heritage precincts against existing heritage precincts; an additional assessment of the proposed precincts to justify their inclusion where few or zero significant properties were included; and provide further details to justify the proposed precinct boundaries.

A formal response was provided to DELWP officers on 23 October 2018. In response to this request, the consultants also undertook a review of the MHGS and recommended that the following properties be removed from the Amendment due to these places having lower integrity and/or there being better comparative examples already in the HO:

- 6 Bank Street, Brunswick;
- 5-13 Bennie Street, Brunswick;
- 5 and 7 Carnarvon Street, Brunswick;
- 44 De Carle Street, Brunswick;
- 103 Donald Street, Brunswick;
- 5 Fraser Street, Brunswick;
- 17-25 Howard Street, Brunswick;
- 272 and 274 Brunswick Road, Brunswick;
- 75 Hope Street, Brunswick;
- 41 and 43 Mountfield Street, Brunswick;
- 39 Holmes Road, Brunswick East; and
- 15 Howard Street, Brunswick.

An electrical substation at Elm Grove, Brunswick East, was also removed from the Amendment in response to DELWP's authorisation request to review the properties included in the Amendment. The East Brunswick Village Development Plan Report (2012), approved by Council on 4 October 2012, provides for the removal of the substation. None of the plans associated with the Development Plan show the substation as being retained. Given this, and the role of Elm Street in providing localised access to abutting properties, as well as connecting to a proposed pedestrian route at its southern end, it was not considered appropriate to pursue a Heritage Overlay for the substation. This has been accepted by DELWP and subsequently removed from the Amendment.

Authorisation for the Amendment was subsequently granted on 30 October 2018.

Interim controls

On 13 February 2018, officers requested the Minister for Planning to exercise his powers pursuant to Section 20(4) of the *Planning and Environment Act 1987* to apply interim heritage controls for properties identified in the MHGS. The interim heritage controls were gazetted and formed part of the Moreland Planning Scheme on 24 January 2019. The interim controls will expire on 31 December 2019.

Amendment C174 public exhibition

The Amendment was publicly exhibited from 22 November 2018 to 25 January 2019. The exhibition process was extended to be five weeks longer than the required statutory exhibition period to take into account the holiday season. Just over 3,200 letters were mailed to affected owners and occupiers as part of the notification process. A total of 35 submissions and one petition were received during and shortly following the exhibition period. This includes two submissions in support of the Amendment. The submissions are summarised with an Officer response for each in the table at **Attachment 1**. The consultation process undertaken to exhibit the Amendment is outlined in section 4 of this report.

The submissions received after the close of exhibition and during the preparation of this report will be referred directly to the Independent Planning Panel for consideration.

3. Issues

Key grounds of objections

The issues and grounds of objections raised by the submitters vary and in many instances are site specific. A detailed response to each submission is provided in **Attachment 1**. No objections were received regarding the proposed Incorporated Plan.

Some common themes and issues can be identified as follows.

The current condition of the place (altered/dilapidated) means it does not warrant inclusion in the Heritage Overlay

The issue of the intactness of a particular building is an important consideration when assessing its heritage value. The central issue in this regard is whether alterations to a place have significantly compromised the heritage value.

The majority of properties subject to Amendment C174 were constructed in the late nineteenth/early twentieth century. It is reasonable to expect that these properties would have undergone some change since construction to accommodate changing living or other requirements. The key issue is whether the changes have compromised the heritage significance of the place. It is considered that the Amendment C174 properties are sufficiently intact and meet the criteria for local heritage significance to warrant inclusion in the Heritage Overlay. Although in many instances places may have been altered, those changes to the fabric are considered to be superficial and largely inconsequential to the heritage value.

Furthermore, the structural condition of a house or building is not directly relevant to whether a recommendation can be made to include the property in a Heritage Overlay. Building condition is only relevant at the Amendment stage in extreme cases of dilapidation where demolition is an inevitable outcome, or, the necessary renovations of a building are so extensive that the original fabric of the building would be lost.

The heritage value of a particular site or precinct

The consultants undertook a review of all submissions received. This review involved in many cases an additional site visit (from the street) to each place or precinct, and additional research being undertaken into the heritage significance of each place or precinct.

Further interrogation of the significance of the places proposed to be included in the HO was also undertaken by the consultants prior to authorisation of the Amendment.

Following the review of submissions by the consultations, the majority of proposed places still meet the local threshold for heritage significance.

Financial implications and property values

The HO recognises places of identified heritage significance. Challenges to the proposed inclusion of properties within the HO must be based around the significance of those places. The comments by the panel considering the Ballarat Planning Scheme Amendment C58 are instructive in this regard. At page 53 of their report the Panel stated:

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

Furthermore, private economic effects of a HO have been considered by a number of Planning Panels where it was concluded that impacts on land values or the individual circumstances of the land owner to be outside the scope for consideration.

Ultimately, it is difficult to estimate the specific effect of including a property in the HO since heritage controls do not prohibit development, subdivision or demolition but do require that planning approval be obtained.

It is considered that the implementation of the Study through the introduction of the HO will have positive social effects on the wider community. It will do so by identifying and facilitating the preservation of buildings which will provide a valuable and recognisable contribution to the area.

Unfair imposition on future development opportunities

The purpose of the HO is to '*conserve and enhance places of identified heritage significance*'. The HO has been developed to implement the following objectives of the *Planning and Environment Act 1987*:

(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or other special cultural value.

(g) to balance the present and future interests of all Victorians.

Together with Section 6(1) of the *Planning and Environment Act 1987* these objectives place an obligation on Council to identify and protect sites of heritage significance.

It is acknowledged that the HO restricts certain development with the intention of protecting places and structures that have an identified heritage value. The HO is not a prohibition on construction of new dwellings or altering existing dwellings. The intention is to ensure that any new buildings or alterations or additions to existing buildings do not detrimentally impact on the heritage significance of a particular place. There are many instances in Moreland and other metropolitan Council's where additional dwellings have been constructed on heritage properties or existing heritage places have been extended and/or altered. The HO also does not put any restrictions on internal alterations to properties.

Maintenance and repairs of heritage places

The HO does not place a statutory obligation on the owner to upkeep and maintain the heritage building to a particular heritage standard.

A permit is not required for works, repairs or maintenance that do not change the appearance of the heritage place and use the same materials and specifications. The HO does not prevent redevelopment, including restoration and additions. New development visible from the street should be designed in a manner sympathetic to the character of the significant fabric or in an understated modern manner in complementary form and materials. Internal maintenance and repairs do not require planning approval for places of local heritage significance.

Furthermore, an Incorporated Plan is also proposed to be introduced into the Moreland Planning Scheme as part of the Amendment. The Incorporated Plan will enable owners to make minor changes to their properties without requiring planning permission depending on the heritage grading of their property, such as:

- Demolition of fences, veranda's and outbuildings;
- Construction of a garage/carport, outbuilding, pergola, deck or fence; and
- Installation of rainwater tanks.

Changes required to the exhibition documents

As detailed in **Attachment 1**, the following changes to the Amendment are proposed in response to each submission:

Submission No	Affected property address	Recommendation	Affected document
1	3/104 Tinning Street, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A
2	36 King Street, Fitzroy	Remove 36 King Street from the Amendment and the MHGS.	MHGS Schedule to Clause 43.01 (Heritage) Map 15HO
3	1/197 The Avenue, Coburg	Remove 1/197 The Avenue, Coburg from the Amendment and the MHGS.	MHGS Schedule to Clause 43.01 (Heritage) Map 12HO
4	273 Victoria Street, Brunswick	Reduce the extent of HO502 to apply only to that part of the building within 5 metres of the frontage.	Planning Scheme Map 14HO
5	17 Glenora Avenue, Coburg	Update the citation to include reference to cement as well as clay tiles as an original building material. Refer the submission to an Independent Panel.	MHGS
6	6 Meaker Avenue, Brunswick West (supportive)	No change proposed.	N/A
7	1 Woodlands Avenue, Pascoe Vale South	No change proposed. Refer the submission to an Independent Panel.	N/A
8	19 Glenora Avenue, Coburg	No change proposed. Refer the submission to an Independent Panel.	N/A
9	210 Barkly Street, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A
10	208 Barkly Street, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A
11	281 Glenlyon Road, Fitzroy North	Change the heritage grading of 281 Glenlyon Road, Fitzroy North from contributory to non-contributory.	MHGS Appendix 1, Incorporated Plan
12	271 Glenlyon Road, Fitzroy North	No change proposed. Refer the submission to an Independent Panel.	N/A
13	76 Hickford Street, Brunswick East	No change proposed. Refer the submission to an Independent Panel.	N/A
14	63 Union Street, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A

Submission No	Affected property address	Recommendation	Affected document
15	18 Lowan Street, Brunswick East	Change the heritage grading of 18 Lowan Street, Brunswick from contributory to non-contributory.	MHGS Appendix 1, Incorporated Plan
16	116 Glenlyon Road, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A
17	233-239 Brunswick Road, Brunswick	Amend Map 1A, 1B and 3 of DD018 in relation to 233-239 Brunswick Road to: <ul style="list-style-type: none"> Identify the properties as individually significant. Remove building heights and street wall guidance. No other changes proposed. Refer the submission to an Independent Panel.	DDO18
18	206 Barkly Street, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A
19	2 McLean Street, Brunswick West	Remove 2 McLean Street, Brunswick West from the Amendment and the MHGS.	MHGS Schedule to Clause 43.01 (Heritage) Map 10HO
20	7 Woodlands Avenue, Pascoe Vale South	No change proposed. Refer the submission to an Independent Panel.	N/A
21	18 Waxman Parade, Brunswick West	No change proposed. Refer the submission to an Independent Panel.	N/A
22	16-18 Glenlyon Road, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A
23	183 Stewart Street, Brunswick East	No change proposed. Refer the submission to an Independent Panel.	N/A
24	32 Passfield Street, Brunswick West	Remove 32 Passfield Street from the Amendment and the MHGS.	MHGS Schedule to Clause 43.01 (Heritage) Map 13HO
25	32 David Street, Brunswick	No change proposed. Refer the submission to an Independent Panel.	N/A
26	23 Holmes Street, Brunswick East	No change proposed. Refer the submission to an Independent Panel.	N/A
27	19 Balmoral Avenue, Brunswick East	No change proposed. Refer the submission to an Independent Panel.	N/A

Submission No	Affected property address	Recommendation	Affected document
28	Tinning Street Precinct	No change proposed. Refer the submission to an Independent Panel.	N/A
29	65 Union Street, Brunswick	Amend the citation to: <ul style="list-style-type: none"> Correct errors in the statement of significance. In the first paragraph under 'Why is it significant' replace 'an example' with 'examples' and 'pre-1870' with 'pre-1880'. Remove the recommendation to replace the front fence. No other change is proposed. Refer submission to an Independent Panel.	MHGS
30	General submission (not supportive)	No change proposed. Refer the submission to an Independent Panel.	N/A
31	1 South Daly Street, Brunswick West	Remove the front fence controls by changing 'Yes – front fence' to 'No' in the column under 'Outbuildings and fences, which are not exempt etc.' for HO497. No other change is proposed.	MHGS Schedule to Clause 43.01
32	1 Temuka Avenue, Brunswick East	Make the following changes: <ul style="list-style-type: none"> Change Volume 1 of the MHGS to remove 1 Temuka Avenue from the places excluded from further assessment and add to the places identified following further research (p.39 under 'Places assessed'). Include reference to 5 Timaru Avenue as a variant of the 'Timaru' type in both Volume 1 (p.41) and in the citation (as it was inadvertently omitted). No other change is proposed. Refer submission to an Independent Panel.	MHGS
33	159-165 Donald Street, Brunswick East	Change the statement of significant as detailed in the Officer response to submission at Attachment 1. Refer submission to an Independent Panel	MHGS
34	19 Glenora Avenue, Coburg	No change proposed. Refer the submission to an Independent Panel.	N/A
35	General submission (Supportive)	No change proposed.	N/A

Additional changes are also proposed to the MHGS and the Amendment documentation. These changes mainly correct minor errors that have been identified and are listed below:

Description of Error	Affected Document	Change Proposed
Citation for 159-165 Donald Street, Brunswick East states 'No' in the table of recommendations for 'Prohibited Uses May be Prohibited.'	Heritage Citation – 159-165 Donald Street, Brunswick East.	Update citation to state 'Yes' in the table of recommendations. This will ensure consistency with the Schedule to Clause 43.01.
Citation for 19 Balmoral Avenue, Brunswick East states 'Yes' in the table of recommendations for 'Outbuildings and Fences Exemptions.'	Heritage Citation – 19 Balmoral Avenue, Brunswick East.	Update citation to state 'No' in the table of recommendations. This will ensure consistency with the Schedule to Clause 43.01.
15 Woodlands Avenue, Pascoe Vale South is shown as a 'contributory' property within the Coonans Hill Precinct	Coonans Hill Precinct citation	Update citation to include 15 Woodlands Avenue, Pascoe Vale South in the list of non-contributory properties. The original house has been demolished.
Heritage grading of properties within serial listings has been omitted from the Incorporated Plan.	<i>Moreland Heritage Exemptions Incorporated Plan 2017</i>	Amend the following sentence on page 2 of the Incorporated Plan as follows (new text in bold): 'All individual places and places within a serial listing listed at Clause 43.01-2 are graded as 'Significant'.
The 'routine maintenance and repairs that do not result in an extension' exemption listed in table 1 of the Incorporated Plan is inconsistent with Clause 62.02-2 (General Exemptions) of the Moreland Planning Scheme.	<i>Moreland Heritage Exemptions Incorporated Plan 2017</i>	Delete. The Heritage Overlay only requires a planning permit for routine repairs and maintenance that change the appearance of a heritage place or which are not undertaken to the same details, specifications or materials. The Incorporated Plan provides exemptions for this permit requirement in other sections of table 1.
30 Murray Street, Brunswick West has been omitted in error from Planning Scheme Map 13HO. This property was transferred from an individual heritage overlay (HO337) into the Closer Settlement Houses Serial Listing (HO540).	Planning Scheme Map 13HO	Amend Planning Scheme Map 13HO to correctly show that 30 Murray Street, Brunswick is affected by HO540.

It is also proposed to make changes to the heritage citation for 70 Heller Street, Brunswick West to include additional historical information provided by the landowner in the one-on-one consultation sessions held during exhibition. This information is currently being investigated and will be reported back to Council at the next decision gateway for the Amendment.

An amended MHGS 2019 which incorporates the changes listed above is provided at **Attachments 2, 3, 4 and 5**. It is recommended that Council adopts this 2019 version for Panel.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Amendment C174 to the Moreland Planning Scheme was publicly exhibited from 22 November 2018 to 25 January 2019. This is an additional five weeks of exhibition than legislated by the *Planning and Environment Act 1987* to take into account the holiday season.

Consultation was supported by:

- Direct notification to affected owners and occupiers where the HO was proposed to be applied and immediately adjoining residents;
- Notice to relevant referral authorities, prescribed Ministers and community groups.
- Public notice in the Moreland and Northern Leaders on 19 and 20 November 2018 respectively and in the Government Gazette on 22 November 2018.
- CityNews articles on 3 and 4 December 2018 and 14 and 15 January 2019.
- Information was available on the Council website including all Amendment documentation and a property address search function which allowed users to understand the proposed changes on particular properties;
- Amendment documentation was made available at the following locations for the duration of the exhibition period:
 - Moreland Civic Centre - 90 Bell Street, Coburg
 - Brunswick Citizens Service Centre - 233 Sydney Road, Brunswick
 - Brunswick Library - 233 Sydney Road, Brunswick
 - Campbell Turnbull Library - 220 Melville Road, Brunswick West
 - Coburg Library - Corner of Victoria and Louisa Streets, Coburg
 - Fawkner Library - 77 Jukes Road, Fawkner
 - Glenroy Citizens Service Centre - 796N Pascoe Vale Road, Glenroy
 - Glenroy Library - 737 Pascoe Vale Road, Glenroy
- All owners and occupiers of properties proposed to be included in the HO were invited to attend one-on-one consultation sessions held in early December 2018. Twenty-three (23) affected property owners met with Council Officers from the Strategic Planning Unit and the heritage consultants that prepared the Study. Each consultation session ran for 30 minutes and offered an opportunity to discuss the Amendment and what it would mean for their property, as well as find out more about the planning amendment process; and
- Officers were available for meetings and phone calls to discuss the Amendment with members of the community.

All submitters have been notified of the timing of this report.

It is noted that the Council report seeking authorisation (DED107/17 Moreland Heritage Gap Study and Amendment - Decision Gateway 1 Authorisation and Exhibition) stated that all existing HO properties were to be notified of the incorporated plan. Given the large number of properties affected (12,500) it was not considered practical under section 19(1A) of the *Planning and Environment Act 1987* to notify these properties individually. Furthermore, the incorporated plan does not remove any existing rights of the landowners of these properties but rather makes it easier for them to undertake minor works on their properties. Thus, the test of 'materially affected' under section 19(1B) of the *Planning and Environment Act 1987* is not considered to be met.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

Council's operational budget for the project is \$80,000, which will cover the costs associated with the Amendment. This amount includes budget for the exhibition and consultation component of the Amendment, expert witness assistance at the panel hearing, planning panel fees and other administrative costs associated with processing the Amendment.

7. Implementation

The following anticipated timeline for the Amendment is broken down into the key 'decision gateways'. The timeframe is subject to Ministerial approval timelines, Panel timing and the expiry of the interim controls.

Decision Gateway 1: Authorisation and Exhibition (completed)

Decision Gateway 2: Submission Review and Panel Request

- March 2019: seek Ministers appointment of Panel to consider submissions;
- April/May 2019: Panel Directions Hearing;
- May/June 2019: Panel Hearing;
- July/August 2019: Panel Report is provided to Council.

Decision Gateway 3: Review Panel report and consider adoption of the Amendment

- August/September 2019: Report on the Panel's recommendations and consider adoption of the final version of the Amendment.
- October/November 2019: Submission of the Amendment to the Minister for Planning for approval.
- December 2019/January 2020: Anticipated approval by the Minister for Planning

Attachment/s

<u>1↓</u>	Summary of Submissions	D19/78775
<u>2↓</u>	Volume 1 - Heritage Gap Study	D19/78837
<u>3↓</u>	Volume 2A - Heritage Gap Study	D19/61293
<u>4↓</u>	Volume 2B - Heritage Gap Study VOL 2B	D19/61297
<u>5↓</u>	Volume 3 - Heritage Gap Study	D19/61298

MORELAND PLANNING SCHEME AMENDMENT C174 – IMPLEMENTATION OF THE HERITAGE GAP STUDY 2017: SUMMARY OF SUBMISSIONS, OFFICER RESPONSES AND RECOMMENDATIONS


March 2019

SUBMITTER DETAILS	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
Name, address and contact details of the individual or party making the submission.		Submissions have been classified as:	Submissions have been summarised into their key points and include any specific requests for changes to Amendment C174.	The following key themes have been identified from submissions received:	Council Officer response to each submission.	Council Officer recommendation to Council in response to each submission.
		Supportive (Submission expresses general support for the amendment and no changes are requested)	Summaries do not list all arguments in support of key point's and requests for change.	Public Exhibition and Consultation Concerns about the public consultation undertaken for the amendment.		
		Supportive and change requested (Submission expresses general support for the amendment but requests a change)	Individual submissions should be referred to for further detail.	Financial Implications and Property Value Concerns about the impact of the proposed amendment on property values and financial implications to owners such as increased insurance costs and costly maintenance.		
		Not supportive (Submission does not support the amendment but no changes are suggested)		Development Restrictions Unfair imposition of planning controls that will limit future redevelopment plans.		
		or		Maintenance and Repairs of Heritage Places Inability to make changes to property.		
		Not supportive and change requested (Submission does not support the amendment and changes to the amendment are suggested)		Questioning the Heritage Value of a Particular Site or Precinct The current condition of the place (altered/dilapidated) means it does not warrant inclusion in the Heritage Overlay.		
				Policy Issues Conflicting with current local and state policy and/or planning controls		
STANDARD RESPONSES TO COMMON ISSUES RAISED IN SUBMISSIONS						
Standard Response 1. Financial Implications and Property Values Officers are obliged to view financial or maintenance costs of individual properties as irrelevant considerations in the assessment of appropriate heritage controls. The criteria for assessing the heritage significance of a heritage place as outlined in Planning Practice Note PPN01: 'Applying the Heritage Overlay' refers to only matters of a heritage nature. Private economic effects of a heritage overlay have been considered by a number of Planning Panels, including Melbourne C201 Panel; Moreland C149 Panel and most recently Boroondara C274 and Glenelg C89 Panels, where it was concluded that impacts on land values or the individual financial circumstances of the land owner to be outside the scope for consideration.						

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<p>Standard Response 2. Maintenance and Repairs of Heritage Places</p> <p>The Heritage Overlay does not require an owner to maintain or appropriately upgrade their property. All houses require on-going maintenance to protect their amenity and value, whether or not in the Heritage Overlay. Routine repairs and maintenance does not usually require a planning permit, unless it changes the appearance of the heritage place. The Heritage Overlay does not require an owner to maintain their house to a particular heritage standard.</p> <p>An Incorporated Plan is also proposed to be introduced into the Moreland Planning Scheme as part of Amendment C174. The Incorporated Plan will enable owners to make minor changes to their properties without requiring planning permission depending on the heritage grading of their property.</p>	<p>Standard Response 3. Development Restrictions</p> <p>It is acknowledged that the Heritage Overlay restricts certain development with the intention of protecting places and structures that have an identified heritage value. The Heritage Overlay is not a prohibition on the construction of new dwellings or alteration of existing dwellings. The intention of the Overlay is to ensure that any new buildings or alterations to existing buildings do not detrimentally impact on the heritage significance of a particular place. There are many instances in Moreland and other metropolitan Council's where additional dwellings have been constructed on heritage properties or where existing heritage places have been extended and/or altered. The Heritage Overlay proposed as part of this Amendment also does not put any restrictions on internal alterations to properties.</p> <p>Furthermore, any impact on development, whether perceived or real, can be considered at the planning permit stage where detailed designs are known.</p>	<p>Standard Response 4. Infringement on Property Rights</p> <p>The planning system is a long-established part of government regulation of land use and development in Victoria. The submitters land is already subject to planning controls under the Moreland Planning Scheme, such as zone controls, that require permission for certain uses and development of land. The application of the Heritage Overlay, is just one part of the numerous components of the accepted practice in Victoria of regulating land use and development by statutory planning schemes.</p> <p>Even if the Heritage Overlay is applied, it will not control all buildings and works that might take place on a property, with the Overlay providing exemptions from the need for a permit for certain buildings and works. Council is also proposing to introduce an Incorporated Plan that will exempt minor works from requiring a planning permit.</p>
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NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
1	3/104 Tinning Street, Brunswick (non-contributory property, Tinning Street Precinct)	Not supportive	<p>1. Objects to block of units at 104 Tinning Street being included in the Heritage Overlay. The units are single-storey from the 1970s.</p>	Questioning the heritage value of a particular site or precinct	<p>1. The Tinning Street precinct is of local historic and representative significance to the City of Moreland for the reasons described in the <i>Moreland Heritage Gap Study 2017</i> (MHGS).</p> <p>This property forms part of a group of c.1970s single-storey units, which are identified as non-contributory within the Tinning Street Precinct. This property has been included to manage future development that could impact upon the precinct and contributory heritage places, which are located on either side and directly opposite the site.</p> <p>As 104 Tinning Street is a non-contributory heritage place it will be exempt from requiring a planning permit for a range of minor works under the <i>Moreland Heritage Exemptions Incorporated Plan 2017</i> (Incorporated Plan), which is proposed to be introduced into the Moreland Planning Scheme as part of Amendment C174.</p>	No change proposed. Refer submission to an Independent Panel.
2	36 King Street, Fitzroy (individually significant)	Not supportive	<p>1. The house should not be included in the Heritage Overlay as an individual place. It is not historically intact and substantial and significant alterations to the exterior walls and features are evident on all four sides of the house, including:</p> <ul style="list-style-type: none"> • Non-original aluminium front and rear windows inserted in the late 1960s; • Substantially replacement of the front verandah flooring with concrete and the lower sections of the verandah posts with red brickwork. • A metal security gate structure fitted to the entrance aperture (which is not an original structure as cited in the heritage citation). • A new entrance door installed in the early 1970s. • Replacement of the original roof with terracotta tiles and alteration of the roof at the rear. • A weatherboard extension to the rear (east facing) and new window apertures added to the north and south sides of the dwelling. 	Questioning the heritage value of a particular site or precinct	<p>1. The additional evidence and photographs provided by the submitter has been reviewed by the heritage consultant. The further information provided demonstrates that it has much lower integrity than described in the citation. For this reason, it is agreed the house does not satisfy the threshold of local significance.</p>	Remove 36 King Street, Fitzroy North from the Amendment and the MHGS.

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3	1/197 The Avenue, Coburg (Individually significant)	Not supportive	<p>1. Council sought interim heritage controls for the bluestone outhouse and dwelling as a development application had been lodged to demolish these buildings in 2016. The Minister for Planning approved interim heritage controls for the bluestone outhouse but not for the dwelling. There is no new study or evidence that would warrant overturning the decision made by the Minister and there are inaccuracies with the heritage citation.</p> <p>2. Heritage Overlay will cause financial loss and impact on retirement income.</p>	<p>Questioning the heritage value of a particular site or precinct</p> <p>Financial implications and property values</p>	<p>1. Council sought interim heritage controls for both the bluestone outhouse and dwelling in February 2016. Officers at Department of Environment, Land, Water and Planning (DELWP) considered that only the outbuilding located at 2/197 The Avenue had significance, with the Minister for Planning approving the interim controls for this building only. These interim controls expired in February 2018. New interim heritage controls were approved under Amendment CL73. However DELWP incorrectly applied these controls to both the outhouse and dwelling. Council Officers recommend that the permanent heritage controls sought under Amendment CL74 only apply to the outbuilding at 2/197 The Avenue.</p> <p>2. See Standard Response 1.</p>	Remove the dwelling at 1/197 The Avenue, Coburg from the Amendment and the MHGS.
4	273 Victoria Street, Brunswick (Individually significant)	Not supportive with changes	<p>1. Requests the curtilage of the heritage overlay is reduced so that it only applies to the first five metres of the building, starting from the front facade. The building was totally gutted in 2006 so that only the front wall remained.</p>	<p>Questioning the heritage value of a particular site or precinct</p>	<p>1. The former Brunswick Scout Hall and Toscana Social Club is historically significant for the reasons set out in the MHGS. It is agreed, however, that the building has undergone significant alterations and the rear section of the building in particular has low integrity. For this reason, it is agreed that the extent of HO502 should be reduced to include only the section of the building within 5 metres of the frontage (see hatched area in image below). This will include the most visible and intact section of the building and aligns approximately with the rear of the front two storey section, thereby ensuring a legible boundary.</p> <p>It will also ensure that the heritage impacts of any development at the rear can be appropriately managed having regard to the heritage significance of the site.</p> 	Reduce the extent of HO502 to apply only to that part of the building within 5 metres of the frontage.

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
5	17 Glenora Avenue, Coburg (Significant, War Service Homes (Brick) Serial Listing)	Not supportive	<ol style="list-style-type: none"> 1. Previous heritage studies in the area did not mention property as having heritage significance. 2. Property would be subject to increased insurance costs, costly maintenance and a reduction in value. 3. House has undergone alterations including replacing of the original terra cotta roof with concrete and painting of the original brickwork. 4. Rights as property owners would be trampled. 	<p>Questioning the heritage value of a particular site or precinct</p> <p>Financial implications and property values</p> <p>Maintenance and repairs of heritage places</p> <p>Property rights</p>	<ol style="list-style-type: none"> 1. The submitters property (along with nos. 9-31 Glenora Avenue, Coburg) were identified by Council's heritage consultants during the Stage 2 Study for the MHGS. This was due to similarities to houses located in Slamrock Street, Brunswick West that were originally identified to be part of a serial listing during the Stage 1 Study. The houses at nos. 9-31 Glenora Avenue were included in the assessment to ensure the proposed serial listing included the best representative examples of the surviving brick War Service Homes. 2. See Standard Responses 1 and 2. In regard to increased insurance costs, there is no evidence to suggest that premiums will be any higher than for an unlisted property. As long as heritage buildings are structurally sound, water tight, secure and well maintained, there shouldn't be any difficulty insuring heritage properties. 3. The War Service Homes (Brick) serial listing is of local historic and aesthetic significance to the City of Moreland for the reasons described in the MHGS. The form and detailing of the house is typical of the War Service Homes and is one of two examples of a 'Transverse Gable' type. The key visible change has been over-painting of the face brick and the possible replacement of the roof tiles. However, a review of historical sources has confirmed that the houses originally had clay or cement tiles, so it is possible that the roof is original or a 'like for like' replacement. On this basis, the heritage consultant has advised that it is considered to be an appropriate inclusion within the serial listing. 4. See Standard Response 4. 	<p>Update the citation to include reference to cement as well as clay tiles as an original building material.</p> <p>Refer submission to an Independent Panel.</p>
6	6 Meaker Avenue, Brunswick West (Contributory, Meaker Avenue Precinct)	Supportive	<ol style="list-style-type: none"> 1. Strongly supports the proposed changes. 2. All properties in Meaker Street were constructed in the same era and are of a consistent style and appearance. This has made for a unique streetscape and has been integral to the sense of neighbourliness and good relationships in the street. 3. The proposed changes will ensure these values are retained as well as preserving the quality of existing and future developments to the homes. 	Support	Noted.	No change proposed.
7	1 Woodlands Avenue, Pascoe Vale South (non-contributory, Coonans Hill Precinct extension)	Not supportive	<ol style="list-style-type: none"> 1. Do not see a valid reason why their property should be included in the heritage overlay. It is a modern cement/brick house built in 2004 that has no features which would require heritage protection. 	Questioning the heritage value of a particular site or precinct	<ol style="list-style-type: none"> 1. This dwelling has been included within the proposed Coonans Hill Precinct extension as a non-contributory place. The proposed Coonans Hill Precinct extension includes all the properties between Carrington and Walhalla Streets, which contain predominantly interwar houses that are comparable to those within the existing Coonans Hill Precinct (HQ207). Inclusion of this property would result in the consistent application of HQ207 to the south side of Woodlands Avenue extending from Melville Road to Rainer Street. This is one of three non-contributory places within the extension area, which have been included in order to manage future development. While the dwelling is recent and unlikely to be redeveloped, the application of the Heritage Overlay will enable control over matters such as front fencing, which could impact upon the precinct. However, as 1 Woodlands Avenue is a non-contributory heritage place it will be exempt from requiring a planning permit for a range of minor works under the Incorporated Plan which is proposed to be introduced into the Moreland Planning Scheme as part of the Amendment. 	<p>No change proposed.</p> <p>Refer the submission to an Independent Panel.</p>

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
8	19 Glenora Avenue, Coburg (significant, War Services Homes (Brick) Serial Listing)	Not supportive	1. House is too unstable to be repaired as detailed in the building report provided with the submission and should not be considered a heritage listed house.	Questioning the heritage value of a particular site or precinct	1. The War Service Homes (Brick) serial listing is of local historic and aesthetic significance to the City of Moreland for the reasons described in the heritage study. This house is a fine and intact example of a War Service Home with typical form, materials and detailing. It appears to be a unique design, not repeated elsewhere in the examples within Moreland and warrants inclusion within the serial listing. Building condition may be a factor in deciding whether or not to include a place within the HO where it can be demonstrated that: <ul style="list-style-type: none"> The building condition is such that the case for demolition is unassailable. Where the necessary renovations are so extensive that the original fabric of the building would be in large measure lost and the form and nature of the heritage place would no longer be able to be appreciated, and the significance of the place is degraded as a result. <p>In both cases, there would need to be a very high certainty of either occurring. The building report was referred to Council's Building Services Unit, which advised that it while it may take some work to complete repairs, the house was repairable.</p> <p>Furthermore, the heritage citation specifically highlights significant elements of the house's facade such as its 'transverse gable with a large gable front' and 'a projecting front porch with a separate roof'. It is considered that any repairs that would need to be made to the house may not affect its facade. As such, it is recommended that the property be retained in the Heritage Overlay at this time.</p>	No change proposed. Refer submission to an Independent Panel.
9	210 Barkly Street, Brunswick (individually significant)	Not Supportive	1. The three terraces at 206-210 Barkly Street are isolated in scale and context in the current Barkly Street. 2. The slate roof does not warrant heritage protection for its construction nor material selection and the two-tone brickwork on the original facade has lost its unity because of other alterations to the facade over time. 3. The shared roof space contributes to poor acoustics, poor thermal performance and fire risk and is not considered acceptable for a modern residential building. The existing bluestone footings are also showing signs of significant movement and instability. 4. The Heritage Overlay will further inhibit the future development of the site when taking into consideration the small land size of each terrace and the restrictions on any future two-storey development caused by the slate roof.	Questioning the heritage value of a particular site or precinct Maintenance and repairs of heritage places Development restrictions	1. The changing nature of the streetscape of Barkly Street is not a matter for consideration when identifying a property of individual heritage significance. This is only a matter for consideration when applying the Heritage Overlay on a precinct basis. Given that this property has been identified as being of individual heritage significance, a recommendation has been made to include it in the Heritage Overlay. 2. The terrace at 206-210 Barkly Street, Brunswick is of local historic and representative significance for the reasons set out in the MHGS citation. This terrace is of individual significance, which is independent of the surrounding context. That is, the significance is not affected by the mixed nature of surrounding development. The slate roof is not, of itself, significant, but is part of the original fabric that contributes to the significance of the place. However, the continuous form of the roof, which demonstrates the lack of fire separation between the houses, is what distinguishes this row from other examples. The changes to the houses are acknowledged in the citation, however, it is considered to have sufficient integrity to justify inclusion in the Heritage Overlay. 3. See Standard Response 2. 4. See Standard Response 3.	No change proposed. Refer submission to an Independent Panel.

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
10	208 Barkly Street, Brunswick (individually significant)	Not supportive	<ol style="list-style-type: none"> The three terraces at 206-210 Barkly Street are isolated in scale and context in the current Barkly Street and its historic context is not noticed. The terraces have undergone significant changes with the removal of two chimneys from the roof of one of the properties, considerable changes to the original facades through painting and rendering, the removal of original verandas and dismial front fences. The shared roof has inadequate thermal and sound quality and is a fire hazard by modern building standards. The Heritage Overlay restricts all owners to install Solar panels to their north facing roof area. The Heritage Overlay will have a significant impact to the owners financially. The Heritage Overlay will further inhibit the future development of the site when taking into consideration the small land size of each terrace. The existing gum tree (planted by Moreland Council) has caused damage to the walls and structure of nos. 208 and 210. 	<p>Questioning the heritage value of a particular site or precinct</p> <p>Maintenance and repairs of heritage places</p> <p>Financial implications and property values</p> <p>Development restrictions</p>	<ol style="list-style-type: none"> Refer to Submission 9, Response No. 1. Refer to Submission 9, Response No. 2. See Standard Response 2. Whilst the Heritage Overlay may restrict solar panels being placed on the north facing roof area (due to this area facing the street), it is considered that there is opportunity to place solar panels on the western roof area as well as the extension at the rear of the property, similar to how solar panels have been added to the rear extension of 204 Barkly Street, Brunswick. A planning permit is not required under the Heritage Overlay for solar panels where they are not visible from a street (other than a lane) or public park. See Standard Response 1. See Standard Response 3. This matter has been referred to Council's Open Space Maintenance Unit for further consideration. 	No change proposed. Refer submission to an Independent Panel.
11	281 Glenlyon Road, Fitzroy North (contributory, Summer Estate Precinct extension)	Not supportive with changes	<ol style="list-style-type: none"> 281 Glenlyon Road is a post-war house built in the 1950s extended in 1956 and 1960. Its integrity has been compromised with all the changes made and should deemed non-contributory to the precincts heritage. The property has significant structural issues where there are problems with cracking throughout the property on the brickwork and sinking foundations. 	<p>Questioning the heritage value of a particular site or precinct</p>	<ol style="list-style-type: none"> The Summer Estate precinct is historically, architecturally and aesthetically significant for the reasons set out in the MHGS. The contributory places within the existing precinct and the proposed extensions are the houses built during the primary period of development during the interwar period (c.1919 to c.1939). Non-contributory places include houses built during the post-war period and interwar houses that have been significantly altered. Given the c.1950 construction date and the alterations described in the submission, it is agreed that a non-contributory classification is more appropriate for this property. The structural condition of the house is not directly relevant to whether a recommendation can be made to include the property in a Heritage Overlay under the Planning Practice Note 1: Applying the Heritage Overlay. The issue of structural integrity can be considered as part of the planning permit process. 	Change the heritage grade of 281 Glenlyon Road, Fitzroy North from contributory to non-contributory.
12	271 Glenlyon Road, Fitzroy North (contributory, Summer Estate Precinct extension)	Not supportive	<ol style="list-style-type: none"> The existing property, in particular, the Mediterranean style porch with arched openings is in a dilapidated state and beyond reasonable repair. The property is of insignificant and/or no heritage significance. The interwar bungalow style residences throughout the Summer Estate precinct are so few the majority of which having been demolished or significantly altered/renovated that there is no cohesive contribution whatsoever to heritage value. 	<p>Questioning the heritage value of a particular site or precinct</p>	<ol style="list-style-type: none"> No evidence has been provided to demonstrate the property is in a dilapidated state and beyond reasonably repair. The house is a fine and intact example of an inter-war bungalow. Any issue of structural integrity can be considered as part of the planning permit process. The Summer Estate precinct is historically, architecturally and aesthetically significant for the reasons set out in the MHGS. The house at 271 Glenlyon Road is a fine and intact example of an inter-war bungalow. It is distinguished by the triple-arched porch and an integral garage with Cordoba tiles, which demonstrates the Mediterranean revival influence – the adjoining house has a similar porch, which suggests they were constructed by the same builder/designer. It forms part of the streetscape in this section of Glenlyon Road that comprises predominantly interwar bungalows with similar form, siting, materials and details. The majority of houses within the Summer Estate precinct are bungalows – either the California Bungalows of the 1920s or the hipped roof bungalows that came to typify the 1930s. A contributory grading and inclusion in the Heritage Overlay are therefore appropriate. 	No change proposed. Refer submission to an Independent Panel.

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
13	76 Hickford Street, Brunswick East (contributory, Hickford Street Precinct)	Not supportive	<p>1. Objects to the inclusion of their property in a Heritage Overlay. The style of the house is very common and simple and has no historic value to the community or generation. Nothing in the home is older than 25 years, having undergone a renovation, or is from one definite era or time and has a modern paint colour and modern bathrooms.</p> <p>2. Would like to make changes to the house such as painting and putting up fences without having to come to Council for permission. Do not appreciate anyone governing what they can/cannot do to their home.</p>	<p>Questioning the heritage value of a particular site or precinct</p> <p>Maintenance and repairs of heritage places</p> <p>Property rights</p>	<p>1. The Hickford Street precinct is of local historic and aesthetic significance for the reasons described in the MHGS. The contributory houses within the precinct are the brick and weatherboard bungalows that demonstrate the subtle transition in styles from the Federation to the interwar periods.</p> <p>This particular weatherboard house was built in 1915. Characteristic of the period, it is asymmetrical in plan with a steeply pitched hip roof that extends to the front and side. The verandah has a simple ladder fence and other typical materials and detailing including the half timbering to the gable end, and the use of notched weatherboards.</p> <p>In about 1995 an addition was made to the rear of the house and other changes carried out then (or previously) included the presumed removal of the chimneys, replacement of windows and installation of window hoods, and partial removal of the verandah floor to accommodate parking (likely resulting in the replacement of the verandah post).</p> <p>Despite these changes, the house remains recognisably an Edwardian era house and warrants a contributory grading within the precinct.</p> <p>2. See Standard Responses 2 and 4. The property has been graded as contributory within the Hickford Street Precinct. Under the Incorporated Plan that is proposed to be introduced as part of the Amendment, demolishing and erecting a new fence that is not more than 1.2m in height and repainting the house with the same colour will be exempt from requiring a planning permit.</p>	<p>No change proposed.</p> <p>Refer submission to an Independent Panel.</p>
14	63 Union Street, Brunswick (individually significant)	Not supportive	<p>1. Objects to heritage overlay over property and will engage a planning consultant to formally assess the planning and legal issues associated with the proposed heritage overlay prior to the panel hearing. It has been unrealistic to obtain professional help prior to the close of submissions given the length of time between the information sessions and the close of submissions and the closure of the property industry during this time.</p> <p>2. The heritage overlay will have a substantial impact on the value of the property, particularly given the unique shape and orientation of the property, the financial leverage of the property and the inability to meet what are considered reasonable living standards.</p>	<p>Public exhibition and consultation</p> <p>Financial implications and property values</p>	<p>1. Amendment C174 commenced exhibition on Thursday, 22 November and closed on Friday, 25 January 2019, with the consultation sessions held on 10 and 12 December 2018. The Amendment was publicly exhibited an additional five weeks than required by the <i>Planning and Environment Act 1987</i> to take into account the holiday season. A Panel hearing to consider submissions to Amendment C174 has been pre-set for the week commencing 6 May 2019 which should provide the submitter with sufficient time to brief and engage a heritage consultant.</p> <p>2. See Standard Response 1.</p>	<p>No change proposed.</p> <p>Refer submission to an Independent Panel.</p>
15	18 Lowan Street, Brunswick East (contributory, Summer Estate Precinct extension)	Not supportive with changes	<p>1. Requests that the heritage grading for 18 Lowan Street be changed from contributory to non-contributory. The house was constructed in 1942, when many of the houses were recommended to be contributory in the Summer Estate build of the house thus reflects this change in containing no decorative styles, constructed from brick veneer and has no decorative embellishments. The original facade has also undergone works which have undermined its heritage significance including replacement of the original windows with aluminium, verandah roof replaced with a steel frame and Perspex, verandah surface replaced with marble tiles and the addition of a carport.</p>	<p>Questioning the heritage value of a particular site or precinct</p>	<p>1. The Summer Estate precinct is historically, architecturally and aesthetically significant for the reasons set out in the MHGS. The contributory places within the existing precinct and the proposed extensions are the houses built during the primary period of development during the interwar period.</p> <p>Non-contributory places include houses built during the post-war period and interwar houses that have been significantly altered.</p> <p>While this house, overall, has similar form and materiality to other contributory places it lacks the decorative detail that characterises most of them. Having reviewed the information provided by the submitter, including photographs of the changes to the building it is agreed that the contribution of this house to the precinct is marginal and the heritage status may be changed to non-contributory.</p>	<p>Change the heritage grading of 18 Lowan Street, Brunswick from contributory to non-contributory.</p>

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16	116 Glenlyon Road, Brunswick (contributory, Ewing Street Precinct extension)	Not supportive	<ol style="list-style-type: none"> 1. Would like property to be exempt from the Heritage Overlay as have been planning a renovation to the property, which is sympathetic to the house, and would be adversely affected if the heritage overlay remains given the resources that have been committed to the renovation and having plans prepared. 2. Do not want to lose control over what happens to their property. 3. Want to be able to upgrade some of the features to add a 'modern' touch to the property such as outdoor lighting, front verandah and paint colours. 4. May be adversely affected if the temporary heritage overlay is overmined. It would be good to go through the planning permit process for the renovations (i.e. house design may be compromised and forced to go through changes, payment of planning permit fee). 	<p>Development restrictions</p> <p>Property rights</p> <p>Maintenance and repairs of heritage places</p>	<ol style="list-style-type: none"> 1. See Standard Response 3. The issue of cost effectiveness is not a planning consideration to determine the heritage value of a particular place. If a particular place has heritage significance, then it is worthy of protection through the Heritage Overlay. 2. See Standard Response 4. 3. See Standard Response 2. 4. The HO75 Ewing Street precinct is significant for the reasons set out in the WHOS. The contributory buildings within the existing precinct predominantly date from the early twentieth century and comprise Victorian survival Italianate style Villas and Edwardian bungalows, mostly constructed of timber with some in brick. Historic research confirms 112-116 Glenlyon Road forms part of the contributory buildings adjoining the Ewing Street precinct developed at the same time in the first two decades of the twentieth century. The three houses are of similar types to those found within the HO75 precinct and form part of a related group of early twentieth century houses along the south side of Glenlyon Road that includes nos. 100-110 already within HO75. Accordingly, nos. 112-116 forms a logical extension to the HO75 Ewing Street precinct. <p>No. 116 is a good and relatively intact example of an asymmetrical Edwardian bungalow with typical detailing. As a contributory building it is considered appropriate. It is recommended that permanent heritage controls are applied to the property.</p>	<p>No change proposed.</p> <p>Refer submission to an Independent Panel.</p>

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
17	233-239 Brunswick Road, Brunswick (individually significant)	Not supportive	<ol style="list-style-type: none"> Proposed heritage overlay conflicts with the Design and Development Overlay 18 (DDO18) that affects these properties and will impact on their future development potential. There are better examples of this style of architecture and historical significance already included in the heritage overlay and none of the properties have been rated as significant in any earlier heritage studies. The heritage overlay will result in a significant loss of property value. 	<p>Questioning the heritage value of a particular site or precinct</p> <p>Development restrictions</p> <p>Policy issues</p> <p>Financial implications and property values</p>	<ol style="list-style-type: none"> DDO18 was introduced into the Moreland Planning Scheme through Amendment C134 and applies to the Brunswick Activity Centre – Sydney Road and Uprfield Corridor. Heritage streetscapes and buildings are a major contributor to the character and feel of Brunswick. This character forms one of the guiding principles of the Brunswick Structure Plan which contains a number of objectives in relation to heritage and built form, including a strategy around the integration of heritage buildings into new developments, where appropriate. Furthermore, as noted by the Panel for Amendment C134: <i>The Heritage Overlay informs decision makers what is significant, but not how development should respond to that significance by way of a built form response. This is an obvious role for the DDO, and the case of Sydney Road and Uprfield Street where heritage does form part of the character and existing built form, DDO18 and DDO19 can appropriately provide guidance.</i> Council's heritage expert also noted during this Panel that DDO18 was generally consistent with Council's heritage policy (Clause 22.06 of the Moreland Planning Scheme), however recommended changes to the mapping for DDO18 to identify individually significant heritage places as well as remove building heights and street wall guidance. This change was supported by the Panel. As such, the mapping for DDO18 will be revised accordingly for 233-239 Brunswick Road. Brunswick to ensure consistency with other individually significant heritage places in DDO18. Furthermore, the application of the Heritage Overlay is not a prohibition on development. The intention is to ensure that any new buildings or alterations or additions to existing buildings do not detrimentally impact on the heritage significance of a particular place. There are many instances in Moreland and other metropolitan Council's where additional dwellings have been constructed on heritage properties in accordance with overarching urban consolidation policies. Any impact on development, whether perceived or real, can be considered at the planning permit stage where details are known. 2. The terrace row at 233-239 Brunswick Road, Brunswick is of local historical, representative and aesthetic significance for the reasons described in the IHMS. The omission of this place in previous heritage studies is not relevant, as one of the purposes of the Heritage Gap Study was to identify and assess places that may not have been identified previously. While there are many late nineteenth century houses in the HO in Brunswick, this is notable as a less common grander terrace row within the southern part of the municipality. The assessment of local significance is appropriate for this terrace row. 3. See Standard Response 1. 	<p>Amend Map 1A, 1B and 3 of DDO18 in relation to 233-239 Brunswick Road to:</p> <ul style="list-style-type: none"> Identify the properties as individually significant. Remove building heights and street wall guidance <p>No other changes proposed.</p> <p>Refer submission to an Independent Panel.</p>

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18	206 Barkly Street, Brunswick (Individually significant)	Not supportive	<ol style="list-style-type: none"> The three terraces at 206-210 Barkly Street are isolated in scale and context in the current Barkly Street and its historic context is not noticed. The shared roof has inadequate thermal and sound quality and is a fire hazard. All three parts of the original facade have considerably changed, by painting and rendering, the removal of original verandahs, altered windows and dissimilar front fences. Would be financially onerous to require the three separate landowners to retain the same roof line whilst limiting the viable height of any extension to the rear of the property. 	<p>Questioning the heritage value of a particular site or precinct</p> <p>Financial implications and property values</p> <p>Development Restrictions</p>	<ol style="list-style-type: none"> The changing nature of the streetscape of Barkly Street is not a matter for consideration when identifying a property of individual heritage significance. This is only a matter for consideration when applying the Heritage Overlay on a precinct basis. Given that this property has been identified as being of individual heritage significance, a recommendation has been made to include it in the Heritage Overlay. See Standard Response 2. Refer to Submission 9, Response No. 2. See Standard Response 1. 	No change proposed. Refer submission to an Independent Panel.
19	2 McLean Street, Brunswick West (Individually significant)	Not supportive	<ol style="list-style-type: none"> The property is not of heritage significance and should not have a heritage overlay applied. The heritage report overestimates the heritage value of the property given its significance is tied to a housing estate, of which it is the only property that remains that has not been demolished or significantly altered. There are also many other similar detached housing commission houses within Preston and Coburg East from the same period so not including this property in the heritage overlay will not diminish the public heritage of Moreland. Concerned about how the heritage overlay will impact on the owner's ability to effectively maintain the aging property given the construction of the property (including the use of asbestos) and the potential health impacts if the old-fibro cement sheeting cannot be replaced due to the heritage overlay. The heritage overlay will compromise the ability to sell the property, particularly given the nature of the property which is small, old and in need of significant renovation. Advice provided from a real estate agent states that with a heritage overlay, the market for the property will diminish to first home buyers only and will be reduced in value by around 20%. 	<p>Questioning the heritage value of a particular site or precinct</p> <p>Maintenance and repairs of heritage places</p> <p>Financial implications and property values</p>	<ol style="list-style-type: none"> The house at 2 McLean Street is of local historic and representative significance for the reasons described in MHGS. When originally identified and assessed, this house was one of two intact surviving examples. However, the adjoining house at no.4 was demolished prior to the amendment commencing. It is agreed the demolition of this house has diminished the ability of the remaining house to demonstrate the historic significance of the original group of houses. Further investigation has confirmed that the HO124 Newlands Estate heritage precinct contains several similar timber houses in a range of designs. These houses form part of a precinct that contains one of the largest post-war Housing Commission Estates and so the houses can be understood in the context of the range of housing being built by the Commission at that time. For this reason, upon review it is considered the timber houses within the HO124 Newlands Estate better demonstrate this aspect of the Commission's history, rather than this now isolated example. See Standard Response 2. The use of asbestos in the building material does not reduce its heritage value. See Standard Response 1. 	Remove 2 McLean Street, Brunswick West from the Amendment and the MHGS.
20	7 Woodlands Avenue, Pascoe Vale South (contributory, Coonans Hill Precinct extension)	Not supportive	<ol style="list-style-type: none"> Have plans to demolish the property and build a new home and the heritage overlay will prevent this from occurring. The current house has no significant heritage architecture, with the front porch containing wrought iron that has rusted through and non-original garage and carport. A petition from the owners of 123 Woodlands Avenue is also included in which the owners object to the heritage overlay being applied due to the belief that it will devalue their properties. 	<p>Development restrictions</p> <p>Questioning the heritage value of a particular site or precinct</p> <p>Financial implications and property values</p>	<ol style="list-style-type: none"> See Standard Response 3. This dwelling has been included within the proposed Coonans Hill Precinct extension, as a contributory place for the reasons described in MHGS. The proposed Coonans Hill Precinct extension includes all the properties between Carrington and Walhalla streets, which contain predominantly interwar houses that are comparable to those within the existing Coonans Hill Precinct (HO207). The proposed precinct extension would result in the consistent application of HO207 to the south side of Woodlands Avenue extending from Melville Road to Rainer Street. The house at 7 Woodlands is a 1920s gable-fronted bungalow. Alterations include non-original roof tiles, the decorative mild steel verandah posts and balustrade, but the house remains recognisably an interwar house and justifies a contributory grading. See Standard Response 1. 	No change proposed. Refer submission to an Independent Panel.

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
21	18 Waxman Parade, Brunswick West (Significant, Closer Settlement Houses Serial Listing)	Not supportive	<p>1. Opposes the inclusion of the property in the Heritage Overlay as it has poor historical integrity and intactness due to:</p> <ul style="list-style-type: none"> The house having undergone significant alterations/modifications, and does not reflect the original Closer Settlement property. The property is not of a 'good condition' or 'intactness' as stated in the heritage citation. The poor condition of the property would cost hundreds of thousands to repair and reduces the integrity and historical significance of the property. The property does not contribute to the cultural history of the local area. <p>2. Similar properties with the same level of alterations and of similar physical condition to the property have also been excluded from the serial listing as detailed in the 'Closer Settlement Houses' citation.</p> <p>3. The property has not previously been identified as culturally significant in any previous heritage studies undertaken by Council.</p>	Questioning the heritage value of a particular site or precinct	<p>1. The Closer Settlement Serial Listing of local historical significance for the reasons set out in the MHGS.</p> <p>While some changes have been made (the most visible being the non-original roof tiles) the house retains good integrity. That is, the visible original fabric has been maintained or replaced in the same way as the original. This includes the original windows in the main facade and the wall cladding. The submission says the verandah was replaced in the 1970s. However, the submission is very doubtful that the traditional form of the verandah has been maintained. Alterations and additions at the rear have not affected the view of the building from the street.</p> <p>The house is therefore considered to retain a level of integrity and intactness that is comparable to the other places within the proposed serial listing. By comparison, places that have been usually included experienced more significant changes, which usually includes replacement of windows in main elevations, new wall cladding and visible/obtrusive additions.</p> <p>2. See response above.</p> <p>3. The omission of this place in previous heritage studies is not relevant, as one of the purposes of the Heritage Gap Study was to identify and assess places that may not have been identified previously.</p>	No change proposed. Refer submission to an Independent Panel.
22	16-18 Glenlyon Road, Brunswick (Individually significant)	Not supportive	<p>1. Alterations and additions that have occurred to the properties are non-original and non-sympathetic to their original design, making the terrace pair profoundly different in their details and finishes. Furthermore, it is unfair that the reasoning is applied to nos. 16 and 18 Glenlyon Road when nos. 24, 26, 28 and 30 Glenlyon Road are similar single storey, single fronted pairs of terraces.</p> <p>2. The heritage overlay will result in property devaluation as a result of restrictions imposed on any future redevelopment of the site. The property behind has been able to redevelop with four two storey houses.</p> <p>3. The adjoining properties at 24-30 Glenlyon Road will continue to remain in the General Residential Zone which allows for 2-storey residential development.</p>	Questioning the heritage value of a particular site or precinct Development restrictions Financial implications and property values	<p>1. The pair of houses at 16 & 18 Glenlyon Road are of local representative and aesthetic significance for the reasons described in the MHGS.</p> <p>No.18 remains relatively intact, while the primary visible changes to no.16 are the over-painting of the brickwork and replacement of the slate roof with corrugated iron. However, it otherwise retains its original form and details such as the front chimney with terracotta pot, original front window, verandah wing wall with a cement corbel. It has much higher level of integrity than the cited examples at nos. 24-26 & 28-30, which have lost most of their original features including front windows, verandahs, chimneys etc.</p> <p>While there are many attached Victorian terrace houses within the HO there are fewer that date prior to 1880 and that is the basis for the significance of this pair. This early date of construction is reflected in the simple form and restrained detailing, as well as the shared roof.</p> <p>For these reasons, the inclusion of 16 Glenlyon Road in the HO is appropriate.</p> <p>2. See Standard Responses 1 and 3.</p> <p>3. The zoning of 16-18 Glenlyon Road, Brunswick is not proposed to change under Amendment C174. Amendment C174 is proposing to introduce a Heritage Overlay over the properties in accordance with recommendations made in the MHGS.</p>	No change proposed. Refer submission to an Independent Panel.

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
23	183 Stewart Street, Brunswick East (Significant, War Services Homes (Timber) Serial Listing)	Not supportive	<p>1. Fundamental concern with the premise that the house was built specifically for the purpose of a War Service Home and whether it has any historical significance at all. No evidence has been provided within the MHGS that confirms the Government ever purchased the land to deliver the property for the specific purpose of providing a War Service Home. There is also no evidence that the house was constructed by the Northern Timber Mills for the purpose of a War Services Home. The taking out of a mortgage from the War Services Homes Commission is an entirely separate circumstance than a dwelling being developed and provided for the specific purpose of a War Service Home. In light of the limited evidence available, the heritage overlay should not apply to the property particularly given the impact the overlay would have on the land.</p> <p>2. The house has been substantially altered overtime, which has diminished the necessary architectural qualities of a building that should be given heritage status. Modifications that have been made include:</p> <ul style="list-style-type: none"> a new window provided on the eastern facade which has non-original materials and is very prominent from the side frontage and visible from Taranaki Avenue. Alteration of the original chimney of the house to incorporate the flue of a gas heater which has resulted in the removal of the original copper pots. Extension added to the rear of the dwelling which is visible from Taranaki Avenue given the corner location of the property. Non-original front and side fence. <p>The extent of alterations go beyond those of other houses discussed in the heritage citation which were not recommended to be included in the heritage overlay, such as 5 Orari Avenue.</p> <p>3. The existing house is in very poor structural condition, with many elements of the building beyond repair and having to be re-made. This would be a very significant financial burden on the property owners.</p> <p>4. Retaining the heritage overlay will make it more difficult for the property to be demolished and if any of the original house has to be retained, the costs in upgrading the house to higher environmental standards will be significantly higher. The retention and making good of a poor-quality dwelling is at odds with Clause 22.08 of the Moreland Planning Scheme.</p>	<p>Questioning the heritage value of a particular site or precinct</p> <p>Development restrictions</p> <p>Maintenance and repairs of heritage places</p> <p>Financial implications and property values</p>	<p>1. The War Service Homes (Timber) Serial Listing is of historical and aesthetic significance for the reasons set out in the MHGS. A key task undertaken as part of Stage 2 of the MHGS was historic research. This research considered a range of primary and secondary sources including historic maps, plans and photographs held by the State Library of Victoria, City of Moreland and the local historical societies. Consulted are books, James & McDougall Directories and title and subdivision records, previous heritage studies, on-line databases and other sources, typological heritage studies and other relevant local histories.</p> <p>The historic and physical evidence that the houses within this serial listing were built as War Service Homes includes the mortgages registered on title to the WSHC for many of them (including 183 Stewart Street), and the distinctive form, materials and detailing of the houses that bear all the hallmarks of WSHC standard designs.</p> <p>The first owners of this house took out a mortgage to the WSHC, and the house is in a standard design that was used at least two other times within the surrounding area. This demonstrates that it is a house built with the assistance of the WSHC.</p> <p>2. The alterations cited in the submission are to secondary elevations at the rear (new window, rear addition) or relatively minor (change to chimney). Importantly, the front elevation and the front section of the side elevation including the entry porch remain intact. By comparison, at 5 Orari Avenue (a house built in the same design) the windows in the main elevation have been replaced with aluminium, which is why it has been excluded from the serial listing.</p> <p>3. See Standard Responses 1 and 4.</p> <p>4. See Standard Responses 2 and 3. In relation to upgrading the house to a higher environmental standard, the Heritage Overlay does not preclude owners from introducing energy and water saving measures into their homes to achieve sustainability objectives. The planning permit process ensures that these services and materials are appropriately incorporated with the building to also protect the heritage significance. Council's Heritage Policy at Clause 22.06 encourages 'ancillary site services that support the sustainability of heritage fabric and reduce the operational environmental impact of the existing building (such as solar panels, water tanks, solar hot water systems, etc) to be sensitively integrated into the design of the heritage place. These services may be visible, if there is no reasonable alternative location'. Furthermore, the construction and installation of solar panels is also a listed VicSmart application under Clause 45.01-1 of the Moreland Planning Scheme, which will mean a simpler and faster approval process.</p>	<p>No change proposed.</p> <p>Refer submission to an Independent Panel</p>
24	32 Passfield Street, Brunswick West (Significant, Closer Settlement Houses Serial Listing)	Not supportive	<p>1. The property does not hold sufficient heritage value to support the proposed serial HO. There have been significant alterations to the original fabric of the house, including changes to window openings and reconstruction of the east elevation in a different brick bond; distortions made to the original subdivision pattern of the estate; and the construction of a house in the front setback of the property which conceals the original dwelling from the public realm.</p> <p>2. The HO will restrict the property's development potential significantly restricted if it was to apply, thereby diminishing its value.</p>	<p>Questioning the heritage value of a particular site or precinct</p> <p>Development restrictions</p> <p>Financial implications and property values</p>	<p>1. The additional evidence and photographs provided by the submitter has been reviewed by the heritage consultant. The further information provided demonstrates that the house falls below the threshold established for the other houses within the Closer Settlement Houses Serial Listing. For this reason, it is agreed the house should be removed from the MHGS.</p>	<p>Remove the dwelling at 32 Passfield Street, Brunswick West from the Amendment and the MHGS.</p>

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
25	32 David Street, Brunswick (Individually significant)	Not supportive	<p>1. The property has very limited significance to the City of Moreland in terms of its historical and architectural values.</p> <p>2. That comparatively few 1860s-70s cottages survive in Brunswick, does not provide sufficient justification for listing an example that is inferior to those already in the overlay. Furthermore, the dwelling is not locally significant by virtue of being a rare surviving example of a specific building type.</p> <p>3. The year 1870 is not a notably early construction date in the local context and not so early as to justify an individual heritage listing for what is otherwise an altered and architecturally unremarkable building.</p> <p>4. A representative sample of early cottages predating Melbourne's 1880s land boom has already been included in the Heritage Overlay, such as 130 Barkly Street, 151 Barkly Street and 189-191 Edward Street, all of which exhibit a higher degree of integrity. Furthermore, the largely intact brick cottage at 373 Albert Street has a stronger and more significant association with the brick making industry than might be claimed of 32 David Street.</p>	Questioning the heritage value of a particular site or precinct	<p>1. The cottage at 32 David Street is of local historical and representative significance for the reasons set out in the MHGS.</p> <p>2. It is agreed that places should not be added to the Heritage Overlay simply because it is one of only a small number of surviving examples (although rarity can be a reason for significance). A place must be shown to meet the relevant heritage criteria and also satisfy the threshold of local significance as set out in the Planning Practice Guideline 'Apply the Heritage Overlay'. This heritage priority has been assessed against this criterion stipulated in the practice note and is found to have met the threshold for local significance.</p> <p>In relation to rarity, the heritage submission refers to the findings of the Bayside Amendment C29 Panel report, prepared in 2003. However, Heritage Victoria in their own Threshold guidelines, prepared in 2012, take a different view, describing one threshold test for Criterion B rarity as:</p> <p><i>The existence of the CLASS of place/object that demonstrates the important event, phase etc is ENDANGERED to the point of rarity in Victoria due to threats and pressures on such places/objects.</i></p> <p><i>For the purpose of this criterion, 'endangered' should generally relate to a class of place/object that has become so rare over time that there is a risk that in the short to medium term no such place/object will remain.</i></p> <p>While this is a guideline for places considered for State significance, the same principle can be applied at the local level. Having regard to this, early Victorian cottages as a place type are considered rare in the local context.</p> <p>3. In the local context 1871 is an early construction date, as the earliest surviving houses in Brunswick mostly date from c.1860 to c.1870. Houses of this construction are now rare in Brunswick. Using David Street as just one example, in 1871 there were 14 houses in the street; only two survive today.</p> <p>4. The cottage is of representative significance as set out in the MHGS. In terms of integrity, comparable houses already in the Heritage Overlay vary. It is agreed that 373 Albert Street is very intact. However, other houses are less so, with common alterations including altered or reconstructed front verandahs, removal of chimneys and overpainting of brickwork. A much more altered example is 145 Union Street (H0231), constructed which has been rendered and windows replaced. The alterations described in the heritage submission are mostly noted in the heritage citation, with the exception of the possible changes to the windows. Overall, it is considered the cottage, given its age, retains sufficient integrity to justify inclusion in the Heritage Overlay.</p>	No change is proposed. Refer submission to an Independent Panel.

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26	23 Holmes Street, Brunswick East (Individually significant)	Not supportive	<ol style="list-style-type: none"> Applying the heritage overlay on the property is unreasonable given that it falls within an area that the Council is allowing the development of properties. The property will be out of place and lose its period charm as it will be surrounded by townhouses, as well as being completely overshadowed by the townhouses on adjoining properties. The heritage overlay will impact financially on several levels, including devaluing the property and the restrictions it will place on maintaining the site and on any future redevelopment. The costs of maintaining the house and fence will also be an unreasonable infringement on my rights as a property owner. Heritage overlays are better suited to properties in secondary streets where they can be noticed by the public. Holmes Street is used mainly as a thoroughfare and so it most likely not to be noticed by people using Holmes Street nor have any interest in it. There are other properties in Moreland that have the same features, so it is not essential to apply the Heritage Overlay to the property. 	<p>Questioning the heritage value of a particular site or precinct</p> <p>Financial impacts and property values</p> <p>Maintenance and repairs of heritage places</p> <p>Property rights</p>	<ol style="list-style-type: none"> The changing nature of the surrounding neighbourhood is not a matter for consideration when identifying a property of individual heritage significance. This is only a matter for consideration when applying the Heritage Overlay on a precinct basis. See Standard Response 1. The Heritage Overlay also does not require a owner to maintain their house to a particular heritage standard. All houses require on-going maintenance to protect their amenity and value, whether the Heritage Overlay of not. Repairs and maintenance do not usually require a planning permit including like for like, unless it changes the appearance of the heritage place. <p>Furthermore, the Heritage Overlay is not a prohibition on construction of new dwellings or altering existing dwellings. The intention is to ensure that any new buildings or alterations or additions to existing buildings do not detrimentally impact on the heritage significance of a particular place. Furthermore, the Incorporated Plan proposed as part of the Amendment will allow minor changes without requiring a permit.</p> <ol style="list-style-type: none"> See Standard Response 4. Planning Practice Note PPM01: 'Applying the Heritage Overlay' identifies the criteria for assessing the heritage significance of a heritage place and refers to only matters of a heritage nature. A place will be considered to have heritage significance irrespective of whether it is located on a main or secondary road. The house at 23 Holmes Street is of local representative and aesthetic significance for the reasons set out in the MHGS. 	No change is proposed. Refer submission to an Independent Panel.
27	19 Balmoral Avenue, Brunswick East (Individually significant)	Not supportive	<ol style="list-style-type: none"> The building is not of a particular historic significance and there are plenty of similar structures across the inner North. Council should not single out one property within a neighbourhood that has no real value and should concentrate on protecting neighbourhoods of value instead. The heritage overlay will infringe on our property rights to do what we want with the property. The property was purchased without a heritage overlay applied. The heritage overlay will cause financial loss, particularly in the property's re-sale value as anyone wishing to develop the site would no longer be a prospective buyer. The heritage overlay will impose potential long-term costs associated with maintenance of the property as works that must conform with the overlay will reduce maintenance options (i.e. change rather than fix). 	<p>Questioning the heritage value of a particular site or precinct</p> <p>Property rights</p> <p>Financial implications and property value</p> <p>Maintenance and repairs of heritage places</p>	<ol style="list-style-type: none"> The house at 19 Balmoral Avenue is of local representative and aesthetic significance for the reasons described in the MHGS. Specifically, it is significant as an intact and well-detailed example of a California Bungalow, with typical form and detailing, which is notable for the quality of the brickwork detailing. See Standard Response 4. See Standard Response 1. See Standard Responses 1 and 2. 	No change is proposed. Refer submission to an Independent Panel.

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
28	Tinning Street Precinct	Not supportive	<p>1. The precinct is too general and includes places of questionable contributory relevance. The heritage overlay should be for specific contributory houses with heritage relevance rather than a blanket precinct as proposed.</p> <p>2. 88 Tinning Street has undergone significant changes over the years with many elements, such as aluminium windows, the roofing and overall state of the house, making the house non-contributory.</p>	Questioning the heritage value of a particular site or precinct	<p>1. The Tinning Street precinct is of local historic and aesthetic significance for the reasons set out in the MHGS.</p> <p>The contributory houses were constructed c.1900 to c.1920 and are predominantly either symmetrical late Victorian or 'Victorian survival' villas (i.e., houses that have the form and some detailing of Victorian houses but show the transition to the Edwardian/Edwardian style) or Edwardian asymmetrical bungalows. Many of the houses are notable for their high-quality detailing and several appear to have been designed by the same builder.</p> <p>As part of the Stage 2 fieldwork for the MHGS, the boundaries of new precincts identified in the Stage 1 Study were carefully reviewed to ensure they included those buildings and streetscapes that best demonstrate the identified significance of the area. Where streetscapes, or portions of streetscapes, were found to have already lost this valued character in whole or in substantial part, they were removed from the proposed new precinct.</p> <p>2. It is agreed that No 88 Tinning Street is less intact (the windows have been replaced, verandah altered, and chimneys removed) but it remains recognisably a symmetrical 'Victorian survival' house and meets the local threshold against the criteria and justifies a contributory grading.</p>	<p>No change is proposed.</p> <p>Refer submission to an Independent Panel.</p>
29	65 Union Street, Brunswick (individually significant)	Not supportive	<p>1. Concerned will be unable to alter or renovate the property to make it a comfortable family home with modern facilities, and that these renovations will be costly as the citation encourages to accurately restore or reconstruct missing features of the house.</p> <p>2. Application of the heritage overlay appears to be based on possibility rather than fact, with the citation mainly centred around the bricks used in the facade of the house being 'likely' constructed by a local brickmaker and 'probably' using local bricks.</p> <p>3. The recommendations of the heritage overlay encourage the replacement of the unsympathetic front fence with a fence of the same period however in the 'intactness and integrity' description of the citation it states that the fence is a later addition however is sympathetic in height and material.</p> <p>4. The heritage overlay will affect the re-sale value of the property as the same restrictions will apply to prospective buyers.</p>	<p>Questioning the heritage value of a particular site or precinct</p> <p>Development restrictions</p> <p>Financial implications and property value</p>	<p>1. See Standard Response 3.</p> <p>2. The two brick cottages at 63 & 65 Union Street are of local historic and representative significance for the reasons set out in the MHGS.</p> <p>Specifically, the cottages are representative examples of the simple cottages built in association with the establishment of brick industries in Brunswick in the 1860s and 1870s.</p> <p>Research including examination of rare book information has established that these houses were built c.1871 for Irish brickworkers and this evidence forms the basis of their significance.</p> <p>While there have been alterations, the cottages retain sufficient integrity to justify inclusion in the HO, when compared to similar examples.</p> <p>There are other examples of early cottages within this area – immediately to the south is the HO139 Phillipstown precinct, which contains early cottages associated with the brickmaking and other industries in this area.</p> <p>Minor errors have been identified in the citation (in the statement of significance), in the first paragraph under 'Why is it significant' replace 'an example' with 'examples' and 'pre-1870' with 'pre-1880'.</p> <p>3. It is agreed the current picket fence is sympathetic and so the recommendation to replace the fence may be removed.</p> <p>4. See Standard Response 1.</p>	<p>Amend the citation to:</p> <ul style="list-style-type: none"> Correct errors in the statement of significance. In the first paragraph under 'Why is it significant' replace 'an example' with 'examples' and 'pre-1870' with 'pre-1880'. Remove the recommendation to replace the front fence. <p>No other change is proposed.</p> <p>Refer submission to an Independent Panel.</p>

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
30	General submission	Not supportive	<p>1. Was not advised of the exhibition of the Amendment despite having nominated sites as part of Council's public nomination process in 2016. There is also a long-standing convention that notification of Planning Scheme Amendments should avoid being contained within the Christmas/New Year period. Conclusion of the exhibition of the Amendment is also insensitive to this protocol.</p> <p>2. Disappointing that the current Amendment does not appear to respond to the review of 'gaps' that Council initiated in 2016 but has rather deferred gaps in addressing acknowledged weaknesses in heritage information and recognition. Council should also not rely on a public nomination process as a way to identify 'gaps', rather they should give priority attention and resourcing to undertake a comprehensive identification of all potential heritage assets.</p> <p>3. Council has not included in the Amendment all places identified as of heritage significance in the Study, such as an electrical sub-station location on the public roadway adjacent to 3 Elm Grove, East Brunswick. A notation on a Development Plan stating that the substation would be removed does not establish a sound basis or robust rationale for the exclusion of the substation from the heritage overlay. It is understood that the proposed planning application for 3 Elm Grove was to be redesigned to avoid the presumption of demolition of the substation, due to the proposed vehicle access for the development, being reliant on its removal. It is requested that Council include the substation in the Amendment along with any other sites recommended within the Gap Study report, but which have not been proposed for a heritage overlay.</p>	Public Exhibition and Consultation	<p>1. The Amendment applies the Heritage Overlay to properties identified in the MHGS. Properties that were nominated as part of Council's public nomination process in 2016 will undergo their own Study and subsequent Planning Scheme Amendment. The submitter will be notified as part of this process.</p> <p>Exhibition of the Amendment commenced on Thursday, 22 November 2018 and closed on Friday, 25 January 2019. This is an additional two weeks of exhibition as required by the Planning and Environment Act 1987 to take into account the holiday season.</p> <p>2. The scope of the MHGS did not include the assessment of potential heritage places that were identified through the public nomination process conducted in 2016. As Council received over 700 nominations, the budget and external consultant resourcing allocated to the MHGS was insufficient to include all these places. A preliminary assessment and heritage study to assess the significance of these heritage places will occur separately.</p> <p>3. The East Brunswick Village Development Plan Report (2012), endorsed by Council on 4 October 2012, states that the electrical substation is to be removed, and none of the plans associated with the development plan show the substation as being retained. Given this, and the role of Elm Street in providing localised access to abutting properties, it was not considered fair from a natural justice perspective to retain the substation. The 'Precinct Circulation Plan' for the East Brunswick Village also shows Elm Grove connecting to a pedestrian route at its southern end, with the East Brunswick Village Integrated Transport Plan (amended 2018) indicating that it is to be closed at its southern end from vehicular access (where the substation is located). Retaining the substation will impact on the degree of permeability available to pedestrians and cyclists utilising Elm Grove as a connection as well as its role in providing a 'minor public vista' as identified in the 'open space' plan.</p> <p>Furthermore, the heritage assessment undertaken as part of the development of the East Brunswick Development Plan did not identify the substation as having potential heritage significance and supported the proposed clearance of the site from a heritage perspective.</p> <p>In light of the endorsed development plan and advanced progress of the development permit for the EBV, in addition to the 10 comparative examples existing within the Heritage Overlay, the substation at this location has been excluded. DELWP also agreed to remove it from interim controls.</p>	<p>No change proposed.</p> <p>Refer submission to an Independent Panel.</p>
31	1 South Daly Street, Brunswick West (Individually significant)	Not supportive with changes	<p>1. Requests that the recommendation in the citation relating to the restriction on the front fence be removed. The remaining section of the original front fence is not in good condition and has developed a perceptible outward lean. It was also discovered when removing a collapsed section of the fence in 1999 that the fence has no foundations at all, and that the steel water pipes which provide the reinforcement for the horizontal top section were almost completely rusted through.</p>	Questioning the heritage value of a particular site or precinct	<p>1. The information provided by the submitter shows the remaining section of fence is in poor condition. Accordingly, it is agreed that front fence controls in the Heritage Overlay schedule are not required for this property.</p>	<p>Remove the front fence controls by changing 'Yes - front fence' to 'No' in the column under 'Outbuildings and fences, which are not exempt etc.' for HO97.</p> <p>No other change is proposed.</p>

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
32	1 Temuka Avenue, Brunswick East (Significant, War Services Homes (Timber) Serial Listing)	Not supportive	<p>1. The house has been significantly altered from its original appearance, both internally and externally thereby diminishing the relevance of the Heritage Overlay. The Stage 2 Final Report (draft) also states that 1 Temuka Avenue has been excluded from further assessment due to lower inactiveness and integrity. Furthermore, including the house in the heritage overlay based on it being a variant of the 'Timaru' type (when not all variants identified were included in the proposed amendment) as well as not providing any evidence that the houses in the serial listing were of a standard design or that 1 Temuka Avenue was actually owned by a returned soldier calls into question the strength of the heritage assessment.</p> <p>2. The heritage overlay will significantly affect the value of the property as the ability to redevelop it will diminish, unlike neighbouring properties that will not be affected by the heritage overlay.</p>	<p>Questioning the heritage value of a particular site or precinct</p> <p>Financial implications and property value.</p>	<p>1. The War Service Homes (Timber) Serial Listing is of historical and aesthetic significance for the reasons set out in the MHGS.</p> <p>The main external alterations have been a first-floor addition, and a small side extension. The first-floor addition is recessive and reasonably sympathetic. The facade, however, remains relatively intact, and the characteristic form and detailing that is so characteristic of these houses including the feature leadlight window to entrance porch.</p> <p>The reference to the exclusion of 1 Temuka Avenue in the main report is an error. Following historic research (that confirmed it was constructed with the assistance of the Commission) and detailed analysis of the house types, it was discovered that this is a variant of the design used at 1 Timaru Avenue. 5 Timaru Avenue is another variant of this type, with a gable-fronted roof. Collectively, the three houses (along with the others in the serial listing) demonstrate the approach of using standard designs but varied in appearance to avoid repetition.</p> <p>For the above reasons, it is considered that the house warrants inclusion within HGS42 as part of the War Service Homes (Timber) Serial Listing.</p> <p>2. See Standard Response 1. The application of the Heritage Overlay is not a prohibition on construction of new dwellings or altering existing dwellings. The intention is to ensure that any new buildings or alterations to existing buildings do not detrimentally impact on the heritage significance of a particular place. The Heritage Overlay also does not include restrictions on internal alterations to properties. Finally, it is noted that none of the adjoining properties in Stewart Street contain intact War Service homes. (Nos. 157 and 159 appear to be much altered examples but are now almost completely unrecognisable).</p>	<p>Make the following changes:</p> <ul style="list-style-type: none"> Change Volume 1 of the MHGS to remove 1 Temuka Avenue from the places excluded from further assessment and add to the places identified following historic research (p.39 under 'Places assessed'). Include reference to 5 Timaru Avenue as a variant of the 'Timaru' type in both Volume 1 (p.41) and in the citation (as it was inadvertently omitted). <p>No other change is proposed.</p> <p>Refer submission to an Independent Panel.</p>
33	159 – 165 Donald Street, Brunswick East (Individually significant – former Prestige Mill Complex)	Not supportive	<p>1. The properties are not of historic, representative or aesthetic significance to warrant a heritage overlay, particularly. They do not demonstrate the course and pattern of history or an important historic event and that the former owners of the properties were a major employer back in 1922-1925 is incidental to justifying the classification of the properties as 'significant'.</p> <p>2. The significant alterations made to the buildings, as stated in the heritage citations, means they cannot be considered as representative and 'significant' anymore as well as diminishing their aesthetic significance. There are also inaccuracies in the citation in regard to these alterations, for example, the whole building at 159 Donald Street has been converted and not half.</p> <p>Furthermore, the comparison made in the heritage citation to other industrial sites within Moreland, such as the Lincoln Mills in Giffney Street, Coburg and the former Holmwood Mills in Dicks Street, Brunswick are unfair and unreasonable. The examples cited in their corresponding photos illustrate that those buildings have a greater level of heritage inactiveness to their facades compared to the subject properties.</p> <p>3. The properties are in a diverse precinct and there is no specific character or uniformity to the area that warrants heritage protection. Inclusion of the properties in a heritage overlay is also in conflict with the intention of Council to allow this area to redevelop for urban renewal. The Heritage Overlay will discourage and stifle the renewal opportunities that have already been identified.</p>	<p>Questioning the heritage value of a particular site or precinct</p> <p>Policy issue</p>	<p>1. The former Prestige Mill Complex is of local historical, representative and aesthetic significance for the reasons described in the MHOS.</p> <p>Industry and in particular hosiery and clothing manufacturing is a major and important theme in the history of Brunswick and Prestige Mills was one of the first and certainly the largest textile mill complex established in the suburb.</p> <p>2. The alterations to the buildings in the complex are acknowledged in the citation. Nonetheless, the complex is considered to satisfy the threshold of local significance.</p> <p>However, it is agreed that the statement of significance could be changed to better express the reasons why it is significant (refer to below for the proposed changes).</p> <p>3. The property is identified as an individually significant building. There does not need to be uniformity of the area it stands on its own. Nos. 159-165 Donald Street are identified as 'Transition Residential Area' within the <i>Moreland Industrial Land Strategy 2012-2050</i> (MILS). The purpose of MILS is to guide planning decisions about the future use of Moreland's industrial land. Heritage is a separate consideration applying to built form. The Heritage Overlay is not a prohibition on development. The intention of the overlay is to ensure that any new buildings or alterations or additions to existing buildings do not detrimentally impact on the heritage significance of a particular place. There are no restrictions in the Heritage Overlay that prevent the construction of additional dwellings have been constructed on heritage properties in accordance with overarching urban consolidation policies. Furthermore, any impact on development, can be considered at the planning permit stage where details are known.</p>	<p>Change the statement of significant as detailed in the Officer response to submission below.</p> <p>Refer submission to an Independent Panel.</p>

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
33	159 – 165 Donald Street, Brunswick East (Individually significant – former Prestige Mill Complex)	Proposed changes to statement of significance	1. Deleted text shown as strikethrough, new or altered text shown as <i>italics</i> .	<i>What is significant?</i> The former Prestige Limited textile mill complex at 159–165 Donald Street, Brunswick East, built between 1922 and 1925 and comprising a subsidiary company, Johnson Bros silk hosiery manufacturers, is significant. <i>Non-original alterations and additions to the buildings are not significant.</i> <i>How is it significant?</i> The former Prestige Limited textile mill complex at 159–165 Donald Street, Brunswick East, is of local historical, representative and aesthetic significance to the City of Moreland. <i>Why is it significant?</i> The former Prestige textile mills at 159–165 Donald Street, Brunswick East, built c.1922–25, it is historically significant as one of the first, and certainly one of the largest textile mills in the City of Moreland, where hosiery and clothing manufacturing was a major land use during the interwar period. Brunswick and Coburg were the centre of the Australian hosiery industry with Prestige and Holeproof providing the largest component of this for over thirty years. <i>With the aid of Government incentives, Prestige expanded operation, opening a further three factories in Victorian country towns. The former Prestige mill is historically significant Prestige Limited was known as a major employer (especially of women) through the Depression years, and for the high quality of their products, their export trade and enterprising approach up until their takeover by Dunlop Australia in 1968 and the discontinuation of the brand in 1978. The former Prestige textile mills are a tangible relic of this complex provides a tangible reminder of Prestige Limited and the important role it played in the textile industry in the City of Moreland and Victoria. (Criterion A)</i> Prestige and Johnson Bros, Pty Ltd, hosiery and silk hosiery manufacturers combined operations at the Donald Street mill between 1922 and 1925 and are historically significant as a major employer (especially of women) through the Depression years. The importance of the textile industry is demonstrated by the Commonwealth decentralisation policy that saw textile and clothing mills offered incentives to open in many regional centres and country towns during the 1920s–1950s with Prestige opening in Shepparton, Morsham and Ararat. (Criterion A) The former Prestige mill at 159–165 Donald Street, Brunswick East, it is an excellent representative example of a large interwar industrial complex, built in stages, that retains a considerable area of industrial building, some of which has been adapted for other industries. Unlike many other industrial complexes, the Prestige mill still retains large areas of the factory under saw tooth roofs with characteristic side elevations showing the roof and wall profiles to achieve clerestory glazing. (Criterion D) The former Prestige mill it is aesthetically significant for its consistent rendered facade with simple austere interwar classicism detailing across the three buildings. Whilst each one has been altered through the insertion of different windows, roof form or an additional floor, the austere interwar classicism remains to connect each building as one part of the same business. The site is aesthetically significant and for the views down two driveways that it affords of the vast expanse of sawtooth roofed building form bordered by masonry walls, either in their original unpainted state or painted. (Criterion E)	What is significant? The former Prestige Limited textile mill complex at 159–165 Donald Street, Brunswick East, built between 1922 and 1925 and comprising a subsidiary company, Johnson Bros silk hosiery manufacturers, is significant. <i>Non-original alterations and additions to the buildings are not significant.</i> <i>How is it significant?</i> The former Prestige Limited textile mill complex at 159–165 Donald Street, Brunswick East, is of local historical, representative and aesthetic significance to the City of Moreland. <i>Why is it significant?</i> The former Prestige textile mills at 159–165 Donald Street, Brunswick East, built c.1922–25, it is historically significant as one of the first, and certainly one of the largest textile mills in the City of Moreland, where hosiery and clothing manufacturing was a major land use during the interwar period. Brunswick and Coburg were the centre of the Australian hosiery industry with Prestige and Holeproof providing the largest component of this for over thirty years. <i>With the aid of Government incentives, Prestige expanded operation, opening a further three factories in Victorian country towns. The former Prestige mill is historically significant Prestige Limited was known as a major employer (especially of women) through the Depression years, and for the high quality of their products, their export trade and enterprising approach up until their takeover by Dunlop Australia in 1968 and the discontinuation of the brand in 1978. The former Prestige textile mills are a tangible relic of this complex provides a tangible reminder of Prestige Limited and the important role it played in the textile industry in the City of Moreland and Victoria. (Criterion A)</i> Prestige and Johnson Bros, Pty Ltd, hosiery and silk hosiery manufacturers combined operations at the Donald Street mill between 1922 and 1925 and are historically significant as a major employer (especially of women) through the Depression years. The importance of the textile industry is demonstrated by the Commonwealth decentralisation policy that saw textile and clothing mills offered incentives to open in many regional centres and country towns during the 1920s–1950s with Prestige opening in Shepparton, Morsham and Ararat. (Criterion A) The former Prestige mill at 159–165 Donald Street, Brunswick East, it is an excellent representative example of a large interwar industrial complex, built in stages, that retains a considerable area of industrial building, some of which has been adapted for other industries. Unlike many other industrial complexes, the Prestige mill still retains large areas of the factory under saw tooth roofs with characteristic side elevations showing the roof and wall profiles to achieve clerestory glazing. (Criterion D) The former Prestige mill it is aesthetically significant for its consistent rendered facade with simple austere interwar classicism detailing across the three buildings. Whilst each one has been altered through the insertion of different windows, roof form or an additional floor, the austere interwar classicism remains to connect each building as one part of the same business. The site is aesthetically significant and for the views down two driveways that it affords of the vast expanse of sawtooth roofed building form bordered by masonry walls, either in their original unpainted state or painted. (Criterion E)	No change proposed.
34	19 Glenora Avenue, Coburg (Significant, War Services Homes (Brick) Serial Listing)	Not supportive	1. The property was purchased as part of the owner's retirement/investment plan with the intention to eventually demolish and build two townhouses. The heritage overlay will prevent this from happening and will force the owner to sell and move out of the area. 2. The heritage overlay will cause financial burden and unwanted stress and anxiety. It will force the house to be sold to a niche market for a lesser value than what the property would be worth as development. Who will compensate for this? 3. The Council is contradictory in their decisions on properties, with properties in the same street being able to be redeveloped however restrictions will be placed on 31 Glenora Avenue that were not there when the property was purchased 29 years ago. So many other properties that should have been saved have been allowed to be demolished.	Financial implications and property value	1. See Standard Response 3. 2. See Standard Response 1. Council is not required to provide financial compensation associated with including properties in a Heritage Overlay. Council is obligated under the Planning and Environment Act 1987 to identify and protect places of architectural and historical interest. The property satisfies the criteria for being recommended for inclusion in the Heritage Overlay. 3. The Heritage Overlay was not in place when previous demolitions, alterations and additions were approved for other properties in the area. There was therefore no statutory or policy basis for considering the potential heritage value of these places. Council has a responsibility under the Planning and Environment Act 1987 to identify and protect heritage places for the benefit of current and future generations by including them in a Heritage Overlay. The form and detailing of 19 Glenora Avenue is typical of the War Service Homes and is a relatively intact example of the 'Floating Gable' type. On this basis, it is considered to be an appropriate inclusion within the War Services Homes (Brick) serial listing.	Refer submission to an Independent Panel.

NO.	AFFECTED PROPERTY ADDRESS	SUBMISSION TYPE	SUMMARY OF SUBMISSION	THEMES	COUNCIL OFFICER RESPONSE TO SUBMISSION	RECOMMENDATION
35	General submission	Supportive	<p>1. Strongly supports the rigorous methodology engaged in the development of the MHGs, and support Council in seeking permanent controls based on the findings as well as the inclusion of the Incorporated Plan and the exemptions listed therein.</p> <p>2. Commends Moreland City Council for progressing the Amendment to conserve the cultural heritage of its community to ensure it can be enjoyed by future generations.</p> <p>3. Believe that the Amendment will facilitate the further conservation of places with local heritage significance within the municipality, and that the proposed planning controls are the result of a detailed and rigorous assessment.</p>	Noted.		No changes proposed.