

# Submission #13

Strategic Planning  
Submission to Amendment C174  
Moreland City Council  
Locked Bag 10  
Moreland VIC 3058

7<sup>th</sup> January 2019

My name is [REDACTED] and I live at [REDACTED] I write to you today in regard to the Moreland City Council Amendment C174 that refers to the proposed heritage overlay.

I recently received a letter informing me that my home is under consideration for the amendment. I would like to state I do not wish for my property to be included in the heritage overlay. This is not the first time I have had to deal with this issue. I believe back then, and still do, that my home does not warrant or is eligible for Heritage Status. (Please check your records as the Moreland City Council approved our home renovation and change of façade somewhat 20 years ago.)

Nothing in the home is older than 25 years. Nothing about the outside or the inside is of one definite era or time.

The homes paint colour is one that is modern, the awnings above the windows are 15 years old, nothing is fancy about any of the fret work (if we can call it that) and even the windows are standard plain glass. There are no stained glass features, no cottage garden front or back, concrete surrounds; my home on all four sides in a modern stencil, the fence is not even matching the weatherboards.

The home that stands today is nothing special and has no historic value to the community or generation. Its style is very common and simple. There is nothing unique about it. There are no cobblestones that are from the gold rush days nor are the cornices or rosettes from any Victorian, Edwardian or Art Deco period. The bathrooms are as modern as any newly built home and we even have a bidet installed. Bidets are not heritage.

Furthermore, I would like to paint my house any time, any colour or put up a fence of my choice. I do not wish to have to consult council on what I must have my home look like. I do not want to pay a so-called expert consultant to source out materials for the look of my home nor do I appreciate anyone governing what I can or can't do to my home.

This is my home, not a house but my home. I do not wish to have to fight my council to have my home the way I want it. I'd like to live without having to deal with this issue.

One and a half years ago I had major open heart surgery and my wife is dealing daily, with her many health issues one of which with stress can jeopardise her life.

Please leave us in peace and please do not add any stress in our lives regarding our property. It is enough that we have had to accept parking restrictions and a fee to pay to park in our street when we already pay exuberant rates annually.

I do not bother the council with any requests or demands and have followed all protocol regarding my property but I do ask you leave [REDACTED] out of the proposed heritage overlay. In the meantime I will be seeking legal advice, as there are no features or reason for my house to carry heritage title or listing.

Sincerely,

[REDACTED]

# Submission #14

21<sup>st</sup> January, 2019

Marie Claire O'Hare  
Municipal Offices  
90 Bell St  
Coburg VIC 3058

Dear Marie Claire,

I write this letter to formally oppose the proposal to have a heritage overlay placed on my property at [REDACTED] I am seeking the removal of this property from the amendment.

There are multiple planning and legal issues associated with the proposed application of heritage to this property. As a result, I am engaging a planning consultant to formally assess these issues. However, I also note the deadline provided of the 25<sup>th</sup> January. That this deadline was placed six weeks after the information sessions in December (a period of significant shutdown for the property industry) has meant it is unrealistic to obtain professional help on this matter before this deadline. However, the preliminary investigations of this work have already identified several concerns in the application of heritage overlay to this property, particularly in relation to the surrounding area (there are many similar examples which have not been included in the amendment). However, as I would like to obtain more thorough advice, I propose that this matter be progressed to be discussed with the planning panel, which is assumed to be the next step to address any disputes.

In addition to concerns over the heritage elements of this proposal, the application of heritage overlay to this property will have substantial impact on the value of the property. These elements are unique to the specific property, and include:

- The unique shape and orientation of the property
- The financial leverage of the property (an issue for most first home owner) meaning any impact on value will be amplified on my personal equity.
- The inability to meet what are considered reasonable living standards (i.e. room sizes, amenities)

Should the planning panel not be able to address the elements of economic impact associated with the proposed heritage overlay, a legal approach to settlement of this issue will also be pursued.

Please acknowledge whether this letter meets the requirements for your 25<sup>th</sup> January deadline. Should you require any further detail or need to talk through any element of this letter then feel free to call on [REDACTED] or email [REDACTED]

Regards

[REDACTED]  
[REDACTED]

# Submission #15

[REDACTED]

[REDACTED]

Ph: [REDACTED]

Strategic Planning

Moreland City Council

Planning Office

**Re: Submission to Amendment C174**

**Precinct HO238 - Sumner Estate Extension**

**Context:**

Council has a recommendation to extend HO238 to include [REDACTED]  
[REDACTED] are Non-Contributory. All other places are Contributory.

**Significance**

Of historical significance...estate created from the subdivision of a large nineteenth century farm...

Of aesthetic significance as a representative example of an interwar housing estate, which has a high degree of homogeneity.

**Analysis**

... the houses at [REDACTED] which were all constructed during the late interwar period, are of comparable quality, integrity and intactness ...Most are typical late 1930s timber or brick bungalows... Several houses retain original or early front fences.

**Submission: Proposal to review [REDACTED] - change from contributory to be non-contributory in the proposed Sumner Estate Heritage precinct HO238 extension.**

As per the guidelines, our submission will focus on heritage related matters including:

- The heritage assessment criteria.
- The history/description of the property.
- Details of alterations/additions to property that may undermine its heritage significance.

██████████ has been cited for historical significance due to being an example of an interwar housing estate. “Interwar houses are well represented in the HO in Moreland in a range of styles...(Moreland Gap Analysis). The report also acknowledges that “detailed research has not been carried out into the history of each Contributory building.”

*In respect to* ██████████

Extend HO238 to include ██████████ and ██████████  
██████████ are Non-Contributory. All other places are Contributory.

The majority of houses recommended to be contributory in ██████████ were built in the Interwar period – 1918 – 1939 (What House is That?, 3<sup>rd</sup> Edition; Heritage Council Victoria); ██████████ was built in 1942, past the interwar period with a build reflecting that change:

- does not have the decorative styles such as Spanish Mission, Georgian Revival and Art Deco.
- the build is brick veneer; and
- has no decorative embellishments

In addition to the different build period and hence lack of decorative features, ██████████ has also had works done to the façade of the building that undermines its heritage significance and the integrity of the original building. These alterations include:

- Original windows replaced with aluminium framed windows (Fig 1)
- Brickwork around front windows are a later addition and not properly secured to the fabric (Fig 1)
- Verandah roof replaced with a steel frame and perspex (Fig 1, 2 & 3)
- Verandah balustrade partially removed, and not original (Fig 3 & 4)
- Verandah surface replaced with marble tiles; not consistent with the other contributory housing materials (Fig 1, 3 & 4)
- Addition of a carport, not an aesthetically sympathetic design (Fig 5)
- Front fence replaced, with a much higher and not aesthetically sympathetic design; not consistent with the streetscape (Fig 6)

- Original windows replaced with aluminium framed windows (Fig 1)

**Figure 1**



- Brickwork around front windows are a later addition and not properly secured to the fabric (Fig 1)
- Verandah roof replaced (Fig 1, 2 & 3)

Figure 2



- Verandah tiles replaced (Fig 1 & 3)

**Figure 3**



- Verandah balustrade partially removed, and not original (Fig 3 & 4)

Figure 4



- Verandah surface replaced with marble tiles (Fig 1, 3 & 4)

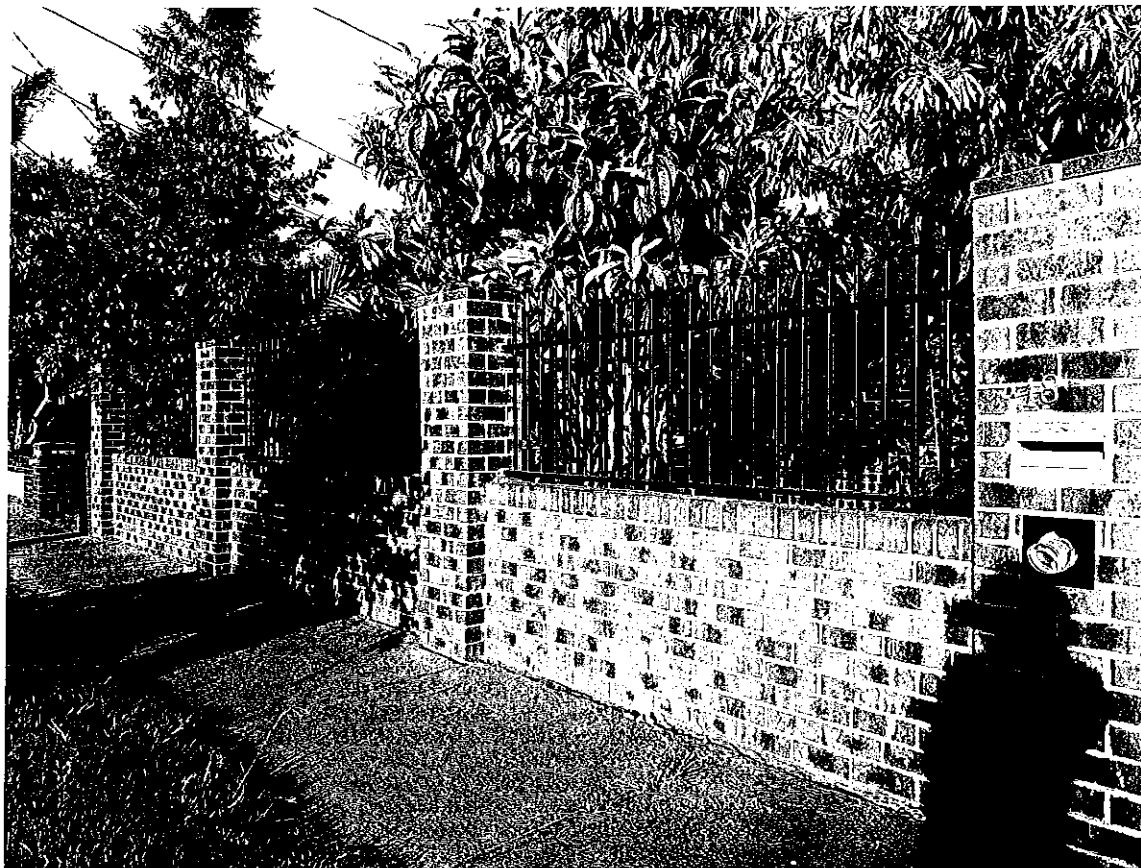
- Addition of a carport (Fig 5)

Figure 5



- Front fence replaced (Fig 6)

Figure 6



The Council Heritage advisor that attended our meeting with Council on the 10<sup>th</sup> December 2018, agreed that our house does not have the attributes of other properties in the precinct - no decorative features, later build than other houses - 1942; and has had works done to the property that has affected its integrity.

“A Non-Contributory place sits within a precinct but does not contribute to the heritage significance of the precinct” (Moreland’s Heritage Gap Study Vol 1). We believe [REDACTED] sits within the proposed Heritage precinct, however does not contribute to the heritage significance based on the historical significance of the property (being built in the 1940s, and not part of an the interwar cluster), and the aesthetic significance of the property (being the lack of decorative features, and the significant alterations to the façade of the property).

According to Moreland's Heritage Gap Study Vol 1 - For Contributory places within precincts the 'integrity'...was a primary consideration: that is, while the Contributory places may not be completely 'intact' (i.e., retaining all original fabric) any repairs or maintenance have been carried out using the same or similar materials, details and finishes, thus ensuring good 'integrity'. As is demonstrated above, based on assessing the status of Contributory and Noncontributory, [REDACTED] neither meets the aesthetic significance described earlier, or the integrity assessment based on multiple alterations to the façade, none of which have been sympathetic to the original build.

Based on the information provided; from historical, aesthetic and integrity views we hope the Panel and Council looks favourably on this submission to review the status of [REDACTED] as a proposed Contributory building and change to a Noncontributory building within the proposed HO238 Sumner Street precinct extension.

# Submission #16

**Giovanna Palma**

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**From:** s i nnin mo n i o u  
**Sent:** on 21 nu 201 2  
**To:** S i nnin  
**Subject:** m n m n 1 submission

A person has submitted this form from the Council website.

**Name:** [REDACTED]

**Address:** [REDACTED]

**confemail\_\_36592:** [REDACTED]

**Phone:**

**Submission:** In general we support the amendment to apply a heritage overlay to the area to preserve the character of Brunswick for future generations. However we would like to have our property exempted from this overlay as we have already invested significant time, money and personal capital to plan and design an upgrade to our property which will further enhance it for generations to come. We believe that we should be granted an exemption so as we are not adversely affected when considering the resources we have committed to this project. We have endeavored to keep with the character of the area and would be devastated if the work and resources we had already put in to our project were to be rendered redundant. Other reasons we believe that we should be granted an exemption for the heritage overlay include: We don't want to lose control over what happens to our property and want to be the masters of our own destiny. We bought our home a couple of years ago and have been planning to upgrade it as there are a number of areas which were not renovated properly in the last renovation (around 20 years ago) and which are damaged or decaying now. We are in the process of planning a renovation and have been sympathetic to the building electing to keep the original house instead of knocking down and building something new which might have worked out cheaper for us. We are very respectful of the property and the historical beauty of the area however we are concerned as we have asked questions of the planning department and are unclear about when this temporary overlay will come into force. We have not had it made clear in our dealings with council as to what maintenance will require approval and what is able com be completed as required. We are hoping to be in a position to apply for our building permit imminently. What is our recourse if the temporary overlay is overturned? If we have been forced to make changes to our designs and the overlay is overturned then we will have been adversely affected and our home design may be compromised. How will this be rectified? Is there any recourse we can pursue? Is there any recourse for us to seek to have the Planning Permit fee refunded? We want to be able to upgrade some of the features to add a slight modern touch to the property such as outdoor lighting fittings, front verandah, paint colours. We want to enhance the building but some of our enhancements may not fit within the strict heritage overlay but the fabric of the building will be maintained. It's the 'vibe' that will stay the same. We look forward to hearing your decision and hope you have some compassion for our plight

**upload:** empty

**Privacy:** I agree

# SUBMISSION ON AMENDMENT C174

14 January 2019

## SUBMISSION SUMMARY

As the owners of [REDACTED] we strongly object to the inclusion of these properties into the Heritage Overlay. Our objections are as follows:-

- Conflict with Design and Development Overlay – Schedule 18 (DDO18)
- Questionable Architectural Significance
- Questionable Historical Significance
- Significant Asset Depreciation

The rationale for our objection is explain in detail below.

### 1. Conflict with Design and Development Overlay – Schedule 18 (DDO18)

**i** A Heritage Overlay on these properties will be at cross purposes with the streetscape desired and designed by DDO18

DDO18 of the Moreland Planning Scheme has clearly earmarked this section of Brunswick Rd for significant change. Figure 1 illustrates the Overall Building and Streetwall Heights as shown in Map 1B of DDO18.

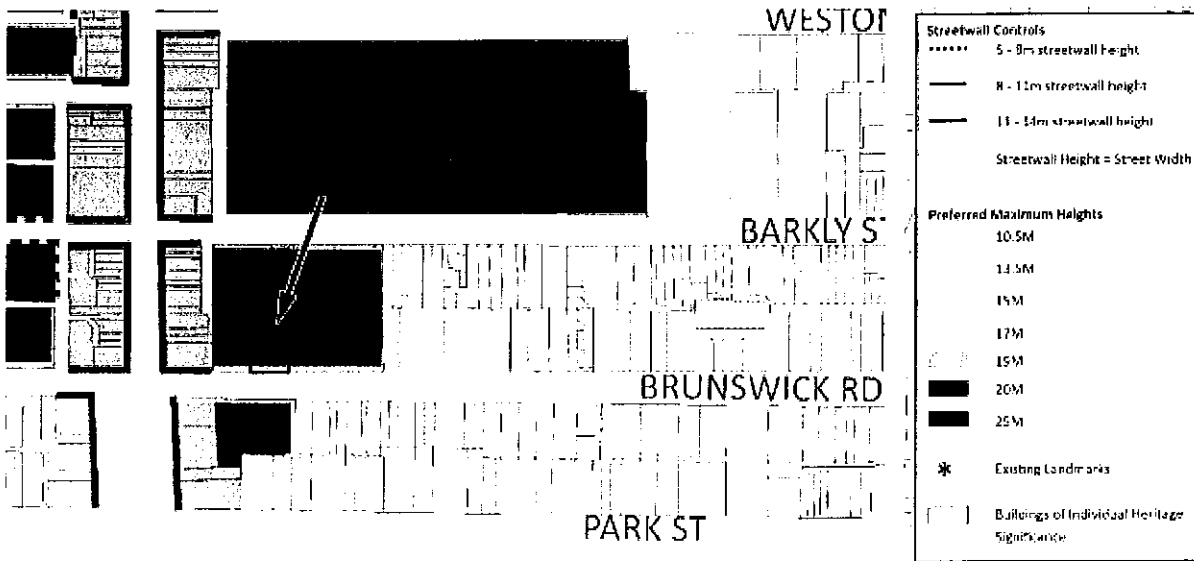
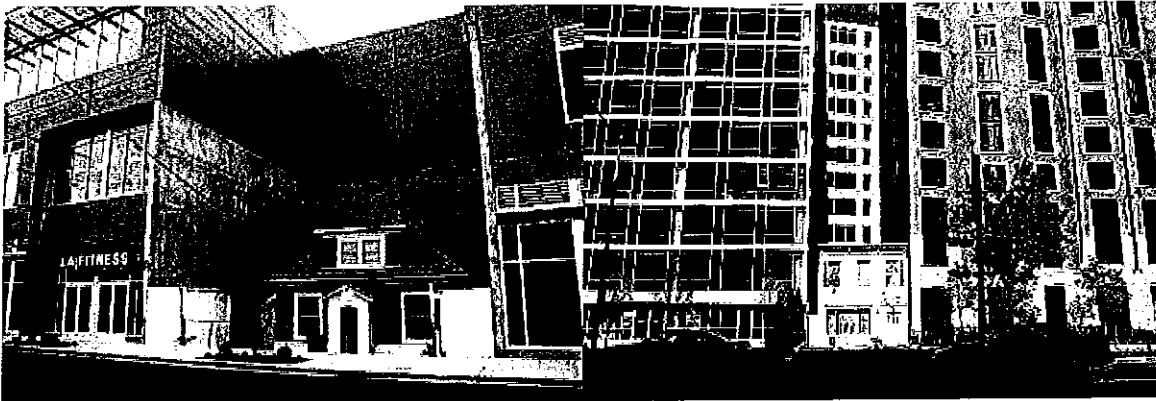


Figure 1: DDO18 map with subject properties highlighted

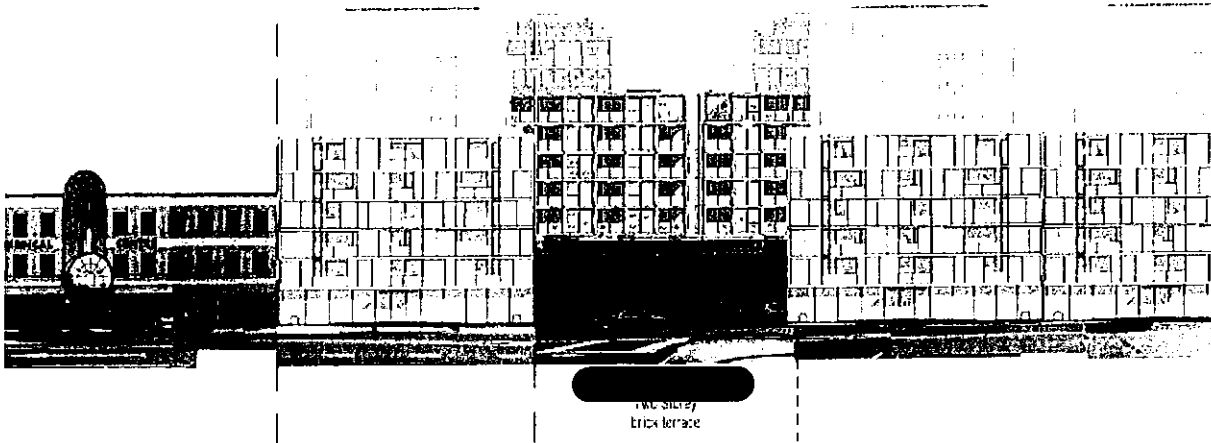
Figure 1 clearly indicates that the preferred maximum building heights for the area surrounding the subject site is 25M with a street wall height equal to the width of Brunswick Rd, which in this case is 20M.

In the past 12 months Moreland has had applications for 8 to 10 storey developments adjacent, behind and across from our properties. It is only a matter of time before the four terraces are completely enclosed on all four sides by 25M towers. Figure 2 illustrates two examples where taller buildings surround a smaller one.



*Figure 2: Examples of taller buildings crowding out a smaller structure*

As the owners, we are not pleased about the changes set out by DDO18, but the DDO is in place and we must work with it. It is however grossly unfair to hamstring the future development potential with a HO on these four sites. If the HO is indeed ratified, the resultant streetscape will be incongruent to that envisaged when DDO18 was formulated. Figure 3 has been created based on some of the buildings already proposed for the area. It is clear that the four terraces will be dwarfed by the surrounding buildings.



*Figure 3: Potential future streetscape based on implementation of DDO18*

## 2. Questionable Architectural Significance

- f** *There are better examples of this style of architecture already included in the Heritage Overlay. The properties at [REDACTED] have not been rated as significant in any earlier heritage studies.*

The question of architectural significance will always be a contentious one, but it should be noted that this row of terraces have not featured in any of the numerous heritage studies undertaken prior to the 2017 study.

The buildings were not identified in *Keeping Brunswick's Heritage* (Context, 1990) by Context Pty Ltd. Coincidentally Context Pty Ltd were also responsible for the report of March 2017 on the [REDACTED] terraces (Appendix A). This report cites the [REDACTED] terraces as being comparable. These terraces were added to the register after the 1990 report, but [REDACTED] terraces were not mentioned in the same report.

The other terraces cited in the Context report of 2017 at [REDACTED] were first recommended for inclusion in the Planning Scheme in the 2004 *Moreland Local Heritage Places Review*. Again, this was a document prepared by Context. Again, there was no mention of the [REDACTED] Rd properties.

It would not be unreasonable to question the heritage significance of this row of terraces given the same experts from Context have passed over them on numerous occasions.

## 3. Questionable Historical Significance

- f** *The historical significance of the row of terraces is evident in other properties already granted a HO*

The Context report of 2017 on these properties states that they are historically significant as they are "evidence of the **extensive** speculative housing erected in Brunswick during the "Boom" period of the late 1880s". The word of key importance here is "**extensive**". There are already numerous other properties from the same era with a HO. Many examples are located on the Western side of the Sydney Rd intersection with Brunswick Rd. This historical significance is not unique to this row of terraces and should not be the defining criteria to determine inclusion to the heritage register.

## 4. Significant Asset Depreciation

- f** *The implementation of the HO will result in a significant loss of property value*

If a HO is granted, the value of these properties will continue to fall as the streetscape changes to meet the vision of DDO18. Realistically under DDO18, the market for these properties as residential dwellings or even commercial concerns is severely limited. As a residential dwelling, the internal and external amenity will be diminished as the taller towers are constructed. From a commercial perspective it will be difficult to lease these properties to business due to the lack of customer and employee parking. As late 1800's structures they also lack a layout that would be conducive to finding a suitable commercial tenant.

**CONCLUDING REMARKS**

A Heritage Overlay on these properties will have a significant impact on the future streetscape of this section of Brunswick Rd. A decision must be made on whether it is more important to compromise the vision of DDO18 or protect the facades of four properties encircled by large development. The lack of previous interest in this row of terraces by Context Pty Ltd since their first 1990 report is very telling and should be considered when assessing whether to implement the HO. As the owners of these properties we strongly feel that there should be no overlay and implore council to reject their inclusion under Amendment C174.

*[Handwritten signature]*  
[Redacted]

[Redacted]  
(SIGNED VIA EMAIL)

[Redacted]

[Redacted]

[Redacted]  
(SIGNED VIA EMAIL)  
[Redacted]

*[Handwritten signature]*  
[Redacted]  
[Redacted]

## APPENDIX A

Heritage report by Context Pty Ltd prepared for Moreland City Council March 2017.

### PLACE

Prepared by: Context Pty Ltd

<b>Address:</b> [REDACTED]	<b>Survey Date:</b> March 2017
<b>Name:</b>	<b>Architect:</b>
<b>Place Type:</b> Residential Terrace	<b>Builder:</b>
<b>Grading:</b> Significant	<b>Construction Date:</b> c.1888
<b>Extent of Overlay:</b> To title boundaries	
<b>Architectural Style:</b> Victorian Period (1851-1901)	



### Locality History

The suburb of Brunswick is part of the traditional land of the Wurundjeri who occupied this area, which they named *Iramoo*, for many thousands of years. The area achieved local governance as the newly formed Borough of Brunswick in 1857; the municipality was elevated to the Town of Brunswick in 1888 and to the City of Brunswick in 1908. Brunswick is now part of a larger municipal area, the City of Moreland, which was formed in 1994 through an amalgamation of the former City of Fitzroy, the former City of Coburg, and a small area of the former City of Fitzroy.

Brunswick, located a few miles north of central Melbourne, was first surveyed in 1839 to provide 16 farming allotments ranging in size from 100 to 300 acres. The early allotments each had a frontage to either the Moonee Ponds or Merri Creeks and to a rough north-south track that soon became known as the Sydney Road. The allotments were quickly sold over three auctions, mostly to private speculators, and re-subdivision began almost immediately. On the west side of Sydney Road James

Simpson subdivided his allotment, creating Albert (then Carmarthen) and Victoria (then Llandillo) streets. When Thomas Wilkinson purchased the allotment on the opposite side of Sydney Road he extended Victoria and Albert streets. This pattern was repeated many times, and each time the land was divided into smaller and smaller allotments (Context 1990:10). In the 1840s the early settlement at the southern end of Brunswick on the west side of Sydney Road was known as Phillipstown.

The Colony of Victoria expanded rapidly during the 1850s with the gold rushes and in the twenty years between 1846 and 1865 Brunswick's population grew from 146 to 3000, creating a strong demand for housing. People were drawn by the considerable local industry, including stone quarries, brick-works and potteries, and steel works. The sequence of subdivision generally followed transport and access routes. The opening of the railway to Coburg in 1884 and the cable tram along Sydney Road in 1887, providing direct access to the centre of the city of Melbourne, encouraged the subdivision and development of land along these routes. Sydney Road became a busy hub of commercial development, with the strip characterised by double-storey Victorian-era shopfronts, with many highly decorative 'boom style' examples.

Brunswick developed as a self-contained and close-knit community that was home to rich and poor. Whilst the vast bulk of its housing was built for the working and artisan classes, there was also a sprinkling of more salubrious residences occupied by the middle-class factory owners, merchants and professionals, notable in Park Street and Brunswick Road. These were generally brick with some early bluestone examples. A large number of double-storey brick terraces in south Brunswick were erected in the period of the 1870s to 1890. Mansions were rare, with Michael Dawson's 'Dawsonhurst' built in the 1850s on his Phoenix Park estate (demolished 1880s) being a notable exception.

The process of subdivision of the larger estates for house blocks accelerated rapidly during the economic boom of the 1880s, and was accompanied by an escalation in land prices; in the twenty years from 1865 to the 1880s the population of Brunswick more than tripled to 14,000. Many of the houses built during the boom were small cottages, particularly in the form of terrace housing, which were built to accommodate the growing number of workers employed in the expanding local industries. A large proportion of workers' housing was erected a rental accommodation. Typically, it was the members of the local middle class and the aspiring working class, who were engaged in speculative housing development, became the landlords for many local workers' rental accommodation. These small tenements were either weatherboard, often block-fronted, or built from locally made bricks and often using decorative bi-chromatic treatments. A network of laneways served rear outside toilets on the narrow allotments. Although they were small dwellings with only a pocket handkerchief front garden, the workers' cottages of Brunswick, like others across inner suburban Melbourne, were usually plumbed for cooking and washing purposes and 'offered living space and a level of material comfort well beyond the reach of the urban poor in other countries' (Dingle 1984: 173).

The push for thrift, sobriety, self-improvement and industriousness among the poorer classes, keenly advocated by the Protestant churches, had its ultimate goal in home ownership (Davison 1978: 177). Building societies, which required members to make regular contributions, played an important role in enabling working men to acquire

their own homes. Victoria's first building society had been established in 1858 to help house the booming population on Bendigo's goldfields. This was followed by a string of others, including the Fourth Victoria Permanent Building Society in 1867, which was responsible for constructing many Melburnian homes, including several throughout Brunswick and its surrounds (Victorian Building Societies Association 1981:11-12). Building societies mushroomed during Melbourne's property boom of the 1880s and their widespread operations made a significant contribution to speculative property development.

Following the bank crash of 1891 and the extended depression of the 1890s, development ground to a halt. Many newly built houses in Brunswick were left vacant and many of the new estates offered for sale toward the end of the boom remained undeveloped until the early twentieth century (Historica 2010:59-62). There was considerable unemployment and financial distress amongst residents. Many were unable to keep up with the instalments on their new homes and faced foreclosure by the buildings societies.

Development recommenced during the early-twentieth century when houses began to be built on the vacant nineteenth-century subdivisions. As such, many of the new dwellings were constrained by small narrow blocks. Also, perhaps due to the overall retarding effect of the depression, a relatively high proportion of new houses built in the early 1900s fit with the so-called 'Victorian Survival' style (c.1895-1914) (Johnston and Oliver 1994). Renewed local prosperity in the early 1900s was fuelled by a boom in industrial development in Brunswick, which benefited from the introduction of import duties after Federation.

There was another burst of prosperity in the period following World War I and by 1930 there were 300 factories in Brunswick, employing over 6000 workers (Historica 2010:32). These were predominantly in the clothing, textiles and footwear industries, which employed a significant number of women workers. During this time, many of the nineteenth-century subdivisions were re-offered for sale whilst the remaining areas of farming land and large estates in the east and west of Brunswick were carved up to meet the unprecedented demand for housing. By the end of the 1930s the suburban development of Brunswick was almost complete (Context 1990:12).

In 1905 the population had reached 24,000 and by 1928 it had more than doubled to 55,799 (Barnes 1987:64). The rapid growth of Brunswick during the early twentieth century was once again driven by the expansion of employment opportunities and improvements to public transport. The crash of 1929 and the ensuing Great Depression hit Brunswick hard, with thousands of men and women out of work and facing financial distress.

The large population was served by a large number of churches. The major Christian denominations had a strong presence in Brunswick and there was also a relatively strong representation of less common, minor sects. Hotels and picture theatres were also an important part of social life. Public buildings were well built, and were centred around the corner of Sydney Road and Dawson Street. The City of Brunswick opened Victoria Park in 1908 and opened the avant garde Brunswick Baths (HO61) in 1913, which was a notably early municipal swimming pool. Brunswick was not well endowed with areas for public recreation, which was compensated to some extent by

the suburb's close proximity to the extensive Royal Park. Some of its public parks, such as Gilpin Park and Clifton Park, were developed in more recent times on abandoned industrial land.

After World War II, cheap housing in Brunswick attracted a growing migrant population, of predominantly European immigrants who had left war-torn Europe. Many migrants found employment in local factories, such as Craig and Seeley, Holeproof Hosiery, Lincoln Mills, Millers Ropeworks and Gordon Brothers. The influx of Europeans to the suburb saw many existing nineteenth century and early twentieth century dwellings modified and modernised, and suburban flower gardens transformed into productive fruit and vegetable gardens. Through the postwar decades, social and cultural life became richly diverse in terms of language, food and music, and Sydney Road developed a distinctive Mediterranean character. Commercial development was reinvigorated along Sydney Road, with many shop premises taken over by migrants, who opened businesses such as licensed delicatessens, restaurants and cafes, barber shops, green grocers and 'continental' butchers. Other shops and several picture theatres were demolished to make way for large supermarkets.

Since the mid-nineteenth century, the character of the suburb of Brunswick has been strongly shaped by its early industrial development, left-wing politics and social diversity. In the early 1900s it became a strong bastion of the labour movement and in the 1930s was a stronghold of the Communist Party. In the latter decades of the twentieth century, Brunswick became known for its progressive environmental politics, reflected in its extensive use of Eucalyptus and Melaleucas as street tree plantings. The many layers of history in Brunswick — from the 1840s and up until the postwar period, when it became the 'most ethnically diverse' suburb in Melbourne (McConville 1989: 127) — remain evident in the physical fabric of the suburb.

### History

The row of four double-storey brick terraces at 233–239 Brunswick Road, Brunswick, were built in 1888 at the height of the land boom by local building contractor Henry Chivers, in partnership with Gorer. A tender notice appeared in the *Age* newspaper in June 1888, calling for joiners to work as 'stair hands' at a property in Brunswick Road, Brunswick, for Chivers & Gorer, contractors (*Age*, 16 June 1888:5; RB 1888, 1888/89). The same year, Chivers was undertaking the construction of the Orrong Hotel in Armadale (*Age*, 23 October 1888: 5). In 1888/89, with the terrace row in Brunswick Road completed, Henry Chivers was the person rated for one terrace, whilst the other three were tenanted (RB 1888/89).

In early 1889, faced with heavy losses on contracts, totalling around £6000, Henry Chivers was declared insolvent (*Argus*, 8 February 1889: 7); a large number of those declared insolvent in Melbourne in 1889 were agents, contractors, and builders and labourers, who had over-extended their level of debt during the land boom in Melbourne due to inflated prices and frenetic speculative development (*Age*, 7 January 1889: 5).

By 1891, the Metropolitan Bank (formerly the Metropolitan Building Society) was the owner of all four terraces, suggesting that the bank (as lender) had foreclosed on Chivers. By that time, the terrace houses were numbered 25, 23, 21 and 19 (RB 1891–

1900). A note in the Brunswick rate books of 1894 suggests that Chivers and an associate (possibly Gorer) were connected with the Metropolitan Bank / Building Society, possibly as shareholders rather than simply as borrowers, but no further details have been found to verify this. A few years after Chivers becoming insolvent, the Metropolitan Bank and its associated building society suffered the same fate and went into liquidation (Cannon 1973: 102).

The Metropolitan Building Society, which had been established in Melbourne in 1854, was an enterprising and successful building society that had provided the means of thousands of artisans to own their own cottages in the working-class suburbs of Melbourne. In a heady move during at the peak of the boom in 1889, the Metropolitan Building Society had formed the Metropolitan Bank. The assets of the building society were transferred to the new institution, with the directors borrowing unscrupulously to purchase shares in the new bank. After the financial crash of 1891, the Metropolitan Bank was unable to remain afloat (Cannon 1973: 101-02). The Metropolitan Bank and its associated building society were forced to cease operations in December 1891 and in 1893 faced liquidation. A large number of workers' cottages owned by the Metropolitan Bank were placed on the market, the majority having been repossessed from unemployed workers who were no longer able to honour their payments (Cannon 1973: 103).

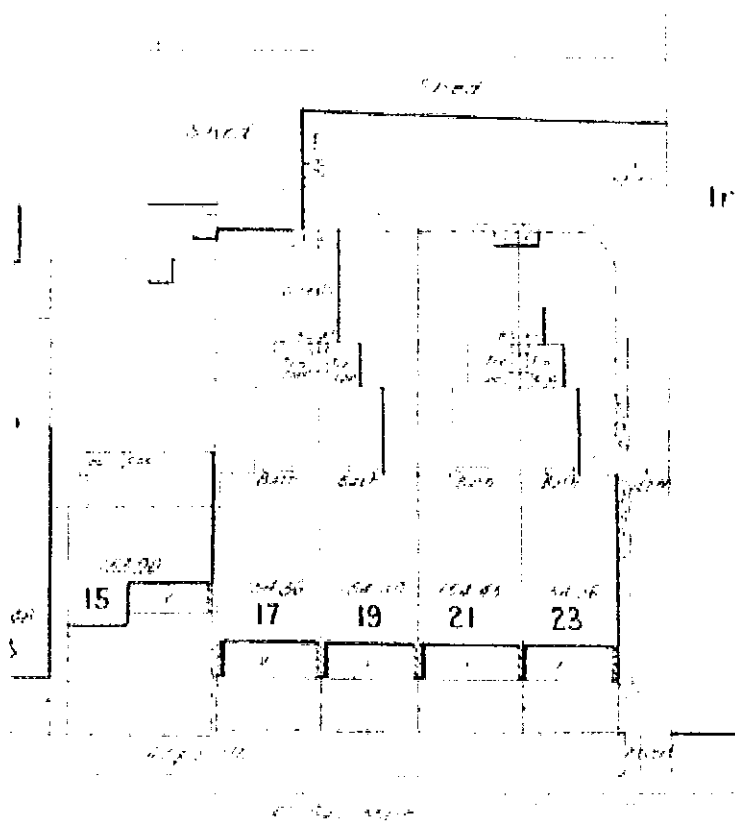
The Metropolitan Building Society was one of many Melbourne-based building societies that flourished in the latter part of the nineteenth century. These societies were chiefly involved in the business of lending money to would-be home-owners, and charged moderate interest rates that were particularly attractive to artisans and working people. Building societies played a critical part in housing development in Brunswick and other working-class suburbs from the late-nineteenth to the early-twentieth century; they were often more favourable than banks for working people who sought to borrow money to purchase their own homes. After the bank crash of 1891 many workers became unemployed and were unable to pay off their loans, and hence a large number of properties were repossessed.

The four brick terraces at 233–239 Brunswick Road were sold soon after the Metropolitan Bank went into liquidation. There was a glut of properties on the market through the 1890s and sales were slow. By 1904, Eugenie Comber was listed as the owner of all four terraces; Eugenie and her husband Edmund Comber, a traveller, resided at No 19. By the following year, J.J. Dowling was rated as the owner of Nos. 21 and 23, whilst Eugenie Comber was only rated for Nos. 17 and 19 (RB 1904, 1905).

In 1896, No. 237 Brunswick Road was the scene of an attempted murder when boot salesman James Adams fired gunshots at his estranged wife Sidney Adams when she was living at an address described as 'No. 19 Chivers terraces' in Brunswick Road. No. 19 refers to the dwelling now numbered as No. 237 Brunswick Road (*Coburg Leader*, 1 February 1896: 1).

The MMBW detail plan, dated 1904, shows the terrace row comprising four identical dwellings, arranged in two matching pairs and occupying narrow allotments on the north side of Brunswick Road. Each has a front verandah set behind a small front garden. Each residence is serviced with washing facilities in a rear washroom as well

as a plumbed bath, and an outside toilet sits on the rear boundary fence of each block (MMBW 1904).



*MMBW Detail Plan No. 1866, dated 1904 (source: State Library of Victoria)*

After Comber and Dowling took over ownership, all four terraces were occupied by various tenants (RB 1905–1920). All four terraces changed owners between 1910 and 1920, and many different owners and tenants are recorded until the late 1950s (RB 1910–1958/59; S&M 1930–1960).

As with all houses located in Brunswick Road, the street numbers changed in both c.1927 and c.1958. In c.1927 the terraces changed from Nos. 17–23 to Nos. 7–11 and 11a. In c.1958 these numbers were changed again to Nos. 233–239 (RB 1927–1958/59).

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### **Description and Integrity**

This terrace row of four double storey masonry dwellings is located on the northern side of Brunswick Road in Brunswick. The row is set back from the street behind small gardens and varying front fences (all non-original).

Each house has identical features, mirrored as two pairs. Projecting fin walls separate each house and are decorated rendered scroll brackets at each level and a ball finial at the top of each wall. An ornate balustraded parapet runs across the whole terrace, with a decorated pediment centred over each dwelling and ball finials at the edges of each house. A dentil cornice runs below the parapet. The parapet conceals a hipped roof on each house.

Walls are rendered at the upper level and marked with ashlar coursing at ground level. Upper balconies have convex corrugated iron roofs running between the fin walls, with delicate cast iron verandah friezes and cast-iron panel balustrades. Cast iron verandah posts and the upper and lower levels, are located off centre, in line with the entry door. At ground level, the verandahs have delicate cast iron verandah friezes and brackets, arched recesses and tessellated tiles to verandah floors.

On ground level, doors and window openings have segmented arches, surrounded by deep architraves that intersect a deep cornice runs along the face. Each dwelling has a four-panelled timber door with side and highlight windows.

As a row, the terrace displays a high level of intactness. Alterations and missing details include:

233: Missing sections of balcony balustrade and missing frieze to balcony.

239: Missing finial to top of arched pediment.

237: Glass around entry door replaced with non-sympathetic glass.

### **Comparative Analysis**

In Brunswick, Victorian houses are of four main types: terraces, detached cottages, symmetrical double fronted villas, and asymmetrical double fronted villas (usually with a projecting bay).

Of the Victorian terrace houses included on the HIO for Brunswick, most are constructed in the late Victorian period and 'Italianate' in style. There are examples of single storey and double storey and the level of detail and decoration varies. Some have shared roof forms and others have decorated parapets. Most are of masonry construction with biochrome brick work a popular feature.

The level of intactness is generally good, although often alterations are not consistent across a whole row, with one house having more alterations than others in the row. Most common alterations occur to roofs and fences, and painting of face brick work.

This terrace row can be compared to:

- 222-238 Moreland Road, Brunswick. (HO118) Built 1889. A row of nine two-storey attached brick residences, Italianate in style. Each originally had a facade of brown and cream brickwork with red brick side and rear walls – some are now overpainted or rendered. Intactness varies across the residences, with some highly intact and others with altered details. No 230 has lost its central parapet.
- 216-222 Barkly Street, Brunswick (HO265) Constructed in stages, 220-222 built in 1889, 218 and 216 built between 1888-1891. Two pairs of almost identical brick two storey terrace houses, built of polychromatic brick. Highly intact, including verandah posts, lace, tiling and door and window treatments.

233-239 Brunswick Road, Brunswick, can be compared to the double-storey brick terrace row at 222-238 Moreland Road. Similarly located on a main thoroughfare, the scale, and quality of decorative features are comparable. Both terrace rows have features associated with the 'Italianate' style. Both rows present as cohesive unit, with some features missing individual houses. Alterations to fences, and iron lace work are notable on both the Brunswick Road row and the Moreland Road row.

233-239 Brunswick Road can be compared to 216-222 Barkly Street, Brunswick. The two rows are comparable as double story terrace rows of a similar quality from a similar period. The rows vary in that 233-239 has a balustraded parapet at roof line, concealing individual hipped roofs to each house, whereas 216-222 has a singular, undivided roof form over the row.

### **Statement of Significance**

*What is Significant?*

The double-storey terrace row at 233-229 Brunswick Road is significant. The front fences and non original additions at the rear are not significant.

*How is it significant?*

The terrace row at 233-229 Brunswick Road, Brunswick, is of local historical, architectural and aesthetic significance to the City of Moreland.

*Why is it significant?*

The double-storey terrace row at 233-239 Brunswick Road, Brunswick, built in 1888, is of local historical significance as evidence of the extensive speculative housing erected in Brunswick during the 'Boom' period of the late 1880s. The Italianate style was the predominant style used for terrace housing in Brunswick, but the more elaborate, double-storey examples were more commonly built in the more salubrious end of Brunswick which was on the main roads close to the Carlton/Parkville border, including Brunswick Road. (Criterion A)

233-239 Brunswick Road, Brunswick, is a representative example of a double-storey terrace row in the 'Italianate' style from the late Victorian period. Characteristics typical of the 'Italianate' terrace row include identical (or mirrored) houses unified by a consistent parapet and separated by a party wall, with fin walls projecting to the street edge, hipped corrugated iron roofs concealed behind a decorated parapet; a narrow set back from the street behind an iron palisade fence; and detailing associated with the 'Italianate' style. (Criterion D)

The double-storey terrace row 233-239 Brunswick Road, Brunswick, is significant for its aesthetic qualities, associated with the 'Italianate' style of the late Victorian era including an ornate balustraded parapet runs across the whole terrace, with a decorated pediment centred over each dwelling and ball finials; a dentil cornice below the parapet, ashlar coursing to the rendered walls at ground level, delicate cast iron frieze and brackets and cast iron verandah posts at the upper and lower levels, deep rendered architraves around window and door openings at ground level, four panelled timber entry doors with side and high lights, and tessellated tiles to verandah floors. (Criterion E)

**Planning Control Recommendations**

Recommended for inclusion in the Schedule to the Heritage Overlay of the Moreland Planning Scheme as an individually Significant place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Moreland Planning Scheme:

<b>External Paint Colours</b> Is a permit required to paint an already painted surface?	No
<b>Internal Alteration Controls</b> Is a permit required for internal alterations?	No
<b>Tree Controls</b> Is a permit required to remove a tree?	No

<b>Victorian Heritage Register</b> Is the place included on the Victorian Heritage Register?	No
<b>Incorporated Plan</b> Does an Incorporated Plan apply to the site?	No
<b>Outbuildings and fences exemptions</b> Are there outbuildings and fences which are not exempt from notice and review?	No
<b>Prohibited uses may be permitted</b> Can a permit be granted to use the place for a use which would otherwise be prohibited?	No
<b>Aboriginal Heritage Place</b> Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?	No

# Submission #18

10/01/2019

[Redacted]

Moreland City Council RECEIVED	
7 2 JAN 2019	
File No. C/174	
Date No.	
Loose <input checked="" type="checkbox"/> Attached <input type="checkbox"/>	
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Forwarded to	WIM GIBBINS
Copies to	

To the manager of Strategic Planning  
Moreland City Council  
Lock Bag 10  
Moreland VIC 3058

Re: Heritage overlay proposal to Amendment C174

Dear Marie

We have taken part in the consultation meeting with Council Town Planning officers on Monday the 10<sup>th</sup> December 2018. The meeting was informative but we remain non-supportive of the Heritage Overlay amendment C174 affecting our property at [Redacted] along with the attached properties at [Redacted]

Our key concerns are that:

Our family has lived in this house for 38 years and the current changes were in place when we purchased. We enjoy living in this home and we do not want to make any changes to the façade or the front fence.

Barkly street continues to change and move away from being a low rise workers environment. Our terrace is dwarfed by other developments in the area and its heritage links to the immediate streetscape is lost.

The condition of the slate roof is poor and the shared roof space contributes noise and poor thermal and poor fire protection from the neighbour's property. When we change the roof we will need to address these issues in conjunction with replacing the slate.

All three parts of the original facade have considerably changed, by the painting & rendering to front of bricks, the removal of original verandas, the altered windows & dissimilar front fences

The individual properties of [Redacted] are small lot sizes and owned by three separate families. It would be financially onerous to ask us to retain the slate roof line and expose the two tone bricks whilst limiting the visible height of any extension to the rear of the property.

The attached photos illustrate our current home and show how much the Building at 206 is different to the described features in the Heritage Consultant's report.

We understand that our objection to the proposed heritage overlay is also aligned with all the other affected property owners of the 3 single storey cottages.

Regards

[Redacted Signature]

[Redacted Signature]

[Redacted Signature]



Photo 1 Front view of building facade and gate to passageway



Photo 2 View of iron verandah post and concrete verandah



Photo 3 View of entry passage to front door, verandah tiles and front fence gate



Photo 4 View of wing wall and front verandah

## Submission #19

Strategic Planning  
Submission to Amendment C174  
Moreland City Council  
Email submission: strategicplanning@moreland.vic.gov.au



Attention: Marie Claire O'Hara  
Acting Manager City Strategy and Design

22 January 2019

Dear Ms O'Hara,

I refer to the letter from the Moreland City Council (**Council**) dated 16 November 2018 and the Residential Heritage Report prepared by Context Pty Ltd (survey date March 2017) on behalf of the Council (**Report**) in respect of [REDACTED] West (**Property**) and the proposed amendments to the Moreland Planning Scheme (**Scheme**).

The purpose of this letter is to make a submission in relation to the findings of the Report and request that Council exercises its discretion to exclude the Property from any amendments to the Scheme and accordingly, Council does not list a heritage overlay in connection with Property (**Submission**).

[REDACTED] is the sole proprietor of the Property (aged 94) and the Property is occupied by [REDACTED] daughter, [REDACTED] (aged 75). As the occupier of the Property, I am authorised by Ms Bell to make this submission on her behalf.

### Report

The Report made a number of findings in relation to the Property, including that the Property should have a heritage overlay listed over it, on the basis of its heritage significance. For the reasons detailed below, I submit that the Property is not of heritage significance and therefore should not be included in the Scheme. The reasons for the exclusion of the Property from the heritage listing include (but are not limited to the following):

1. The Property's heritage value (as defined in the Report) is overestimated.
2. The Property represents one of many similar detached housing commission houses that we constructed by the State government post world war two, which prevents its heritage significance being established.
3. The construction of the Property (including the use of asbestos) makes the listing of a heritage overlay a potential health hazard for any current or future occupiers of the Property.
4. The heritage listing would cause significant financial loss to [REDACTED]

For ease of reference, I will address each point identified above under corresponding subheadings below.

#### 1 The Property's heritage value is overestimated.

In or about 1942 (the time of the Property's construction), the Property formed part of an estate which included approximately 5 detached housing commission houses. As detailed in

the Report, the heritage significance of these houses is that they were constructed in a group and together formed part of the estate (**Estate Significance**). The Estate Significance is one of the primary reasons that the Report has identified the Property as needing a heritage overlay. We reject this finding.

Firstly, it seems fundamentally flawed to suggest that a sole house (who's heritage significance is its existence as part of an estate) can have heritage significance if it exists in isolation. Secondly, in relation to the other houses of the same kind which remain, one of the houses was to be (and now has been) demolished and the other has been significantly altered. Had the Council been of the view that the protection of these houses was imperative to preserve the historical development of Melbourne's commission housing council officers could have refused permission for alteration or destruction.

**2) The Property represents one of many similar detached housing commission houses that we constructed by the State government post world war two, which prevents its heritage significance being established**

The Report indicates that there are estates surviving in Preston and Coburg East which have houses of similar construction and are from a similar period so not heritage listing this property would not substantially diminish the public heritage of Moreland.

The property was part of the first detached houses developed by the housing commission. However, many others were also developed in the local metropolitan area.

The report states that:

*This estate and others in Preston and Coburg contained the first detached houses built by the commission and the first to be built in timber. ... In the following year the Commission built the first detached houses in concrete and developed a method of factory production.... Timber houses using these methods were constructed on the Spring Meadows estate in Coburg East.*

As the houses were developed to use a method of factory production, it is evident that there are other estates which still exist and contain similar houses.

**3) The construction of the Property (including the use of asbestos) makes the listing of a heritage overlay a potential health hazard for any current or future occupiers of the Property.**

The Moreland City Council Heritage Policy (**Policy**) states the Policy will

*Discourage total demolition of a contributory or significant heritage place unless it can be demonstrated that:*

- *The building is structurally unsound and that the contributory or significant heritage fabric has deteriorated beyond reasonable repair and would require reconstruction of the whole;*

The building is largely constructed of timber and fibro-cement which contains asbestos as the Property is over 75 years old the fibro-cement is showing signs of deterioration.

This goes beyond poor condition this creates a health hazard

This is a quote from Environmental Protection Authority publication: ASBETOS a guide for householders and the general public (p8). Which discusses the impact of the degradation over time of asbestos sheeting.

### **Friable products**

*Friable asbestos products are generally quite soft and loose and can be crumbled into fine material or dust with very light pressure, such as crushing with your hand. Such products usually contain high levels of asbestos (up to 100% in some instances), which is loosely held in the product so that the asbestos fibres are easily released into the air.*

*Friable asbestos products are dangerous because the asbestos fibres can get into the air very easily, and may be inhaled by people living or working in the vicinity.*

### **Bonded products**

*Bonded asbestos products are made from a bonding compound (such as cement) mixed with a small proportion (usually less than 15%) of asbestos. Bonded asbestos products are solid, rigid and non-friable. The asbestos fibres are tightly bound in the product and are not normally released into the air. Common names for such products are 'fibro', 'asbestos cement' and 'AC sheeting'. In this guide we refer to bonded asbestos products as 'asbestos cement materials' (or 'asbestos cement sheeting').*

*When in good condition, bonded asbestos products do not normally release any asbestos fibres into the air and are considered a very low risk for people who are in contact with them, as long as appropriate safety precautions are used when they are disturbed. However, when bonded asbestos products are damaged or badly weathered (including hail damage), areas may become friable.*

[https://www.epa.vic.gov.au/our-work/environmental-public-health/environmental-health-in-the-home/~/\\_media/Files/Our%20work/Environmental%20public%20health/Asbestos-enHealth-guide---Feb13---EPA.pdf](https://www.epa.vic.gov.au/our-work/environmental-public-health/environmental-health-in-the-home/~/_media/Files/Our%20work/Environmental%20public%20health/Asbestos-enHealth-guide---Feb13---EPA.pdf)

██████████ tried to have solar panels installed three years ago however the people fitting the panels refused to continue with the work due to their concerns about the sheeting.

We are becoming concerned about the safety of the sheeting and wonder how the heritage overlay would impact on a homeowner's ability to effectively maintain the aging property. What would you be allowed to replace old fibro-cement sheeting with to ensure that the heritage of the property is maintained?

If you are not allowed to replace the sheeting and it decays further what are the health impacts for those living in the home and surrounding areas?

#### **4) The heritage listing would cause significant financial loss to ██████████**

The Report on ██████████  
*The HCV was established by the Victorian government in 1938 for the purpose of providing affordable and modern public housing to those of limited means....*

*The house at 2 McLean Street was first tenanted to aircraft assembler Ernest Henry Haywood (RB 1943, 1944)... It was noted in 1950 that there was a low rate of tenants in HCV in Brunswick taking up the opportunity to purchase their rented dwellings.*

██████████ wife did purchase the house after ██████████ death. It took her over 40 years to buy the Property. She saw this as the culmination of her dream and the housing commissions intent in helping her move out of poverty to be able to provide for herself and her three children.

██████████ is now 94 and living in a nursing home and her 75 year old daughter ██████████ still lives in the house. ██████████ is a pensioner suffering from cancer. As ██████████ has been in the nursing home for more than 2 years her pension no longer covers the accommodation costs and she has to pay an additional \$20,000 per year to stay in the home. Her family has longevity and we expect that she is likely to reach her centenary. The eventual sale of the home was going to cover these costs.

We have spoken to two local real estate agents (letter from one attached) who have indicated that due to the nature of the property – small, old and in need of significant renovation - the heritage listing would compromise her ability to sell the property.

██████████ from Barry Plant said that the property would currently attract three types of buyers – property developers, home buyers wishing to buy for the location and looking to demolish or substantially renovate and first home buyers. With a heritage listing on the property the market would diminish to first home buyers. The local market report from Barry Plant lists similar non-heritage overlay properties in the area as selling between \$890,000 - \$965,000.

██████████ from Nelson Alexander – letter attached - suggests that the property without heritage overlay would bring between \$1,000,000 to \$1,100,000 but with heritage overlay it would most likely bring \$800,00- \$850,000.

Whilst we understand the market price is dropping, which will also impact on ██████████ it appears to be quite clear that a reduction in the size of the market, the reduced ability to make significant changes to the property because of a heritage listing will reduce the value by a substantial amount in the vicinity of 20%.

██████████ doesn't know about this proposal as she suffers from anxiety and depression and we feel that knowing about this would substantially impact her quality of life. She is really proud to have been able to own a property which will support her family beyond her lifetime.

We also believe that the intent of the housing commission in wanting tenants to be able to buy properties was clear at the time of the property being built. The fact that ██████████ has kept the home in good condition is now potentially going to disadvantage her compared to all the other homeowners who sold or rebuilt before the heritage listing of their properties.

### **What are the options?**

If the council chooses to go ahead with the significant heritage overlay on the property what are the options you could offer to offset ██████████ loss?

Could the home be moved away from the block and put elsewhere? -eg the park in Peacock Street so it remains in the area but is not out of place amongst the unit developments. This would allow ██████████ to sell the land.

Could the home be moved on the block to allow for development of the block?

What would be allowed for a property with a significant heritage overlay?  
Could the shell of the house be retained and the home renovated around it – allowing for expansion? (The agents don't see this as a viable option.)

We believe that the social issues of materially disadvantaging sick, elderly women and potential for public health risk outweigh any potential heritage value of the home.

I am happy to supply further information if you need it and can be contacted on

[REDACTED]

I thank you for your consideration

[REDACTED]

[REDACTED] daughter in law)

9<sup>th</sup> January, 2019

C/O [REDACTED]

A: [REDACTED]

E: [REDACTED]

M: [REDACTED]

TO WHOM IT MAY CONCERN

SALES APPRAISAL: [REDACTED]

RE: **Opinion of Value**

Thank you for the opportunity to meet with you to talk about your property, with a view to advising you its current market worth.

Should you decide to sell, our commitment to you is to work with you, to keep you well informed and to ensure the sales process is both an easy one - and more importantly - stress free. From the initial strategy discussions to implementation through to settlement, we will manage and execute the sale process personally.

I wish to advise that it is in my opinion that, a realistic market price for your property, given the comparable sales within the area, the land size, the general state of repair, the market demand for properties such as yours, the current economic climate and the number of similar properties currently on offer in the broader area; would be in the vicinity of:

- [REDACTED]
- Vicinity of \$1,000,000-1,100,000

***Please note: the above valuation is based on NO Heritage Overlay being instated and the Zoning remaining as Neighbourhood Residential Zone***

Should you require any further information, please do not hesitate to contact me.

Regards

**NELSON ALEXANDER**



[REDACTED]

Partner / Auctioneer

Mobile: [REDACTED]

*This opinion of value is for the use only of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this market appraisal.*

[nelsonalexander.com.au](http://nelsonalexander.com.au)

9<sup>th</sup> January, 2019

[REDACTED]

A: [REDACTED]

[REDACTED]

M: [REDACTED]

TO WHOM IT MAY CONCERN

SALES APPRAISAL: [REDACTED]

RE: **Opinion of Value**

Thank you for the opportunity to meet with you to talk about your property, with a view to advising you its current market worth.

Should you decide to sell, our commitment to you is to work with you, to keep you well informed and to ensure the sales process is both an easy one - and more importantly - stress free. From the initial strategy discussions to implementation through to settlement, we will manage and execute the sale process personally.

I wish to advise that it is in my opinion that, a realistic market price for your property, given the comparable sales within the area, the land size, the general state of repair, the market demand for properties such as yours, the current economic climate and the number of similar properties currently on offer in the broader area; would be in the vicinity of:

- [REDACTED]
- Vicinity of \$800,000-850,000

***Please note: the above valuation is based on a Heritage Overlay being instated***

Should you require any further information, please do not hesitate to contact me.

Regards

**NELSON ALEXANDER**



[REDACTED]

Partner / Auctioneer

Mobile: [REDACTED]

*This opinion of value is for the use only of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this market appraisal.*

nelsonalexander.com.au

## Submission #20

20th January, 2019

Moreland City Council

Dear Sir/Madam,

RE: Amendment C174 - Objection for [REDACTED]

I reside along with my partner and 3 children at [REDACTED] and have done for 12 years. I am contesting the amendment to have my families house included in the heritage listing Amendment C174

I have plans to demolish our house and build our new home which in preparation has so far cost us approximately \$60,0000.00.

We are distraught in your plans to heritage list our house as it will completely destroy our long awaited dream of building our desired home. We are a fifth generation family to live and contribute to Moreland council and we have no desire of living anywhere else.

Our current house we do not believe to be of significant heritage architecture. The front porch contains wrought iron which is rusted through and has no historical or financial value. We have a garage which is added on and of no heritage to the area. We have a car port that is also not original and is falling down. Our house is only standing by luck and without significant work will soon become a pile of rubble.

We ask you to consider our circumstances and make allowances for our house to not be included in the heritage Amendment C174.

We have also spoken with our neighbours residing from [REDACTED] and they are also not happy about the Amendment as they believe it will significantly devalue their homes. They have agreed for us to contest it on their behalves. In saying this, included in this letter is our petition with their their names and signatures.

I can be contacted on [REDACTED] to discuss in further detail and I await anxiously and trustfully for your response.

Kind regards,

[REDACTED]  
[REDACTED]  
We are the home owners residing from [REDACTED] We object to the recent notice informing of the heritage listing Amendment C174.



# Submission #21

Strategic Planning  
Submission to Amendment C174  
Moreland City Council  
Locked Bag 10  
Moreland, VIC, 3058

23 January 2019

Via email: [strategicplanning@moreland.vic.gov.au](mailto:strategicplanning@moreland.vic.gov.au)

Via online form

**Subject: Opposition to Proposed Heritage Overlay for [REDACTED]**

I am the property owner of [REDACTED] (**Property**) where I have resided for over 65 years. I wish to oppose the inclusion of my property as a contributory place of cultural significance in the proposed Heritage Overlay (**HO**) serial listing as part of planning scheme amendment C174 on the following grounds:

- The property had undergone significant alterations/ modifications, and does not closely reflect the original closer settlement property
- The property is not in good condition as indicated in the Heritage Citation report
- The property does not contribute to the cultural history to the local area

## **Background**

The recognised criteria for the assessment of heritage values of a heritage place, as set out in *Practice Note 1: Applying the Heritage Overlay (July 2015)* are as follows:

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

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

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

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

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

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

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

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

In the Panel report for Amendment C274 to the Boroondara Planning Scheme, a similar 'gap' heritage amendment, the Panel accepted evidence of Mr Bryce Raworth (heritage expert) that:

*To be identified as a place of local significance sufficient to warrant application of the Heritage Overlay, a place should meet one or more of these criteria to a degree that meets a threshold of local significance. This is to say, the criteria in question should be met not just in a simple or generic manner, but to a degree that is better than many or most other examples at a local level, or to a degree that is comparable to other examples that are subject to the Heritage Overlay.<sup>1</sup>*

In his evidence, Mr Raworth referred to *The Advisory Committee Report: Review of Heritage Provisions in Planning Schemes* (August 2007) and noted that the committee recognised that establishing whether a place is of heritage significance is not merely a question of applying a blanket rule based on a place's age or period of construction.

#### **Proposed heritage overlay for the Property**

The Property is proposed for inclusion in as part of a Closer Settlement Houses serial listing which is of local historic significance to the City of Moreland. It is proposed to apply a single HO number to the Property.

Council's basis for including the Property in the HO is predicated on the view that the dwelling is of criteria A, C and D outlined above.

#### **Objection to HO**

Page 32 of the Heritage Gap Study 2017 states that the property has "good integrity and intactness". As highlighted in the submission below, the property in fact has poor historical integrity and intactness due to the number of alterations and non-original features on the property. Furthermore, the integrity and intactness is further reduced due to the poor condition of the property outlined below.

The Commentary in the Heritage Citation Report states that there are few remaining closer settlement cottages surviving, however in the same report "*Statement of Why Significant*" does not refer to *Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity)*. Consequently, as the citation report does not deem criteria B "rarity" as criteria for significance, the low number of other remaining closer settlement properties should not be considered in assessing the cultural significant of 18 Waxman Parade. Furthermore, the mere fact that other closer settlement properties do not exist or are of poor integrity does not mean that 18 Waxman Parade meets the criteria or reflects the original property to qualify as being included in the serial listing.

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<sup>1</sup> Boroondara Planning Scheme Amendment C274, Panel Report, 17 October 2018

### ***Alternations and Modifications***

There have been multiple significant alterations made to the property, resulting in it not closely reflecting the original closer settlement property. These alterations are of a similar level to those which have been included in *Table 3.2 "Not Recommended due to low integrity or demolition"* of the "Closer Settlement Houses" document provided by Moreland Council, therefore it is appropriate for the property at 18 Waxman Parade to also be excluded.

The Heritage Citation Report cites that the original property was a small rectangular timber house, which subsequently was altered, however had no veranda. The Victorian Heritage Database states the integrity as having been altered/minor alterations, however a proper assessment of the property would confirm that the alterations are not minor and that the changes to be significant from the original property described in the Heritage Citation Report. These alterations are in fact major based on their cumulative impact changing the property to the point it does not closely reflect the original closer settlement. This is supported by the Heritage Victoria Listing which states that compared to 18 Waxman Parade "*other, more intact, examples survive including: 37, 43 and 51 Waxman Parade*"

Furthermore, some elements of the property were added a significant time after the original closer settlement, including by my parents in the 1970s.

A summary of alterations to property include:

- Roof/ tiles were added to the property in the 1970s by my family (this was confirmed in the Heritage Citation Report which acknowledges that the tiles are not original). These tiles are made from modern aluminium strips, which significantly alters the overall look and style of the property, reducing its historical integrity and look compared to the original closer settler house.
- The current veranda was re-built in the 1970s by my family, with works conducted by a family friend. This included concreting at the front of the property, which changed the historical look and feel of the exterior. This is inconsistent with the early 1900s closer settlement look and style.
- Removal of original outdoor toilet and washhouse/laundry with a copper, including installation of indoor plumbing and laundry. Part of the historical significance of the original property was that it reflected a smaller cottage, which included an outdoor kitchen area with a wooden stove and outdoor washhouse. The removal of these unique characteristics reduces the historical significance of the property as a closer settlement house
- Chimney is non-functioning and has been significantly altered, with a gas heater installed in the chimney
- Original fence at front of the property has been removed and replaced with rocks by my family which significantly changes the look and feel of the property from that of a closer settlement house
- House previously had large trees out the front which reflected the original semi-rural style of a closer settlement. These trees were removed by my family, which has changed the look of the property from the original closer settlement
- Rooms have been added to the premises which are additional to the small rectangular building which was constructed as the original Closer Settlement House referenced in the Heritage Citation Report

These alterations to the property make it closer in style to interwar and post war houses and flats, as opposed to the "Victorian/Federation" era as referred to on page 34 of the Heritage gap study. As the property does not have similar characteristics as the other properties in the serial listing, the inclusion of this property as part of a serial listing is not appropriate.

### **Property Condition**

The assessment of the property as being in good condition and intactness is not accurate with the property being in poor condition. The poor condition of the property is supported by the Heritage Victoria Listing which states “*other, more intact, examples survive including: 37, 43 and 51 Waxman Parade*”.

The Heritage Citation Report applies a blanket statement that ‘*where visible alterations have occurred (e.g. new roof tiles to 280 Hope and 18 Waxman), these are usually reversible*’. A more detailed and thorough assessment of the Property would confirm that due to the house being in poor condition, it would cost several hundred thousand dollars of repair to bring its condition up to a good standard. These poor conditions include:

- Structural deficiencies to the roof, which can result in leaks under heavy rain
- Drains and downpipes are in disrepair, including large holes which need to be replaced
- Stumps holding up house need to be replaced. There are ripples in walls due to the lack of structural integrity caused by the stumps and poor foundation support
- Water damage to rear exterior walls which needs to be replaced
- Rotten and damaged weatherboards which need replacing

Consequently, the property should not be included in the serial listing as it is in poor condition, which reduces the integrity and historical significance of the property.

### **Cultural Significance**

The property at [REDACTED] is a property which has undertaken multiple alterations, is of poor condition and has undertaken multiple land subdivisions. Consequently, as discussed above does not meet the threshold for being individually significant in its own right due, or contributing to the significance of the overall area.

The Victorian Heritage Database report identifies that other properties “*other, more intact, examples survive including: [REDACTED]*”. As there are other better, more intact properties in the serial listing, the exclusion of the property at 18 Waxman Parade from Heritage Overlay would not negatively impact the overall listing and maintenance of heritage in the area. Additionally, table 3.2 “*Not Recommended due to low integrity or demolition*” of the “*Closer Settlement Houses*” document provided by Moreland Council specifically excludes properties which have undergone similar level of alterations and are of similar physical condition to [REDACTED] from the serial listing, therefore it is appropriate to also exclude [REDACTED] from the Heritage Overlay.

There is a lack of sufficient detail as to the justification for the inclusion of the Property in the Heritage Overlay in the documentation and heritage assessments provided by Council. It is unclear as to which characteristics of the property have been deemed to be culturally significant and why, other than the fact that the property was part of a closer settlement.

The Property does not meet the *Practice Note 1: Applying the Heritage Overlay (July 2015)* to a degree that is better than many or most other examples at a local level or that is any way comparable to those other examples that are subject to a HO. The property had not been identified as culturally significant in any previous heritage studies undertaken by council. At the time that the precinct Heritage Overlay was applied to Wyal and Yarrabin streets a letter was provided to my family from Council advising that the overly did not apply to our property, even though the sub-divided part of the original property allotment was in Wyal street.

Based on the above grounds, I wish to request that the property at 18 Waxman Parade, Brunswick West be excluded from the proposed serial listing for Heritage Overlay as part of planning scheme amendment C174, and not have Heritage Overlay applied to the property.

Kind Regards

[Redacted signature]

[Redacted name]

(Property Owner)

Please send all correspondence regarding this submission to [Redacted address]  
[Redacted address]

Please exclude the following personal information for public display

[Redacted personal information]

[Redacted personal information]

## Submission #22

**Giovanna Palma**

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**From:** [REDACTED]  
**Sent:** u s 2 nu 201 3  
**To:** S i nnin  
**Cc:** [REDACTED]  
**Subject:** m n m n 1 onin o [REDACTED]

RE: Amendment C174, Council initiated Rezoning for [REDACTED]

Dear Sir / Madam,

I am writing in connection with the proposed rezoning amendment C174 affecting my property at No. [REDACTED] [REDACTED] & accordingly, I herewith wish to object to this proposal on the following grounds:

\* Amendment C174 re-zoning change restricts its overlay to [REDACTED] [REDACTED] are similar alike single storey, single fronted pairs of terraces.

This segregation from alike type buildings in the entire neighborhood is unjust & unfair resulting in a decline in the value of my property due to the restrictions imposed upon any future potential development on my site.

As an illustrative example for understanding, No. 19 Merri Street which is of similar land size as my property & is located immediately behind my site to the south, has developed 4 off 2 storey town houses.

Furthermore, the adjoining properties [REDACTED] which, as mentioned previously, are of similar architectural style to No's 16-18, will continue to remain in residential zone GRZ1 which allows for 2 storey multi residential developments.

\* Another concern is that the alterations & additions that have already occurred to [REDACTED] are non original & non sympathetic to what the original design may have been, making the terrace pair profoundly different & marked by dissimilarities in their details & finishes.

For twins, they do not project any significance as heritage buildings.

\* Again I reiterate, I do not support this re-zoning amendment C174 with regards to my property at [REDACTED] [REDACTED]

This is not a good thing for my property, & eventually, the extended street-scape which will be under 2 different zoning controls .

Should you require any additional information, clarification of any comments I have made, do not hesitate to contact me.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

# Submission #23



Human Habitats  
424 / 838 Collins Street  
Docklands VIC 3008  
www.humanhabitats.com.au  
03 9909 2202

24 January 2019

The Manager  
Strategic Planning Department  
Submission to Amendment C174  
Moreland City Council

By email: [strategicplanning@moreland.vic.gov.au](mailto:strategicplanning@moreland.vic.gov.au)

Dear Sir / Madam,

## **AMENDMENT C174 - MORELAND PLANNING SCHEME** **[REDACTED] (PROPOSED SERIAL LISTING)**

We act on behalf of [REDACTED] in relation to the land at No. [REDACTED] East. Our clients are the owners of this property and this is their primary place of residence. Notification has been received from Council advising that their property is proposed to be included in a Heritage Overlay as part of Amendment C174 to the Moreland Planning Scheme.

Human Habitats Pty Ltd has been engaged to thoroughly review the documentation provided by Council, in addition to background heritage studies, in order to determine the appropriateness of Council's proposed changes to the Moreland Planning Scheme. In light of our review, we write to advise Council that our clients are strongly opposed to the inclusion of their property in the Heritage Overlay and respectfully request that Council exclude No. [REDACTED] from this process.

The principal concerns to the introduction of a Heritage Overlay are as follows:

- We have a fundamental concern with the premise that the subject dwelling was built specifically for the purpose of a War Service Home. And whether the dwelling is of any *historical* significance at all. This is of critical importance, as the imposition of a Heritage Overlay has the potential to limit the development potential of the subject land and could create a significant economic burden for the land owners. With regarding to the questionable historical significance, we note the following:
  - o We have reviewed The Moreland Heritage Gap Study (MHGS) and Heritage Citation Report and understand that the War Service Homes concept was a Commonwealth initiative to *'provide housing for returned soldiers of World War I'*. The purported heritage attributes of No. 183 Stewart Street are as of much historical significance as they are aesthetic (if not more) and therefore it is of absolute importance that there is no ambiguity around the historical facts, particularly the reasons the dwelling was constructed.
  - o At page 40 of the MHGS, it is confirmed that there is no evidence that the government ever purchased the land to deliver this dwelling for the specific purpose of *providing* a War Service Home. Mr Donald Askil owned the land on the northern side of Stewart Street until 1920 when he sold the land to the Norther Timber Mills. From what we can ascertain, there is no evidence



that the dwelling was constructed by Northern Timber Mills for the purpose of a War Services Home. We understand that there have not been any contracts located which confirm that Northern Timber Mills were under contract to provide War Service Homes as part of this Commonwealth Government initiative. Once the dwelling was completed, it was sold on the open market and the purchaser of the dwelling independently took out a mortgage to the War Services Homes Commission. We understand that this was commonplace at this time. We emphasise that taking out 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. We understand that it is only the 'provision' of these homes for the specific purpose of War Service homes that is of important historical significance. Unless Council can find more evidence that the dwellings constructed by the Northern Timber Mills was done so specifically as a War Service Home, we are of the strong view that a link cannot be made. Given the serious impact that a Heritage Overlay would have on our clients' land, it is our view that there is too much ambiguity for Council to carry forward the proposal to include a Heritage Overlay over this property in light of the limited evidence available.

- We understand that over 20,000 war service homes were constructed throughout Australia in the 1920s and 4,000 of these homes were constructed in Victoria. In light of these large numbers, it would make sense for exceptional examples of these dwellings to be protected, however, dwellings which have been altered over time (such as this one, as outlined below), and in poor structural condition should not be burdened with the same protection or strict heritage controls.
- Council's Heritage Citation report identifies that some of the War Service Homes (Timber Houses) are also of 'aesthetic' heritage significance to Moreland City Council. We have serious reservations about whether this dwelling has the necessary architectural qualities of a building that should be given heritage status. We confirm that the dwelling has been substantially altered overtime. Numerous alterations have eroded the aesthetic heritage qualities of the building. We are concerned that only a superficial assessment of this dwelling has been undertaken by Council and as such, many of the alterations that have been made to the dwelling have been overlooked and are not picked up in the background studies.

We draw Council's attention to the corner block location of the property which further accentuates the various architectural interferences that have been made over the decades. We confirm that the following modifications have been made:

- o A large window has been introduced to the eastern façade. This window is positioned to the northern side of the inset porch. This window has a non-original metal window frame and is much larger than the original windows. This introduced window is very prominent from the side frontage and clearly visible from Taranaki Avenue. This major alteration to one of the primary street facades has a detrimental impact on the overall appearance of the dwelling.



Figure 1 - View of non-original window on eastern elevation



- o The original chimney of the dwelling has been modified to incorporate the flue of an internal gas heater. As a result, the original copper pots that typically form part of the chimney design have been removed. The modified chimney is prominent from both the Stewart Street and Taranaki Avenue and as such, we believe this reduces the heritage aesthetic of the dwelling.

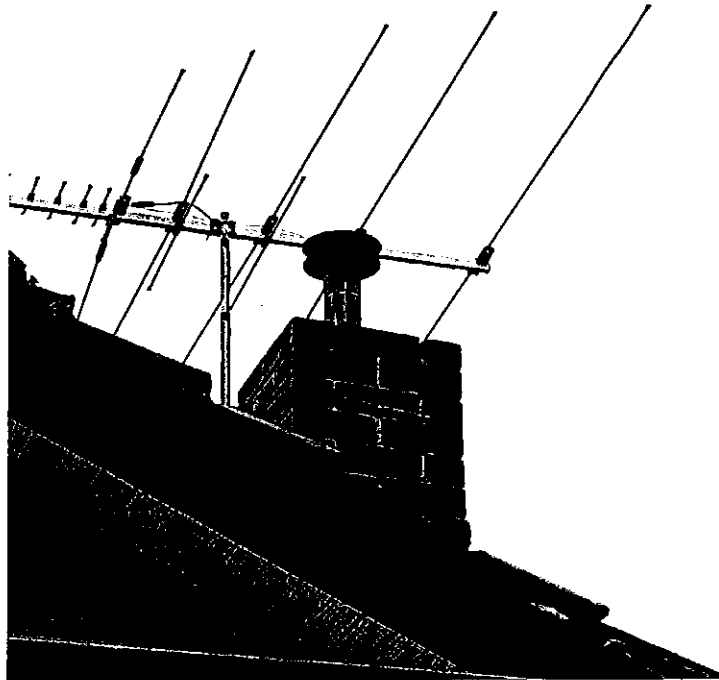


Figure 2 - Modified Chimney

- o A large lean-to extension has been added to the rear of the original dwelling. As a result of the the corner location, this structure is visible from Taranaki Avenue and further takes away from the heritage integrity of the dwelling. The roofline of the lean-to is entirely different to that of the original dwelling.



Figure 3 - Lean-to visible at rear of dwelling



- o The boundary fencing to both [REDACTED] has recently been constructed within the last two years. This fencing is not a re-creation of the original fence style and therefore introduces another architectural style which has a further impact on the original dwelling design.



Figure 4 - Non-original fence

- The Heritage Citation Report notes that No. [REDACTED] is identified as being of heritage merit due to its 'Floating Gable' architectural style. The report states that two other properties are important as they have a similar design [REDACTED] the dwelling occupying No. [REDACTED] [REDACTED] has been excluded from the proposed Heritage Overlay due to 'non-original windows'. We submit that the extent of the alterations to No. [REDACTED] go beyond those of No. [REDACTED] [REDACTED] and therefore to apply the same level of consistency, Council should also exclude [REDACTED].
- The existing dwelling is in very poor structural condition. Prior to my clients purchasing the property, the property was very poorly maintained. From our site inspection, many elements of the building are beyond repair and would need to be re made. This would be a significant financial burden on our client. The following issues have been identified:
  - o All original window frames are rotten (Figure 5)
  - o Some glass panes are cracked (Figure 6)
  - o Many original roof tiles are cracked and need to be replaced
  - o Timber shingles fronting Stewart Street are rotten (Figure 7)
  - o Supporting pillar near entry is leaning severely (Figure 8)
  - o Under side of eaves decaying (Figure 9)



Figure 5 - All original window frames are rotten



Figure 6 - glass panes are cracked



Figure 7 - Timber shingles fronting [redacted] are rotting



Figure 8 - Supporting pillar near entry is leaning severely



Figure 9 - Under side of eaves decaying

- The property was purchased following thorough due diligence by our clients with the expectation that the dwelling could one day be demolished without the need for a planning permit. Their vision was to eventually rebuild a dwelling on the land that was of exceptional environmental efficiency. The introduction of a Heritage Overlay will make demolition of the existing dwelling more difficult and if some or all of the dwelling needs to be retained, then the costs associated with upgrading the original elements to higher environmental standards (e.g. energy efficient double-glazed windows etc.) will be significant. The retrofitting of the original dwelling to meet these high environmental standards may also further erode the heritage aesthetic of the building. A key objective of Clause 22.08 (Environmentally Sustainable Development) of the Moreland Planning Scheme is:

*'The overall objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.'*

It is considered that the retention and making good of a poor-quality dwelling with disputed heritage qualities is at odds with Council's own local planning policy and will not result in the best environmental outcome.

In light of the above, it is our view that Council's proposal to introduce a Heritage Overlay to [REDACTED] is based on ambiguous historical evidence. In addition, the dwelling has been substantially altered over time which has eroded the heritage integrity which it may have had if these significant changes had not been made. Finally, the dwelling is in a state of poor repair and the its restoration would be cost prohibitive.



Given the significant burden that a Heritage Overlay would have on our clients, we respectfully request that Council removes this property from proposed Amendment C174. We request that we are kept informed of this Planning Scheme Amendment as it progresses.

Should you have any queries, please do not hesitate to contact the undersigned on [REDACTED] or by email at [REDACTED]

Yours sincerely,

[REDACTED]  
Director