

Amendment C304

Stonnington Planning Scheme

**Statement of heritage evidence for
PLANNING PANEL**

**Proposed Heritage Overlay controls over individual heritage places,
new heritage precincts and extensions to existing heritage
precincts**

September 2021

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Instructed by

Marcus Lane Group

Prepared for and on behalf of

Stonnington City Council

Statement of Qualifications and Experience, and Declaration

Authorship

This statement has been prepared by Ms Anita Brady, Director, Anita Brady Heritage, PO Box 1108, Collingwood, 3066.

Qualifications and Experience

I hold a Master of Arts (Public History) from Monash University, and a Bachelor of Arts (Hons) from the University of Melbourne. I have been involved in cultural heritage practice and management for some 30 years in both the public and private sectors. I commenced my career in c.1990 with the (then) Department of Conservation Forests and Lands, working on heritage places on public land, reserves, state forests and in National and State Parks.

This early experience evolved to include heritage appraisals of private and government owned properties, assessments of works and development related impacts on heritage places, and strategic planning and policy development for heritage places. While employed at Heritage Victoria for four years, I was the principal author of the Victorian Heritage Strategy (May 2000), and Secretary to the Heritage Council's Policy and Protocols Committee. I have also published on cultural heritage matters.

I was employed by Lovell Chen (formerly Allom Lovell & Associates) from June 2001 until September 2018; was promoted to Associate Director in 2005 and Principal Heritage in 2017.

During my time at Lovell Chen, I was responsible for leading multi-disciplinary teams with expertise in architecture, history, archaeology and planning. I undertook numerous heritage assessments and appraisals of properties, heritage impacts assessments, authored reports on heritage matters for planning panels, prepared expert witness statements, and gave evidence before planning appeals tribunals. I also managed municipal heritage studies, gaps studies and reviews for local Government authorities, including the municipalities of Boroondara, Yarra, Yarra Ranges, Greater Bendigo, Port Phillip and Melbourne. In more recent times I have also undertaken peer reviews of heritage studies for municipalities, including the City of Yarra.

I was involved in the preparation of numerous conservation management plans, analyses and reports, for very diverse heritage places in Victoria and elsewhere in Australia. These places included private dwellings, Department of Defence and Australia Post properties, industrial heritage complexes, sports grounds and stadiums, large cultural landscape areas, and World Heritage Listed places such as the Royal Exhibition Building and Carlton Gardens and convict sites in Tasmania and Western Australia. I was also responsible for preparation of planning permit exemptions, to be Incorporated Plans, for the Cities of Yarra and Maribyrnong; and for a recent review of property gradings, precinct statements of significance and local heritage policies for the City of Melbourne.

Instructions

Initial instructions

My initial instructions on this matter comprised correspondence from Marcus Lane Group in late November 2020. The correspondence advised that Marcus Lane Group was acting for Stonnington City Council in respect of planning scheme Amendment C304 (this Amendment); and invited me to review the exhibited Amendment documentation; and consider and express my opinion as to whether I could support Council's position in pursuing the Amendment in its exhibited form.

Where I was not able to support the Amendment as exhibited, I was requested to provide high level recommendations about potential changes to the Amendment documentation which would enable me to support the proposed Heritage Overlay controls over the identified heritage places and precincts.

Subsequent instructions

In early December 2020, I received email correspondence from Marcus Lane Group in relation to submissions received by Council in response to exhibition of the Amendment. I was invited to review the submissions, and to respond to the issues raised in the opposing submissions.

In March 2021, I received further correspondence from Marcus Lane Group, updating me on the Amendment process, including the Council resolutions at its ordinary meeting of 1 March 2021, where Council resolved (amongst other things) to request the Minister for Planning to appoint a Panel to hear and consider submissions in relation to Amendment C304. I was also invited to:

- prepare a statement of evidence (this statement); and
- appear as an expert witness at the Panel hearing (this hearing).

In April 2021, I was advised of a change to the date of the Panel hearing, which was later confirmed for 12-15 October 2021.

Involvement in this matter

Following receipt of the initial instructions, I was engaged by Stonnington City Council in early December 2020, to undertake the peer review of the exhibited Amendment C304 documentation.

Around the time of my commencement of the peer review, I was also engaged by Council to review the submissions received in response to the exhibited Amendment, and to respond to the issues raised in the opposing submissions. At that stage, 48 submissions had been received by Council which included 10 opposing submissions. Later submissions were also forwarded to me for review, which included additional opposing submissions, up to and including the most recent submission 55.

The peer review of the Amendment documentation, and the review of, and response to, the opposing submissions (as received by that time) were completed in late January 2021.

Following receipt of the further instructions in March 2021, I commenced preparation of this statement of heritage evidence in relation to Amendment C304. In April 2021 I put preparation of this statement on hold, due to a change in the hearing date, and recommenced preparation in September 2021.

Note that, prior to being initially contacted by Marcus Lane Group and later engaged by Council to undertake the review work outlined above, I was approached by an owner of an affected property (a proposed contributory property in the recommended extension to the HO128 Palermo Estate Precinct). I was engaged by, and provided advice to, that owner on the proposed property grading and heritage control. The outcome of that engagement was completed before I commenced work on this project for Council. I also note that the property in question is not the subject of a submission to this Amendment and nor is it specifically addressed in this statement of heritage evidence.

Note also that, several years ago in my prior employment with Lovell Chen I provided what I recall as generally limited advice on potential works to the property at 1 Airlie Avenue, Prahran. That property is the subject of Submission 55, which is commented on and responded to below.

Summary of opinion

It is my opinion that the heritage studies and reports reviewed and commented on in this statement of heritage evidence, and which support this Amendment, are generally consistent - in their approach, methodology, content, use of assessment criteria, and format - with the Victorian Planning Practice Note 1, Applying the Heritage Overlay (August 2018, referred to below as the VPP Practice Note).

Having regard for the above, I support the Amendment C304 proposed Heritage Overlay controls, as outlined below at Sections 3.1 and 3.2.

At Section 3.3, I suggest some enhancements (mainly additional text) to several of the statements of significance. This is not to say that the statements are inaccurate or problematic, but rather that the

suggested additional text would, in my opinion, enhance the documentation, and strengthen and reinforce the significance as articulated in the citations.

Section 3.3 also includes some suggestions on adding further clarity to the citation for the HO150 Toorak Road Area Precinct.

In addition to the above, at Section 3.4 I question the proposed internal alteration controls for HO643 151 Finch Street, Glen Iris.

I also, at Section 3.5, question the proposed contributory heritage grading attributed to several properties.

Declaration

In submitting this statement, I declare that I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.



Anita Brady

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1.0 Introduction

1. This statement of heritage evidence was prepared for Marcus Lane Group on behalf of Stonnington City Council; and addresses Amendment C304 to the Stonnington Planning Scheme.
2. Amendment C304 seeks to implement the findings of several heritage investigations/heritage studies undertaken by various heritage consultants engaged by Stonnington Council, which recommended:
 - new heritage precincts (including some properties removed from existing precincts and incorporated into new precincts)
 - extensions and changes to existing heritage precincts
 - new individual heritage places
3. Note that in reviewing the Amendment documentation, and in reviewing and responding to the submissions received, I have largely relied on the historical and descriptive information included in the heritage study documentation/heritage reports including the precinct and individual place citations, together with inspections of the affected properties from the public realm.
4. I also sought, and obtained from Council's consultants, clarification on the scope of the studies in relation to existing precincts and property gradings. This is addressed and commented on at Section 4.0.
5. The Amendment also proposes several 'consequential changes' relating to the Neighbourhood Character Overlay, Design and Development Overlay and Schedule to the Activity Centre Zone. These changes are not addressed or commented on in this statement of heritage evidence.

2.0 Proposed Heritage Overlay controls

2.1 Heritage consultants

6. Citations for each of the heritage precincts (new and existing), and for the individual heritage places were prepared by the following heritage consultants (their specific involvements are identified in Section 2.2 and Section 2.3 below):
 - Ray Tonkin, in conjunction with GJM Heritage Pty Ltd
 - Context Pty Ltd
 - Landmark Heritage Pty Ltd
 - Built Heritage Pty Ltd
 - Bryce Raworth Pty Ltd.

2.2 Heritage Overlay precincts

7. The following include proposed new Heritage Overlay precincts which may incorporate properties with existing individual Heritage Overlay controls, or properties in existing heritage precincts from which they are proposed to be removed; and existing heritage precincts for which changes are recommended, including precinct name changes and extensions to the precinct boundaries to include additional properties:
 - **HO640 Brocklesby Precinct** (Ray Tonkin in conjunction with GJM Heritage Pty Ltd, citation date June 2019). This new precinct includes three existing individual Heritage Overlay places being 2B Erskine Street (HO533), 120 Kooyong Road (HO602), and 116 Kooyong Road (HO240).

- **HO641 Lee Terrace Precinct** (Context Pty Ltd, citation date June 2020). This new precinct was previously included in the HO150 Toorak Road (west of William and Claremont Streets) Precinct.
- **HO642 Chapel Street North Precinct** (Context Pty Ltd, citation date June 2020). This new precinct was previously partly included in the HO128 Cunningham and Oxford Street Precinct, with additional properties added to HO642.
- **HO178 Airlie Avenue Precinct** (Landmark Heritage Pty Ltd, citation date May 2020). This existing precinct is proposed to be extended to include additional properties.
- **HO128 Palermo Estate Precinct** (Context Pty Ltd, citation date June 2020). This existing precinct was formerly substantially included in the HO128 Cunningham and Oxford Streets Precinct; and is proposed to be extended to include additional properties.
- **HO386 Chomley Street Precinct** (Landmark Heritage Pty Ltd, citation date June 2020). This existing precinct is proposed to be extended to include additional properties.
- **HO150 Toorak Road Area Precinct** (Context Pty Ltd, citation date June 2020). This existing precinct, which was formerly known as the HO150 Toorak Road (west of William and Claremont Streets) Precinct, is proposed to be extended to include additional properties together with some removal of existing properties from HO150.

2.3 Individual places

8. The following places are recommended for new individual Heritage Overlay controls:
 - **HO643 151 Finch Street, Glen Iris** (Built Heritage Pty Ltd, amended citation date 20 July 2020)
 - **HO644 546 Orrong Road, Armadale** (Bryce Raworth Pty Ltd, n.d.)
 - **HO645 35 Larnook Street, Prahran** (Bryce Raworth Pty Ltd, n.d.)

3.0 Review of exhibited Amendment documentation

3.1 General comments on methodology and content of documentation

9. As a general comment, the heritage studies and reports reviewed and commented on in this statement of heritage evidence, and which support this Amendment, are generally consistent - in their approach, methodology, content, use of assessment criteria, and format - with the VPP Practice Note.
10. While the lay-out and formatting of the precinct and place citations, and the extent and detail of historical and other information included, tends to vary depending on the heritage consultant involved, this is not necessarily a criticism of the documentation which is, for the most part, comprehensive and includes the required content.
11. Regarding the methodology and the inclusions in the precinct/place citations, these indicate that the consultants involved:
 - undertook research which drew on a range of appropriate primary and secondary sources
 - prepared histories and identified relevant historical themes or thematic contexts
 - carried out field work (survey)
 - described the places and precincts

- assessed significance with reference to the HERCON assessment criteria and comparative analysis
- included a statement of significance in the required ‘what, how and why’ format
- graded the properties with reference to the City of Stonnington gradings of significant, contributory, or non-contributory (ungraded).¹
- mapped and listed the gradings in the precinct citations (including gradings schedules)
- identified defined areas or boundaries to sites and properties recommended for Heritage Overlay controls
- included recommendations on appropriate Heritage Overlay controls.

12. The above reflects a generally sound methodological approach.

3.2 Support proposed inclusion in the Heritage Overlay

13. Having regard for the above, and as per Amendment C304, the proposed inclusion of the following places (precincts and individual properties) in the Stonnington Heritage Overlay is supported:

- **HO643 151 Finch Street, Glen Iris:** Comment is made below on the proposed internal alteration controls for this property, which are questioned (see Section 3.4).
- **HO645 35 Larnook Street, Prahran:** Suggestions on enhancing the statement of significance are included below (see Section 3.3).
- **HO644 546 Orrong Road, Armadale:** Suggestions on enhancing the statement of significance are included below (see Section 3.3).
- **HO640 Brocklesby Heritage Precinct:** The precinct includes three existing individual Heritage Overlay places - 2B Erskine Street (HO533), 120 Kooyong Road (HO602), and 116 Kooyong Road (HO240) - and heritage properties without existing controls. The individual Heritage Overlay places are recommended, with this Amendment, to have their individual controls removed, and to be included in the new precinct with a significant grading. This approach is supported. The proposed precinct exhibits a strong heritage character derived from its collection of substantial historic properties which represent, as per the citation, ‘an upper middle class residential subdivision’. The precinct is also coherent in terms of its historical development; is of high integrity; and as per the assessment in the citation it has a ‘remarkably consistent collection of finely detailed and intact late Victorian/Edwardian residences’.²
- **HO641 Lee Terrace Precinct:** The precinct comprises properties in Avoca Street which were previously included in the HO150 precinct, known as the Toorak Road (west of William and Claremont Streets) Precinct, and proposed for a name change with this Amendment. Lee Terrace comprises the historic dwellings at 6-18 Avoca Street, South Yarra, which constitute a row of seven two- and three-storey masonry Italianate residences built in 1889-90, which are largely externally intact and of high integrity. The dwellings are all graded significant, and demonstrably relate to the

¹ Note that Stonnington’s Clause 22.04 Heritage Policy definitions do not include ‘non-contributory’ as a category of place; rather ‘ungraded’ is the definition.

² Citation for HO640 Brocklesby Heritage Precinct (Ray Tonkin, June 2019), p. 14.

historic residential development of Avoca Street, north of Toorak Road, rather than to the commercial development on Toorak Road. The dwellings also address Avoca Street, and not Toorak Road. On this basis, removing and separating the dwellings from the largely commercial HO150 precinct is supported.

- **HO642 Chapel Street North Precinct:** The precinct comprises historic commercial properties on Chapel Street and Toorak Road, which date from 1890 to 1925, and which were previously included in the HO128 precinct, known as the Cunningham and Oxford Streets Precinct, and proposed for a name change with this Amendment. The precinct is also proposed to be extended to include properties at 248 and 250 Toorak Road and 575-593 Chapel Street; and to remove the Capitol Grand property from the Heritage Overlay. The precinct has good integrity and generally intact sections of the street are included in the precinct. The proposed contributory grading of 252 Toorak Road, being a modern commercial/retail building, is questioned below (see Section 3.5), albeit the property is recommended to be retained in the precinct.
- **HO178 Airlie Avenue Precinct:** This is an existing precinct for which an extension is proposed for sections of High, Chomley and Willis streets. While there is some non-contributory development in the additional sections of High and Chomley streets, this is generally comparable with existing extents of non-contributory development elsewhere in the precinct. The additional section of High Street is also part of the historical development of the precinct, including the development pattern on High Street. While the precinct largely comprises residential development from the Victorian and Federation eras, with some interwar development, there are 'adjacent groups of shops and houses along High Street'.³ The proposed additional section of High Street includes the shops at 546-552 High Street (west end of the street as included in the extended precinct) and these complement the historic shops at 602-610 High Street (east end of the street as included in the existing precinct). The two sets of historic shops could be seen to 'book-end' the commercial section of High Street in the precinct, with mostly residential development in between, and the bulk of the precinct's residential development to the south. The proposed contributory grading of 554A High Street, Prahran, is questioned below (see Section 3.5), albeit the property is recommended to be retained in the precinct.
- **HO128 Palermo Estate Precinct:** This precinct was formerly included in HO128 Cunningham and Oxford Streets Precinct, the boundary of which has been revised to exclude commercial properties on Chapel Street and Toorak Road (now proposed for inclusion in the new Chapel Street North Precinct); and to include additional properties on the south side of Palermo Street in a precinct extension. The commercial properties proposed for removal relate more appropriately to the Chapel Street North Precinct; while the additional residential properties in Palermo Street, which include modest Victorian and Federation dwellings, relate to the historical residential development of the existing precinct. The latter includes mostly Victorian-era workers' housing located in sections of consistent streetscapes and/or homogenous groupings. The worker's housing generally is associated with different local periods of expansion and economic activity. While the expanded precinct will have a mixed heritage character, this is not unusual in Stonnington where other precincts combine nineteenth and early twentieth century development.
- **HO386 Chomley Street Precinct:** This precinct is proposed to be extended to the north, on Chomley Street, and to the west to include a section of Packington Place. The heritage value of the precinct derives from the collection and concentration of

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Citation for HO178 Airlie Avenue Precinct (Landmark Heritage Pty Ltd, May 2020), p. 10.

generally similar or complementary Edwardian properties on the west side of Chomley Street. While they may vary in size and materials, they demonstrably date from the Edwardian period, with most having been constructed in a short period in the 1910s. The northern extension to the precinct maintains and extends this significant characteristic and reinforces the precinct's unusually high degree of integrity. As per the citation's statement of significance, the precinct is 'remarkably intact' with a 'cohesive collection of Edwardian semi-detached and villa housing'.⁴

- **HO150 Toorak Road Precinct:** This precinct is proposed to be extended at the western end, together with the boundary revised to exclude Lee Terrace (to form the new HO641 Lee Terrace Precinct) and to remove the South Yarra Siding Railway Reserve. These removals are supported, as is the inclusion of the additional western end of Toorak Road, with the properties between Punt Road and Caroline Street being very much part of the historical development of the precinct. Further, this section of the street was developed early in the history of the precinct, which gives weight to the inclusion of these properties and reinforces the historical significance of the precinct. The precinct includes non-contributory development, albeit this is generally not extensive. Achieving a balance between retaining and excluding non-contributory properties in a heritage precinct is a difficult exercise, made more so in a commercial precinct where there is often significant economic pressure to redevelop properties. The inclusion/exclusion is also often decided with reference to the location and context of the non-contributory development, and the important consideration of controlling future development of these sites to the advantage of the precinct and its heritage significance and character. In this case, the inclusion of the non-contributory development in the subject precinct is acceptable. Suggestions on enhancing the statement of significance are included below, together with suggestions on adding further clarity to the citation (see Section 3.3). The proposed contributory grading of 37 Toorak Road, South Yarra, is questioned below (see Section 3.5), albeit the property is recommended to be retained in the precinct.

3.3 Suggested enhancements/additional text for statements of significance

14. As noted, this statement also includes some recommended enhancements, or additional text, to several of the statements of significance included in the heritage study documentation and citations. The enhancements are aimed at improving the documentation including, and especially, strengthening and reinforcing the significance as articulated in the citations. Some additional clarification and/or consistency is also recommended.
15. These are as follows:
 - The statement of significance in the citation for **HO645 35 Larnook Street, Prahran** is recommended to be expanded to highlight more about the significance of the property, including under the heading 'Why is it significant?'. The body of the citation includes more information, including about the 'dearth of heritage overlay listings for post war modernist houses in Stonnington', which could be added to/included in the statement to support and reinforce the significance.
 - The statement of significance in the citation for **HO644 546 Orrong Road, Armadale** is recommended to be expanded to highlight more about the significance of the property, including under the heading 'Why is it significant?'. This could be enhanced with further reference to the significant attributes of the architecture and design described elsewhere in the citation.

⁴ Citation for HO386 Chomley Street Precinct (Landmark Heritage Pty Ltd, June 2020), p. 12.

- The statement of significance for the **HO150 Toorak Road Precinct** is recommended to be expanded to highlight more about the significance of the western end of Toorak Road, which has been added into the precinct. The properties at the western end, between Punt Road and Caroline Street, are very much part of the historical development of the precinct, and their inclusion is supported. They are also, according to the citation, in an area associated with the earliest commercial development in Toorak Road. It is recommended that the statement of significance be enhanced with additional emphasis on, and reference to, this area of Toorak Road, potentially including reference to the western end as:
 - An important entry point to Toorak Road (originally known as Gardiners Creek Road) which was an early track connecting St Kilda Road in the east with Gardiners Creek in the west, and an early east-west route to Dandenong.
 - The first road in the Parish of Prahran to be graded and surfaced, in c.1854.
 - Of strategic importance in providing entry off Punt Road, with the historic hotel on the opposite corner (current hotel dates from the 1890s but replaced the much earlier South Yarra Inn of 1853) being a ‘commercial landmark of the burgeoning settlement at Gardiners Creek Road [and] providing accommodation and refreshments for travellers’.
 - Accommodating 1860s commercial development on the north side of Toorak Road, concentrated between Punt Road and Caroline Street.
- It is also suggested, in the interests of consistency, that the citation when referring to properties avoid the use of descriptors or categories such as ‘notable’ places which are outside the Stonnington definitions of significant, contributory or ungraded. The citation also, variously, includes lists of properties under different headings. Again, in the interests of clarity and consistency, it is preferred that the ‘Precinct Gradings Schedule’ is the principal list in the citation and the principal source of information on the stand-out buildings in the precinct – being those with a significant grading. It may also be that, to encompass the analysis which has gone into the various lists, additional brief comments are added to the buildings and properties listed in the Schedule.

3.4 Comment on proposed internal control for HO643

16. The proposed internal Heritage Overlay control for the new individual heritage place **HO643 151 Finch Street, Glen Iris** is questioned. The current level of intactness of the interiors of the 1970s house is unclear, and the relative significance, which should be the basis for the application of the internal controls, is not known. There is an absence of comparisons with other private dwellings in Stonnington which have internal heritage controls (three houses out of six properties with internal controls are listed in the Stonnington Heritage Overlay), and an absence of information on how the subject interiors compare with other architecturally significant and distinguished Modernist (including 1970s) houses in Stonnington which may have surviving intact interiors. Accordingly, there is a ‘gap’ in the understanding of the relative significance of these interiors. There is also the VPP Practice Note which emphasises caution when considering internal controls, stating that they ‘should be applied sparingly and on a selective basis to special interiors of high significance’.⁵ The understanding of what represents ‘high’ significance and ‘special’ interiors needs a comparative basis on which to assess these relative

⁵ Victorian Planning Practice Note 1, Applying the Heritage Overlay (August 2018), p. 4.

concepts, and without this understanding, it is difficult to conclude with confidence that the internal controls are warranted in this instance.

3.5 Queried gradings

17. Several proposed gradings of properties are queried here.
18. In the first instance, the proposed contributory grading given to the large retail building at **252 Toorak Road, South Yarra** (Figure 1) as included in the HO642 Chapel Street North Precinct, is questioned. This is the Country Road building, constructed in 1993. As per the HO642 precinct citation:

The large retail building at 252 Toorak Road is considered Contributory. Built in 1993 to a design by prominent Melbourne architects Metier3, this building is a sophisticated example of infill design that responds sensitively to the neighbouring two-storey Victorian and Edwardian shops. Maintaining the two storey built form of the streetscape the building responds to the modular rhythm of the neighbouring shops and is divided into seven equal bays along Chapel Street and three bays along Toorak Road that are separated by a modern interpretation of engaged pilasters supporting an entablature above.⁶

19. While acknowledging the above description, the building at 252 Toorak Road is not part of the period of significance for the rest of the precinct, which is identified in the statement of significance as 1890 to 1925;⁷ and nor is it part of the valued historic shops and development which, again as per the statement of significance, represent an 'illustration of popular commercial architectural styles of the Victorian, Edwardian, and interwar periods'.⁸ It does represent a successful example of modern infill in a commercial heritage streetscape, but this does not translate to heritage value in the context of this precinct; and the building could reasonably be replaced with another good modern infill building without detracting from or diminishing the heritage value of the precinct or removing one of the contributory buildings constructed in the period 1890 to 1925. The property at 252 Toorak Road is considered to be non-contributory, albeit its retention in the precinct is recommended.
20. Another contributory grading is questioned here, being the proposed contributory grading of the property at **554A High Street, Prahran** (Figure 2) which is included in the extension to the HO178 Airlie Avenue Precinct. This grading is not agreed with, largely due to the significant extent of visible change which has occurred to this building and property, although its retention in the precinct as a non-contributory property is supported. This is commented on in more detail below at Section 5.12, in response to Submission 52.
21. It is also noted that **37 Toorak Road, South Yarra** (Figure 3) as included in the additional western section of the HO150 Toorak Road Precinct, is identified as contributory in the Gradings Schedule and described as 'Altered Victorian'. However, this building has been altered and currently displays very little in the way of heritage character. The contributory grading of this building is therefore questioned, although its retention in the precinct as a non-contributory property is supported.

⁶ Citation for HO642 Chapel Street North Commercial Precinct, Context Pty Ltd, June 2020, p. 14.

⁷ Citation for HO642 Chapel Street North Commercial Precinct, Context Pty Ltd, June 2020, p. 17.

⁸ Citation for HO642 Chapel Street North Commercial Precinct, Context Pty Ltd, June 2020, pp. 17-18.



Figure 1 252 Toorak Road, South Yarra



Figure 2 554A High Street, Prahran



Figure 3 37 Toorak Road, South Yarra

4.0 Scope & approach of studies

22. As part of the review of the exhibited Amendment documentation, there were several aspects to the studies about which I sought clarification, including the approach to the boundaries of the existing heritage precincts and to the grading/re-grading of properties.
23. Responses were provided by the heritage consultants involved in reviews of the HO178 Airlie Avenue and HO386 Chomley Street precincts; and the Palermo Estate (HO128), Toorak Road, South Yarra (HO150) and Chapel Street North (HO642) precincts.
24. Their responses are not reproduced in detail below but are summarised/paraphrased in dot points.

4.1 Precinct boundaries

25. Regarding the approach to the existing precinct boundaries, clarification was sought about the scope of the assessments in relation to possible extensions/additions to the precincts, and also possible reduction of precinct boundaries (i.e. removing properties from existing precincts).
26. The consultant for the review of HO178 and HO386 advised:
 - The brief from Council did not expressly include a review of the existing precinct boundaries in regard to potential reduction, but did expressly include the assessment of potential precinct extensions. This scope was a continuation of previous work by GJM Heritage that recommended inclusion of a number of places in the Heritage Overlay through an extension to the HO178 and HO386 precincts.
 - In addition, one of the objectives of the work was to confirm the areas of significance and the appropriate extent of the boundaries of HO178 and HO386.

- Therefore, while the principal aim of the brief was the assessment of potential precinct extensions, there was the opportunity to make additional recommendations regarding the existing precincts. However, the consultant as part of this assessment did not consider it necessary to recommend reductions to the HO178 and HO386 precinct boundaries.

27. The consultant for the review of HO128, HO150 and HO642 advised:

- The brief from Council was to confirm the areas of significance of the boundaries of HO150 and HO128.
- The review of HO150 took several considerations into account including State projects in the precinct area and any changes (buildings, works or demolitions) within the precinct since 2016.
- The review of HO128 Cunningham and Oxford Street Precinct included consideration of whether any extensions or reductions to the precinct were warranted.

28. The above responses to the clarifications sought about precinct boundaries are considered satisfactory.

4.2 Property gradings

29. Regarding the gradings of properties in the precincts, clarification was sought on whether the scope included review of property gradings in the precincts, if there was a summary of the re-graded properties, and if there was any written explanation or justification for re-grading the properties.

30. The consultant for the review of HO178 and HO386 advised:

- The brief from Council did not specifically request a review of the property gradings in HO178 and HO386 but did require updating of the existing precinct citations including the statements of significance and property schedules.
- In carrying out the field survey of the two existing precincts, as well as the potential extension areas, it was found that some current gradings were in error (for example, contemporary buildings graded contributory) with others not in keeping with Stonnington's current definitions of significant and contributory.
- Only those buildings which stand out within the precincts retained their B/significant grading; many B graded properties were re-graded to contributory; and several properties were changed to ungraded or non-contributory.
- One existing non-contributory property was re-graded to significant, being 1 Airlie Ave, Prahran (the property addressed in Submission 55, see Section 5.14 below).
- The consultant provided a table of the properties which were re-graded.

31. The consultant for the review of HO128, HO150 and HO642 advised:

- The brief from Council requested a review of existing gradings for properties in the HO150 precinct. Some non-contributory properties were re-graded contributory and are identified in the consultant's response (it was also observed during this review of the precinct documentation that some higher graded properties in HO150 were re-graded to contributory).
- Regarding HO128, each property was assessed and graded afresh as part of the precinct review work.
- Council was provided with documentation relating to the re-grading of properties.

32. The above responses to the re-grading of properties are considered satisfactory. While the approaches to the re-grading of properties may have differed from precinct to precinct, this is understood to have reflected several factors including the date of the original precinct and property assessments (some gradings, as per HO150, were assigned in the 1980s); and the extent to which development and change were known to have occurred in the precincts.

5.0 Review of and response to submissions received by Council

33. This section of the statement includes a review of, and responses to, the submissions received by Council in relation to exhibition of Amendment C304. 55 submissions have been received to date, with the majority expressing support for the Amendment and the proposed Heritage Overlay controls. The submissions in support are not addressed here. However, the submissions which oppose the Amendment, oppose the proposed Heritage Overlay controls, and/or raise other issues of relevance to the heritage considerations such as the grading of properties and the like, are addressed below. Note also that matters and issues identified in the opposing submissions which go to economic impacts, effects on future development, repairs and the cost of restoration/conservation, planning processes and timing for applications, or other non-specific heritage issues are not commented on here. Also not commented on are suggestions or recommendations for further heritage controls or additional heritage studies, which are beyond the scope of the current Amendment and this review of submissions.
34. Submissions are identified by their number (as allocated by Council) and their address. The issues raised are summarised and/or paraphrased as dot points (not all are direct quotes), with comments and a response following. Note also that the response to submissions included below is largely based on the work completed in late January 2021, with additional responses included for the submissions lodged after that time. The photographs date from January or June 2021. Where additional images were intended to be taken for inclusion in this statement of evidence, but were not obtained due to Covid-19 related restrictions on movement, then Google streetview images have been used (and are identified as such).

5.1 Submission 8: 20 Willis Street, Prahran



Figure 4 20 Willis Street, Prahran

35. This is a contributory property in the extended area of the Airlie Avenue Precinct (HO178)

Issues

- Not concerned with the Heritage Overlay being applied to the front façade, as this will preserve the heritage and 'aesthetically pleasing visual landscape of Airlie Ave Precinct' as well as maintaining the value of properties within the area.
- Opposes the Heritage Overlay being applied to the whole block of the property at 20 Willis Street. None of the properties listed as contributory in Willis Street have a backyard which is visible from the street, and most of the properties in the Airlie Ave Precinct similarly do not.
- Applying the Heritage Overlay to the whole property is questioned for the impact it will have on minor works which do not impact the overall heritage aspect of Willis Street, given works would not be visible from the street.
- Fails to see how applying the Heritage Overlay to the whole property and not the front façade only will preserve the heritage of the area if most of the block is not visible from the street.

Comment/response

36. The proposed contributory grading of the property and inclusion in the extended precinct is supported.
37. The principle of applying a heritage control to the whole of a property, including a contributory property, is of long-standing, particularly in a residential Heritage Overlay precinct. Council's heritage policy (Clause 22.04) and Heritage Design Guidelines (2017, a reference document at Clause 22.04) address and provide for development and change to the rears of contributory properties, so this would still be achievable, subject to an appropriate heritage-sensitive design. The overall intent is to manage, and conserve, the front parts and principal presentation of contributory properties to the precinct, for the benefit of the heritage value and character of the precinct and of the heritage streetscape.
38. While the current rears of precinct properties might not be visible to the street, future development which is not appropriately controlled under the Heritage Overlay could be visible and could have an adverse or detrimental impact on the contributory building and the precinct. So again, the preference and practice are to include properties in their entirety – including land which is not visible from the principal street frontage - in the heritage precinct and subject to the Heritage Overlay controls.

5.2 Submission 20: 41-43 Toorak Road, South Yarra



Figure 5 41 (left) and 43 (right) Toorak Road, South Yarra
Source: Google streetview

39. These are contributory properties in the extended area of the Toorak Road Precinct (HO150).

Issues

- The properties are rated in the Precinct Grading Schedule as contributory [and] as having social significance (Criterion G).
- Insufficient comparative analysis and inadequate rigour has been applied to the properties to justify their rating as contributory and their inclusion in the Heritage Overlay.
- The bar for inclusion in a Heritage Overlay has been set at far too low a level for these properties; their inclusion is arbitrary, an overreach and not a proportionate response.
- The properties do not meet the threshold for heritage significance and are not worthy of Heritage Overlay protection.
- The statement of significance does not provide a sufficient heritage basis for the grading of the properties. The properties have a long and confused history and significance.
- The impact of the changed urban context on the properties has not been properly taken into account to justify applying the Heritage Overlay.

Comment/response

40. The proposed contributory grading of the two properties and inclusion in the precinct is supported.
41. The properties are within a larger precinct area which overall, and in its totality, is identified as being of local historic, aesthetic and social significance. The individual properties at 41-43

Toorak Road share these values in a general sense and are not specifically identified as being of social significance. The statement of significance in the precinct citation also states (under Criterion G) that 'the Toorak Road Precinct as a whole is...valued by the local community...'.⁹

42. The precinct citation is sufficiently rigorous in its comparative analysis. The affected properties are also within an area recommended to be included in an existing and reasonably longstanding precinct, and generally sufficient justification is provided in the citation for their inclusion. A detailed comparative analysis is not normally required to justify an extension to a precinct, particularly one where the additional properties (including 41-43 Toorak Road) are demonstrably part of the precinct's history and character.
43. The two buildings/properties are of contributory value to the precinct and do reach or meet the threshold required for this grading. In Stonnington, and as per Clause 22.04, the definition of 'contributory' is:

'Contributory places' means buildings and other places in a heritage precinct graded C which are contributory to the built form attributes and significance of a heritage precinct.
44. And the definition included in the Stonnington Heritage Design Guidelines is:

Contributory places - buildings and other places in a heritage precinct graded C which are contributory to the built form attributes and significance of a heritage precinct.
45. While the two buildings have not been attributed with the (formerly applied) alphabetic C grading, they otherwise fit these definitions. They display features and built form characteristics of the interwar (41) and Victorian (43) periods respectively, which contribute to the identified significance and heritage character of the precinct. The statement of significance in the citation 'captures' these, and related properties, within the broader significance identified for the precinct.
46. The impact of the 'changed urban context' on the properties has been 'properly taken into account', insofar as the citation acknowledges the general presence of 'contemporary developments' in and around the precinct area,¹⁰ with the precinct boundary drawn or defined in a manner which largely excludes the recent developments.
47. It is also the case that increasingly, in inner Melbourne, heritage precincts and particularly historic retail and commercial buildings and precincts are sometimes seen in close proximity to often substantial modern developments which offer significant contrasts in scale and built form character. However, via planning controls such as the Heritage Overlay, the valued heritage buildings and their contributory characteristics can continue to be retained and protected within the precincts.

⁹ Citation for HO150 Toorak Road Precinct (Context Pty Ltd, June 2020), p. 26.

¹⁰ Citation for HO150 Toorak Road Precinct (Context Pty Ltd, June 2020), p. 15 and elsewhere.

5.3 Submission 25: 566 Chapel Street, South Yarra



Figure 6 566 Chapel Street (at right of intersection), with 568-70 Chapel Street at left

48. This is a contributory property in the new Chapel Street North Precinct (HO642), moved from the existing and revised Palermo Estate Precinct (HO128).

Issues

- Identifies issues to do with the address included in the citation, for 566 Chapel Street, the broader site of which has been subdivided and strata titled.
- This building does not contribute to the heritage value of the area and should be removed from the Heritage Overlay.
- The retail block which is bounded by Chapel Street to the west, Oxford Street to the north, Forster Street to the east, and Palermo Street to the south, and which includes these properties, has no building which could be considered of either heritage value or contributing to the heritage of the area. However (the submitter agrees) that the block to the north of Oxford Street provides, in the majority, some heritage value and contributes to the heritage character of that section of Chapel Street.

Comment/response

49. The inclusion of the property in the new precinct is supported.
50. The grading is identified as contributory in the Precinct Gradings Schedule; it was previously graded A2/significant, according to the Victorian Heritage Database.¹¹
51. On the addressing issue, the precinct citation could be amended as described in the submission, to correctly denote the address of the property currently listed as 566 as Lot 1, 566 Chapel Street.

11 <https://vhd.heritagecouncil.vic.gov.au/places/151152>, accessed 22 September 2021

52. The retail block described in the submission (bounded by Chapel Street to the west, Oxford Street to the north, Forster Street to the east, and Palermo Street to the south) is largely excluded from HO642, save for the subject building at 566 Chapel Street.
53. Regarding the contributory value of the building, it is a late Victorian commercial building on the corner of Chapel and Oxford streets, with a splayed corner form and Italianate detailing. The precinct boundary reaches across Oxford Street to capture this building.
54. It has a largely intact first floor corner presentation, altered ground floor, with the original building retained to a depth of some 10m to 12m from the west (façade to Chapel Street) to the east, with the north elevation also retained to Oxford Street. It is demonstrably of the significant period of the precinct. The splayed corner form also 'speaks to' the splayed building at 568-70 Chapel Street on the opposite (north) corner of Oxford Streets.
55. While it is somewhat isolated from the precinct due to being on the south side of Oxford Street, the corner presentation and relationship with 568-70 Chapel Street opposite, and the resulting distinctive entry to Oxford Street, are sufficient to justify its retention in the precinct.
56. The Heritage Overlay mapping appears to reflect the original extent of the corner property. The fact that it includes modern development to the east side of the retained part of the Victorian building should be acknowledged in any future permit application/development discussion. Retaining this extent in the Heritage Overlay will also allow Council to manage future development of this part of the site to the advantage of the contributory building and this corner and area of the precinct.

5.4 Submission 31: 177 Toorak Road, South Yarra (also known as South Yarra Square).



Figure 7 177 Toorak Road, South Yarra

57. This is a contributory property in the existing Toorak Road Precinct (HO150). It is also understood that the address includes 179 Toorak Road.

Issues

- Has concerns about the grading of the building as 'contributory' in the context of the precinct.
- The grading does not appear to have taken into account all the development occupying (associated with) 177 Toorak Road, nor provided justification or the reasoning for the grading.
- The extent of the proposed Heritage Overlay encompasses the full extent of the site's title boundary, while the extent of built form which dates from the 'Victorian Period' is limited to the southern portion of the site, and that built form has been subject to significant modification. On this basis, it is questionable whether this existing fabric even meets the relevant tests for the 'contributory' grading.

Comment/response

58. The continued inclusion of the property in the precinct is supported.
59. The grading is identified as contributory in the Precinct Gradings Schedule; it was previously graded B/significant, according to the Victorian Heritage Database.¹²
60. The objector is the owner of Lot 10 at 177 Toorak Road, which is located on the second floor of the 'Clock Tower' building, in the north-west corner of the site. This is a modern building and part of the redevelopment of the northern part of this large site, which includes (in its southern half) two substantial Victorian buildings which have been modified. The latter are understood to have originally been residences, with that on the east side (no. 179) shown in the historic MMBW plan as a duplex pair of dwellings.
61. The grading applies to the whole of the property, as is the common practice. This includes both the Victorian-era buildings, as well as later development including the modern building components which extend out to the Toorak Road frontage, and the modern development set back in the northern part of the property. This is not to say that the modern development is of heritage value, however the Victorian buildings retain sufficient of their heritage character and overall original form, including their substantial original roof form, as to be considered contributory. They are also in a section of Toorak Road which, save for the modern components on the subject site, substantially retains its heritage character, and they continue to 'contribute' to this character as distinguished by the Tudor Revival shops to the west and the imposing historic coffee palace to the east.
62. Further, the modern development which has occurred on this property 'framed' and retained views of these buildings from Toorak Road, together with the area associated with the original front setbacks to Toorak Road, and a clearly visible and considerable depth of the Victorian buildings within the redeveloped property. This aspect of the development helped to maintain the contributory value to the precinct.
63. While consideration could be given to revising the precinct boundary in this area, to exclude the modern development on the north of the property, such an action may result in potentially larger and more impactful development being constructed immediately behind the historic buildings in the south of the property. While there are high rise towers in proximity to the north, and adjoining the precinct boundary behind this property, there is still some separation (buffer) offered by the modern development on the northern part of 177 Toorak Road, including the building occupied by the submitter to this Amendment.

12 <https://vhd.heritagecouncil.vic.gov.au/places/153125>, accessed 22 September 2021

64. The precinct citation acknowledges the presence of ‘new high-rise development on the north side of Toorak Road’ which has provided ‘a contrasting urban scale to the massing of the original Victorian and interwar commercial buildings’ and ‘has impacted on the integrity and scale of this formerly nineteenth and early twentieth century streetscape’.¹³ Also, with reference to the north side of Toorak Road, east of Yarra Street (where 177 Toorak Road is located) and again as per the citation, the ‘relatively consistent scale is flanked by recent high-rise development, which while at a substantial set-back, has altered the backdrop to this formerly Victorian and interwar streetscape’.¹⁴

65. So again, retaining the whole of the subject property in the precinct is supported. It will also assist in moderating the impacts of any future development in the northern part of the property.

5.5 Submission 32: 33 & 33A Toorak Road, South Yarra

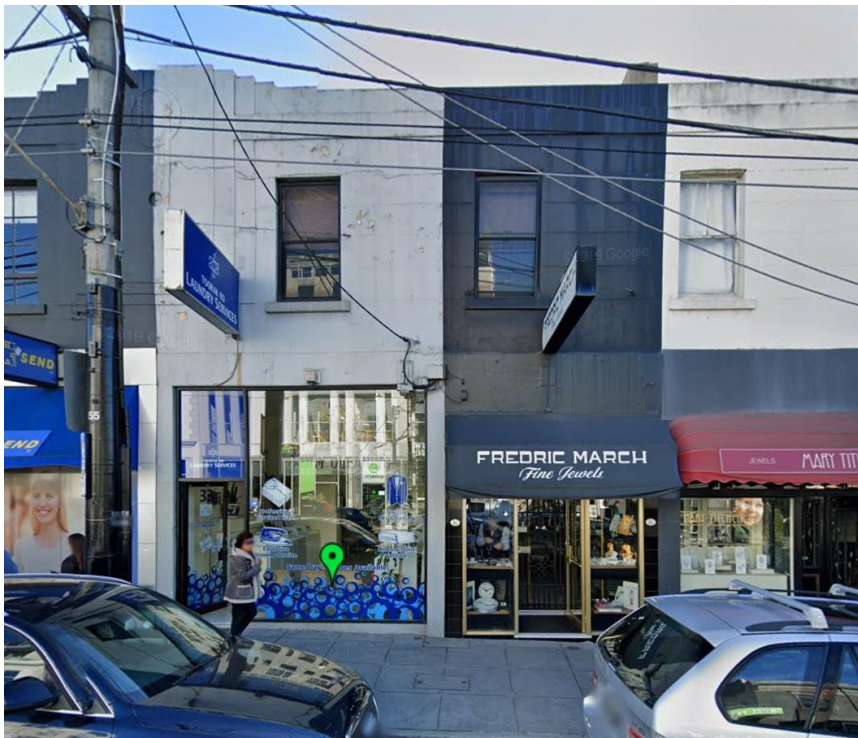


Figure 8 33 & 33A Toorak Road, South Yarra
Source: Google streetview

66. These are contributory properties in the extended area of the Toorak Road Precinct (HO150).

Issues

- Objects to the buildings being considered ‘heritage’.
- The buildings have modern shopfronts.
- Seeks reconsideration of the heritage listing.

13 Citation for HO150 Toorak Road Precinct (Context Pty Ltd, June 2020), p. 15.

14 Citation for HO150 Toorak Road Precinct (Context Pty Ltd, June 2020), p. 14.

Comment/response

67. The proposed contributory grading of the two properties and inclusion in the extended precinct is supported.
68. The pair are part of a row at 29-35 Toorak Road which is described in the Precinct Gradings Schedule as 'altered Victorian with interwar façade'. This description is agreed with. The citation also generally justifies the inclusion of these buildings in the precinct, and more broadly the addition of the north side of Toorak Road between Punt Road and Caroline Street, insofar as the subject section of streetscape is of sufficient intactness and of the period(s) of precinct significance.
69. However, as addressed above at Section 3.3, some enhancements to the precinct citation and statement of significance are recommended as a means of strengthening and reinforcing the significance as identified in the precinct citation. For HO150, further emphasis should be given to the significance of the western end of Toorak Road, which was the site of early commercial development including shops constructed on the north side of the road from the 1860s. The exact date of construction of these buildings, and this row at 29-35 Toorak Road, is not identified in the precinct citation other than to confirm they are Victorian. However, this clearly places them as nineteenth century buildings in area of Toorak Road which was subject to relatively early commercial development.
70. Regarding the modern shopfronts, the replacement of original or early shopfronts in historic commercial buildings in inner Melbourne commercial heritage streetscapes and precincts is common, and the survival of an original or early shopfront is rare. The contributory value of historic shops and commercial buildings is not normally diminished by having a later or modern ground floor façade. The first-floor façade of the row at 29-35 Toorak Road is more intact, albeit to its stripped back interwar character.

5.6 Submission 36: 83 Chomley Street, Prahran



Figure 9 83 Chomley Street, Prahran

71. This is a contributory property in the extended area of the Chomley Street Precinct (HO386).

Issues

- Owner is a long-time resident who has modified the house over the years to suit family purposes, including alterations and additions.
- While the external façade is Edwardian, there have been changes including painting brick walls, external window shutters and screens, external plumbing and electrical work, reconstructing the roof with corrugated sheeting, and building a front security fence, none of which are in keeping with the original style. The carport and all external structures are also not in keeping with any heritage style.
- The house is in 'significant disrepair'; will cause 'undue financial burden to undertake renovations'; and having to retain the façade would greatly impact any opportunity for future improvements or development and would not be viable.
- [While acknowledging it is contributory] The dwelling is not an aesthetically significant building, such that it warrants recognition or retention under a Heritage Overlay. If the architectural importance of the dwelling is not significant then making improvements does not make financial sense when the building is in this condition.
- There is a considerable aesthetic difference between this property and some of the adjacent buildings which have maintained the external façades in original condition.
- The dwelling does not make a positive contribution to the heritage values sought to be maintained.
- The dwelling is not important to the course of pattern of cultural or historical significance.
- There are other properties in Chomley Street which have been developed and not in accordance with any heritage style.

Comment/response

72. The proposed contributory grading of the property and inclusion in the extended precinct is supported.
73. The property is included in the proposed northern extension to the precinct and has a pedestrian link abutting its north side through to Packington Place. All the precinct properties are located on the west side of Chomley Street, with some (in the northern precinct extension) located on Packington Place.
74. The contributory value of the property is evident. While there have been some visible external changes, as identified in the submission, these are generally minor and/or reversible, and not normally enough to diminish the heritage value to the extent that it is no longer contributory. The house has also been overpainted.
75. The house is identified as a 'single-storey Edwardian house' in the Schedule of Gradings. Notably, all the graded dwellings in the precinct are Edwardian, and the precinct is unusually highly intact. While the subject house may not be as externally intact to the street as some others in the precinct, it is still demonstrably an Edwardian house which retains its overall original form and detailing and complements the adjoining double-fronted Edwardian dwellings to the south.
76. The subject property also adjoins the public walkway which links Chomley Street to Packington Place in the northern extension to the precinct. This adds to the property's visibility in the precinct, and the Edwardian character of the house helps to reinforce the link to Packington Place which shares the same development pattern as Chomley Street.

77. The dwelling does not need to reach the 'significant' grading to justify its inclusion in the heritage precinct. Most dwellings in Heritage Overlay precincts in Stonnington are graded contributory, and not significant. This is a long-standing and accepted approach to the identification and assessment of heritage precincts where individual houses or properties do not need to stand out. Rather, the heritage value of the precinct derives from the collection and concentration of – as is the case in this precinct - generally similar or complementary properties, where the individual properties 'contribute' to the overall heritage value. The contributory value of the property also derives from it being part of, and contributing to, the identified significance of the precinct, which is of historical and aesthetic heritage value.
78. There are modern developments in the street, but with one exception these are outside the precinct boundary, and mostly located on the east side of the street.

5.7 Submission 43: 9 Toorak Road, South Yarra



Figure 10 9 Toorak Road, South Yarra (two-storey building at centre)

79. This is a non-contributory property in the extended area of the Toorak Road Precinct (HO150).

Issues

- The property and the adjoining buildings to the immediate west at 1-3 Toorak Road are three buildings in a row, each located on the periphery of the precinct, and all non-contributory.
- Submits that the boundary of the proposed HO150 should be revised to exclude the property from the precinct.
- It is evident from the exhibited material that neither the property nor the adjoining non-contributory buildings are required as 'curtilage' within the proposed HO150.

- It appears that Council is relying on a geographically convenient location to draw the western boundary of the precinct, and that the exhibited documents do not specifically address the site nor provide any justification to warrant the inclusion of the site in the precinct.
- The subject building is a two-storey brick and render building which has been subject to significant façade modification, the effect of which provides a contemporary architectural presentation to the streetscape.
- The property has dual frontages to Toorak Road and Punt Road, which is contrary to the significant feature of the HO150 precinct, which is characterised by 'rectangular narrow lots historically subdivided from larger landholdings'.
- The exhibited statement of significance for HO150 identifies the area of Toorak Road 'between Punt Road and Clarendon Avenue' as one of four key commercial streets within the municipality. However, the areas of the precinct which are considered of particular aesthetic significance are specifically identified east of the site, including the northern side of Toorak Road between Avoca and Murphy streets and the southern side of Toorak Road between Myrtle and Macfarlane streets.
- The property does not maintain a direct interface with any individual 'landmark' buildings that are considered significant to the precinct, the nearest of which is the former hotel building to the south-east at 16 Toorak Road. Noting the separation between the site and significant areas of the precinct, the site also maintains a lesser relationship to the key features of HO150.
- The HO150 precinct has historically provided the local community with essential services (post offices, banks, shopping, food outlets) and the social significance of the precinct is 'the community's attachment to the area, which stems from its accessibility and convenient location, with people predominantly arriving on foot or via South Yarra Station at the opposite end of the precinct'.
- Seek the exclusion of the property from the precinct, given the building's lack of aesthetic contribution, separation from the heart of the precinct and numerous inconsistencies with the unique features outlined in the statement of significance.
- Council should specifically acknowledge that the property does not contribute any heritage significance to the precinct and that it was included to allow for greater consideration of impacts to adjoining heritage places in the event of its redevelopment.

Comment/response

80. The proposed inclusion of the non-contributory property in the precinct is supported.
81. The citation clearly identifies the property as non-contributory, and as such the building is acknowledged as not contributing to the heritage character or significance of the precinct. However, the site or location of the property is a different matter.
82. While the property fronts Toorak Road, and has its principal address to Toorak Road, the rear (north side) of the property has visibility to Punt Road across the undeveloped land (car park) to the rear of 1-3 Toorak Road. The subject property also has a rear lane/driveway which extends west from the back of the property to Punt Road. This is the 'dual frontage' referred to in the submission. However, the visibility to Punt Road is of no great consequence and there are other properties in the precinct which have access to rear lanes and divergent access ways. The rear

laneway is also specifically noted in the precinct citation¹⁵ as being evident in the 1855 Kearney Map. This then is not in conflict with the historical subdivision pattern of the precinct, and in fact appears to represent an early pattern at this western end of the precinct.

83. The citation also generally justifies the inclusion in the precinct of the north side of Toorak Road between Punt Road and Caroline Street, insofar as the subject section of streetscape is of sufficient intactness and of the period(s) of precinct significance. However, as addressed above at Section 3.3, some enhancements to the precinct citation and statement of significance are recommended as a means of strengthening and reinforcing the significance as identified in the precinct citation. For HO150, further emphasis should be given to the significance of the western end of Toorak Road, which was the site of early commercial development including shops constructed on the north side of the road from the 1860s.
84. While the subject property is part of several properties at the far west end of Toorak Road which are non-contributory, the group is small and does not represent a long run of non-contributory buildings. Including this extent of ungraded properties is not unusual for a heritage precinct, especially where the number of non-contributory properties in the precinct is not high (as is the case here) and the precinct overall includes a higher proportion of graded to ungraded properties (again as is the case here).
85. The group are also located at a strategically important corner and their inclusion will assist in managing and controlling future development at the west end of the precinct, and western entrance to the precinct off Punt Road into Toorak Road. The historical role of the western end of the road is also addressed in the precinct citation.
86. The property may not adjoin or be near significant graded buildings or landmark buildings, as cited in the citation, but again it does not need to be. It adjoins a largely contiguous run of contributory buildings (save for 17 Toorak Road), and this is an important consideration. These are important contributors to the precinct, and the relationship between the subject property and these buildings to the east is not a 'lesser' relationship.
87. The inclusion of this property will not impact on the social significance of the precinct. The precinct will continue to provide its services to the community, and to be valued for it. The citation should not go to the future development of the site, which is a permit issue and would be subject to the Heritage Overlay considerations.

15 Citation for HO150 Toorak Road Area Precinct (Context Pty Ltd), June 2020, p. 15

5.8 Submission 44: 96-100 Toorak Road, South Yarra



Figure 11 96-100 Toorak Road, South Yarra

88. This is a non-contributory property in the existing Toorak Road Precinct (HO150).

Issues

- Amendment misses an opportunity to remove an unnecessary planning control from the property which does not contribute to the significance of the heritage precinct.
- The property is effectively an island site, does not adjoin any properties of heritage value in the precinct and is not part of a run of similar properties which contribute to a uniform streetscape or street wall character.
- There is precedent in the precinct for removing non-contributory properties (cites the full block on the north side of Toorak Road between Murphy and Darling streets). The excluded block contains mostly contemporary buildings, and these developments have not impacted on the significance of the heritage precinct through visual bulk, street wall height or general architectural presentation.
- Other planning controls, such as ACZ1, include built form controls which provide appropriate guidance on future development including with reference to sites in or adjoining a Heritage Overlay; and requiring development to have regard for the heritage precinct irrespective of the application of the Heritage Overlay control to the property.
- Requests removal of the property from the precinct.

Comment/response

89. The continued inclusion of the non-contributory property in the precinct is supported.

90. This large non-contributory building on the south side of Toorak Road is an 'island' site, insofar as it adjoined by Myrtle Street (west) and Powell Street (east). Contributory buildings are

located to the west, with non-contributory properties to the east at 102 and 114-116 Toorak Road.

91. The three properties at 96-116 Toorak Road represent a run of non-contributory development in the precinct, an extent of non-contributory buildings broadly comparable to the half block on the north side of Toorak Road, between Caroline and Avoca streets, which has been added to the precinct with this Amendment. These extents of non-contributory development are generally acceptable, albeit towards the limit of what is preferable.
92. The block of non-contributory properties referred to in the submission on the north side of Toorak Road between Murphy and Darling streets was already excluded from the existing precinct prior to this review. It is also a large block – effectively an entire street block with multiple properties - and its exclusion from the precinct works in that it takes out a substantial section of the streetscape, rather than a smaller section which has largely been avoided with this precinct. Also, the fact that the excluded block has developments which have largely not impacted on the significance of the heritage precinct, is not a relevant consideration. The excluded block can continue to be redeveloped, subject to other planning controls and considerations, with the weight or emphasis given to the Heritage Overlay considerations more limited than if the block was included in the precinct. The outcome from a heritage perspective is also potentially less sympathetic if not moderately or even highly impactful. This comment also applies to the subject property at 96-100 Toorak Road, if it was to be excluded from the precinct; and to the submission’s suggestion of using other planning controls, such as ACZ1.
93. The precinct citation goes to recent developments immediately outside the precinct which have impacted on the precinct, and there is a possibility that properties such as this which are excluded from the precinct will continue this recent pattern.
94. As noted above, the inclusion of non-contributory buildings in heritage precincts is an accepted approach, where there is normally a benefit or advantage to the precinct through retaining the heritage controls over these properties in order to manage and control future development.

5.9 Submission 45: 151 Finch Street, Glen Iris (former Crossman House)



Figure 12 151 Finch Street, Glen Iris

95. This property is proposed for inclusion in a new individual Heritage Overlay (HO643), including internal controls.

Issues

- Property has been nominated to the Victorian Heritage Register (VHR), with a recommendation by the Executive Director of Heritage Victoria pending. Request Council to consider the property within the scope of C304, with a contingency arrangement subject to the outcome of the VHR nomination. But, in the event of the property not being included in the VHR, request Council to consider the local significance of the property 'in a more rigorous manner'.
- This is due to the property being proposed:
 - for an individual listing, and not within a precinct with collective groups of heritage properties, and that the place is distinct from its surrounding environment; and
 - for internal alteration controls which are an unusual proposal for a private residence.
- There are six other individual heritage places in Stonnington (i.e. of local significance and not on the VHR) with internal alteration controls, which indicates the proposed controls are rare.
- The submission refers to the Planning Practice Note on applying the Heritage Overlay, and in relation to internal controls this generally recommends caution and emphasises that such controls should be applied sparingly and to special interiors of high significance.
- The submission is critical of the heritage citation in that it describes original interior features as being intact and in excellent condition, but does not make the case for the interiors being 'an exceptional candidate worthy of internal alteration controls' and nor has it demonstrated the significance of the place, particularly its interior features, in relation to Criterion E and Criterion H.
- Should the property be considered worthy of internal alteration controls, then request that Council prepare an incorporated document, in consultation with the owner, to identify works which are exempt from the need for a planning permit, including maintenance, repairs, renovation, and works to improve accessibility and liveability.
- The absence of permit exemptions would contribute to a lack of clarity on what day-to-day works require a planning permit from Council.

Comment/response

96. The proposed individual inclusion of the property in the Heritage Overlay is supported.
97. The citation for the property is detailed and comprehensive and makes a strong case for individual inclusion in the Heritage Overlay. The house is demonstrably of heritage significance, and the citation clearly establishes this.
98. The proposed internal controls are not supported, as outlined above at Section 3.4.
99. It is also agreed with the submission that, should the internal controls be applied, an incorporated document be prepared which clearly identifies the internal works which can be undertaken without the requirement for a permit (permit exemptions). For a place at a local level of significance, it would be highly unusual for an owner to have to make an application to Council to update kitchens, bathrooms, furnishings, and the like. Scope for such works should be identified in the incorporated document.

100. Regarding the nomination to the VHR, it is noted that in January 2021 the Executive Director of Heritage Victoria in a ‘Statement of Recommendation’ to the Heritage Council, recommended that the property not be included in the VHR.¹⁶ The recommendation also stated that the Crossman House is not of State-level significance but may be of potential local significance and the Heritage Council may wish to refer the recommendation and any submissions (received in relation to the Executive Director’s recommendation) to the relevant planning authority for consideration for an amendment to the Planning Scheme. The recommendation also referred to Stonnington’s Amendment C304, as proposing an individual Heritage Overlay over the property, including internal controls.

101. On 2 September 2021, the Heritage Council advised Stonnington City Council¹⁷ that a Registration Hearing was held on 16 July 2021, and that the Heritage Council subsequently determined that the subject property not be included in the VHR. The Executive Director’s recommendation and copies of the submissions received, were referred on to Council for consideration in the Amendment.

5.10 Submission 48: 268-270 Toorak Road, South Yarra, and the rear of property known as 16 Forster Street, South Yarra



Figure 13 268-270 Toorak Road, South Yarra (268 is to the corner)

¹⁶ Statement of Recommendation from the Executive Director, Heritage Victoria to the Heritage Council of Victoria, 151 Finch Street, Glen Iris, 11 January 2021.

¹⁷ Correspondence from B Sproal, Heritage Council Secretariat, to J Weatherill, CEO, Stonnington City Council, 2 September 2021.

102. This property is a contributory property (pair of shops) which is proposed for the new Chapel Street North Precinct (HO642), moved from the existing and revised Palermo Estate Precinct (HO128).

Issues

- Submission identifies some confusion in understanding what is proposed for the subject property, in part arising from the correspondence received from Council and an error in the mapping of the new citation for the Chapel Street North Precinct.
- Contends that the property should not be included in the Heritage Overlay as the property is of little historical relevance:
 - 268 Toorak Road retains some 'pastiche' of its façade
 - 270 Toorak Road retains only 400 millimetres on the outside edges and the original capping fascia
 - 16 Forster Street was built 15 years ago
- Cites prejudice to commercial properties (such as this) which are in the area and are not five storeys or more; and includes examples of substantial developments in the area.
- The notion that heritage is being preserved here is 'romantic rather than realistic or practical', with the Heritage Overlay leaving 'a few tiny, scrappy, neglected shops amongst their significantly more upmarket neighbours'.

Comment/response

103. The pair of buildings at 268-270 Toorak Road should be included in the Chapel Street North Precinct.

104. The property is on the east side of Forster Street, corner of Toorak Road. The property includes two buildings, being 268 and 270 Toorak Road, a matching pair. No. 268 (to the corner) is more intact than 270, although the latter retains its overall original form and still reads as a match or pair to 268. The modern building at 16 Forster Street is to the rear and is set back a generous distance from Toorak Road. A substantial part of the original extent of 268 Toorak Road is retained and is visible on its west elevation to Forster Street.

105. The current Palermo Estate Precinct Heritage Overlay map includes both buildings, and it is understood that the pair was inadvertently left out of the map for the new Chapel Street North Precinct. It is also noted that the new precinct citation refers to '268' Toorak Road under 'Description' as in the precinct 'includes shops on the south side of Toorak Road (nos. 268-248)', but not to 270. Under 'What is significant?' the address of 248-266 Toorak Road is given, which is the single-storey building (one of a row of six built in c.1914) on the opposite (west) side of Forster Street, to the corner with Toorak Road and included in the precinct map in the citation; and that the precinct gradings schedule goes up to 266 but not to 268-270. The subject property is also not mentioned under the 'Place history' for 'Toorak Road', although Figure 3 in the citation reproduces historic maps which show the subject property.

106. In my opinion the pair at 268-270 Toorak Road should be included in the Chapel Street North Precinct. While they are separated from the precinct by Forster Street, they still read as part of the historic commercial streetscape in this section of the south side of Toorak Road and contribute to its heritage character. In views of Toorak Road, including from the west to the east, the pair are clearly part of the contributory development. They were also historically included in the previous precinct in this area, the Palermo Estate Precinct.

107. On the property grading, it is assumed that the consultants who prepared the citation intended the property to be graded contributory, in line with all other graded buildings in the precinct, although it is currently graded B/significant, according to the Victorian Heritage Database.¹⁸

108. Regarding 16 Forster Street, the modern development on the property located to the south side of the pair at 268-270 Toorak Road, this should be included in the precinct. Retaining this part of the property in the Heritage Overlay will also allow Council to manage future development of this part of the site to the advantage of the contributory pair and this area of the precinct.

5.11 Submission 51: 546 Orrong Road, Armadale



Figure 14 546 Orrong Road, Armadale

109. This property is proposed for inclusion in a new individual Heritage Overlay (HO644)

Issues

- Objects to individual inclusion of the property in the Heritage Overlay.
- The property is not of sufficient historical or heritage significance to justify the HO control, and no original architect has been identified.

Comment/response

110. The proposed individual inclusion of the property in the Heritage Overlay is supported.

111. The place citation is detailed, and generally provides sufficient information and documentation to support the proposed individual Heritage Overlay.

112. The property is not identified as having historical significance, but rather architectural significance with Criterion D cited, which is representative heritage value. The house is in the interwar Spanish Mission style.

113. It is accepted that the original architect has not been identified – as acknowledged in the citation – but the involvement of an architect or capable designer is reasonably assumed. In support of this assumption, the citation under ‘Comparative analysis’ includes a detailed

18 <https://vhd.heritagecouncil.vic.gov.au/places/151233>, accessed 23 September 2021

overview of the Spanish Mission style as applied in Melbourne. This includes reference to some of the prominent interwar architects who practised in the idiom in the Stonnington area; and to the more common 'domestic projects' of the speculative building companies (and builders) who by the late 1920s were applying Spanish detailing and materials in a largely superficial manner to otherwise standard bungalows. These, according to the citation, were projects 'in which architects were to have little or no direct involvement'.¹⁹

114. In contrast, the subject house is 'a much more thorough approach to the Spanish Mission style which carries Mission detailing across all facets of the design' and in this respect the house 'stands apart from the standard suburban villas in the mode in Stonnington which typically demonstrate a more superficial applique of ornament to achieve the Spanish Mission look'.²⁰ The citation also states (under 'History and historical context') that the house 'contributes to Stonnington's rich legacy of domestic architecture as a particularly fine and thoroughgoing example of the Spanish Mission style'.²¹ These comments, and the assessment of the architectural merit of the house, are agreed with.

115. Saying that, the statement of significance could be expanded to give greater emphasis to the significance. This is also recommended at Section 3.3 above.

5.12 Submission 52: 554A High Street, Prahran

116. Figure 2 in Section 3.5 above includes a photograph of this property.

117. This is a contributory property in the extended area of the Airlie Avenue Precinct (HO178).

Issues

- The building proposed for the contributory grading is at the rear of the site, with a single-storey shop constructed in c. 1969 in its front setback and integrated with the dwelling. The 1969 component is non-contributory according to the precinct Schedule of Gradings.
- The subject building was graded C in the Prahran Character and Conservation Study, 1992. C buildings were described in the 1992 study as 'either reasonably intact representatives of particular period [sic.] or styles, or they have been substantially altered but stand in a row or street which retains much of its original character. These buildings are considered to have amenity or streetscape value'.
- In 1999 Bryce Raworth Pty Ltd undertook a review of the heritage precincts or conservation areas in this part of Prahran (including Airlie Avenue, Prahran). Neither the HO area identified at that time nor the area recommended for future consideration at that time included the subject property.
- The property does not reflect the qualities of contributory graded buildings; in its current condition it does not contribute to the 'built form attributes and significance of a heritage precinct'.
- Submission does not agree with the description of the property in the citation, including referring to it as a 'fine house' with 'timber screen concealing the first-floor porch (which) appears to be externally intact'. The original single-storey wing to the front was removed to allow for construction of the shop; the upper-level screen does not conceal an intact first-floor porch but rather it conceals later windows which have

19 Citation for HO644 546 Orrong Road, Armadale (Bryce Raworth Pty Ltd, n.d.), p. 4 (not paginated)

20 Citation for HO644 546 Orrong Road, Armadale (Bryce Raworth Pty Ltd, n.d.), p. 4 (not paginated)

21 Citation for HO644 546 Orrong Road, Armadale (Bryce Raworth Pty Ltd, n.d.), p. 1 (not paginated)

replaced the original arrangement. There is no on-site evidence of the original ornate balustrade, swags or fretwork details to the front elevation. The situation is that the current presentation is one in which a later shop conceals the very-substantially altered dwelling to its rear.

- The precinct schedule of gradings should be changed to non-contributory and to reflect the current condition of the building and its almost total concealment by modern additions to the front.
- The dwelling to the rear has been altered to the extent that it has lost its ability to contribute in any meaningful way to the significance of the proposed extension to the Airlie Avenue Precinct HO178.
- The later shop is already identified as a non-contributory element.
- The submission also questions the inclusion of this area of High Street in the extended precinct, including with reference to previous studies which did not identify this area for inclusion. Further, regarding six buildings to the corner of Chomley and High Streets which would be included in the precinct, one may be significant/contributory (546-552 High Street) to the identified significance of the extended precinct but the others including the subject property do not. The precinct boundary should be amended to remove all of these buildings. If this occurred, the significant/contributory building at 546-552 High Street, on the basis of further detailed research and assessment, could be included in the Schedule to the Heritage Overlay as an individual HO.

Comment/response

118. The proposed contributory grading of the property is not supported. However, the retention of the property, as a non-non-contributory property in the section of High Street proposed to be added to the Airlie Avenue Precinct, is supported.

119. The submission refers to the outcomes of earlier heritage studies and reviews going back some 20 or more years, which did not recommend including this property or section of High Street in a heritage precinct (as is currently proposed). However, this is not necessarily a relevant consideration. It is reasonable for Council to review areas of historic development, and individual properties, using more contemporary heritage assessments. That has occurred here.

120. Saying that, the submission presents a strong argument against the contributory value of the subject building, based on the extent of change which has occurred. Having looked at the property from the street, the described extent of change in the submission is agreed with, insofar as what is visible. The current presentation is of a later shop concealing a substantially altered dwelling to its rear. The image of the dwelling in what is understood to be its largely original form, as included at page 7 of the submission, is compelling and reinforces the conclusion that the changes have been extensive. The image also indicates that the dwelling had an unusual design, with the single-storey gabled bay to its frontage, and an original front fence. Both the bay and the fence have been removed, with other changes made to the front of the building including at first floor and at ground floor where the original arched entry also appears to have been removed/relocated, and the 1960s shop constructed.

121. While it is the case that buildings graded contributory do not have to be highly or even substantially intact to justify the contributory grading, the building in this instance has a very low level of intactness, with its original presentation effectively transformed. That the works occurred to the front of the dwelling, and not to the rear where such change is normally more acceptable in heritage terms, further compromises the contributory value in this instance.

122. On the matter of the property remaining as non-contributory to the precinct, and this area of High Street being included in the precinct, it is considered that there is merit in this. The inclusion of this area in the extended precinct is also addressed as Section 3.2 above. The subject section of High Street is not as intact as most of the streets included in the precinct, although there are other sections of streets with generally comparable extents of non-contributory development.

123. This part of High Street is also demonstrably part of the historical development of the precinct which resulted in an area of primarily Victorian and Federation era residences, 'as well as adjacent groups of shops and houses along High Street' (as per the citation). Further, the proposed added section of High Street includes the shops at 546-552 High Street. Rather than removing these and adjacent development to the east from the precinct altogether and including the shops at 546-552 High Street in an individual Heritage Overlay (as suggested in the submission), the shops retention in the precinct complements the precinct. Further, the shops at the west end of High Street in the precinct complement the historic shops at the east end, at 602-610 High Street. Also, the two sets of historic shops could be seen to 'book-end' the commercial sections of High Street, with mostly residential development between. Retaining this section of High Street in the precinct will assist in maintaining and conserving the important historic pattern which is in evidence in High Street in the precinct.

124. The citation also highlights the significance of the presence and role of shops in an otherwise residential precinct, under 'Why is it significant?' in the statement of significance:²²

The need for local shops in pre-automobile residential areas is illustrated by two rows of Victorian shops on High Street.

5.13 Submission 53:30 Palermo Street, South Yarra



Figure 15 30 Palermo Street, South Yarra

22 Citation for HO178 Airlie Avenue Precinct (Landmark Heritage Pty Ltd, May 2020), p. 19.

125. This is a contributory property in the extended area of the Palermo Estate Precinct (HO128).

Issues

- Objects to inclusion of property in the Heritage Overlay precinct.
- The property is not contributory and has been subject to substantial alterations including:
 - high front brick fence and associated garage in the front setback which impact on views of the dwelling
 - Unsympathetic replacement of original windows
 - Replacement of original slate roof
- The property is not part of a cohesive heritage streetscape, is at the eastern edge of the precinct, and is surrounded by contemporary development to its east and north.
- The citation contains discrepancies and errors, in relation to the age and history of the property.
- The citation does not substantiate the notation that ‘most of the houses in the precinct were constructed by a small group of builders’.

Comment/response

126. The proposed contributory grading and inclusion of the property in the Heritage Overlay precinct is supported.

127. According to the citation the subject weatherboard house dates from 1876,²³ which places it as one of the earliest houses in the precinct. It is also in an area of Palermo Street, on the north and south sides, where other houses date from this early period according to the section in the citation on ‘Palermo Street’ in the ‘Place history’. However, the Precinct Gradings Schedule gives the subject dwelling a later date of c.1887. This appears to be an error, as the earlier date is supported by the reference cited in the citation, including the City of Prahran rate books. A street on the alignment of Palermo Street, although not named, also dates from the 1850s, as outlined in the citation.

128. Regarding the issue of the citation not substantiating the claim that ‘most of the houses in the precinct were constructed by a small group of builders’, the reference in the statement of significance, under ‘Why is it significant?’, is as follows:²⁴

While most of the houses in the precinct have typical Victorian Italianate forms and details, their rapid construction by a small group of builders has been created by an unusually high level of overall consistency in the streetscapes, as well as a small point of difference.

129. This statement is generally supported and is based on the historical research undertaken for the citation, and the physical evidence of the groups of similar dwellings within the precinct.

130. The alterations to the property are noted. Non-original windows are visible from the street to the façade and to the east elevation; they may also be present on other elevations. These are for the most part reversible, and do not unacceptably diminish the contributory grading of what is an early dwelling. It is also the case that buildings graded contributory do not have to be

²³ Citation for HO128 Palermo Estate Precinct (Context Pty Ltd, June 2020), p. 6

²⁴ Citation for HO128 Palermo Estate Precinct (Context Pty Ltd, June 2020), p. 19

highly intact to justify the contributory grading. As cited above, in Stonnington, and as per Clause 22.04, the definition of ‘contributory’ is:

‘Contributory places’ means buildings and other places in a heritage precinct graded C which are contributory to the built form attributes and significance of a heritage precinct.

131. The subject property does contribute ‘to the built form attributes and significance’ of the heritage precinct. It is one of the early group of houses in the precinct, which date from the mid to late 1870s.

132. With reference to the submission issue of the property not being in a ‘cohesive heritage streetscape’ it is agreed that there is some diversity in this part of the precinct, and in the precinct generally. While groups of buildings within the precinct are more homogenous, the statement of significance under ‘Why is it significant?’ also notes that ‘The precinct is significant for its illustration of popular residential architectural styles of the Victorian, Edwardian, and interwar periods...’. The variety of ‘popular styles’ is therefore recognised in the precinct citation. It is also the case that not all heritage precincts are homogenous and/or highly consistent for all their extent.

133. The adjoining contemporary developments are acknowledged, as is the location of the property on the edge of the precinct. However, its contributory value justifies its inclusion in the precinct, with the contemporary development referred to in the submission excluded from the precinct boundary.

5.14 Submission 55: 1 Airlie Avenue, Prahran



Figure 16 1 Airlie Avenue, Prahran (property has restricted visibility from the street)

134. This is a significant property in the existing Airlie Avenue Precinct (HO178).

Issues

- Objects to the significant grading of the property, which was previously ungraded.
- The property is already included in a Heritage Overlay which applies to the area, which in turn already protects the dwelling from demolition or significant change. Any proposed change to the property of any sort already requires strict planning scrutiny due to the existing Heritage Overlay.
- The building was significantly modified in the circa 1970s with a large and unsympathetic extension to the building's side and rear, which can easily be appreciated from the street. This has therefore already impacted on the 'intactness' of the building. Whilst the front façade and front porch remain intact, the same cannot be said of the rest of the building, which is hardly a model of preserved architectural style. All that the property currently contributes to the street is an unsightly commercial driveway and a partial side wall of Edwardian red brick up to the modernised side entry and 1970s extension.
- The building is a commercial premises used as medical consulting suites for Airlie Women's Clinic. Historically, the building and the adjoining hospital to the north shared the driveway and together formed the Windermere Hospital. The building at 1 Airlie Ave was used as consulting suites for the specialists visiting the hospital. The whole site was a commercial precinct, and in effect still is. The driveway is [still] shared by the hospital (for deliveries) and for access to the clinic car park. When Windermere closed as a community hospital, the two buildings were sold off, with Cabrini purchasing the hospital for a palliative care unit and Airlie Women's Clinic purchasing the consulting suites. In effect, 1 Airlie Ave would be more aptly zoned commercial, given its long history functioning as a commercial building.

Comment/response

135. While the subject building has restricted visibility from the street, the following description is based on what is visible, together with the use of recent aerial photographs. It is a substantial red brick Federation-style single-storey former dwelling, with tiled hipped and gabled roof forms, prominent chimneys, a three-sided verandah, and original detailing including timber strapping to the gable ends, finials, etc. There is a large single-storey hipped roof extension to the rear on the south side of the building, and a flat-roofed component on the north side of the addition. A covered walkway extends from the addition to the current building entrance on the north elevation. The main original component of the former dwelling, including original Federation roof forms, appears to have been substantially retained. The submission also notes that the front façade and front porch remain intact.

136. Regarding the point made in the submission that the inclusion of the property in a Heritage Overlay area already protects the dwelling from demolition or significant change, it is noted that with the currently ungraded status of the property, there is the potential to demolish the building and/or make significant changes, subject to a planning permit. The revised grading to significant changes this situation, in that it would considerably limit the opportunity for total demolition of a building which is of heritage value, albeit other changes could still be made to the building and property (subject to an assessment of the impacts of such works).

137. On the modifications to the building, it is agreed that the addition on the north side has some visibility, including in part extending out from the side of the building where it appears from the street as a covered walkway. But this is to a limited extent and is set well back from the front of the building; and as noted, most of the original component of the building has been retained, including substantially the original Federation form and detailing. Other elements which could

be considered to have some impact on the presentation of the building and property include a high solid front fence which restricts views of the historic building; and the wide concrete surfaced driveway which abuts the north wall of the building and extends in a ramp form to the rear of the property where there is visible car parking (associated with medical centre use). The elements of some impact – front fence, wide driveway and ramp, covered side walkway, and other elements which detract from the presentation of the building and property – are reversible. The addition to the building would also largely fall within what is considered acceptable under the current Heritage Overlay considerations relating to additions. The citation additionally acknowledges that rear extensions are visible in some places in the precinct but are set well back so that they have only minimal impact on the streetscape. This is also a relevant consideration for this building.

138. The commercial use and zoning of the property is not a relevant heritage consideration in terms of determining the significance of the property.

139. Regarding the re-grading of the property to significant, this is agreed with. The HO178 precinct citation refers to the property at several points, with references which support the higher grading. In a precinct where many Federation houses are single-fronted semi-detached pairs, the subject building is (as per the citation) one of the 'largest examples' of Federation houses and one of the double-fronted villas in the precinct with complex, Marseilles-tiled roofs above red brick walls and ornate, timber verandahs. It is also one of the 'notable examples' with a diagonal building plan including a three-sided front verandah which addresses the corner of the building. No. 1 Airlie Avenue is also described as being 'distinguished by its retention of a high level of timber and cast-iron verandah ornament as well as leadlight windows'.²⁵

²⁵ Citation for HO178 Airlie Avenue Precinct (Landmark Heritage Pty Ltd, May 2020), p. 14