

## Summary of Submissions

Public exhibition of Amendment C200moon, *Moonee Valley 2017 Heritage Study* (Heritage Study) took place from 21 May 2020 to 2 July 2020.

Council received **120** submissions and they can be generally categorised as follows:

Total no. of submission	Category
27	Support
8	Support with changes
76	Oppose
9	Neither support or oppose

Submissions received include recurring themes. The key themes are as follows:

Theme reference	Theme
a)	Reasons for the amendment
b)	Heritage grading of various properties, including impact of alterations
c)	Proportion of non-contributory/contributory places in a precinct
d)	Impact on property rights, property values, associated fees including planning permit fees insurance and maintenance costs and compensation.
e)	Location or interface of a building or property
f)	Permit requirements to externally paint a building, replace/construct front fence and solar energy systems
g)	Amendment process, including consultation and engagement

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

The following table provides a response to each submission received.

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
<b>The following submissions do not relate to a specific Heritage Overlay number.</b>					
<b>#1</b>	Yes	N/A	The submitter supports the amendment on the basis that Moonee Valley heritage is being lost at a rapid rate.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
<b>#2</b>	Yes	N/A	The submitter supports the amendment and notes that time is running out to protect heritage places in Moonee Valley.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
<b>#6</b>	Yes	N/A	Submitter supports the amendment and notes that demolition of heritage buildings should cease so as to preserve the cultural and historical significance of the area.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
<b>#43</b>	Unsure	N/A	The submitter would like Newton Parade to be included as an extension to HO16, Ascot Vale Estate on the basis that the houses were constructed very early on by a property developer. These houses also housed railway workers who maintained the lines and stations.	Officers note the request to include Newton Parade in this amendment and note houses 1-19 Newton Parade, Moonee Ponds are already covered by HO264 in the Moonee Valley Planning Scheme.	<b>No change recommended to Amendment C200moon.</b>  <b>Refer submission to panel for consideration.</b>
<b>The following submissions, responses and recommendations relate to HO2 Glass Street.</b>					

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#7	Yes	HO2	<p>The submitter supports the application of the Heritage Overlay to 87 Glass Street Essendon for the following reasons:</p> <ul style="list-style-type: none"> <li>The house was originally built in 1890 and the front altered (Californian Bungalow style) in 1926 and was the first home of Glass Street. The people who built 87 Glass Street Essendon also built 85 and 89.</li> </ul>	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
#19	No	HO2	<p>The submitter objects to the application of the Heritage Overlay to 1/47 Glass Street, Essendon on the basis that:</p> <ul style="list-style-type: none"> <li>The unit was built in the 1970s</li> <li>The facade, with normal bricks and standard windows, is not part of the distinctive style</li> <li>The house could hardly be blended in the "heritage" category.</li> </ul>	<p>The map accompanying the Statement of Significance identifies 1/47 Glass Street, Essendon as 'non-contributory' to the HO2 precinct. Further, under the heading 'What is significant' the Statement of Significance lists the properties which are contributory to the precinct. Because it is 'non-contributory', 1/47 Glass Street is not included in that list.</p> <p>The <i>City of Moonee Valley Permit exemptions policy, Heritage Overlay Precincts, May 2019</i> states that no planning permit is required for the demolition of a building or part of a building on a property shown as non-contributory on the relevant precinct map. There are further exemptions in the policy in relation to repairs or routine maintenance and other buildings and works.</p>	<p><b>Revise HO2 Statement of Significance to clearly state which buildings are non-contributory to the precinct.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
<b>The following submissions, responses and recommendations relate to HO3 Peterleigh Grove and Kalimna Street.</b>					
<b>#12</b>	Yes	HO3	Submitter supports the amendment, specifically the extensions to Heritage Overlay (HO3). Specifically, extending the heritage overlay to 4 Curtis Street.	Officers note the submitters' support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
<b>#42</b>	No	HO3	<p>The submitter opposes the extension of HO3 to include 4 Curtis Street, Essendon for the following reasons:</p> <ul style="list-style-type: none"> <li>• 2 Curtis Street or 8 Westgreen Court is not subject to the amendment.</li> <li>• The submitter's property is located in between 2 Curtis Street and 8 Westgreen Court.</li> <li>• For precedent and era sake 4 Curtis Street should not be included and listed as a heritage property with an overlay.</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>• The <i>Heritage Study</i> states that 4 Curtis Street is comparable stylistically and historically to other early postwar houses in the Peterleigh Grove and Kalimna Street Precinct.</li> <li>• At the Ordinary Council Meeting on 14 May 2019, Council resolved to exclude 2 Curtis Street from Amendment C200moon and C201moon.</li> <li>• 8 Westgreen Court was not identified in the <i>Moonee Valley Heritage Gap Study 2014</i> and therefore deemed to not meet the threshold for local significance.</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>The following submission, responses and recommendations relate to HO7 Riverview Estate (Leslie Road) and Trinafour Estate.</b>					
<b>#53</b>	Yes	HO7	The submitter supports the Heritage Overlay to 1 and 3 Leslie Road and notes they were built in 1936 and are significant dwellings built in the Moderne (Art Deco) period.	Officer note the submitter's support for the amendment and note that 1 & 3 Leslie Road is already covered by HO7 and 2 & 4 Sherbourne Street are covered by HO279.	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			Further, the submitter would like to clarify if 2 & 4 Sherbourne Street should be included in HO7 on the basis that are two attached dwellings that are identical to 1 & 3 Leslie Road. The submitter notes 2 & 4 Sherbourne Street are listed on the Statement of Significance for HO7 but excluded from the Amendment's map.		
<b>The following submissions, responses and recommendations relate to HO12 Holmes Road Residential.</b>					
<b>#5</b>	No	HO12	<p>The submitter does not support the extension of HO12 (Holmes Road Residential Precinct) and the inclusion of Grandview Street, specifically 10 and 12 Grandview Street, Moonee Ponds in the precinct on the basis that:</p> <p><u>Grandview Street</u></p> <ul style="list-style-type: none"> <li>• The homes are in no way remarkable, significant or rare.</li> <li>• The submitter provided photos of the precinct to illustrate the highly modified nature of many buildings and the extensive number of highly visible alterations, extensions and infill</li> </ul>	<p>Officers note the submitters' comments and provide the following response:</p> <p><u>Grandview Street</u></p> <ul style="list-style-type: none"> <li>• The properties along Grandview Street are predominantly late Victorian and Federation/Edwardian houses on the east side which demonstrates important phases in the residential development of Moonee Ponds.</li> <li>• While individually significant buildings must be stand-outs ('remarkable, significant or rare') in Moonee Valley, heritage precincts are usually made up of houses that are typical of their time. It is together that these groups of "typical" houses form a precinct of local heritage significance.</li> <li>• It is agreed that there are some non-contributory properties on Grandview Street.</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>buildings within Grandview Street.</p> <ul style="list-style-type: none"> <li>There are finer examples within Moonee Ponds, Moonee Valley and the broader Melbourne area that represent the relevant period.</li> <li>That by including properties which do not have the requisite extent to justify inclusion diminishes the importance of the Heritage Overlay within Moonee Valley.</li> <li>The justification to include the properties on Grandview Street are matters of neighbourhood character and therefore the use of the Neighbourhood Character Overlay should be contemplated.</li> <li>Grandview Street consists of a number of non-contributory buildings which 'breaks up' the street.</li> </ul> <p><u>10 Grandview Street Moonee Ponds should not be included in the HO, or if it must then it should be graded non-contributory</u></p>	<p>This is common for all but the smallest heritage precincts. So long as these non-contributory properties do not form the dominant character of the streetscape or precinct, their presence is considered acceptable. This can be seen, by way of example, in the existing extent of the HO12 precinct, which has a similar proportion of non-contributory properties in it to Grandview Street.</p> <p><u>Heritage study methodology</u></p> <ul style="list-style-type: none"> <li>The <i>Heritage Study</i> outlines the following methodology which was used to determine heritage consistency of 'intactness' and 'integrity': For contributory places within precincts the 'integrity' rather than 'intactness' was a primary consideration. That is, while a contributory place may not be completely 'intact' (i.e., retaining all original fabric) any repairs or maintenance have been carried out using the same or similar materials, details and finishes, thus ensuring good 'integrity'. For 'intactness', if precincts have 60+ percent of intact contributory places, are legible, visually and thematically coherent, and are better or on par with existing precincts, it is considered the precinct meet the threshold for intactness.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

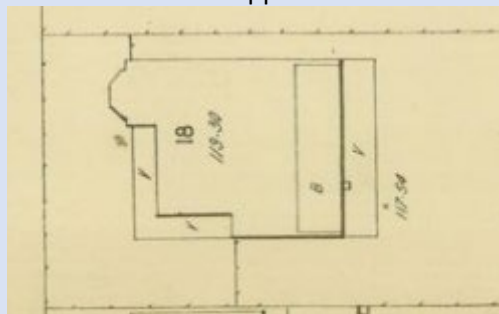
Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The place is a heavily modified building that has been altered, added to and changed in form over a series of works (including the front fence).</li> <li>There is no reasonable basis to suggest that the place should be nominated contributory.</li> <li>The fact that homes are nice homes does not justify inclusions within the Heritage Overlay.</li> </ul> <p><u>12 Grandview Street Moonee Ponds should not be included in the HO, or if it must then it should be graded non-contributory</u></p> <ul style="list-style-type: none"> <li>The place has very limited original fabric and has been altered and added to at various times including: <ul style="list-style-type: none"> <li>extensions and alterations in the 1980s and 1990s</li> <li>the front fence is not original (recently replaced)</li> <li>the bullnose veranda is not an original feature</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The Heritage Overlay is the appropriate overlay to protect and conserve the heritage values of the area.</li> </ul> <p><u>10 Grandview Street</u></p> <ul style="list-style-type: none"> <li>Is graded contributory on the basis that it is a distinctive Federation bungalow that features a pyramidal hipped slate roof that extends to form the front verandah.</li> <li>It is agreed that an upstairs loft has been constructed on the side of the house by extending the roof form, and a freestanding carport has been constructed next to it. While immediately noticeable, this extension is recognisable as a modern intervention and the original roof form is still legible. Importantly, the front façade is still highly intact and retains its original verandah roof, posts, and Arts &amp; Crafts fretwork. There is similar fretwork to the front door, as well as box bay windows with leadlight casement windows.</li> <li>It is agreed that the front fence is a reasonably sympathetic replacement. Note that original Victorian and Edwardian era fences are very rare, so their presence is not required for a house to be contributory to a heritage precinct.</li> </ul> <p><u>12 Grandview Street</u></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>○ tiling on the veranda, front path or brick are also not original features</li> <li>○ the garage is a modern intrusion.</li> </ul>	<ul style="list-style-type: none"> <li>● Is graded contributory on the basis that it is a highly ornate Italianate rendered asymmetrical villa.</li> <li>● The rear extension and garage are clearly modern interventions, but they are both set back behind the original volume of the house in a respected and recessive manner. This sort of work does not detract from its contributory value. The brick paving of the driveway is also obviously not original, but again does not unduly detract from the property's heritage contribution.</li> <li>● It is agreed that the front fence is not original. It is a fairly accurate reproduction palisade fence that is appropriate in its form and materials to this Victorian house. Original Victorian and Edwardian era fences are very rare, so their presence is not required for a house to be contributory to a heritage precinct.</li> <li>● While the front verandah (including roof and floor tiles) may be a reproduction, it is an appropriate restoration of this Victorian house. The MMBW Detail Plan for this area (No. 1614), dated 1905, confirms that 12 Grandview Street was built with a return verandah of the same size and in the same location as today (see image, below, back when it was number 18). There are many</li> </ul>	



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>contributory buildings in heritage precincts that have undergone minor alterations, such as changes to the verandah, and appropriate restoration is supported.</p> 	
#8	No	HO12	<p>The submitter objects to the inclusion of 11 Milverton Street, Moonee Ponds in the Heritage Overlay for the following reasons:</p> <p><u>Heritage value</u></p> <ul style="list-style-type: none"> <li>The surrounding properties have no heritage values and there are no consistent heritage features.</li> <li>The place has no heritage value except for it being an old.</li> </ul> <p><u>Maintenance costs, safety and value of property</u></p> <p>The Heritage Overlay will:</p> <ul style="list-style-type: none"> <li>increase maintenance costs to make the place liveable</li> </ul>	<p>Officers note the submitters' comments and provide the following response:</p> <p><u>Heritage value</u></p> <ul style="list-style-type: none"> <li>The properties along Milverton Street are recommended to be included in the Heritage Overlay as it <i>reflects the key stages of development - predominantly Victorian Italianate villas in bi-chrome brick or timber, and Federation/Edwardian houses on the east side and Inter-war bungalows on the west.</i> While this does mean that there is a mix of styles and building materials, reflecting the three different eras of house construction, this mix is not unusual and it is seen in many existing heritage precincts both in Moonee Valley and other municipalities.</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>cause safety issues to the resident as well as the local community</li> <li>cause unfair financial disadvantage due to the drop in value.</li> </ul> <p><u>Loss of development opportunity</u>  The Heritage Overlay will prohibit the redevelopment of the site.</p> <p><u>Compensation and financial assistance</u>  The submitter requests Council compensate landowners affected by the Amendment and the Heritage Overlay by:</p> <ul style="list-style-type: none"> <li>providing compensation for drop in value</li> <li>providing compensation for reduced ability to subdivide and build units</li> <li>providing financial assistance for the ongoing maintenance of the place</li> <li>paying for all legal, material and financial liabilities.</li> </ul>	<ul style="list-style-type: none"> <li>The submitter's house is in a very impressive and intact row of interwar houses.</li> <li>11 Milverton Street is <i>part of a collection of interwar bungalows and is complemented by an original front fence. It has also been identified for its porch that features a 'Jerkinhead' roof and arched openings with 'barley twist' columns that shows the influence of the Spanish Mission style.</i> While the submitter may not have an appreciation for interwar houses, they have been recognised as an important part of Australia's architectural heritage for many decades, are the subject of numerous books, and are protected in the Heritage Overlays of many municipalities.</li> </ul> <p><u>Maintenance costs and safety</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay does not preclude the landowner from undertaking maintenance of a place. In Clause 43.01 of the Moonee Valley Planning Scheme a permit is not required to carry out works, repairs and routine maintenance which does not change the appearance of a heritage place or which are undertaken to the same details, specification and materials.</li> </ul> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>The impact to property values is not a relevant consideration when determining</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>whether a property should be included in the Heritage Overlay or not. Planning Panels for similar heritage amendments have considered private economic impacts. The Panel consistently concludes impacts on land values or the individual financial circumstances of the landowner are outside the scope for consideration (e.g. Melbourne C207 Panel, Moreland C149 Panel and Boroondara C266 Panel). The key issue for the application of the Heritage Overlay is whether a property has recognised heritage value that is suitable for protection. If so, the Heritage Overlay should be applied.</p> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>• See responses to submission 3</li> <li>• The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a planning tool used to consider whether the proposed works will have an impact on the heritage place and/or precinct.</li> <li>• Applying the Heritage Overlay is but one of numerous components of the long established and accepted practice in Victoria of regulating development by planning schemes.</li> </ul> <p><u>Compensation and financial assistance</u></p> <ul style="list-style-type: none"> <li>• The key issue at the amendment stage is the heritage significance of the property. As</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				noted above, private economic issues of a personal or property specific nature are not relevant at this stage. Further, there is no basis for property owners to claim compensation as a result of the application of the Heritage Overlay.	
#14	No	HO12	<p>The submitters oppose the Heritage Overlay to 64 Eglinton Street, Moonee Ponds on the following basis:</p> <p><u>Lack of justification to include or exclude properties from the Heritage Overlay and discrimination</u></p> <ul style="list-style-type: none"> <li>Unsubstantiated reason for introducing additional restrictions to nominated heritage study properties that only impact selected properties whilst omitting other properties that are obviously of heritage value. Specifically, 1, 2, 3, 4, 8, 10, 11, 12, 14, 16, 17, 18, 20, 22, 24, 25, 26, 28, 30, 31, 32, 34, 36, 38, 40, 41, 42, 43, 44, 46, 48, 52, 53, 54, 55, 56, 59, 81, 92, 94, &amp; 104 Eglinton St</li> </ul> <p><u>Lack of heritage value</u></p> <ul style="list-style-type: none"> <li>There is no heritage value in this property.</li> </ul>	<p>Officers note the submitters' comments and provide the following response:</p> <p><u>Lack of justification to include or exclude properties from the Heritage Overlay</u></p> <ul style="list-style-type: none"> <li>The Heritage Study outlines how heritage places and precincts were identified and recommended for inclusion in the Heritage Overlay (Section 1.2). <i>New precincts and precinct extensions were inspected to confirm intactness and integrity of places, inspect comparative examples, and confirm (or refine) precinct boundaries and heritage status of places. The fieldwork was based on an examination of fabric visible from the street, using aerial photography where required.</i></li> <li>In the 2014 Stage 1 survey, a number of groups of houses along Eglinton Street were earmarked for further investigation as potential precincts. This included 1-11 &amp; 2-24 Eglinton Street. Further investigation and comparison with existing precincts in the Heritage Study concluded that: <i>the group at the east end of Eglinton Road (nos. 1-11 &amp; 2-</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The property has been completely defaced by the previous owners in the 1980s including changes to front windows, veranda, external stairs, terrace &amp; balustrade, roof tiles, render and painting of Hawthorne bricks that cannot be restored, front fence and gates, side fences and landscaping are all recent alterations to the original residence.</li> </ul> <p><u>Property value, loss of development opportunity and increases in insurance premiums</u></p> <ul style="list-style-type: none"> <li>The proposed overlay will have significant current and future financial implications for my wife and myself on the market value of this investment property.</li> <li>The property has been purchased with the intention of developing the property into a modern cutting edge residence that meets the needs of today's lifestyle, the cost and compromises required to maintain the outdated residence is financially unviable.</li> </ul>	<p><i>24) does not have the same level of integrity and visual cohesion, and so has been removed.</i></p> <ul style="list-style-type: none"> <li>It is agreed that there are other groups of houses, such as the Edwardian villas at Nos. 59-65 and other single examples, that could be contributory in a heritage precinct. But as they are outside more cohesive areas of early development which could form (part of) a heritage precinct, they were not recommended for protection.</li> </ul> <p><u>Lack of heritage value</u></p> <ul style="list-style-type: none"> <li>The areas proposed for inclusion have very similar histories and patterns of development to the HO12 precinct. <i>The housing stock is very similar, both individually and collectively, and has comparable integrity to the existing precinct. Accordingly, they are considered to form logical additions and will result in far more cohesive precinct with legible boundaries.</i></li> <li>It is agreed that there have been a series of unsympathetic alterations to the Victorian house at 64 Eglinton Street, as listed by the submitter. It appears that the house was remodelled around 1940, with the bi-chrome bricks covered by textured render, the window format changed to horizontal with masonry hoods, and the verandah replaced by</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The proposed overlay increases insurance policies that is an additional burden on us as property owners without benefit.</li> </ul> <p><u>Planning applications</u></p> <ul style="list-style-type: none"> <li>Unsubstantiated Benefit to Landlords; It is council/ planning minister responsibility to justify the need for a change not for property owners to justify why a change should be made to our properties.            &gt; How does Rescode not address the planning process? Council to provide examples of inappropriate developments and how the current process has been unable to suitably respond.</li> </ul> <p><u>Revenue</u></p> <ul style="list-style-type: none"> <li>Council has sought to place another layer of restrictions that raise revenue for council from property owners that it deems are most likely to afford these charges, it is in fact another property levy on these selected property owners to support council revenue given the</li> </ul>	<p>a single porch. However, original elements of the house that survive include its massing (with a block front and M-hipped roof), its chimneys (bichrome brickwork and cement-render cornice), the paired timber eaves brackets featuring a pierced hole, the four-panel front door with bolection mouldings, and the side walls of handmade bricks (overpainted).</p> <ul style="list-style-type: none"> <li>It appears 64 Eglinton Street was originally identical to the bi-chrome brick house next door at No. 62. And that a row of three houses (62 &amp; 64 Eglinton and 1 Grosvenor Street in HO325) had the same designer, which is indicated by the identical chimneys and the unusual form of the eaves brackets.</li> <li>The presence of this row of related houses both increases the contribution of 64 Eglinton Street, and provides an accurate model for its restoration should the current or a future owner wish.</li> <li>For these reasons, the contributory grade for the house at 64 Eglinton Street is confirmed.</li> </ul> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>See responses to submission #3</li> </ul> <p><u>Increases in insurance premiums</u></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>Victorian Government limit on Rates rises.</p> <p>The submitter recommends the amendment:</p> <ul style="list-style-type: none"> <li>• Lower Land Tax Valuation to reflect the status change in unencumbered land</li> <li>• Lower Council Rates to reflect the cost of maintaining the unsubstantiated heritage features of this property</li> <li>• Compensation for the higher than market price paid on our purchase price based on the development potential of this property</li> <li>• Compensation for historical land tax that was paid for unencumbered land valuations</li> <li>• Compensation for future land value losses resulting from this new overlay</li> <li>• Council to forgo all additional application fees, costs and charges for planning permits relating to this property resulting from this new proposed overlay process</li> </ul>	<ul style="list-style-type: none"> <li>• The increase of insurance premiums is not relevant when considering the application of the Heritage Overlay. As long as buildings are structurally sound, water tight, secure and well maintained, there should not be any difficulty insuring heritage properties.</li> </ul> <p><u>Planning applications</u></p> <ul style="list-style-type: none"> <li>• The planning scheme amendment process, occurring now, is the process whereby Council is demonstrating the rationale for the introduction of the heritage overlay. The heritage significance in this case is highlighted above, in response to the point raised by the submitter about “Lack of justification to include or exclude properties from the Heritage Overlay”.</li> <li>• The Heritage Overlay to specifically ensure that the heritage significance of a property is considered when future development applications are received.</li> </ul> <p><u>Revenue</u></p> <ul style="list-style-type: none"> <li>• The purpose of the amendment and the introduction of the Heritage Overlay is to conserve and enhance heritage places of cultural significance. The potential requirement for permit application fees as part of a future process is not a relevant consideration to the planning scheme amendment process, however, for the</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>Council to reimburse property owners for all costs incurred required for adhering to all additional measures resulting from this new proposed overlay process</li> <li>Council to reimburse property owners for higher insurance premiums resulting from this heritage overlay.</li> </ul>	<p>avoidance of any doubt officers note that the amendment is not seeking to raise revenue as suggested by the submitter.</p> <p><u>Compensation and financial assistance</u></p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul>	
<b>#17</b>	No	HO12	<p>The submitters do not support applying the Heritage Overlay to 17 Milverton, Street Moonee Ponds for the following reasons:</p> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay will affect the value of the property and the future sale price.</li> </ul> <p><u>Front Fence Controls:</u></p> <p>Specifically, the submitter opposes the fence controls on the basis that:</p> <ul style="list-style-type: none"> <li>modifications have already occurred to the front fence specifically fence posts between number 15 and 17</li> <li>the fence will eventually require structural repairs</li> <li>the access to the rear property is via the front setback of 17</li> </ul>	<p>Officers note the submitters' comments and provide the following response:</p> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul> <p><u>Front Fence Controls</u></p> <ul style="list-style-type: none"> <li>The Heritage Study does identify the existing front fence to be original:  <i>The west side [of Milverton Street] features a fine collection of interwar bungalows, most of which remain relatively intact and several (nos. 7-11, 17 &amp; 21) are complemented by original front fences ...</i>  <i>On this basis, the following buildings and features contribute to the significance of the precinct: ... The original or early front fences at 1A &amp; 1B Grace Street, 52, 57, 60, 72, 73 &amp; 76 Holmes Road, and 7-11, 17 &amp; 21 Milverton Street.</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			Milverton Street, Moonee Ponds.	<ul style="list-style-type: none"> <li>It is acknowledged that some minor alterations have been made to the fence, but it still retains its overall form and materials, so is still considered worthy of consideration as a contributory element to this precinct.</li> <li>This does not mean, however, that it is not possible to sympathetically alter the fence to allow reasonable access to the rear unit, just that a planning permit must be obtained to do this work. As there are no fence exemptions proposed for this heritage precinct, the expedited VicSmart application process can be used.</li> <li>In addition, repairs can be made to the fence when necessary without a planning permit, so long as the repairs are undertaken to the same details, specifications and materials as the original form of the fence.</li> </ul>	
#20	No	HO12	<p>The submitter does not support the Heritage Overlay on 5 Milverton Street, Moonee Ponds on the basis that: <u>The property was purchased on the basis it was not covered by the Heritage Overlay</u> and there have been <u>Alterations to the dwelling and internal alterations</u></p> <ul style="list-style-type: none"> <li>An addition has been added to the rear and internals of the</li> </ul>	<p>Officers note the submitters' comments and provide the following response:  <u>The property was purchased on the basis it was not covered by the Heritage Overlay</u></p> <ul style="list-style-type: none"> <li>Planning controls from time to time can be implemented to achieve an appropriate outcome.</li> </ul> <p><u>Alterations to the dwelling and internal alterations</u></p> <ul style="list-style-type: none"> <li>The Heritage Study states that a <i>contributory place may not be completely 'intact' (i.e.,</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>house has been altered including:</p> <ul style="list-style-type: none"> <li>rooms at the front of the house have been divided with the addition of internal walls, windows and doors, further diminishing the period features of the house</li> <li>fireplaces have been removed</li> <li>Most of the leadlight has been removed</li> <li>ducting heating has been installed resulting in a large hole in the hallway floor where the return air vent is located</li> <li>internal Circuit boards have been added to a number of rooms</li> <li>ceilings have altered and doorways have been added between rooms which were not there when the house was originally built</li> </ul> <p><u>Front fence</u></p>	<p><i>retaining all original fabric) however repairs or maintenance that have been carried out using the same or similar materials, details and finishes are considered to have maintained the places' 'integrity'. As the submitter states the addition is to the back of the property however from the front it is considered to maintain its intactness and therefore warrants the Heritage Overlay.</i></p> <ul style="list-style-type: none"> <li>HO12 does not require a planning for internal works, there is nothing that prohibits an owner to improve the internal amenity of the property.</li> <li>While the internal fireplaces may have been removed, the house retains its distinctive chimneys. Moreover, this is one of the finest houses in the precinct, with an extensive description in the citation.</li> </ul> <p><u>Front Fence</u></p> <ul style="list-style-type: none"> <li>The Heritage Study does not identify the existing front fence to be original. That said, the Heritage Overlay, clause 43.1-1, requires a planning permit for a fence, if the fence is visible from a street (other than a lane) or public park. The <i>City of Moonee Valley Permit exemptions policy, Heritage Overlay Precincts, May 2019</i> includes the following exemption from requiring a planning permit for a fence in a residential zone:</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The front fence to the property is made of cement sheet and is not a period feature.</li> </ul> <p><u>Garage and Outbuildings</u></p> <ul style="list-style-type: none"> <li>The garage and outbuildings are not practical nor are they period features</li> </ul> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay will also decrease its value if we decide to sell putting us at a disadvantage.</li> </ul> <p><u>Milverton Street</u></p> <ul style="list-style-type: none"> <li>Milverton Street contained a number of differing housing styles including: <ul style="list-style-type: none"> <li>70/80s flats at 14 Milverton Street</li> <li>A new house at 12 Milverton street</li> <li>A new building to be constructed 12A Milverton Street</li> </ul> </li> </ul>	<p><i>Construction of a front fence not more than 1.2 metres in height above natural ground level provided that the fence is constructed of timber pickets or woven wire and that this does not require the demolition or alteration of an existing front fence on a property shown as 'Contributory' on the precinct map.</i></p> <ul style="list-style-type: none"> <li>As a new fence will require the demolition of an existing front fence, the exemption does not apply to 5 Milverton Street Moonee Ponds.</li> <li>Note that the survival of original front fences to Victorian and Federation houses is relatively rare, so it is not a requirement for a house to be contributory to a heritage precinct.</li> </ul> <p><u>Garage and Outbuilding</u></p> <ul style="list-style-type: none"> <li>The Statement of Significance does not identify the garages and outbuildings as being significant to the precinct, and one would not expect an Edwardian-era house such as this one to have an original garage. This means that the Heritage Overlay will not seek to retain the non-original garage or outbuildings.</li> </ul> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul> <p><u>Milverton Street and different housing styles</u></p> <ul style="list-style-type: none"> <li>The Statement of Significance states that <i>Milverton Street is aesthetically significant for</i></li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>the clear expression of the two key periods of development in the housing stock, which comprises predominantly Victorian and Federation/Edwardian houses on the east side and interwar bungalows on the west.</i></p> <p>The flats at 14 Milverton Street and the house at 12 &amp; 12A Milverton Street have correctly been graded as non-contributory to the precinct.</p> <p>Note that it is common for all but the smallest heritage precincts to contain some non-contributory properties. In the case of Milverton Street, there are just two and they do not dominate the street's heritage character.</p> <p><u>Heritage study methodology</u></p> <ul style="list-style-type: none"> <li>• See response to submission #5</li> </ul>	
<b>#38</b>	No	HO12	<p>The submitters oppose the application of Heritage Overlay HO12 to 7 Milverton Street, Moonee Ponds and requests for the grading to be revised from contributory to non-contributory on the basis that:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>• The non-original alterations and additions significantly change its form and scale to such a degree that it should no longer be seen as a contributory house.</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>• The Moonee Valley 2017 Heritage Study recommends the inclusion of 7 Milverton Street for its <i>Arts &amp; Crafts influence ... demonstrated by the ornate timber vent and simple brackets to the gable end and the rendered upper walls with tuckpointed brick quoining.</i></li> <li>• While there may be a rear extension to this house, it is entirely recessive with no impact</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The Bluestone Laneway to the rear is a poorly maintained, unkempt, uneven, overgrown thoroughfare that in no way could be said to be contributing to any historic and aesthetic significance to the City of Moonee Valley. Further, 7 Milverton Street does not have bluestone kerb or channelling at the front of the property.</li> <li>The front fence is non-original. It was rebuilt after a motor vehicle accident over 10 years ago. It, like all the 5 fences mentioned in the statement of significance, no longer has a front gate attached and needs minor repair. As well, we have been discussing plans to alter the height and form of our front fence as it offers little security and safety in these days of Home Invasions.</li> </ul>	<p>on the streetscape. As viewed from the street, this is a highly externally intact California Bungalow that makes a valuable contribution to the precinct.</p> <ul style="list-style-type: none"> <li>It is agreed that, while bluestone kerb and channel are mentioned as surviving in <u>some</u> streets of the precinct, it is not the case for Milverton Street.</li> <li>Officers note bluestone laneway behind 1-21 Milverton Street is a fine piece of traditional workmanship and constructed of durable materials and the bluestone pitches can be reset if necessary, extending the life of these distinctive suburban features. The submitter mentions that the bluestone laneway behind 1-21 Milverton Street is unkempt at present.</li> <li>Further the Study includes Milverton Street as an extension to HO12 as <i>the west side features a fine collection of interwar bungalows, most of which remain relatively intact and several (nos. 7-11, 17 &amp; 21) are complemented by original front fences (Nos. 7-11 are of similar design with low brick balustrade and capped brick piers with tubular steel rails between).</i></li> <li>The submitter notes that, contrary to the precinct citation, the front fence to 7 Milverton Street is not original but was rebuilt after a car crashed into it some 10 years ago.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				Upon inspection, it is agreed that three of the four bays of the fence have been rebuilt in its original configuration and with the same type of materials. Note that this kind of repair is supported for properties in the Heritage Overlay.	
<b>#58</b>	Unsure	HO12	The submitters would like to have the ability to update the extension, completed 25 years ago, to 3 Milverton Street, Moonee Ponds.	<p>Officer note the submitters' aspirations and advise the Heritage Overlay does not preclude opportunity for redevelopment, rather it is a tool used to consider whether the proposed works will have an impact on the place and/or precinct.</p> <p>It should also be noted that the proposed heritage precinct will seek to protect the original parts of the contributory house exteriors, and not later extensions. Furthermore, a planning permit is not required for internal alterations in a Heritage Overlay.</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#59	No	HO12	<p>The submitter opposes the Heritage Overlay to 24 Milverton Street Moonee Ponds for the following reasons:</p> <p><u>Lack of justification to include or exclude properties from the Heritage Overlay and discrimination</u></p> <ul style="list-style-type: none"> <li>Unsubstantiated reason for introducing additional restrictions to nominated heritage study properties that only impact selected properties whilst omitting other properties that are obviously of heritage value.</li> </ul> <p><u>Planning applications</u></p> <ul style="list-style-type: none"> <li>Unsubstantiated Benefit to Landlords; It is council/ planning minister responsibility to justify the need for a change not for property owners to justify why a change should be made to our properties.            &gt; How does Rescode not address the planning process? Council to provide examples of inappropriate developments and how the current process has been unable to suitably respond.</li> </ul>	<p>Officers note the submitters' comments and provide the following response:</p> <p><u>Lack of justification to include or exclude properties from the Heritage Overlay</u></p> <ul style="list-style-type: none"> <li>The Heritage Study outlines how heritage places and precincts were identified and recommended for inclusion in the Heritage Overlay (Section 1.2). <i>New precincts and precinct extensions were inspected to confirm intactness and integrity of places, inspect comparative examples, and confirm (or refine) precinct boundaries and heritage status of places. The fieldwork was based on an examination of fabric visible from the street, using aerial photography where required.</i></li> <li>The properties along Milverton Street were surveyed and it was recommended to include this street as part of as HO12.</li> </ul> <p><u>Planning applications</u></p> <ul style="list-style-type: none"> <li>See response to submission #14</li> </ul> <p><u>Revenue</u></p> <ul style="list-style-type: none"> <li>See response to submission #14</li> </ul> <p><u>Compensation and financial assistance</u></p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p><u>Revenue</u></p> <ul style="list-style-type: none"> <li>Council has sought to place another layer of restrictions that raise revenue for council from property owners that it deems are most likely to afford these charges, it is in fact another property levy on these selected property owners to support council revenue given the Victorian Government limit on Rates rises.</li> </ul> <p><u>The submitter recommends the amendment:</u></p> <ul style="list-style-type: none"> <li>lower Land Tax Valuation to reflect the status change in unencumbered land</li> <li>lower Council Rates to reflect the cost of maintaining the unsubstantiated heritage features of this property</li> <li>compensation for the higher than market price paid on our purchase price based on the development potential of this property</li> </ul>		



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>• compensation for historical land tax that was paid for unencumbered land valuations</li> <li>• compensation for future land value losses resulting from this new overlay</li> <li>• council to forgo all additional application fees, costs and charges for planning permits relating to this property resulting from this new proposed overlay process</li> <li>• council to reimburse property owners for all costs incurred required for adhering to all additional measures resulting from this new proposed overlay process</li> <li>• council to reimburse property owners for higher insurance premiums resulting from this heritage overlay.</li> </ul>		
#81	No	HO12	The submitter opposes the extension of HO12 to include 11 Grandview Street, Moonee Ponds and specifically requests the property and the entire street to be excluded	<p>Officers note the submitters' concerns and provide the following response:  <u>11 Grandview Street heritage significance</u></p> <ul style="list-style-type: none"> <li>• The 1905 MMBW plan for this street shows a house with the same footprint as today: a Z-shaped plan with a return verandah bracketed</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>from the Heritage Overlay for the following reasons:  <u>11 Grandview Street heritage significance</u></p> <ul style="list-style-type: none"> <li>The original facade of has been completely altered from the original building as the facade and verandah were in ruinous condition.</li> <li>The following are not original: <ul style="list-style-type: none"> <li>gables of the building have been changed from rough cast cement to pressed metal</li> <li>decorative trim has been added to the gable barge boards</li> <li>architraves around the windows have been replaced</li> <li>window facing the driveway to the left, has been replaced with a recycled period window</li> <li>original verandah has been demolished and rebuilt to include an ensuite to the front bedroom visible from</li> </ul> </li> </ul>	<p>by projecting bays, and each bay had a central projection. The two brick and render chimneys also indicate that this is an Edwardian Queen Anne house.</p> <ul style="list-style-type: none"> <li>Council officers have sought past building permit plans to better understand any external changes to this dwelling. Plans from 1992 (No. 22071, 11 Feb. 1992) confirm that the convex hipped roof of the verandah has remained the same (even if rebuilt, it retains this form), and that the front windows beneath the front porch have survived (though the verandah had been enclosed with glazing – removed). There have also been single-storey extensions to the rear of the house, but these are not visible from the street (see BP No. 22071, 11 Feb. 1992, E19132, 31 Oct. 2012). Also, an earlier infill at the end of the verandah return was reclad around 1998, and is entirely legible as a later alteration (No. 990167, 10 Dec. 1998)</li> <li>Photos provided by the submitter confirm the above works as well as showing a few changes to decorative elements. Overall they illustrate that they have done an excellent job of rescuing a neglected and somewhat altered house. Original elements of the house that had survived (unaltered) until this time were: the half-timbered form of the front and side</li> </ul>	<p><b>to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>the street. The verandah posts and cast-iron lacework are also new and do not resemble the original design.</p> <ul style="list-style-type: none"> <li>The carport is not original, is new and built in the period style.</li> </ul> <p><u>Grandview Street</u></p> <ul style="list-style-type: none"> <li>There are several buildings that have been demolished and rebuilt over the years or have been built on subdivided lots eg. No's 2, 4A, 15A &amp; 9.</li> <li>A large number of buildings have had extensions and garages added, clearly visible from the street or have had the facades extensively altered eg. No's 7, 11, 13, 15, 17, 10, 12 &amp; 18.</li> <li>There are only a few buildings in Grandview Street that have the requisite extent of significance to justify inclusion in a Heritage Overlay</li> </ul>	<p>gables, the lobed bargeboards to these gables, the paired double-hung sash windows with highlights to the front and side gables set in projecting bays, the weatherboard cladding of the walls, the roof form (hipped with projecting gables to two sides), the slate roof cladding, and the chimneys.</p> <p>In the 'restoration' works that followed, the bullnose roof form was retained in the rebuilt verandah (with new curved corrugated iron). The window architraves may have been altered somewhat and a side window replaced, but with retention of the original form. Speculative/new elements introduced are as itemised by the submitter. In some cases, these new elements are more Victorian in character, such as the verandah posts and ironwork, and the mouldings to the eaves, and unlikely to have been seen on the original house. The replacement of the roughcast render to the gables with pressed metal is an alteration, but one entirely appropriate to the Edwardian era. The application of rick-rack scalloped trim and rondels to the bargeboards is an addition that is easily reversible (should a future owner desire).</p> <ul style="list-style-type: none"> <li>In summary, the works to this house have introduced some Victorian-style details to an Edwardian house, but the house retains a very</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>large proportion of its original form, material and details, and is still contributory on this basis.</p> <ul style="list-style-type: none"> <li>Further, the property is included in the precinct extension as its history and pattern of development is in keeping with the HO12 precinct. The housing stock is very similar and both individually and collectively has comparable integrity to the existing precinct. Accordingly, the property is considered to form a logical addition and will result in far more cohesive precinct with legible boundaries.</li> </ul> <p><u>Grandview Street</u></p> <ul style="list-style-type: none"> <li>The properties along Grandview Street are predominantly late Victorian and Federation/Edwardian houses on the east side and demonstrates important phases in the residential development of Moonee Ponds. As the submitter notes, some of the original houses have been replaced in the past. All of these properties are graded non-contributory. It is not unusual for all but the smallest of heritage precincts contain some non-contributory properties in them. As long as they do not comprise the dominant character of that street or precinct, this is considered acceptable.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>The submitter also notes a number of early houses that have been altered. In one case (17 Grandview Street), a Victorian house is so altered that it has been graded non-contributory. In the other cases there have been reinstatements of verandahs and the construction of single-storey or recessive two-storey extensions that are set well back from the street. (18 Grandview Street is an exception as it has a large and very visible extension. As the original roof form is still legible and the house of distinctive form, it has retained a contributory grading.) Some have had a garage added. The Victorian house at 15 Grandview Street has had a number of unsympathetic alterations removed, bringing it back to a reasonable original appearance. In all of these cases the level of intactness and integrity of the houses is considered to be sufficient for them to contribute to the precinct.</li> <li>The submitter is correct in stating that few properties in the precinct would warrant protection in a site-specific Heritage Overlay. However, properties in a precinct can be “typical” examples of their style and era, and together they create an area that is of heritage significance.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#102	Yes, with changes	HO12	<p>The submitters request for the grading of 19 Milverton Street, Moonee Ponds to be revised from 'contributory' to 'non-contributory' for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The current dwelling is an unexceptional example of a Victorian cottage.</li> <li>2. It is not a comfortable fit for the surrounding California Bungalows and the more modern house at 21 Milverton Street.</li> <li>3. The house is in very poor condition and will require rebuilding all aspects of it to provide the same comfort and amenity of a new build. Specifically, to meet our requirements for low maintenance; accessibility to support aging in place; and high environmental value</li> <li>4. Renovation is costlier than a new build.</li> <li>5. Our ability to maximise the value of the site is compromised by the existing dwelling which does not readily allow for a side by side dual occupancy. The footprint of any first floor would need to be set behind the chimneys, and push the back of the house out, comprising the space</li> </ol>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Character and intactness of house</u></p> <p>1. The house at 19 Milverton Street is a timber Victorian Italianate dwelling with an asymmetrical façade. It is typical of its era and could be described as "unexceptional". Heritage precincts, however, are a tool designed to be able to protect buildings that are typical of their era, but which add up to create streetscapes and areas that stand out in their suburb or municipality. The large majority of contributory buildings can be described as typical.</p> <p>The house has undergone some alterations, with the loss of the chimney tops, rebuilding of the front verandah c1920s, and the more recent addition of a neo-Federation timber hood to the front window. The house is largely intact, retaining its original massing and roof form (M-hipped roof with projecting hipped bay), bichrome brick chimneys, pairs of decorative brackets to the eaves, ashlar-look boards to the front façade, double-hung sash windows in moulded architraves (with sidelights to the front window), and a four-panelled front door (fielded and with bolection mouldings) with sidelights and highlights. Given that intactness of the building, as</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>available for a front and back dual occupancy.</p> <p>The submitter outlines the permit history including a previous planning permit for the construction of 3 dwellings, now expired, and conversations between the architect and Council.</p>	<p>described above, the place is considered warrant the application of the Heritage Overlay.</p> <p>The Heritage Study outlines the following methodology which was used to determine heritage consistency of 'intactness' and 'integrity': For contributory places within precincts the 'integrity' rather than 'intactness' was a primary consideration. That is, while a contributory place may not be completely 'intact' (i.e., retaining all original fabric) any repairs or maintenance have been carried out using the same or similar materials, details and finishes, thus ensuring good 'integrity'.</p> <p><u>Context</u>  While the submitter is correct in noting that the Victorian house at 19 Milverton Street stands at the north end of a row of interwar bungalows, and to the north is a 1930s brick house at No. 21. There is, however, a row of Victorian houses just across from it, at 16-26 Milverton Street, so it is by no means isolated from other Victorian houses.</p> <p>Furthermore, Victorian, Edwardian and interwar houses are considered to contribute to the precinct, so neighbouring houses of another era does not detract from contributory value.</p> <p>The lone presence of the Victorian house at 19</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>Milverton Street is indicative of the history of this street as set out in the precinct citation. A large Victorian house called 'Milverton' was located on the west side of the street, so most of it remained undeveloped until its demolition around 1925. Immediately after that, construction of new bungalows began.</p> <p><u>Structural integrity</u>            Whilst the submitters note that the house is in very poor condition, the condition of building is not key consideration in heritage assessments. The assessment is focussed on intactness of a building as viewed from the public realm. Nonetheless, if the Heritage Overlay is introduced on a permanent basis, matters such as structural integrity can be considered during the planning permit process. In addition, Clause 43.01 of the Moonee Valley Planning Scheme a permit is not required to carry out works, repairs and routine maintenance which does not change the appearance of a heritage place or which are undertaken to the same details, specification and materials.</p> <p><u>Impacts development opportunity</u>            See response to submission #3</p>	




**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#103	Yes	HO12	<p>The submitter supports the extension to the Holmes Road Residential precinct (HO12).</p> <p>The submitter recommends the Heritage Overlay is extended to include all properties in Milverton Street, excluding 12 and 14, to protect the integrity of the streetscape and maintaining the streetscape integrity of the whole street.</p> <p>The submitter points to a recently constructed 'McMansion' at 12 Milverton Street to further reiterate that impact new dwellings will have on the streetscape.</p>	<p>Officers note the submitter's support for the precinct.</p> <p>The submitter would also like to ensure that future works at 12 and 14 Milverton Street do not impact on the heritage precinct, and seeks some sort of control.</p> <p>In fact, 12 and 14 Milverton Street <u>are</u> recommended for inclusion in the heritage precinct, precisely for the reasons set out by the submitter. While they are graded "non-contributory", owners will still require a planning permit for redevelopment or major external changes to these houses. In this way, Council officers will be able to considered the potential impacts of any proposed works to non-contributory properties on the precinct as a whole.</p> <p>It is common practice for non-contributory properties to be included in the Heritage Overlay as part of a precinct even though these buildings do not hold any heritage value in their own right. Their inclusion in the Heritage Overlay will ensure future redevelopment of these properties do not detrimentally impact on the heritage significance of adjoining contributory and significant heritage places or the broader precinct.</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#112	Yes	HO12	<p>The submitter supports the Heritage Overlay to 72 Holmes Road, Moonee Ponds but notes that:</p> <ul style="list-style-type: none"> <li>The intact stables at the rear of both 73 and 70 Holmes Road are missing.</li> <li>The Amendment fails to include the back lane at the rear of 68 to 74 Holmes Road.</li> </ul> <p>The submitter seeks clarification as to why properties at 1 to 25 Laura Street are not included in the Amendment and protected by the Heritage Overlay.</p>	<p>Officers note the submitters' support and provide the following responses to the submitter's statements.</p> <ul style="list-style-type: none"> <li>73 and 70 Holmes Road are already covered by HO12 and are therefore not included as part of this Amendment.</li> <li>The precinct boundary, as exhibited, abuts the rear property boundaries to the rear of 68 to 74 Holmes Road. Officers support revising the precinct boundary to include the bluestone laneways at the rear of properties.</li> <li>1 to 25 Laura Street, along with 6-28 Laura Street are covered by HO325. And are therefore not included as part of this Amendment.</li> </ul>	<p><b>Amend the maps enclosed in the Statement of Significance and Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019 to include the bluestone laneway.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>The following submission, responses and recommendations relate to HO16 Ascot Vale Road &amp; Maribyrnong Road (Ascot Vale Estate).</b>					
#10	Yes	HO016	Submitter supports the Heritage Overlay along Gladstone Street Moonee Ponds.	Officers note the submitters' support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
#25	No	HO16	The submitter opposes the Heritage Overlay to 3 Gladstone, Street Moonee Ponds on the basis that the dwelling is a mock reproduction of a Victorian/Edwardian design. The current property frontage (façade) is not the original frontage nor was it	<p>Officers note the submitters' comments and provide the following:</p> <ul style="list-style-type: none"> <li>3 Gladstone Street is graded contributory to the precinct on the basis that <i>the properties in Gladstone Street are consistent with what is found elsewhere in the precinct, buildings</i></li> </ul>	<b>Revise the Heritage Study precinct description to state that 3 Gladstone Street originally had</b>


**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>rebuilt to match any original features of the house.</p> <p>Prior to these alterations, the front of the house had horizontal weatherboards with an enclosed veranda. The windows were of a central pivot type that tilted to open, and have since been replaced with the sash type.</p> <p>The submitter seeks clarification as to why other properties in the same street with similar front facades and features are graded “non-contributory”, for example 13 Gladstone Street.</p> <p>The submitter states that heritage studies carried out in 2014 and 2017 identified all places of heritage significance, and left all remaining properties – including 3 Gladstone Street – graded non-contributory.</p>	<p><i>from the late nineteenth or early twentieth century.</i></p> <ul style="list-style-type: none"> <li>A house with the same footprint to the present house at 3 Gladstone Street was on this site by 1905, as shown on the MMBW Detail Plan No. 1611 (detail below).</li> </ul>  <ul style="list-style-type: none"> <li>Council officers have sought past building permit plans to see if the changes raised by the submitter are documented in them. They were only able to find a permit for restumping (No. BS1129/990254/0 of 29 Jan. 1999), which indicates that the house had the same plan form (projecting bay and verandah next to it) as seen in the 1905 plan and today.</li> <li>Inspection of the house from the footpath indicates that it has retained a number of features that indicate it is a Victorian</li> </ul>	<p><b>weatherboards to the front façade.</b></p> <p><b>No other changes recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>


**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>Italianate dwelling: the original roof form (M-hipped roof with a projecting hipped bay), early or original slate cladding (with two colours of slates and a diaper band of octagonal slates), rendered and corniced chimneys, and the plan form shown on the 1905 plan (including a front verandah across two-thirds of the front façade).</p> <ul style="list-style-type: none"> <li>Many of the Victorian and Edwardian houses in Moonee Valley (and other Melbourne suburbs) were unsympathetically altered in the mid-20<sup>th</sup> century, with the most frequent changes to front verandahs and windows. In more recent years, as the public has begun to value these early houses, owners have brought them back to something approximating their original appearance. This was done for 3 Gladstone Street, and though the precise details may not be accurate reconstructions, the form of the front windows and front verandah (excepting the posts) are very appropriate to a Victorian house.</li> <li>The submitter does not mention the four-panelled front door and sidelight/highlight surround or the paired eaves brackets. These elements appear to be original, or at least are very appropriate reinstatements.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>While the ashlar-look boards that now clad the front façade may not have been an original feature (and this should be recorded in the citation), and have replaced the original weatherboards, on the whole the restoration of this house has been very successful and is of the sort supported in existing heritage precincts. The surviving elements of this house are sufficient for its to contribute to the precinct, and this restoration has enhanced these original features.</li> <li>The submitter asks why 13 Gladstone Street has been graded non-contributory. While the current house at 13 Gladstone Street has a general “Victorian” appearance to it, it is a poor quality reproduction that replaced the original Victorian house on this site. Compare a 2007 image:</li> </ul>  <p>With its current width and roof pitch (now lower):</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				 <p>While the current house is consistent in scale to the Victorian house on the street, it has no heritage value itself, hence the non-contributory grade.</p> <ul style="list-style-type: none"> <li>The submitter believes that 3 Gladstone Street, among other properties in Moonee Valley were considered and then rejected as non-contributory in previous heritage studies carried out in 2014 and 2017. The submitter is correct that a smaller potential extension to the existing HO16 precinct was identified during the Stage 1 study in 2014, but when the in-depth assessment of this precinct extension was carried out in 2017, the heritage consultants concluded that the houses along Gladstone Street are of a similar type and quality to that in the existing precinct. This 2017 assessment was more in-depth than the preliminary findings of the 2014 Stage 1 work, so should be considered final</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#65	No	HO16	<p>The submitter questions the contributory grading to 33A Gladstone Street, Moonee Ponds on the basis that:</p> <ul style="list-style-type: none"> <li>The building was constructed in 2004 at the rear of 33 Gladstone Street, Moonee Ponds in 2004.</li> </ul> <p>The submitter supports the Heritage Overlay to conserve the bluestone laneways.</p>	Officers note the submission and confirm 33A Gladstone Street, Moonee Ponds, is a dwelling of modern construction which does not contribute to the significance of the precinct. Officers support revising the grading for 33A Gladstone Street, Moonee Ponds from contributory to non-contributory.	<p><b>Amend the Statement of Significance and map in the <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by revising the grading of 33A Gladstone Street, Moonee Ponds from contributory to non-contributory.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
#91	No	HO16	<p>The submitters oppose the Heritage Overlay to 5 Gladstone Street, Moonee Ponds on the basis that most of its period beauty has been removed over time.</p> <p>The submitters evidence is based on the fact that when the property was up for sale, it was for sale as a period</p>	<p>Officers note the submitter opposition and provide the following responses:</p> <p>The Heritage Study recommends extending the precinct boundary to include Gladstone Street, including 5 Gladstone Street, <i>contains predominantly late Victorian or Federation houses surrounding the landmark former Wesleyan Church and Hall complex</i>, which relates to the</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>home, but due to the property's condition it was unsuccessful.</p> <p>The submitter is also concerned that the amendment may hinder their ability to build a new home on the property or sell it to a builder.</p>	<p>significance of the precinct, <i>comprising buildings constructed predominantly in the period from c.1880 to c.1930.</i></p> <p>The house at 5 Gladstone Street is a brick Edwardian double-fronted house. It was built as a pair with No. 7. It is distinguished by its decorative use of polychrome brickwork contrasting with roughcast render to the protecting gable and eaves. The front gable retains decorative timber trusswork, which was popular for Edwardian Queen Anne houses. The house retains its front verandah, including cast-iron posts, but has lost its cast-iron frieze. While the original window openings remain, with flat arched lintels and stone or rendered sills, the double-hung sash windows have been replaced with metal units.</p> <p>This level of intactness is considered acceptable for a contributory house.</p> <p>The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a tool used to consider whether the proposed works will have an impact on the place and/or precinct.</p>	
The following submission, response and recommendation relate to HO19 Fenton Street Precinct.					



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#56	Yes	HO19	The submitters support the extension of Heritage Overlay (HO19) to include 23 Fenton Street, Ascot Vale.	Officers note the submitters' support for the amendment.	<b>No change recommended to Amendment C200moon.</b>  <b>Refer submission to panel for consideration</b>
<b>The following submissions, responses and recommendations relate to HO21 South Street &amp; East Street.</b>					
#21	Yes	HO21	The submitter supports the extension of HO21 to in order to maintain the history and appeal of the area. This is particularly necessary given the recent developments in the area. it is important to balance the need for development while maintaining the area's character and history.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
#46	No	HO21	The submitter opposes the application of the Heritage Overlay to the South and East Street (in particular) and believes their submission likely applies to other precincts. In particular they are concerned that: <u>Fence controls</u> <ul style="list-style-type: none"> <li>Front fences should be replaceable without a permit</li> </ul>	Officers note the submitters' comments and provide the following responses: <u>Fence controls</u> <ul style="list-style-type: none"> <li>The front fences of the South and East Street Precinct (HO21) are specifically outlined in the Statement of Significance as a particular feature that contributes to the significance of the place as they "allow views to the front and side elevations of the houses". Furthermore, of note within the precinct are:</li> </ul>	<b>No change recommended to Amendment C200moon.</b>  <b>Refer submission to panel for consideration.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>within the guidelines (ie. less than 1.2m high and a picket or metal fence) including demolition of an existing fence to replace with new.</p> <ul style="list-style-type: none"> <li>Side fences should be replaceable like for like without a permit, all the way to the footpath, not just from 9m back. The majority, if not all side fences in the South and East Street Precinct do not have any heritage significance and should not be subject to a permit.</li> </ul> <p><u>Paint controls</u>  Clear guidelines should be provided to prevent houses being painted 'garish' or 'out of character' colours. However, this should not include requiring a planning permit to paint houses externally given very few, if any, have not been painted various colours over the years.</p>	<p>"The duplexes with original front fences at nos. 9-11 and 10-12 South Street, which are notable for their high degree of intactness". Therefore, a planning permit application would need to be sought.</p> <ul style="list-style-type: none"> <li>The Heritage Overlay, clause 43.1-1, requires a planning permit for a fence, if the fence is visible from a street (other than a lane) or public park.</li> <li>The <i>City of Moonee Valley Permit exemptions policy, Heritage Overlay Precincts, May 2019</i> includes the following exemption from requiring a planning permit for a fence in a residential zone:  <i>Construction of a front fence not more than 1.2 metres in height above natural ground level provided that the fence is constructed of timber pickets or woven wire and that this does not require the demolition or alteration of an existing front fence on a property shown as 'Contributory' on the precinct map.</i></li> </ul> <p><u>Paint controls</u>  Clause 43.01 and Schedule to Clause 43.01 sets out the permit requirements. Officers can confirm a permit is required to externally paint buildings in HO21 at which time the proposed paint colour will be considered.</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#62	No	HO21	<p>The submitter opposes the Heritage Overlay to 10 Ayr Street, Ascot Vale on the basis the property does not satisfy the criteria as a contributory building and requests that the property is removed from the Heritage Overlay for following reasons:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The submitter outlines the elements of the property that have been altered to demonstrate that these changes have diminished its heritage significance, including: <ul style="list-style-type: none"> <li>The hipped roof original tiles have been replaced with faux tin sheets.</li> <li>The original facade features have been replaced with materials which are of no heritage value, including the side and front fences.</li> <li>As a result of the alterations to the property it is not intact.</li> <li>The front fence, side gate entrance and inside façade of the house has been re</li> </ul> </li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The properties on Ayr Street are included as part of the extension to the existing HO21 precinct as it consists of intact groups of Federation/Edwardian houses that form logical extensions to the HO21 precinct and <i>Ailsa Street, Ayr Street and Wigton Street were created following the subdivision in 1905 of the grounds surrounding the 'Ailsa' mansion. The mansion was retained on a large allotment with Ailsa Street and Ayr Street forming the south and west boundaries, respectively. Consequently, building lots were created along only one side of these streets: south side in Ailsa Street and the west side of Ayr Street. Wigton Street had lots on both sides. The subdivision, containing 65 allotments, was released for sale in February 1907 and developed very quickly. By 1910 Ailsa and Wigton streets were almost fully developed and about half the lots in Ayr and Kent streets contained houses. By 1915 only a handful of vacant lots remained.</i></li> <li>The house at 10 Ayr Street is one of the Federation/Edwardian houses in the proposed precinct extension. It is also part of a group of four dwellings built to the same design at 4-10</li> </ul>	<p><b>Amend the Statement of Significance and map in the <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by revising the grading of 2 &amp; 2A Ayr Street to non-contributory.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>bricked with standard generic red bricks.</p> <ul style="list-style-type: none"> <li>○ The original ornamental detailing on the façade of my property no longer exists.</li> <li>○ All original materials have been replaced with generic building materials of no heritage significance.</li> <li>○ The front fence of the property has been replaced and contains no post world war period features.</li> <li>● The property is not a traditional post war period Victorian or Edwardian house built prior to 1960.</li> <li>● Ayr Street is not visually cohesive as the majority of houses are not related in scale, form and detailing due to the significant amount of redevelopment which has occurred over the years. The street cannot be deemed to be largely uniform and of particular heritage significance. Certain properties do satisfy this</li> </ul>	<p>Ayr Street, as two semi-detached pairs. They are of primarily timber construction, but with brick front facades. Of these four, only No 6 Ayr Street retains its original cast-iron verandah ornament.</p> <ul style="list-style-type: none"> <li>● It is agreed that the south side weatherboards of 10 Ayr Street were clad at some later date with red bricks. While this is an alteration to its original appearance, it has little impact on views from the street.</li> <li>● It is agreed that at 10 Air Street the roof and verandah cladding has been replaced from corrugated iron or terracotta tiles to the current metal “tiles”. Note that a house of 100+ years is expected to have its roof cladding renewed at least once, so this has little impact on its contribution to the heritage precinct.</li> <li>● It is agreed that a low brick front fence and arched side gateway were built post-war, and that they have no heritage value. There is only a small percentage of Victorian and Edwardian houses that retain their original front fence. For this reason, original examples are highly valued, but are not considered essential for a house to be contributory to a precinct.</li> <li>● The change of the verandah floor tiles is also one of low impact. Verandahs are one of the</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>criterion; however, it is by no means a uniform streetscape. Further the recent modern semidetached building at 2 and 4 Ayr Street compromise the visual cohesion on the street.</p> <ul style="list-style-type: none"> <li>Although there are bluestone lanes and bluestone on the kerb, this is of minimal relevance as there are also bluestone lanes and bluestone on the kerbs of houses in the precinct which have been deemed 'non contributory'.</li> <li>The submitter identifies other properties have been significantly altered over the years to render them "non contributory" and these have been excluded from the proposed Heritage Overlay HO21. The submitter argues that their property has been similarly altered in that it no longer retains any significant cultural or heritage features and is no longer related in scale, form and detailing to houses which are</li> </ul>	<p>first areas of a house to be typically altered. In this case, the house retains its original verandah form and joinery (verandah beam and turned timber posts). This is a typical level of intactness for a contributory house.</p> <ul style="list-style-type: none"> <li>While the submitter states that the original ornamental detail has been removed from the house, this is only the case for the verandah ironwork. As noted above, alterations to front verandahs are commonly seen on houses that are contributory in heritage precincts, and only one of the four identical dwellings has retained this feature. The house retains its other original features, such as corbelled chimneys, eaves brackets, tuckpointed brick façade with render bands, double-hung sash windows, a glazed front door with sidelights and a highlight, and the aforementioned turned timber posts.</li> <li>While there may be a roller shutter on the front window, this is a reversible change with little heritage impact as it can be removed in the future without altering the house (should the owner wish).</li> <li>The submitter has provided an image of a Certificate of Title, dated 1962. This 1962 date has nothing to do with the date that the house was built (around 1910). At the bottom right-hand corner of the certificate of title</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>considered of local and historic aesthetic significance.</p> <p><u>Property value and permit fees</u></p> <ul style="list-style-type: none"> <li>The submitter argues that inclusion of the property in the South Street and East Street precinct would add additional costs for planning permits for future works, and impact on the property's value and the ability to renovate and resell.</li> </ul>	<p>front page is information about the "parent title" from which this title was derived.</p> <p>Tracing back through successive parent titles would lead to the original one from when the house was built.</p> <ul style="list-style-type: none"> <li>It is agreed that timber Edwardian house at 2 Ayr Street has been demolished since the precinct extension assessment was carried out and replaced with a contemporary semi-detached pair of two-storey dwellings (2 &amp; 2A Ayr Street). The new dwellings are not in accordance with the valued heritage of the street, but they do stand between a long row of contributory dwellings on Ayr Street to the south, and a bluestone laneway and contributory houses along South Street to the north. For this reason, 2 &amp; 2A Ayr Street should remain in the HO12 precinct, but downgraded to non-contributory.</li> <li>It is agreed that the presence or absence of bluestone laneways and kerbs do not make a house contributory or not. These elements of the public realm are, however, an important part of the early infrastructure, established around the time that 10 Ayr Street and other houses were built, so it is worthy of preservation in and of itself.</li> <li>The submitter provides photos of five Victorian and Federation-era houses in the</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>precinct that have been external altered. In all of these cases, the front façade or entire house has been clad in a non-original material (render or fake brick, the windows have been enlarged and replaced with metal units, there have been extensive changes to the front verandah (at minimum, loss of the posts; at maximum, entire rebuilding with new roof type), four of the five have non-original roof cladding materials, and three of the five have lost their chimneys. This level of alteration is <u>far</u> greater than that seen at 10 Ayr Street, which has new roof cladding and has lost its verandah fretwork.</p> <p><u>Heritage study methodology</u></p> <ul style="list-style-type: none"> <li>• See response to submission #5</li> </ul> <p><u>Property value and permit fees</u></p> <ul style="list-style-type: none"> <li>• See responses to submissions #8 and #14</li> </ul>	
The following submissions, responses and recommendations relate to HO326 Newhall Avenue Precinct.					

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#33	No	HO326	<p>The submitter objects to the application of the Heritage Overlay to 12 Milfay Avenue for the following reasons:</p> <p><u>Communication and consultation</u></p> <ul style="list-style-type: none"> <li>• They submitter did not receive correspondence in relation to the <i>Moonee Valley Heritage Gap Study 2014</i> or the <i>Moonee Valley 2017 Heritage Study</i> (interim controls or permanent controls) and therefore have not had the opportunity to provide feedback on the application of the Heritage Overlay.</li> </ul> <p><u>Adverse financial impact in reliance of Council's information</u></p> <ul style="list-style-type: none"> <li>• When the submitter purchased the property, they were not informed by Council about the <i>Moonee Valley Heritage Gap Study 2014</i> or the <i>Moonee Valley 2017 Heritage Study</i>. Further the property report, dated 30 May 2016, did not propose any overlays.</li> <li>• The submitter is concerned that the Heritage Overlay would financially disadvantage the</li> </ul>	<p>Officers note the submitters' opposition and provide the following comments:</p> <p><u>Communication and consultation</u></p> <ul style="list-style-type: none"> <li>• The draft <i>Moonee Valley Heritage Gap Study 2014</i> underwent extensive community consultation between 28 July and 29 August 2014. This included sending letters to all affected landowners seeking their feedback.</li> <li>• Officers can confirm a letter was sent to the owners at that time.</li> <li>• In order to implement the Heritage Study, two requests were submitted to the Minister for Planning in March 2019. <ul style="list-style-type: none"> <li>○ The first, Amendment C200moon, requests authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment and the second, Amendment C201moon, requests those properties that form part of Amendment C200moon are protected by the Heritage Overlay on an interim basis while the amendment for permanent controls is considered. Amendment C2001moon was considered under 20(4) of the <i>Planning and Environment Act 1987</i> which exempts the Minister for</li> </ul> </li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>submitter, in particular the rates would not reflect the new overlay.</p> <p><u>Subjective selectiveness and Substantial inconsistencies with Heritage Identification</u></p> <ul style="list-style-type: none"> <li>The submitter points to recent demolition and apartment constructions in Shuter and Moore streets as well as the demolition of homes in Edgar Street, Norwood Crescent and 2 Milfay Avenue to argue that the selection of properties to include in Heritage Overlays appears to be subjective and substantially inconsistent.</li> <li>The submitter also questions the intactness of the streetscape given the number of non-original alterations to houses in Milfay Avenue, including front fences.</li> </ul>	<p>Planning to consult on the amendment.</p> <p><u>Adverse financial impact in reliance of Council's information</u></p> <ul style="list-style-type: none"> <li>The <i>Moonee Valley Heritage Gap Study 2014</i> would not be referenced in a property report as it is a background document to inform future heritage studies.</li> <li>The property report was issued before the commencement and implementation of the Heritage Study.</li> <li>Property rates is not a consideration for the application of the Heritage Overlay or this amendment.</li> </ul> <p><u>Subjective selectiveness and Substantial inconsistencies with Heritage Identification</u></p> <ul style="list-style-type: none"> <li>The submitter has provided a series of photos of Edwardian and interwar-era houses on Shuter and Moore streets, as well as 2 Milfay Avenue, and states that they have been “conveniently excluded from the [Heritage] Overlay”. These buildings were all demolished before Council had a chance to commission a full assessment of these properties and determine if they should be protected. Stage 1 of the <i>Moonee Valley Heritage Gap Study 2014</i> identified houses at 1-9 Shuter Street and 35-41 Moore Street as being of potential heritage significance. In the case of</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>25-45 Moore Street, it is now recommended to become part of the larger HO16 Ascot Vale Estate precinct. When 1-9 Shuter Street was revisited, there had already been too much demolition, and no further assessment was carried out.</p> <p>Likewise, the early house at 2 Milfay Street had already been demolished when the 2014 Stage 1 survey took place, so it not possible to retrospectively save it.</p> <ul style="list-style-type: none"> <li>• Planning Practice Note 1 (Applying the Heritage Overlay) identifies the criteria for assessing places of heritage significance by including an assessment of the HERCON criteria.</li> <li>• The houses on Milfay Avenue generally have a very high level of intactness when viewed from the street.</li> <li>• Internal changes and recessive rear extensions are commonly approved for contributory houses in heritage precincts, so their presence does not disqualify a house.</li> <li>• In addition, four of the six houses on Milfay Avenue retain their original front fence. This is a very high proportion as compared to more heritage precincts.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#76	No	HO326	<p>The submitters oppose the Heritage Overlay to 8 Milfay Avenue, Moonee Ponds.</p> <p>The submitters mentions that they oppose for the same reason's raised by submitter #33. The submitter refers to an attachment, however submitter #33 submission was not attached.</p> <p>Further, in April 2017 the submitters purchased the property and the Section 32 Vendor Statement relating to the property at did not disclose any proposed overlays as it normally would over the property.</p> <p>In addition, the submitters state an expert has advised that the Heritage Overlay will impact the value of the property when it is sold in the future.</p>	<p>Officers note the submitters' opposition and note that officers did not receive the attached referred to in the submission, but the issues raised in Submission 33 have been answered in that line of the table.</p> <p>The submitter notes the Section 32 did not include reference to the proposed overlay. The property report was issued before the approval of the interim Heritage Overlay (gazetted 16 January 2020) and before the Minister for Planning authorised Council to prepare and exhibit the amendment.</p> <p>In relation to the of the Heritage Overlay impact on property values, see response to submission #8.</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration</b></p>
<b>The following submission, responses and recommendations relate to HO371 Levien Street Precinct.</b>					
#15	Unsure	HO371	<p>The submitter requested the Heritage Overlay be applied to 2-20 Levien Street, Essendon 30 years ago.</p>	<p>Officers note that the submitter does not specifically state if they support or do not support the amendment.</p>	<p><b>No change recommended to Amendment C200moon.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
					Refer submission to panel for consideration.
<b>The following submissions, responses and recommendations relate to HO450 Aberfeldie Street and Waverley Street.</b>					
<b>#9</b>	Yes	HO450	Submitter supports the application of the Heritage Overlay to Aberfeldie Street and Waverly Street and confirms support for the grading of 15 Aberfeldie Street, Aberfeldie as non-contributory to the precinct.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
<b>#11</b>	Yes, with changes	HO450	The submitter requests 151A and 151B Park Street, Moonee Ponds are either removed from the Heritage Overlay or graded as non-contributory on the basis that the properties are on separate titles to 60 Waverley Street and were recently constructed.	Officers note the submitter's comments and provide the following response: <ul style="list-style-type: none"> <li>A planning permit to construct two double storey dwellings with basement garage to the rear of 60 Waverley Street, Moonee Ponds was issued in January 2013.</li> <li>The subdivision application to subdivide the property into three lots was issued in April 2017.</li> </ul>	<b>Remove 151A &amp; 151B Park Street from HO450.</b>  <b>Revise the Statement of Significance and the map in <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by deleting 1A &amp; 151B Park Street.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
					<p><b>Amend Schedule to Clause 43.01 by deleting 51A &amp; 151B Park Street from HO450.</b></p> <p><b>Refer submission to panel for consideration</b></p>
<b>#37</b>	No	HO450	<p>The submitter opposes the Heritage Overlay to 23 Waverley Street, Essendon for the following reasons:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>• The <i>Moonee Valley 2017 Heritage Study</i> does not specifically state why 23 Waverley Street, Essendon is to be included in the Heritage Overlay except for visual cohesion.</li> <li>• The <i>Moonee Valley 2017 Heritage Study</i> mentions the present has low visual cohesion due to high fences, located on the lower side of the road and it's a busy thoroughfare.</li> <li>• The property facade is hardly visible from the main thoroughfare (Waverley St) due</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>• According to the Statement of Significance the precinct comprises a mix of Victorian, Federation and interwar houses.</li> <li>• 23 Waverley Street is an intact interwar bungalow which is why it is included in the precinct.</li> <li>• It is agreed that 23 Waverley Street and some other houses along the west side of this street are partially concealed behind high fences.</li> <li>• In the case of 23 Waverley Street, it is agreed that there is poor visibility from the street and it is mainly the roof that is visible. This is because of the high front fence (installed between 2009 and 2014), the low siting of the house, and its relatively low horizontal lines typical of the California Bungalow style.</li> </ul> <p><u>Precinct boundary</u></p>	<p><b>Remove 23 Waverley Street from HO450.</b></p> <p><b>Revise the Statement of Significance and the map in <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by deleting 23 Waverley Street.</b></p> <p><b>Amend Schedule to Clause 43.01 by deleting 23 Waverley Street</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>to a high boundary fence (pre-existing) and trees and plant covering majority of front elevation.</p> <p><u>Precinct boundary</u></p> <ul style="list-style-type: none"> <li>The property is one of two properties to the south of Alma Street located on the east side of Waverley Street, which doesn't make sense especially when the features etc. are so well represented within the suburb and adjoining areas and where there is better visual cohesion.</li> </ul> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>This submitter expresses concern the Heritage Overlay disadvantages the submitter on the basis that other properties nearby, not covered by the Heritage Overlay, are allowed to build/renovate/extend their properties, while the submitter's property would need to comply with strict requirements on what we can and cannot do.</li> </ul>	<ul style="list-style-type: none"> <li>While the 2014 Stage 1 study indicated that 1-57 Waverley Street should be considered as part of the precinct, the detailed precinct assessment in 2017 concluded that 25-57 Waverley Street should be left out of the precinct. The rationale was explained as follows: <i>However, the houses on the east side of Waverley Street at nos 25 to 57 have been excluded, because their contribution to the precinct is compromised by the combination of the broad and busy street, lower siting and high front fences screening views of the houses.</i> This led to the final precinct boundary of 1-23 on the west side of Waverley Street.</li> <li>Just to the north of 23 Waverley Street is a pair of double-fronted timber Edwardian houses at 19 and 21 Waverly Street. They are higher set than 23 Waverley Street, and taller buildings overall, so are still well visible behind high fences, and their contribution to the precinct is not compromised. Furthermore the two form an important role in bracketing the Alma Street extension with its contributory Canary Island Palms. For this reason, while No. 23 should be removed from the precinct extent, Nos. 19 and 21 should clearly remain and create a strong close to this side of the precinct.</li> </ul>	<p><b>from HO450.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>The same cannot be said of 23 Waverley Street. As noted by the submitter, it conforms with the description of the excluded southern part of the street, being a low set house behind a high, solid masonry fence. While this lack of visibility would not have been such an important consideration should the house have stood in the middle of a precinct (for factors including the reversibility of the fence), it is not a logical property with which to end a precinct.</li> <li>For the reasons above, it is agreed that 23 Waverley Street should be considered part of the 'poor visibility' part of Waverley Street, and excluded from the precinct.</li> </ul> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>See response to submission #3</li> </ul>	
<b>#39</b>	No	HO450	The submitter opposes the Heritage Overlay to 19 Aberfeldie Street, Aberfeldie and requests the property to be removed from the Heritage Overlay and any scheme, study of application.	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>19 Aberfeldie Street forms part of the Aberfeldie Street and Waverley Street precinct. The property is identified as an interwar bungalow in the Heritage Study. Specifically, the study identifies it for its notable projecting box-framed windows typical of the interwar era.</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#45	No	HO450	<p>The submitters oppose the application of the Heritage Overlay to 11 Waverley Street, Essendon for the following reasons:</p> <ul style="list-style-type: none"> <li>The submitters aspire to renovate the rundown home and retain as much of the Edwardian style of the house and as many of the original features as possible.</li> <li>In doing this the submitter plans on modernising the property and feel the heritage overlay would prevent, delay and drive up the cost of the renovations they had planned.</li> </ul> <p><u>Property value</u>  Submitter is worried about the negative impact the heritage overlay will have on the value and re-saleability of the home.</p>	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>The application of the Heritage Overlay does not in and of itself exclude redevelopment opportunities. Instead the heritage overlay is a statutory mechanism used to consider whether proposed works and development will have a negative effect on the place/precinct.</li> </ul> <p><u>Property value</u>  See response to submission #8</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
#98	Unsure	HO450	<p>The submitter provided photos of the heritage "stink pipe" located in the driveway of unit 4/10A Aberfeldie Street, Aberfeldie.</p>	<p>Officer note the submitters' submission.</p> <p>The "stink pipe" raised by the submitter is a sewerage vent pipe of the type commonly installed by the Melbourne and Metropolitan Board of Works when they were installing sewer reticulation in Melbourne's suburbs. The tall vents</p>	<p><b>Add a mention of MMBW sewer vents ("stink pipes") in the Heritage Study description of the precinct public realm.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>allowed foul air from the sewer to be dispersed far about ground level, so it would not be noticed.</p> <p>As MMBW plans were prepared for this area in 1906, the “stink pipe” likely dates from that time. Another one is seen on the north side of Alma Street, at the boundary of 2A Alma Street and 10 Aberfeldie Street.</p> <p>Usually these pipes are located on public land, such as laneways or in parks. As shown on the 1906 MMBW Detail Plan for this area (No. 1635). Both “stink pipes” on Alma Street are located in former laneways that have since been incorporated into private properties. In the case of 4/10A Aberfeldie Street, after the laneway land was incorporated into the larger block, a fourth garage was built there. The precinct description reflects this, and only describes the three western garages as original to this site.</p> <p>MMBW infrastructure, such as these “stink pipes” is of interest for its illustration of early sewer works, and they are common in early suburban subdivisions in a similar way that bluestone kerbs and laneways are. While they are often overlooked in heritage studies, it would be an appropriate addition to the precinct description to mention the presence of c1906 MMBW “stink pipes” located within the precinct.</p>	<b>Refer submission to panel for consideration.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
<b>The following submissions, responses and recommendations relate to HO451 Brown Avenue and Morphett Avenue.</b>					
#54	No	HO451	<p>The submitter objects to the application of the Heritage Overlay applying to Brown Avenue and Morphett Avenue precinct on the basis that:</p> <p><u>Statement of Significance</u></p> <ul style="list-style-type: none"> <li>The Statement of Significance does not correctly identify the established character along Brown Avenue, James Street and Morphett Avenue. In particular the Statement of Significance states dwellings are predominantly single storey in character.</li> <li>The submitter states this is incorrect as a number of the original dwellings a double storey. Further a number of dwellings have been significantly altered including large two-story additions.</li> <li>Front setbacks are also varied.</li> <li>The Statement of Significance also highlights that the low front fence boundary treatment exists along Brown Avenue which the</li> </ul>	<p>Officer note the submitter's concerns and provide the following response:</p> <p><u>Statement of Significance</u></p> <ul style="list-style-type: none"> <li><u>Predominantly single storey</u> - The Brown Avenue and Morphett Avenue precinct is a <i>residential area, which predominantly comprises Victorian, Federation/Edwardian and Interwar houses</i>. While nearly all of the contributory houses are single-storey, the exception – a two-storey terrace-type house at 28 Brown Avenue – is specifically mentioned in the precinct description as a rare example of this type in Ascot Vale.</li> <li>The submitter is correct in noting that some of the originally single-storey houses have been altered with two-storey additions, some more prominent than others. The statement of significance addresses these as 'non-original alterations and additions' which are identified as 'non-contributory'.</li> <li>The application of the Heritage Overlay does not mean that there can be no change to contributory buildings. Instead, they can be remodelled and upgraded internally without planning permission, and extended with a planning permit. While care should be taken</li> </ul>	<p><b>Revise the Statement of Significance to include the following statement 'front boundary treatments that allow views of the houses from the street'.</b></p> <p><b>Refer submission to panel for consideration</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>submitter indicates does not reflect the existing character.</p> <p><u>Precinct lacks intactness</u></p> <ul style="list-style-type: none"> <li>The submitter argues the precinct is a 'mish mash' of houses from the late 1800's to present day, thus resulting in no predominant style.</li> </ul> <p><u>Exhibition information</u></p> <p>The submitter also states that the Council has not provided information that supports the individual properties have heritage significance.</p>	<p>not to overwhelm the presentation of a contributory house with an extension, officers note there are many cases in Moonee Valley's existing heritage precinct where visible upper-level extension have been built one-room back from the façade and are quite visible.</p> <ul style="list-style-type: none"> <li>The <u>front setbacks</u> of the houses vary somewhat, but can be described generally as medium-sized front gardens, in contrast to small front gardens in some 19<sup>th</sup>-century areas and large front gardens in wealthy areas.</li> <li>The important aspect of the '<u>low front fences</u>' is 'that [they] allow views of the houses from the street', in contrast to street dominated by high, opaque masonry fences that hide the houses behind them. In this case, the statement of significance is not referring to fences of particular heritage significance, just that the houses can be clearly viewed. For clarity, this phrase could be revised to: <i>front boundary treatments that allow views of the houses from the street.</i></li> </ul> <p><u>Precinct lacks intactness</u></p> <ul style="list-style-type: none"> <li>The Heritage Study states <i>the precinct is typical of [subdivision patterns of the nineteenth century] and it is notable as containing the most intact groups of Victorian era housing in this western part of Ascot Vale,</i></li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>which in the nineteenth century was relatively remote from public transport services. It demonstrates how far development progressed during the nineteenth century land boom and how this resulted in isolated pockets of housing on large estates that were not fully developed until well into the twentieth century. While some of the houses have been altered (e.g., replacement of windows, modifications to verandahs) and some have visible additions, most retain good integrity when viewed from the street. As a whole, the precinct has good cohesion and integrity and provides a clear illustration of the key phases of development with legible boundaries.</i></p> <ul style="list-style-type: none"> <li>• It is noted that it is common for multiple eras of houses to be protected in a single heritage precinct, and there are many similar examples in the Moonee Valley Heritage Overlay. It is also very common for a scattering of non-contributory houses in all but the smallest heritage precincts, these were either built after the valued period of the precinct or are very altered examples of early houses.</li> <li>• In conclusion, the overall, the mix seen in this precinct is typical of those seen in Moonee Valley.</li> </ul> <p><u>Heritage study methodology</u></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>The submitter is correct in stating that the precinct citation does <u>not</u> include information that supports the heritage significance of each individual property in the precinct. Apart from the two properties that already have site specific Heritage Overlays (11 &amp; 23 Brown Avenue), the remaining properties to be protected in the precinct are <u>contributory</u>. This means that they are not of local heritage significance on their own, but together they form a group (precinct) that is locally significant. So, it is the precinct that is assessed, not individual houses.</li> <li>Planning Practice Note 1 (Applying the Heritage Overlay) identifies the criteria for assessing places of heritage significance. There are few ways to protect places of heritage significance in the Heritage Overlay. Either a site-specific Heritage Overlay is applied to individually significant places, a group of properties as part of a precinct or as a serial listing. The typical way the Heritage Overlay is applied to precincts is to protect streetscapes which comprise primarily contributory properties. Properties in a precinct can be “typical” examples of their style and era, and together they create an area that is of significance. This approach is</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>considered best practice and has been supported by various Planning Panels.</p> <ul style="list-style-type: none"> <li>All information relating to the amendment is available on Council's your say platform (<a href="https://yoursay.mvcc.vic.gov.au/c200">https://yoursay.mvcc.vic.gov.au/c200</a>).</li> </ul>	
#55	No	HO451	<p>The submitter objects to the Heritage Overlay to the Brown Avenue and Morphett Avenue precinct on the basis that:</p> <ul style="list-style-type: none"> <li>There is no consistent heritage characteristic and the majority of houses exhibit 'hybrid' styles.</li> <li>A number of the houses need improvements and the Heritage Overlay will prohibit demolition and new houses building.</li> <li>The submitter believes it is unfair that the planning control will make it harder for owners to build the home they had planned.</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>The Heritage Study states <i>the precinct is typical of [subdivision patterns of the nineteenth century] and it is notable as containing the most intact groups of Victorian era housing in this western part of Ascot Vale, which in the nineteenth century was relatively remote from public transport services. It demonstrates how far development progressed during the nineteenth century land boom and how this resulted in isolated pockets of housing on large estates that were not fully developed until well into the twentieth century. While some of the houses have been altered (e.g., replacement of windows, modifications to verandahs) and some have visible additions, most retain good integrity when viewed from the street. As a whole, the precinct has good cohesion and integrity and provides a clear illustration of the key phases of development with legible boundaries.</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>Note that it is common for multiple eras of houses to be protected in a single heritage precinct, and there are many similar examples in the Moonee Valley Heritage Overlay.</li> <li>It is also very common for a scattering of non-contributory houses in all but the smallest heritage precincts, these were either built after the valued period of the precinct or are very altered examples of early houses. Overall, the mix seen in this precinct is typical of those seen in Moonee Valley.</li> <li>The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a planning tool used to consider whether the proposed works will have an impact on the place and/or precinct. The Heritage Overlay sets a planning permit triggers for external alterations and additions, including works that seek to improve the environmental sustainability of a building (i.e. solar panels) to allow Council to assess the potential impacts of the proposed alterations and additions. The <i>Moonee Valley Heritage Guidelines 2016</i> provide owners with guidance in relation to the citing and location of additions.</li> </ul> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>See responses to submission #3</li> </ul>	
<b>#67</b>	No	HO451	The submitter objects to the application of the Heritage Overlay	Officers note the submitters' comments and confirm a building permit was issued in July 2007	<b>Revise the grading of 14 Brown</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			to 14 Brown Avenue, Ascot Vale on the basis that the house was built approximately 10 years ago in a Victorian style. The submitter requests that the properties grading is revised from contributory to non-contributory.	and the occupancy permit was issued in July 2012 for the construction of a new dwelling	<p><b>Avenue, Ascot Vale in HO451 from contributory to non-contributory.</b></p> <p><b>Amend the Statement of Significance and the map in the <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by revising the grading of 14 Brown Avenue, Ascot Vale from contributory to non-contributory.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>#68</b>	No	HO451	Submission is identical to #54.	<p>Officers note the submitter's concerns.</p> <p>See response to Submission #54.</p>	<b>See officers' recommendations to Submission #54</b>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#69	No	HO451	<p>The submitter oppose the Heritage Overlay to 2A Brown Avenue, Ascot Vale on the basis that:</p> <ul style="list-style-type: none"> <li>• A number of the houses and fences have been altered to suit the modern family.</li> <li>• The alterations have been carried out tastefully without the Heritage Overlay being in place.</li> <li>• The house is a 1950s postwar with a second storey, high front fence and the paint colour has been changed.</li> <li>• The submitter is trying to seek approval for a crossover and is concerned the Heritage Overlay will impact the application / cause future issues when dealing with council.</li> <li>• The submitter agrees that the street is characterised by low front fence.</li> </ul> <p>The submitter believes the neighbours also would object to the amendment.</p>	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>• The Brown Avenue and Morphett Avenue precinct is identified for its residential area, which predominantly comprises Victorian, Federation/Edwardian and Interwar houses.</li> <li>• The Moonee Valley 2017 Heritage Study identifies the <i>area as the precinct is typical of [subdivision patterns of the nineteenth century] and it is notable as containing the most intact groups of Victorian era housing in this western part of Ascot Vale, which in the nineteenth century was relatively remote from public transport services. It demonstrates how far development progressed during the nineteenth century land boom and how this resulted in isolated pockets of housing on large estates that were not fully developed until well into the twentieth century. While some of the houses have been altered (e.g., replacement of windows, modifications to verandahs) and some have visible additions, most retain good integrity when viewed from the street. As a whole, the precinct has good cohesion and integrity and provides a clear illustration of the key phases of development with legible boundaries.</i></li> <li>• Further the Heritage Study states that the Brown Avenue and Morphett Avenue is</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>comparable precincts including HO12 Holmes Road Residential, Moonee Ponds, HO16 Ascot Vale Estate, Ascot Vale and Moonee Ponds, HO17 Dickens Street, Ascot Vale and HO21 South Street &amp; East Street, Ascot Vale for its pattern of development with a core of Victorian housing interspersed with Federation/Edwardian and Interwar houses. Specifically, the Heritage Study identifies 2A Brown Avenue as a simple 1930s/1940s bungalow, which is consistent with the heritage characteristics outlined in the Statement of Significance.</i></p> <p>While the submitter describes the house as being 1950s in date, it is visible on a 1945 aerial photo. The house at 2A, as well as 4 and 10, were built in 1940-41. The first resident of 2A Brown Avenue was a Mr Cadman, in 1942 (according to the Sands &amp; McDougall's street directories). This means that it was built during the valued period of development. The two-storey rear extension is set entirely behind the original extent of the house, so has little impact on views from the street.</p> <ul style="list-style-type: none"> <li>• While the submitter is correct in stating that the house has been repainted (and likely not in its original colour scheme), it is extremely rare for a houses more than 30 years old to retain their original colours, and in such cases,</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>External Paint Controls are often recommended (which is not the case for 2A Brown Avenue or the rest of the proposed precinct).</p> <p>See response to submission #5 relating to heritage study precinct methodology.</p> <p>The planning scheme amendment process encourages anyone affected or interested to make a submission.</p>	
<b>#74</b>	No	HO451	<p>The submitter objects to the application of the Heritage Overlay applying to Brown Avenue and Morphett Avenue precinct on the basis that:</p> <p><u>Statement of Significance</u></p> <ul style="list-style-type: none"> <li>• The Statement of Significance does not correctly identify the established character along Brown Avenue, James Street and Morphett Avenue and objects to the following: <ul style="list-style-type: none"> <li>○ Dwellings are predominantly single storey in character. The submitter states this is incorrect as a number of the original dwellings a double storey. Further a number of dwellings have been significantly altered</li> </ul> </li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Statement of Significance</u></p> <ul style="list-style-type: none"> <li>• <u>Single-storey scale</u> – It is agreed that one of the earliest houses in the precinct is not single-storey. This is the two-storey terrace type house at 28 Brown Street. It is specifically addressed in the precinct citation as a variation to the other contributory houses in the precinct, and is described as: <i>Notable examples [of Victorian houses in the precinct] include the two-storey brick terrace at no. 28, a rare example in this part of Ascot Vale.</i></li> </ul> <p>The remainder of the contributory houses are single-storey, though a number of them have a visible two-storey extension. The statement of significance correctly describes the</p>	<p><b>Revise the Statement of Significance to include references to 'small groups of attached Victorian house' and 'he houses have 'front boundary treatments that allow views of the houses from the street'.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>including large two-story additions.</p> <ul style="list-style-type: none"> <li>○ Similar or uniform front and side setbacks. The submitter argues that the street is extremely varied</li> <li>○ Predominantly detached siting. The submitter argues that the street departs from the description in the statement of significance.</li> <li>○ Low front fences. The submitter argues that the front boundary treatments vary considerably and include different types of fences, walls, hedges and open frontages.</li> <li>○ Prominent hipped and/or gabled roof forms porches and verandahs of the houses. The submitter notes the dwellings within Brown Avenue typically have hipped or gabled roof forms, however, they vary significantly in pitch and design. In addition, it is noted that pitched roofs are the predominant roof type within Ascot Vale and this cannot be justified alone in imposing</li> </ul>	<p>predominantly single-storey character of the contributory houses as a significant feature of the precinct. This is because no significance is attributed to the later, as noted in the statement of significance: <i>Non-original alterations and additions to the Contributory houses ... are Non-contributory.</i></p> <p>Application of the Heritage Overlay does not mean that there can be no change to contributory buildings. Instead, they can be remodelled and upgraded internally without planning permission, and extended with a planning permit. While care should be taken not to overwhelm the presentation of a contributory house with an extension, there are many cases in Moonee Valley's existing heritage precinct where visible upper-level extension have been built one-room back from the façade and are quite visible. Houses with some change, such as a visible extension, are still graded contributory if their original form, era and style can still be understood.</p> <p>Finally, it should be noted that the 'large double storey dwelling built on the north east corner [of 23 Browns Avenue] ... in the last two years', mentioned by the submitter, is a houseboat parked in this location and should not be considered part of the housing stock in the precinct.</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>heritage controls particularly when acknowledging the anomalies identified above in the Statement of Significance.</p> <p><u>22 Brown Avenue</u></p> <ul style="list-style-type: none"> <li>The submitter notes that the proposed heritage control does not classify the property as significant, rather only contributory. Therefore, alone it is not significant nor warrants individual heritage status but the proposition put forward for the establishment of the Heritage Area is that the holistic value of the surrounding area warrants heritage protection, which we have addressed in detail above.</li> <li>There are significantly better examples of Californian Bungalows/ Interwar homes not only in the Moonee Valley Area but within the Ascot Vale area itself that are grouped together and already have heritage value. In actual fact less than 50 metres south of the proposed HO451 lies HO20: Monash Street, Ascot Vale.</li> </ul>	<ul style="list-style-type: none"> <li><u>Similar front setbacks</u> – It is agreed that there is variance of a few metres amongst the front setbacks of the contributory houses in the precinct. Generally, however, they conform to a suburban type of having medium-sized front gardens. This is in contrast, for example, with the eastern half of HO24 Wellington Street Precinct where most houses have modest or minimal front gardens, and with HO7 Riverview Estate in which most houses have large blocks and generous front gardens.</li> <li><u>Predominantly detached siting and similar side setbacks</u> – In regard to side boundaries, the predominant house form is free-standing, detached, giving rise to similar side setbacks. It is agreed that there are groups of Victorian houses built to the side boundary that do not illustrate this key attribute, and this could be reflected in the statement of significance. And there is a small number of houses that have been extended to the side boundary. As with two-storey extensions, if these side extensions are legible as later interventions and they do not dominate views to the house, then they are considered acceptable. Certainly, side extensions have been approved in many</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The property sits adjacent to two dwellings that sit significantly forward of the building, both with no front fences and with the dwelling to the south (20 Brown Avenue identified as non-contributory) with a flat roof garage built on the boundary. Opposite of the site on the west side of Brown Avenue at 25 (north west) comprises a double storey dwelling which sits out of context with the Statement of Significance associated with the proposed heritage overlay.</li> </ul> <p>Planning Practice Note</p> <ul style="list-style-type: none"> <li>Under Planning Practice Note 1 (PPN1): Applying the Heritage Overlay, this sets out heritage criteria that need to be used when assessing whether to include an area within a heritage overlay. Within PPN1 the heritage criteria that Council appear to be justifying the introduction of the Heritage Overlay is; Criterion E: Importance in exhibiting particular aesthetic</li> </ul>	<p>of Moonee Valley's Heritage Overlay precincts.</p> <ul style="list-style-type: none"> <li><u>Low front fences</u> – This aspect of the precinct is described in the statement of significance as: <i>low front fences that allow views of the houses from the street</i>. Note that any boundary treatment that 'allows views of the houses from the street' is a positive attribute in a heritage precinct. This could be no fence or a hedge as well. As no fences of heritage value have been identified in the statement of significance, this phrase is clearly related to visibility and not the presence of specific fences. The opposite condition would be streets dominated by high (and opaque) front fences that do not allow appreciation of the houses from the street. For clarity, this phrase could be revised to: <i>front boundary treatments that allow views of the houses from the street</i>.</li> <li><u>Roof types</u> – It is agreed that the majority of pre-war houses in Moonee Valley have pitched roofs, and that this aspect does not particularly distinguish the Brown and Morphet Avenues Precinct.</li> </ul> <p><u>22 Brown Avenue</u></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>characteristics (aesthetic significance). It is our position that these characteristics which are set out in the Statement of Significance are not met when looking at Brown Avenue. Therefore, there is no clear justification provided relating to the significance of the place as a basis for its inclusion in the Heritage Overlay and it is respectfully requested that 22 Brown Avenue is removed from the proposed Heritage Overlay.</p>	<ul style="list-style-type: none"> <li>The submitter is correct in stating that the California Bungalow at 22 Brown Avenue has a contributory grade, thus it must be protected within heritage precinct of local significance in order to warrant protection in the Heritage Overlay. As such, it is agreed that there are better examples of this style, particularly those graded significant in the Heritage Overlay. There is also a broad continuum of contributory California Bungalow, some of them grander, some more modest. Some highly intact, and others somewhat altered but still clearly recognisable for their style and built-era.</li> <li>22 Brown Avenue is an intact timber California Bungalow of the 1920s. It retains an original post and wire fence, though the gates have been replaced.</li> <li>It is agreed that HO20 Monash Street Precinct is significant for its consistent interwar building stock. It differs from HO451 in that it was only subdivided in the 1920s, a time when the last vacant parts of Ascot Vale were undergoing rapid development. In contrast, HO451 illustrates the reach of late 19<sup>th</sup>-century boom era subdivisions, leaving Victorian-era pockets in areas that were not fully developed until the interwar period.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>The submitter notes that 22 Brown stands next to and across from non-contributory dwellings (Nos. 20 &amp; 25). There are almost always some non-contributory properties in all but the smallest of heritage precincts. As long as they do not form the dominant character of the precinct, their presence is considered acceptable.</li> </ul> <p><u>Planning Practice Note</u></p> <ul style="list-style-type: none"> <li>The statement of significance argues that the precinct meets Criterion A (historical significance) and Criterion D (representativeness) at a local level, hence that HO controls are warranted. It is agreed that the precinct does not meet Criterion E.</li> </ul>	
<b>#75</b>	No	HO451	Submission is identical to #54.	<p>Officers note the submitter's concerns.</p> <p>See response to Submission #54.</p>	<b>See officers' recommendation to Submission #54</b>
<b>#94</b>	No	HO451	Submission is identical to #54.	<p>Officers note the submitter's concerns.</p> <p>See response to submission #54</p>	<b>See officers' recommendation to Submission #54</b>
<b>#95</b>	No	HO451	Submission is identical to #54.	<p>Officers note the submitter's concerns.</p> <p>See response to submission #54</p>	<b>See officers' recommendation to Submission #54</b>
<b>#96</b>	No	HO451	Submission is identical to #54.	<p>Officers note the submitter's concerns.</p> <p>See response to submission #54</p>	<b>See officers' recommendation to Submission #54</b>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#97	No	HO451	Submission is identical to #54.	Officers note the submitter's concerns.  See response to Submission #54.	See officers' recommendation to Submission #54
#99	No	HO451	Submission is identical to #54.	Officers note the submitter's concerns.  See response to Submission #54.	See officers' recommendation to Submission #54
#100	No	HO451	Submission is identical to #54.	Officers note the submitter's concerns.  See response to Submission #54.	See officers' recommendation to Submission #54
#113	No	HO451	Submission is identical to #54.	Officers note the submitter's concerns.  See response to submission #54	See officers' recommendation to Submission #54
<b>The following submissions, responses and recommendations relate to HO452 Queens Avenue and Burton Crescent.</b>					
#105	No	HO452	The submitters oppose Amendment C200moon and Heritage Overlay, HO452 Queens Avenue and Burton Crescent, and requests the following changes to the amendment: <ol style="list-style-type: none"> <li>1. Remove Queens Avenue from HO452.</li> <li>2. Alternatively, remove 7 Queens Avenue from HO452.</li> <li>3. Finally, if 7 Queens Avenue is to be included, revise the grading to non-contributory.</li> </ol>	Officers note the submitters' concerns and provide the following response.  <u>Queens Avenue</u> The Heritage Study recommends Queens Avenue is included in the Heritage Overlay on the basis that <i>the <u>Queens Avenue</u> and Burton Crescent precinct is a residential area that comprises housing exclusively from the Federation/Edwardian period. The houses are all detached, and single storey with small front setbacks, and narrow side setbacks. Almost all are timber, with only constructed of brick. There are two basic house types: symmetrical 'Victorian</i>	<b>No change recommended to Amendment C200moon.</b>  <b>Refer submission to panel for consideration.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>The submitter provides the following arguments to support the request: Queens Avenue</p> <ul style="list-style-type: none"> <li>While the majority of the houses in Queens Avenue are pleasant and contribute to a pleasing neighbourhood aesthetic, they are not remarkable in terms of heritage that said the mature Oaks, bluestone kerb and channel laneways do deserve some heritage consideration.</li> <li>The southern end of Queens Avenue, has seen some modern renovations and extensions, specifically properties 5 and 9, which impact the single storey cohesion of the street.</li> <li>Vehicle crossovers are evident at numerous properties, as are visible solar panels, carports and aluminium and wire fencing along the street all serve to break both the integrity and intactness of visual cohesion and consistency of built form.</li> <li>The submitter states that the 'visual cohesion and consistency of built form could be better</li> </ul>	<p><i>Italianate survival' and asymmetrical Federation/Edwardian houses.</i></p> <p>The Heritage Study further notes that <i>the integrity of the houses varies, but most have relatively good integrity when viewed from the street. Common alterations include changes to verandahs, replacement of windows, and changes to roof cladding. Only a small number of houses have visible additions. Fences are not original, but almost all are low and transparent many are sympathetic to the style of the houses (e.g., timber pickets). Overall, the streets within the precinct have good visual cohesion.</i></p> <p>The submitter's appreciation for the heritage value of the oak street trees and bluestone kerb and channel along Queens Avenue is noted.</p> <p>The submitter notes that the houses at 5 &amp; 9 Queens Avenue have recent two-storey rear extensions. The extension to No. 5 is largely concealed from the street. The extension to No. 9 is more visible but set back behind the roof ridge line, preserving the chimney in front of it. Extensions such as these two are frequently built in Moonee Valley's existing Heritage Overlay precincts. While somewhat visible, the single-storey character of the street remains predominant.</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>achieved by applying the Neighbourhood Character Overlay.'</p> <p><u>7 Queens Avenue</u></p> <p>The submitter argues that the house at 7 Queens Avenue does not meet the criteria for 'intactness' or 'integrity' on the basis that:</p> <ul style="list-style-type: none"> <li>the house has been stripped of all heritage features that would render it aesthetically consistent with other houses in the street</li> <li>the house no longer retains an original roofline, the bullnose verandah and cast iron frieze decoration have been removed, and both the brick chimneys were removed several years ago.</li> </ul> <p>Insufficient Notice:</p> <ul style="list-style-type: none"> <li>Upon purchasing our property in 2014 we noted specifically that no heritage overlay applied to the street, or the property at 7 Queens Avenue. The Queens Avenue precinct was not identified in the initial study as noteworthy, but was only later included in the "Gaps" study a "potential area of investigation".</li> </ul>	<p>It is agreed that there are some minor intrusive elements in the street, such as lightweight carports (at Nos. 17 &amp; 19), but these do not form the dominant characteristic of the street. Instead, it is the very consistent row of timber Edwardian houses. There is a variety of fence types as well. Some post and wire fences survive from the interwar era, while most other fences are sympathetic but non-original timber picket fences. They are all of a height that allows an appreciation of the houses and are typical of fences in pre-interwar residential precincts.</p> <p>While the submitter recommends that the Neighbourhood Character Overlay (NCO) would better protect the character of Queens Avenue, its valued character comprises the presence of consistent Edwardian houses. The NCO cannot protect these houses from demolition, so it is not the right planning tool to protect this precinct.</p> <p><u>7 Queens Avenue</u></p> <p>7 Queens Avenue is identified as an Italianate house which reflects what is significant about the precinct.</p> <p>It is agreed that there have been some unsympathetic alterations to the house, including removal of the chimneys, the original verandah</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>There was no communication to us as an affected party.</p> <ul style="list-style-type: none"> <li>The submitters are disappointed to note that as a directly affected property, we were not informed of the amendment process or invited to participate during the community consultation phase. The first we heard of our property being considered for a heritage overlay was upon receiving the notification of the Interim Heritage Overlay in February 2020.</li> </ul>	<p>(apart from the verandah beam), and the original windows and front door. There is no evidence to suggest that the house does not retain its original roofline. The submitter may be referring to a rear lean-to (skillion-roof section) at the rear of the house.</p> <p>The house, however, is still clearly identifiable as an Italianate dwelling of c1900 and it retains its original plan and roof form (M-hipped roof with projecting hipped bay), raise panel detail to the eaves (brackets removed), return verandah form, and its ashlar-board cladding. Equally as importantly, it stands in a group of highly consistent houses built in short succession. They have high consistency in their ashlar-board cladding and M-hipped roof form, and come in three varieties (block fronted, projecting hipped or gabled bay). It is one of those a projecting hipped-roof bay (see also Nos. 9 and 23).</p> <p>There are other houses of a similar level of intactness in Moonee Valley's Heritage Overlay precincts. Should the current or a future owner wish to reinstate the missing features, No. 23 would serve as a suitable model.</p> <p><u>Insufficient Notice:</u></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>The draft <i>Moonee Valley Heritage Gap Study 2014</i> underwent extensive community consultation between 28 July and 29 August 2014. This included sending letters to all affected landowners seeking their feedback.</p> <p>Notification of the Amendment was undertaken as per the <i>Planning and Environment Act 1987</i> statutory requirements, which includes consultation also known as public exhibition.</p> <p>Further planning controls from time to time can be implemented to achieve an appropriate outcome.</p>	
<b>#107</b>	No	HO452	<p>The submitter objects to the application of the Heritage Overlay applying to 76 Kent Street as part of the Queens Avenue &amp; Burton Crescent, Ascot Vale precinct on the basis that:</p> <ul style="list-style-type: none"> <li>• 76 Kent Street is not a period property</li> <li>• There are other properties within the area that are not included in the overlay, notably 192, 194 and 196 Ascot Vale Road</li> </ul>	<p>Officers note the submitter's opposition and provide the following comments:</p> <ul style="list-style-type: none"> <li>• The Statement of Significance correctly identified 76 Kent Street as non-contributory to the precinct as it doesn't relate to the period of heritage significance. It is known to be a faux Victorian house, built recently.</li> <li>• In relation to determining precinct boundaries Planning Practice Note 1 (Applying the Heritage Overlay) does not provide any guidance on how a precinct boundary should be drawn or how many non-contributory places can be included in a precinct. That said, it is common practice for non-contributory properties to be included in the Heritage</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>Overlay as part of a precinct even though these buildings do not hold any heritage value in their own right. Their inclusion in the Heritage Overlay will ensure future redevelopment of these properties do not detrimentally impact on the heritage significance of adjoining contributory and significant heritage places or the broader precinct.</p> <ul style="list-style-type: none"> <li>The <i>Moonee Valley Heritage Gap Study</i> did not identify 192, 194 or 196 Ascot Vale Road, Ascot Vale as warranting further investigation. Given this, these properties are not included in this amendment.</li> </ul>	
<b>The following submissions, responses and recommendations relate to HO453 Warrick Street and Mascoma.</b>					
<b>#57</b>	Yes	HO453	The submitter supports the Heritage Overlay to 26 Mascoma Street, Ascot Vale.	Officers note the submitters' support for the amendment.	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>#101</b>	No	HO453	The submitter opposes the Heritage Overlay to 51 Warrick Street, Ascot Vale.	<p>Officers note the submitters' opposition to the Heritage Overlay.</p> <p>Non-contributory properties are often included in the Heritage Overlay as part of a precinct even</p>	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>The submitter seeks clarification on a number of matters including:</p> <ul style="list-style-type: none"> <li>• The meaning of the non-contributory' grading and whether the places could be demolished, resulting in further unsympathetic development.</li> <li>• The types of buildings and works requiring a planning permit.</li> <li>• The restrictions on what we may be able to do, even if such work is sympathetic.</li> <li>• If the submitter could extend the dwelling to the rear, beyond the original building's lines.</li> </ul> <p>The submitter also seeks clarification on the precinct boundary and how it has been defined. There is no explanation as to why the boundary ends two doors away from the property.</p>	<p>though these buildings do not hold any heritage value in their own right. Their inclusion in the Heritage Overlay will ensure future redevelopment of these properties do not detrimentally impact on the heritage significance of adjoining contributory and significant heritage places or the broader precinct.</p> <p>Clause 43.01, Schedule to Clause 43.01 and the <i>City of Moonee Valley Permit exemptions policy, Heritage Overlay Precincts, May 2019</i> set out the building and works requiring a planning permit. This information is available on Council's on Council's your say platform (<a href="https://yoursay.mvcc.vic.gov.au/c200">https://yoursay.mvcc.vic.gov.au/c200</a>).</p> <p>For example, in this precinct no planning permit is required to repaint an already-painted surface, in any coloured desired. A permit <u>is</u> required, however, to paint an unpainted surface (such as face brick).</p> <p>Information on the approach to extensions within heritage precincts is set out in the <i>City of Moonee Valley Heritage Guidelines, 2016</i>, though each individual case is considered on its merits. This document is available here: <a href="https://mvcc.vic.gov.au/download/heritage-guidelines/?wpdmdl=16425&amp;masterkey=5ecf0c5534a9b">https://mvcc.vic.gov.au/download/heritage-guidelines/?wpdmdl=16425&amp;masterkey=5ecf0c5534a9b</a></p>	<b>Refer submission to panel for consideration.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				The precinct boundary has been drawn to exclude 55-67A Warrick Street, including two timber Edwardian houses at 57 & 59 Warrick Street. This is because the rest of Warrick Street is characterised by the strong group of Edwardian houses on <u>both</u> sides. This consistency ends around the Tasma Street intersection, hence the exclusion of houses to the east.	
<b>#120</b>	No	HO453	<p>The submitter opposes the Heritage Overlay to 2 Tasma Street, Ascot Vale and seeks clarification on the following:</p> <ul style="list-style-type: none"> <li>Why the house at 2 Tasma Street, built in the 60s or 70s, would be of heritage significance.</li> <li>Why the adjacent house at 40 Warrick Street, built at the same time, is excluded from the HO453 precinct.</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>It is agreed that the current two-storey dwelling at 2 Tasma Street, Ascot Vale dates from the mid-20th century, and thus does not contribute to the Edwardian/Federation character that is the basis for the precinct's significance. For this reason, it is agreed that it is incorrectly shown as a contributory graded building on the HO453 precinct map.</li> <li>Furthermore, it appears that the inclusions of 2 Tasma Street, Ascot Vale is a mapping on the basis that the property is not mentioned in any of the descriptions of HO453 precinct, only Mascoma Street and Warrick Street are mentioned. It is noted that if the adjacent 40 Warrick Street had been included in the precinct as a Non-contributory property, then it would be logical to include 2 Tasma Street, Ascot Vale as well (also graded Non-</li> </ul>	<p><b>Remove 2 Tasma Street, Ascot Vale from the HO453 Precinct.</b></p> <p><b>Amend the Statement of Significance and the map in <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by removing 2 Tasma Street, Ascot Vale.</b></p> <p><b>Refer submission to panel for consideration.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>contributory). However, as 40 Warrick Street has been excluded, there is no reason to include 2 Tasma Street. This is particularly the case as future alterations or redevelopment at 2 Tasma Street is unlikely to have an appreciable impact (positive or negative) on the Warrick Street or Mascoma Street streetscapes, and there are no contributory heritage elements facing Tasma Street (only the sideage of 29 Mascoma Street, with a two-storey rear extension).</p> <ul style="list-style-type: none"> <li>For the above reasons, 2 Tasma Street as well as the narrow parcel CM/CS1174 along its north side, should be removed from the HO453 precinct.</li> </ul>	
<b>The following submissions, responses and recommendations relate to HO455 Mackay Street.</b>					
<b>#22</b>	Yes	HO455	The submitter supports the Heritage Overlay to 11 Mackay St, Essendon and 3-51 and 4-50 MacKay Street, Essendon.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#27	No	HO455	<p>The submitter opposes the Heritage Overlay to 4/24 Mackay Street, Essendon and the contributory grading for the following reasons:</p> <ul style="list-style-type: none"> <li>• The property was built in approximately 1970, and is inconsistent with the pattern of Victorian, Federation and Interwar houses displayed in the street. It is neither historically related nor representative of the housing of these years.</li> <li>• The unit shares no common characteristics - it is a simple rectangular painted brick construction consisting of 4 units, and has no significant heritage value or qualities.</li> <li>• There are at least 6 other blocks similar to this property within 500 metres (notably Glass and Napier Streets), so it does not offer any unique architectural features or style.</li> </ul>	<p>Officers note the submitters' concern and provide the following:</p> <ul style="list-style-type: none"> <li>• The submitter is correct in noting that the original Edwardian house at 24 MacKay Street was replaced c1970s with a two-storey block of flats (1-4/24 MacKay Street).</li> <li>• As the precinct is significant for the Victorian, Edwardian and interwar dwellings, the submitter is correct that 1-4/24 MacKay Street should be downgraded to non-contributory, though it should remain in the precinct.</li> </ul>	<p><b>Amend the Statement of Significance and the map in <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by revising the grading of 24 MacKay Street from contributory to non-contributory.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#78	No	HO455	<p>The submitters oppose the application of the Heritage Overlay to 48 MacKay Street, Essendon on the following grounds:</p> <ul style="list-style-type: none"> <li>The identified inter-war properties in MacKay Street are dispersed and do not form a cohesive group either geographically or stylistically.</li> <li>The proposed precinct is that it is dominated by Federation and Victorian-era dwellings with some transitional examples. While the Statement of Significance identifies 1900-1942 as the significant development period, the streetscape is representative of a more restricted development period, up to around the First World War. The small number of inter-war dwellings are not a distinct or significant feature of the streetscape. Inter-war properties are dispersed within the precinct and do not form a stylistically cohesive group.</li> <li>Two of these properties, numbers 48 and 50, are isolated</li> </ul>	<p>Officers note the submitter's points raised and provide the following response:</p> <p>The Heritage Study states the following about the interwar dwellings:</p> <p><i>There are four Interwar-era houses of brick construction in the precinct, all on the east side of the street at numbers 22, 38, 48 and 50. Numbers 22, 38 and 48 have an asymmetrical bungalow form with a dominant gabled or transverse gabled roof of terracotta tiles, and a prominent porch incorporated beneath the main roof. Each dwelling has a wide street frontage, and numbers 22 and 48 retain original or early low brick fences with mild steel infill and matching gates. The bungalows retain elements of the Queen Anne style, including terracotta finials and bracketed gable ends and timber brackets to the verandah posts. Number 50 is a more modest, interwar dwelling with a low pitched hipped roof and red-blue clinker brick walls. It retains its wide street frontage and original motor garage.</i></p> <p><u>Contribution of interwar houses</u></p> <p>It is agreed that Victorian and Edwardian houses make up the majority of contributory buildings in the MacKay Street precinct, though in a precinct of such a small size the four interwar properties</p>	<p><b>Delete front fence controls for 48 MacKay Street in the Schedule to Clause 43.01 Heritage Overlay.</b></p> <p><b>Remove reference to the original front fence at 48 MacKay Street in the Statement of Significance.</b></p> <p><b>Amend the Statement of Significance and the map in <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i> by revising the grading of 17 and 24 MacKay Street from contributory to non-contributory.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>at the north end of the precinct, which has been compromised by the infill at numbers 42-46 and the unsympathetic addition to number 51.</p> <ul style="list-style-type: none"> <li>When comparing the MacKay Street precinct against other precincts with similar development patterns, the inter-war properties in those areas are more relevant to the character and are generally higher quality with more stylistically diverse examples. Inter-war properties in MacKay Street are not fine examples of the style, do not demonstrate the diversity and quality of inter-war architecture, and are not representative of the significant character of the streetscape. Comparable precincts better demonstrate inter-war development.</li> <li>The assessment is that MacKay Street is worthy of HO listing for its Federation and Victorian character and the transition between these two. This does not, however, include the</li> </ul>	<p>still comprise about 10 percent of the contributory properties.</p> <p>Like the Victorian and Edwardian houses that share roof forms and decorative details during the transition from one period to another, there is also a relationship in roof forms and materials between Edwardian houses and the early interwar examples in this precinct. The submitter points this out, in the case of 22 MacKay Street which has similar detailing to its Federation neighbours.</p> <p>Most of the remaining interwar houses in the precinct also have a relationship to the Edwardian houses in their massing and some in their materiality.</p> <p>48 MacKay Street is an excellent example of this continuity. It appears to date from the early 1920s, and retains transitional elements from the Edwardian villa including a high hipped roof that continues over the front verandah, terracotta roof tiles with ram's horn finials, an asymmetrical façade created by a projecting gable, half-timbering in that front gable and a canted bay window below it, and tuckpointed pressed red bricks. While details such as leadlights, porch supports and the Arts &amp; Crafts front door indicate the house's interwar pedigree, it is in no way out of keeping with the brick Edwardian double-</p>	<p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>identified interwar properties. The precinct is significant for Federation and Victorian-era dwellings and the transition between these and the very small number of interwar dwelling are not significant features of the streetscape. Furthermore, two of the inter-war dwellings, numbers 48 and 50, are isolated within a highly compromised area of the streetscape.</p> <ul style="list-style-type: none"> <li>It is the submitter's assessment that 48 and 50 MacKay Street could be removed from the HO without undermining the significance of the precinct and the Statement be amendment to remove reference to inter-war and remove 48 and 50 MacKay Street from the precinct and revise the grading of 22 and 38 McKay Street to non-contributory.</li> </ul> <p>The submitter outlines that the dwelling has structural issues to</p>	<p>fronted houses in the precinct that share its massing and materiality.</p> <p>The two other California Bungalows, at Nos. 38 and 51, also have a gabled element to the façade, in keeping with the Edwardian typology, but have transverse gabled roofs more characteristic of the 1920s. The late 1930s house at No. 50 is small and simple, with a hipped roof. The appropriateness of the contributory grade for these three houses is discussed below in relation to comparative analysis.</p> <p><u>Site context of 48 &amp; 50 MacKay Street</u></p> <p>The submitter notes that the two interwar houses at 48 &amp; 50 MacKay Street are separated from other contributory houses on this side of the street by two non-contributory properties (one of them a double block).</p> <p>Both of these non-contributory properties are of a consistent single-storey scale, with similar front setbacks and brick cladding seen elsewhere in the precinct. They do not contribute to the heritage significance of the precinct but neither are they intrusive, so they do not unduly isolate Nos. 48 and 50.</p> <p>The submitters also note that 51 MacKay Street, on the opposite side of the street, has been</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			further support removing 48 MacKay Street from the precinct.	<p>altered by an upper-storey extension. While the extension is rather intrusive, the works have left the front façade of this California Bungalow intact and the transverse gable roof form is still clearly legible. For these reasons, it is still considered to contribute to the heritage significance of the precinct. Note that this grade is in keeping with those in existing HO precincts, for example, 64 and 68 Glass Street are both contributory in the adjacent HO2 and have similarly large and visible upper-storey extensions. They have been in HO2 since 1991.</p> <p>It is also important to note that the MacKay Street Precinct does not exist in a vacuum. Its northern boundary butts up against HO2 Glass Street Precinct. The character of the adjoining part of this precinct is predominantly interwar, with four brick California Bungalows on the four corners of the Glass and MacKay streets intersection. Other contributory houses in HO2 are Edwardian and Victorian. When read together, the interwar houses in the adjacent part of HO2 provide an appropriate context to 48 &amp; 50 MacKay Street to the north.</p> <p>Even aside from their contribution to the MacKay Street Precinct, inclusion of these two properties ensures that there is not a gap between two adjacent HO precincts. If uncontrolled,</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>development with a negative impact on both precincts could go ahead.</p> <p><u>Comparative analysis of precinct</u>  The submitter discusses two of the five comparative HO precincts examples cited in the MacKay Street Precinct citation - HO7 and HO301 – and concludes that they both have more interwar properties (and/or better quality examples), so they cannot be used to support the contributory grading of interwar properties in the MacKay Street Precinct. The submitter concludes that the ‘inter-war dwellings are not a distinct or significant feature of the streetscape’.</p> <p>This analysis does not consider other precincts that have a predominant Victorian and Edwardian character with a small amount of interwar infill considered to contribute to the precinct, such as HO21 in Ascot Vale (and others, not cited in the precinct citation, such as HO24 Wellington Street Precinct, Flemington). There are also precincts in Essendon with housing stock representing primarily one or two principal development periods, but where the smaller admixture is still considered to contribute. This is seen in HO1, predominantly Edwardian with ‘a small number of Victorian dwellings and some Interwar bungalows’ that contribute. It is also seen in the adjoining HO2 (not discussed in the citation), which has a</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>predominantly interwar and Edwardian character, with a small number of Victorian and Edwardian houses that contribute.</p> <p>There is a strong precedent in Moonee Valley's HO precincts, both in Essendon and other suburbs, to recognise the three primary early periods of development (Victorian, Edwardian, interwar) in residential precincts, even if there is only a small number from one of those eras.</p> <p>The same approach is justifiable in the case of the MacKay Street Precinct, where there is a number of interwar houses that illustrate the transition to and typical examples of the interwar period. On this basis, all largely intact interwar houses in MacKay Street warrant their contributory grade.</p> <p><u>48 MacKay Street</u>  When inspected in July 2020, the removal of the brick front fence of 48 MacKay Street was confirmed. It should be removed from the precinct statement of significance and Fence Controls.</p> <p>Officers agree with the Heritage Study and the grading of contributory.</p>	



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>In relation to the condition and structural integrity of the dwelling refer to response to submission #60.</p> <p><u>Later changes to the streetscape</u>  It is agreed that the mid-twentieth century flats at 24 MacKay Street have been graded contributory in error, and this should be changed to non-contributory.</p> <p>In inspecting McKay Street in response to this submission, it was found that the contributory Edwardian house at 17 MacKay Street had been demolished since the precinct was assessed. This property should be downgraded to non-contributory.</p>	
<b>The following submissions, responses and recommendations relate to HO456 McCracken Street.</b>					
<b>#18</b>	No	HO456	<p>The submitter opposes the Heritage Overlay to 29 McCracken Street, Essendon on the basis that:</p> <ul style="list-style-type: none"> <li>The building has been significantly changed from the original building, including: <ul style="list-style-type: none"> <li>demolition of front verandah, entry to house and front wall. This entire area was rebuilt</li> </ul> </li> </ul>	<p>Officers note the submitters' comments and provide the following response:</p> <ul style="list-style-type: none"> <li>The Heritage Study includes the recommendation to protect McCracken Street as the area is characterised by a <i>group of interwar bungalows built from the late 1920s to mid-1930s on the Mar Lodge Estate subdivision (1921), mostly of timber construction. Overall, visual cohesion of the precinct is strong, on both sides of the street. Visual consistency is provided by the uniform</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>


**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>○ demolition of original garage and removal of driveway</li> <li>○ demolition and rebuild of centre to rear of house</li> <li>○ erection of new double garage and new driveway in Mountain street</li> <li>● The building is not a 'relatively intact timber bungalow in original form.'</li> <li>● There is nothing original about the garden setting.</li> <li>● The tree on the nature strip has no significant 'visual cohesion.'</li> </ul>	<p><i>setbacks, garden settings, and the large number of houses built in a similar style (interwar Bungalow) with similar forms, materials, and details, and over a relatively short time span, from c.1927 to 1935. The exceptions in terms of materials are the <u>two brick bungalows at 29 and 43 McCracken</u>, which share other stylistic features.</i></p> <p>As indicated from the above quotation from the Heritage Study, the (rendered) brick construction of 29 McCracken Street has been recorded. Its masonry construction makes it one of the most substantial houses in the precinct and all the more worthy of a contributory grade.</p> <ul style="list-style-type: none"> <li>● The Heritage Study singles out the Canary Island palm trees in the garden of 27 McCracken as they <i>appear to early plantings, based on the maturity of the palms and that they remained popular garden plantings in the interwar period.</i> The tree identified is not located on the nature strip.</li> </ul> <p><u>Heritage study methodology</u></p> <ul style="list-style-type: none"> <li>● See response to submission #5</li> </ul> <p><u>Internal alterations</u></p> <ul style="list-style-type: none"> <li>● HO456 does not require a planning for internal works, there is nothing that prohibits an owner to improve the internal amenity of the property.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><u>External alterations to house</u></p> <ul style="list-style-type: none"> <li>The Heritage Study notes that the window units of 29 McCracken Street have been replaced.</li> <li>A 1946 aerial photo of the street confirms that the house originally had a small front porch. This has since been replaced with a larger front verandah with Federation-style turned timber posts. This verandah was probably installed at the same time as the Federation-style front door and leadlight windows. There are no visible changes to the front wall of the house.</li> <li>While these alterations make the house an amalgam of styles and eras, the house itself survives with its original massing and roof form, chimney, rendered walls with brick plinth, and window openings. It is still of an intactness sufficient to contribute to the significance of the heritage precinct.</li> </ul> <p><u>Alterations to setting</u></p> <ul style="list-style-type: none"> <li>As the submitter notes, the original driveway has been moved. As shown on a 1946 aerial photo (below), both the driveway and pedestrian path to the front door originally ran from the corner.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				 <ul style="list-style-type: none"> <li>While the corner crossover over the nature strip survives, as well as a corner gateway, the driveway has been removed. It and the pedestrian path have been repaved in brick (replacing the original plain concrete).</li> <li>What was likely originally a small detached garage, as was typical in the 1920s and '30s, has also been replaced by a double-garage that forms part of a rear extension to the house. As the submitter notes, it faces Mountain Street. For this reason, neither the garage nor the single-storey extension that it is part of, have a negative impact on views from McCracken Street, so they do not diminish the contributory value of 29 McCracken Street.</li> </ul>	
<b>#49</b>	No	HO456	The submitters oppose the inclusion of 40 McCracken Street, Essendon in HO456 and requests for the property to be removed from the HO for the following reasons:	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The Heritage Study identifies McCracken Street precinct as <i>a residential area</i></li> </ul>	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The property has been fully renovated and minimum original features or dwelling itself remain. The majority of the property is less than 25 years old.</li> <li>The particular property does not add to the area in regards heritage.</li> </ul>	<p><i>comprising a group of interwar bungalows built in c. 1927-35 on the Mar Lodge Estate subdivision (1921) and are interposed by a small number of later interwar houses in popular styles such as Old English Revival, which emerged in the 1930s.</i></p> <p><i>Overall, the visual cohesion of the precinct is strong, on both sides of the street. Visual consistency is provided by the uniform setbacks, garden settings, and the large number of houses built in a similar style (interwar Bungalow) with similar forms, materials, and details, and over a relatively short time span, from c.1927 to 1935. The exception in terms of materials are the two brick bungalows at 29 and 43 McCracken, which share other stylistic features. The visual cohesion and integrity are strengthened by keynote houses that anchor the precinct at 27, 37 and 39 McCracken, and the high integrity of most of the houses, several of which retain original or early front fences.</i></p> <ul style="list-style-type: none"> <li>The McCracken Street Precinct, Essendon, is comparable to HO2 Glass Street, Essendon, HO5 Vida Street and Knight Street, Aberfeldie, HO20 Monash Street, Ascot Vale, and HO23 Travancore, and HO326 Newhall Avenue, Moonee Ponds which all include housing from the same period of development. <i>For its</i></li> </ul>	<b>Refer submission to panel for consideration.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>consistency of housing styles, it provides an important example of this pattern of development in Essendon, which is not represented by the other HO precincts (being in Ascot Vale, Travancore and Moonee Ponds).</i></p> <ul style="list-style-type: none"> <li>Specifically, 40 McCracken Street is included in the precinct on the basis that it is <i>an interwar bungalow that has a prominent street facing gables</i>. The Heritage Study notes that a recent garage addition has been constructed and that it is set to the side of the house, leaving the principal façade and its characteristic features intact and clearly visible in views from the street.</li> <li>There is also an addition to the north side elevation of the house, set back just behind the front façade. It has a hipped roof much lower than the original house, so is legible as a modern addition.</li> <li>Most importantly, the front façade of this house is intact, including the double gables with ornamental details, box-framed windows and front door. The house is intact enough to contribute to an understanding of early interwar residential architecture, so its contributory grade is correct.</li> <li>See response to submission #16 relating to external alterations</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#50	No	HO456	<p>The submitters oppose the inclusion of 43 McCracken Street, Essendon in HO456 precinct for the following reasons:</p> <p><u>Moonee Valley Heritage Gap Study 2014</u></p> <ul style="list-style-type: none"> <li>The property was not identified in the <i>Moonee Valley Heritage Gap Study 2014</i>.</li> </ul> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The property has only two (of seven) features identified in the Statement of Significance, those being that the house is interwar and the nature strip outside the property is wide.</li> <li>The front fence was constructed approximately 16 years ago.</li> <li>The submitter wants Council to know that over the past 17 years the original property has been altered (at least 50%) and questions if the property has been objectively assessed as it is impossible to see the house.</li> </ul> <p>Alterations include:</p> <ul style="list-style-type: none"> <li>changing the roofline and therefore the view from the street by</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Moonee Valley Heritage Gap Study 2014</u></p> <ul style="list-style-type: none"> <li>The property was, in fact, identified in the <i>Moonee Valley Heritage Gap Study 2014A</i> as a potential precinct encompassing 26-52 &amp; 27-49 McCracken Street was identified and recommended for future assessment (see Context Pty Ltd, 'Moonee Valley Gap Study, Stage 1, 2014, page 50). This precinct was mistakenly listed as 26-52 &amp; 27-29 McCracken Street in the background section (3.9, page 44) of the 'Moonee Valley 2017 Heritage Study, Volume 1', 2019. Officers have noted this error and will correct it in the final versions</li> </ul> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The Heritage Study identifies McCracken Street precinct as a <i>residential area comprising a group of interwar bungalows built in c. 1927-35 on the Mar Lodge Estate submission (1921) and are interspersed by a small number of later interwar houses in popular styles such as Old English Revival, which emerged in the 1930s. Overall, the visual cohesion of the precinct is strong, on both sides of the street. Visual consistency is provided by the uniform setbacks, garden settings, and the large number of houses built</i></li> </ul>	<p><b>Remove front fence controls for 43 McCracken Street, Essendon in the Schedule to Clause 43.01 Heritage Overlay.</b></p> <p><b>Remove mention of the fence at 43 McCracken Street as original from the Statement of Significance.</b></p> <p><b>Amend the 2017 Heritage Study precinct description by recording the alteration to the house at 43 McCracken Street, being a change in roof form of the projecting front room from an original hipped</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

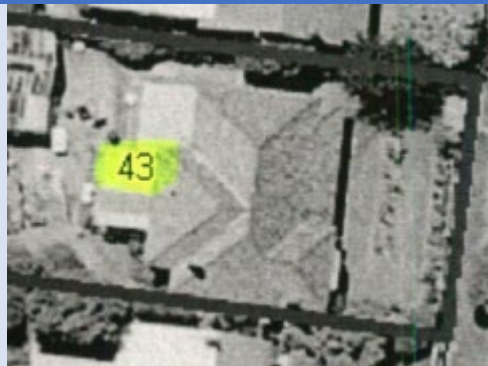
Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>changing a hipped roof to a gabled roof and including a gable front over the front bay window</p> <ul style="list-style-type: none"> <li>○ adding a large second storey that protrudes into and above the main ridgeline of the house</li> <li>○ changing original wooden front doors to hand-made metal front doors with a different design</li> <li>○ replacing the original sheds/carport with a new brick 2 car carport/garage with a first floor 36sqm studio</li> <li>○ replacing timber driveway gates with electric metal gates</li> <li>○ replacing wooden sideway gates with metal gates (south side of the property)</li> <li>○ replacing the original concrete driveway (that included a central grassed section) with a</li> </ul>	<p><i>in a similar style (interwar Bungalow) with similar forms, materials, and details, and over a relatively short time span, from c.1927 to 1935. The exception in terms of materials are the two brick bungalows at 29 and 43 McCracken, which share other stylistic features. The visual cohesion and integrity are strengthened by keynote houses that anchor the precinct at 27, 37 and 39 McCracken, and the high integrity of most of the houses, several of which retain original or early front fences.</i></p> <ul style="list-style-type: none"> <li>• The McCracken Street Precinct, Essendon, is comparable to HO2 Glass Street, Essendon, HO5 Vida Street and Knight Street, Aberfeldie, HO20 Monash Street, Ascot Vale, and HO23 Travancore, and HO326 Newhall Avenue, Moonee Ponds. <i>which all include housing from the same period of development. For its consistency of housing styles, it provides an important example of this pattern of development in Essendon, which is not represented by the other HO precincts (being in Ascot Vale, Travancore and Moonee Ponds).</i></li> <li>• Specifically, 43 McCracken Street is included in the precinct on the basis it is one of only two brick bungalows and an example of a substantial and well-detailed late-interwar house.</li> </ul>	<p><b>form to the current gabled form.</b></p> <p><b>Correct the addresses of the potential precinct extension on p.44 of Vol. 1 of the Heritage Study to: 26-52 &amp; 27-49 McCracken Street in the adopted version.</b></p> <p><b>Refer submission to panel for consideration.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>bitumen driveway edged with bricks and including brick diamonds spaced along the length</p> <ul style="list-style-type: none"> <li>○ replacing the original stone and concrete crossover with bitumen</li> <li>○ demolishing and replacing the original wooden and wire front fence with a low brick fence incorporating a completely different design</li> <li>○ adding tuckpointing to all decorative bricks on the front of the house</li> <li>○ painting the house modern shades of mustard/yellow. The house was originally white.</li> <li>○ demolishing and removing the original garden beds and plants, redesigning the layout and replanting all garden beds. The new garden was installed 17 years ago with the majority of</li> </ul>	<p>The use of masonry construction in a street of largely timber houses makes this and No. 29 the two most prestigious houses in the precinct, and does not diminish their ability to contribute to the heritage significance of the precinct.</p> <ul style="list-style-type: none"> <li>• The Heritage Study correctly identifies that 43 McCracken Street has a <i>prominent second storey addition</i> however it concludes the house will <i>still contribute to the precinct as a whole</i> and <i>because the characteristic features of the principal façade of each house, as viewed from the street, remain largely intact, retaining aesthetic qualities that contribute to the character of the precinct.</i></li> <li>• As noted by the submitter, the projecting front room originally had a hipped roof. This hipped roof is seen on a 1946 aerial, as well as a 2003 aerial in Council's building permit files (see below). Since that time, it has been rebuilt in a gable-fronted form with half-timbering detail. The main roof over the house has retained its original hipped form.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>plants changed again 3 years ago.</p> <p><u>Planning application fees</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay impacts homeowners financially as planning permits required by the Heritage Overlay will require a planning application fee to be paid.</li> </ul>	 <p>While this alteration diminishes the intactness of the front façade of the house, and it should be documented in the citation, 43 McCracken Street is still one of the finest and most substantial houses in the precinct and retains a range of significant materials, forms and details. In particular, it retains its rendered front façade with brick flashes, its canted bay window, its geometric leadlights, its broad front porch set below the roofline and supported on masonry piers with corbels to the openings, and the dominant high hipped roof form, which is still legible despite the extension.</p> <ul style="list-style-type: none"> <li>It is agreed that the current brick front fence is not original, though its low height and decorative use of red bricks is sympathetic to the interwar period of development.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>The incorrect mention of this fence as original should be corrected in the precinct citation.</p> <ul style="list-style-type: none"> <li>It is agreed that there is fresh tuckpointing to the brick flashes of the front façade. While this may not be the original treatment, it has very little impact on views to the house.</li> <li>While the house may have been white some decades ago, the pale cream colour currently used is very appropriate to a house of this era. Furthermore, no External Paint Controls are proposed, so the colour of the joinery and render is not controlled in this precinct. The same is true of the front garden – there are no controls over plantings, so they are not considered.</li> </ul> <p><u>Planning application fees</u></p> <ul style="list-style-type: none"> <li>See response to submission #14</li> </ul>	
<b>#64</b>	No	HO456	The submitters oppose the application of the Heritage Overlay to 41 McCracken Street, Essendon and states that the house, fence and garden at 41 McCracken Street is not historically or architecturally intact (Criterion A: historical significance), cohesive or uniform in character to other houses in the precinct (Criterion D: representativeness) or important (Criterion E: aesthetic significance) and as such does not	<p>Officers note the submitter points raise and provide the following response:  <u>Moonee Valley Heritage Gap Study 2014</u></p> <ul style="list-style-type: none"> <li>41 McCracken Street, Essendon is identified in the <i>Moonee Valley Heritage Gap Study 2014</i>. A potential precinct encompassing 26-52 &amp; 27-<u>49</u> McCracken Street was identified and recommended for future assessment (see Context Pty Ltd, 'Moonee Valley Gap Study, Stage 1, 2014, page 50). This was mistakenly listed as 26-52 &amp; 27-<u>29</u> McCracken Street in the background section</li> </ul>	<b>Correct the addresses of the potential precinct extension on p.44 of Vol. 1 of the Heritage Study to: 26-52 &amp; 27-<u>49</u> McCracken Street in the adopted version.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>meet the standards described in Planning Practice Note 1 – Applying the Heritage Overlay, DELWP, Victoria State Government, August 2018, accessed June 2020 for the following reasons:</p> <p><u>Moonee Valley Heritage Gap Study 2014</u></p> <ul style="list-style-type: none"> <li>The property was not identified in the <i>Moonee Valley Heritage Gap Study 2014</i>.</li> </ul> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The house and other buildings have been extensively rebuilt in 1997 resulting in less than 5% of the original house still existing.</li> <li>The house has undergone significant change following approved destruction of the front portico and roof, which was redesigned and reconstructed in 2002 as recorded in Moonee Valley Building Permit No. 12584/2002/PS/0.</li> <li>The submitter outlines the following changes to the property that would questions the properties integrity.</li> </ul>	<p>(3.9, page 44) of the current ‘Moonee Valley 2017 Heritage Study, Volume 1’, 2019. This error in the 2019 report should be corrected.</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The Moonee Valley 2017 Heritage Study identifies McCracken Street precinct as a residential area comprising a group of interwar bungalows built in c. 1927-35 on the Mar Lodge Estate submission (1921) and are interposed by a small number of later interwar houses in popular styles such as Old English Revival, which emerged in the 1930s.</li> <li>Overall, the visual cohesion of the precinct is strong, on both sides of the street. Visual consistency is provided by the uniform setbacks, garden settings, and the large number of houses built in a similar style (interwar Bungalow) with similar forms, materials, and details, and over a relatively short time span, from c.1927 to 1935. The exception in terms of materials are the two brick bungalows at 29 and 43 McCracken, which share other stylistic features. The visual cohesion and integrity are strengthened by keynote houses that anchor the precinct at 27, 37 and 39 McCracken, and the high integrity of most of the houses, several of which retain original or early front fences.</li> </ul>	<p><b>Revise the Heritage Study precinct citation to state that 41 &amp; 50 McCracken Street originally had iron roofs, not tile and that the gabled front porch of 41 McCracken Street is not original.</b></p> <p><b>No other changes recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>○ The front of the house has undergone a major alteration with the destruction of the entry portico and roof. In 1988 the house had a plain front and sloping flat roof with no detailing of any type. The timber steps were originally at the left side of the entry way.</li> <li>○ A 1988 drawing (courtesy of a real estate agency) and a 2020 photograph is attached.</li> <li>○ The addition of a front verandah and brick entry steps of a totally new design at the front of the house was completed in 2002. This addition significantly changed the street front appearance of the house. The small gable roof projecting to contain the verandah and the timber posts were designed in 2002 and are not historically</li> </ul>	<ul style="list-style-type: none"> <li>● Specifically, 41 McCracken Street is an interwar bungalow constructed in the 1920s. It has a transverse gable roof with double-hung timber sash windows with a four paned upper sash, typical of 1920s houses.</li> <li>● The submitter has provided a 1988 sketch of the house at 41 McCracken Street (below). It shows that in 1988 the house had a modest central front porch beneath a skillion roof continuous with the main roof. It appears to have two posts set in from its corners. This skillion porch roof can be seen on a 1946 aerial photo, below.</li> </ul> <div data-bbox="1160 820 1615 1082" data-label="Image"> </div> <div data-bbox="1160 1082 1615 1366" data-label="Image"> </div>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>intact or representative of bungalow housing c.1927</p> <ul style="list-style-type: none"> <li>○ This has been incorrectly noted in the Moonee Valley 2017 Heritage Study Final Report, Volume 1, page 229.</li> <li>○ The alterations of 2002 necessitated a new roof in zinc aluminium iron to be installed with a completely different roof line, guttering and spouting. The original roofing material for 41 McCracken street is unknown. There is no evidence it was terracotta tiles.</li> <li>○ The original weatherboards have needed replacement and patching over the years and have been repainted with a new grey/white colour scheme that is not original.</li> </ul>	<p>The changes to the front porch, and additions to the rear are documented in a series of building permit plans held by Council. They document the following works: The construction of a small skillion extension to the rear of the house in 1976 (No. 5079, 1 Nov. 1976). The construction of a free-standing carport on the south side of the house, set back from the front façade in 1985 (No. 15140, 28 Nov. 1985). The construction of a rear extension in 1995 (replacing the one from 1976) which extends to the south side, so it is visible behind the carport. As part of these same works, the skillion roof of the front verandah was replaced with a small gable (No. 27045, 26 Jun. 1995). In 2002 this small gabled porch was replaced with the current wide gabled porch, which covers more than half the front façade. None of these plans showed any changes to the front façade apart from the porch.</p> <p>The form of the porch in 1988 (and presumably, 1946) is <u>not</u> typical of 1920s California Bungalows. As evidenced by the title certificate (Vol. 4464 Fol. 766), this house was owned and financed by the War Services Homes Commission in 1921. These houses were generally constructed using State Savings Bank standard designs. As seen in</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>○ The front windows do not have any lead lighting or significant architectural design features.</li> <li>○ The driveway and pathway have undergone a complete redesign. A brand new brick driveway was built in 2012. There is absolutely no resemblance to the original concrete strips that formed the original driveway and stepping stones.</li> <li>○ The carport is of a simple straight design of no contributory relevance. It has a flat roof and was reconstructed in 1997. It has no historical or architectural features that would be relevant to the original construction period. We demolished the old rear garage on the</li> </ul>	<p>State Savings Bank design books of the 1920s, most bungalow porches were gabled, and when they were skillion in form this was either butted up against the side of a gable or much smaller and with a decorative balustrade, posts and brackets. With this in mind, it is quite likely that the porch was altered prior to 1988, so was not a (wholly or partly) original feature of the house. The 2002 porch has a gable-fronted roof and its material and details are in keeping with those common for 1920s timber bungalows, though not original to this house.</p> <p>While this is an alteration to the house, it is on par with the loss and replacement of the front verandahs of Victorian and Edwardian houses in existing heritage precincts. There are many houses that have lost their front verandah and have a more or less accurate replacement that are contributory to heritage precincts in Moonee Valley and other municipalities. This alteration to the house should be noted in the precinct description, so the porch can be considered a non-original feature, and thus non-contributory building fabric.</p> <ul style="list-style-type: none"> <li>• The submitter also cites changes to the roof cladding, rainwater goods and “roof line”. As noted above a single-storey rear extension was built behind the house, and extends out</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>property in the early 1990's.</p> <ul style="list-style-type: none"> <li>○ The front garden has no significant trees or plants that could have been planted in the period c. 1927- 35. In 1988 there were no defined garden beds, all trees died during recent drought events and the current garden design is new.</li> <li>○ There was no front fence in 1988. The contemporary flat line front picket fence was constructed in 2017. It is not of heritage styling.</li> </ul> <p><u>No previous heritage classification</u></p> <ul style="list-style-type: none"> <li>• The house in 1988 when listed for sale was not classified or described as having any heritage or period features that could be representative of a c.1927 – 35 bungalow dwelling.</li> </ul>	<p>to the side (but to the rear of the original house). The roof of the rear extension is let into the back of the original roof with two gables, but they are lower than the ridgeline so not visible from the street. As viewed from McCracken Street, the house retains its transverse gabled roof form, as shown in the 1988 sketch.</p> <ul style="list-style-type: none"> <li>• The submitter states that only about 5% of the house is original. This appears to be in relation to the rear extension and internal alterations. Apart from the porch, the front façade, roofline and chimney of the house are all intact.</li> <li>• The submitter also notes that there is no evidence to support the statement in the Heritage Study (page 229) that the houses in the precinct all originally had: <i>terracotta tile roofs (replaced with corrugated iron at 41 and 50 McCracken)</i>.</li> </ul> <p>As indicated by the very light colour of the roof at 41 McCracken Street in the 1946 aerial, above, its roof was originally clad with galvanised corrugated iron (as was 50 McCracken Street). This means that the recent renewal of this roofing is appropriate and in no way diminishes the contributory value of 41 McCracken Street.</p>	



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>This mention in the precinct citation should be corrected.</p> <ul style="list-style-type: none"> <li>• There are no External Paint Controls proposed for this precinct, so the current paint schemes are not considered in the heritage assessment.</li> <li>• While the house does not have leadlight windows, it does retain original six-over-one double-hung timber sash windows which were a characteristic feature of California Bungalow.</li> <li>• It is agreed that the carport, driveway and front path paving, and the front garden plantings are not of heritage significance. These aspects of residential properties are frequently changed and their intactness is not considered essential for a property to be contributory in a precinct. As original garden settings, driveways and fences are rare, they are individually highlighted in precinct citations. In the case of 41 McCracken Street, the precinct citation does not incorrectly note that any of these elements are original.</li> <li>• In summary, 41 McCracken Street is of an intactness that allows it to contribute to the significant interwar character of the precinct. The construction of the gabled front porch should be recorded in the precinct citation.</li> </ul> <p><u>No previous heritage classification</u></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>Moonee Valley City Council is required under the Planning and Environment Act 1987 to protect significant heritage places within the municipality. The absence of an existing classification does not prevent the assessment of the heritage significance of a place and its inclusion in the Heritage Overlay.</li> </ul>	
#88	No	HO456	<p>The submitters oppose the Heritage Overlay to McCracken Street Precinct and 44 McCracken Street, Essendon on the basis that:  <u>McCracken Street Precinct</u>  <i>HO456 fails to demonstrate Criteria A (historical significance), Criteria D (representativeness), Or Criteria E (aesthetic significance) of The Victorian State DELWP Heritage Overlay Planning Practice Note 1;</i></p> <p>Many of the houses listed in the precinct have recently undergone significant alterations and extensions in order to improved living conditions.</p> <p>The dwellings have differing design characteristics, construction materials and fence types.</p>	<p>Officers note the submitters' concerns and provides the following response:</p> <p><u>McCracken Street Precinct</u>  The <i>Heritage Study</i> includes the recommendation to protect McCracken Street as the area is characterised by a <i>group of interwar bungalows built from the late 1920s to mid-1930s on the Mar Lodge Estate subdivision (1921), mostly of timber construction. Overall, visual cohesion of the precinct is strong, on both sides of the street. Visual consistency is provided by the uniform setbacks, garden settings, and the large number of houses built in a similar style (interwar Bungalow) with similar forms, materials, and details, and over a relatively short time span, from c.1927 to 1935.</i></p> <p>It agreed that most or all of the houses have undergone internal alterations and rear extensions to update their amenity and/or enlarge living space. This take place on a regular</p>	<p><b>Revise the Heritage Study precinct description to make note of the c1980s addition of a return verandah to 44 McCracken Street.</b></p> <p><b>No other changes recommended to Amendment C200moon.</b></p> <p><b>Refer the submission to panel.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p><u>44 McCracken Street</u></p> <p>The submitter provided additional correspondence to oppose the Heritage Overlay to 44 McCracken Street on the basis that place does not meet all of the seven identified features in the precinct statement.</p> <ul style="list-style-type: none"> <li>• The building envelope has been significantly altered since it was first constructed.</li> <li>• Has no significant garden setting.</li> <li>• The front fence is not original</li> </ul> <p>A detailed analysis of modified features on the dwelling is provided.</p>	<p>basis in existing heritage precincts. There are no special controls on internal alterations (e.g., reconfiguration of rooms, new kitchen and bathroom fitouts), and rear extensions are frequently approved (with a planning permit). While it is agreed that some of the rear extensions, particularly the upper-level extensions, are likely more visible than is generally supported for existing heritage precincts, if the original form (front façade and roof form) can still be understood by observers, then the house is considered to still tell part of the story of Essendon's interwar development and thus contribute to the precinct.</p> <p>The submitter is correct that there is a variety of styles in the precinct, and some houses are timber while others are brick. This reflects typical interwar residential development, when there was a wide range of popular styles, and it is seen in most interwar heritage precincts.</p> <p>In regard to fences, again there were a number of types popular in this period, with higher fences (of timber and wire) popular in the 1920s, and low masonry fences most common in the 1930s. While original fences are a valued element in any heritage precinct, their presence is not essential for a precinct to warrant protection in the Heritage Overlay.</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><u>44 McCracken Street</u>  Specifically, the <i>Heritage Study</i> includes 44 McCracken Street on the basis that is an interwar Bungalow with prominent street facing gables with timber strap work and panels and timber posts. It also notes that <i>four of the properties have recent carport or garage additions (27, 38, 40, 44 and 50 McCracken). These are set to the side of the houses, leaving the principal façades of each house and their characteristic features, intact and clearly visible in views from the street.</i></p> <p>As noted above, there are no restrictions on internal alterations to houses in the precinct, so the changes listed by the submitter are not taken into account in the precinct assessment. Further, rear extensions are regularly approved for houses in the Heritage Overlay.</p> <p>An aerial image of 44 McCracken Street in 1946 is provided below:</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				 <p>This aerial confirms the submitter's information that the return verandah is a later addition to the house. It also shows that a rear extension has been constructed, which includes gabled projections to the back half of the house. The aerial shows the original house configuration, being a main gable-fronted roof and an off-centre gabled front porch. Both of these aspects survive.</p> <p>Many of the other changes listed are minor with little or no impact on the heritage value of the house (broader cover straps on front gables, change from quad to ovolo trim on bargeboards, repainting of the exterior, landscaping front and rear yards). The garage, though it uses similar details to the house, is also an obvious modern construction (due to its size and position, among other things). It is located on the side street so does not have any appreciable impact on the</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>McCracken Street streetscape (nor do the houses behind it on Woolley Street).</p> <p>Changes with more of an impact are the addition of the return verandah (though this is reversible should a future owner wish to remove it), and changes to details such as the front porch supports and the windows. The masonry pier and timber post porch support is typical of the 1920s, so is appropriate to this house. The decorative detail at the base and tops of the posts is clearly a modern addition (and is reversible). The new windows are timber double-hung sashes and retain the horizontal format that is typical of the interwar period. While reportedly different from the previous windows, they are appropriate for a bungalow of this type.</p> <p>Replacement of weatherboards and roofing sheets are considered maintenance. In particular, metal roofing must be replaced regularly, so there is no expectation that a 1920s houses would retain original corrugated iron.</p> <p>The neo-Victorian timber picket fence is an obvious recent installation, hence it has not been mentioned among the front fences with heritage value. And the carport is obviously modern, as mentioned in the precinct citation. While quite</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>visible, it is reversible (it can be removed without damage to the house).</p> <p>Overall, the house at 44 McCracken Street still clearly illustrates the valued character of the precinct which is: <i>a residential area comprising a group of interwar bungalows built in c.1927-35.</i> While most of the changes to the property are readily distinguishable as modern changes, the addition of the return verandah should be clearly noted in the precinct citation.</p>	
<b>#93</b>	No	HO456	<p>The submitters object to the proposed heritage precinct overlay as it pertains to 49 McCracken Street, Essendon on the following basis.</p> <ul style="list-style-type: none"> <li>• The property contains windows and verandah that are not original in nature, design, aesthetics or materials.</li> <li>• The front fence is not original or consistent with the design of the original houses built in the precinct.</li> <li>• Condition of external walls are such that they cannot be repaired.</li> <li>• The building structure is such that it does not comply with 21<sup>st</sup></li> </ul>	<p>Officers note the submitter's concerns and provide the following response:</p> <p>The precinct statements records:  <i>Aesthetically, the McCracken Street precinct is significant as a relatively intact group of interwar timber bungalows. The houses were built over a relatively short time span, between c.1928 and 1935, and share similar features typical of the interwar Bungalow style, including form, materials, setback and well-maintained garden settings, some with original or early front fences. The aesthetic qualities and visual cohesion of the precinct are enhanced by the good integrity of most of the houses, several of which (for example, 29, 36 and 37) retain original or early front fences</i></p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>century best building practices and is contrary to being energy efficient in a) orientation of building design b) location on the block c) building materials d) placement, design, materials and fabrication of windows d) lack of ability to make the building weatherproof and properly insulated.</p> <ul style="list-style-type: none"> <li>The existing streetscape contains other dwellings that are not representative of the heritage period. 49 McCracken Street is surrounded by new buildings on 3 sides and separated from 47 McCracken Street by Jacka Street.</li> </ul>	<p><i>The houses at 27, 29, 31, 33, 37, 39, 41, 43, 45, 47, 49 and 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50 McCracken Street are Contributory.</i></p> <p><i>Non-original alterations and additions to the Contributory houses are not significant.</i></p> <p>The submitter states that the verandah, some windows and front fence of 49 McCracken Street are not original. While there may be side or rear windows that have been replaced, the windows visible from McCracken Street on the front façade are of the kind typical of 1920s California Bungalow such as this one. They are double-hung sashes with simple leaded lights. The gabled front porch of the house is visible in a 1946 aerial. Both the form of this porch and the details (rendered tapered piers and a solid masonry balustrade) are also very typical of the house style. The render to the base of the piers and the balustrade is quite thin, so this may be an alteration. Overall it has made little change to the overwhelming California Bungalow character of the house.</p> <p>While the front fence at 49 McCracken Street is not identified as original, as stated by the submitter, it is a type that was very popular in the 1920s, so is appropriate for this house. Fences of the same type are seen in the precinct at 30 and 32 McCracken Street.</p>	



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>In regard to the position of 49 McCracken Street, it is agreed that it is at the edge of the precinct, and there are a number of non-interwar buildings adjacent to it. It is not uncommon for smaller heritage precincts, such as the McCracken Street Precinct, to exclude parts of a single street, sometimes leaving houses at the edge that face houses outside the precinct. In the case of 49 McCracken Street, it still reads as part of the row of interwar houses.</p> <p>The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a tool used to consider whether the proposed works will have an impact on the significance of the place and/or precinct. Works such as replacement of damaged or decayed weatherboards is considered repair, and can be carried out without a planning permit.</p>	
<b>#109</b>	Yes	HO456	<p>The submitter supports the Heritage Overlay to the McCracken Street precinct for the following reasons:</p> <ul style="list-style-type: none"> <li>• Likes the precinct of interwar homes</li> <li>• The need to protect the character and history of the neighbourhood.</li> </ul>	Officers note the submitter's support for the amendment.	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
<b>The following submissions, responses and recommendations relate to HO457 Pascoe Vale Road.</b>					
<b>#36</b>	No	HO457	<p>The submitters oppose the Heritage Overlay to 229 Pascoe Vale Road, Essendon for the following reasons:</p> <ul style="list-style-type: none"> <li>• The house does not contribute to the Pascoe Vale Road Precinct.</li> <li>• The house itself does not tell any historical architecture and will lead to misunderstanding about the historical area.</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>• The <i>Heritage Study</i> recommends the property to be included on the basis that Pascoe Vale Road precinct is part of the original township of Essendon, gazetted in 1852. Further the house is a 1920s bungalow which falls within the historic period referred to in the Statement of Significance, c.1880 to c.1940.</li> <li>• This precinct is <i>distinguished by the intactness to the original period of development and the lack of post-war redevelopment. It is also notable for the overall quality and intactness of the majority of the houses, many of which are complemented by original front fences, and sympathetic gardens.</i></li> <li>• It is noteworthy that while the timber bungalow at 229 Pascoe Vale Road is simple in its details, this was typical of many interwar bungalows.</li> <li>• It is agreed that there have been some changes to the front façade, including the addition of a hood over the front windows and the replacement of the original front porch with a neo-Victorian/Federation version. The front door may have also been replaced.</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>This type of minor alteration has been noted in the precinct citation: <i>While there have been some alterations (e.g. replacement of windows and alterations to porches/verandahs) the majority of houses in the precinct are very intact when viewed from the street.</i></li> <li>Even with this level of minor alteration, the house is still considered to contribute to the interwar character of the precinct.</li> </ul>	
#66	No	HO457	<p>The submitter opposes the Heritage Overlay to 193 Pascoe Vale Road, Essendon and its significant grading for the following reasons:</p> <ul style="list-style-type: none"> <li>The significance of the building is attributed to American architects Greene &amp; Greene and, more particularly, compared to the 'Gamble House'. The submitter argues that this speculative at best, and based on a streetscape inspection. The Gamble House is included on the US National Register for Historic Places and is not comparable to 193 Pascoe Vale Road, Essendon.</li> <li>The building is set substantially back from the street behind a large fence, and is obscured</li> </ul>	<p>Officers note the comments put forward by the submitter and provide the following response:</p> <ul style="list-style-type: none"> <li>The Statement of Significance identifies the house at 193 Pascoe Vale Road <i>is architecturally and aesthetically significant as a fine and early example of a California Bungalow, which demonstrates the Japanese influence seen in seminal examples in the United States designed by architects such as Greene &amp; Greene. Of note is the low gable pitch with very wide eaves, flat verandah roof with shaped rafter ends, resting on chunky timber brackets and the use of single storey pavilions in front of a two-storey mass, which is a very unusual composition in Victoria. Other details of note include the heavy dwarf verandah posts with timber corbels at base, casement windows with diamond lead lights and Arts &amp; Crafts floral highlights, timber</i></li> </ul>	<p><b>Revise the Heritage Study precinct history to note the 1916 Gawler &amp; Drummond tender notice and the 1918 photo of 193 Pascoe Vale.</b></p> <p><b>Amend the Statement of Significance to include the built date and architect.</b></p> <p><b>Revise the grading of 195 Pascoe Vale Road from contributory to</b></p>


**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>from the street by vegetation. The heritage study undertaken by Context Pty. Ltd. indicates the <i>fieldwork was based on an examination of fabric visible from the street, using aerial photography where required.</i> The submitter refutes it is not possible for the study to have drawn such conclusion from 15-20 metres away from the building, with intervening vegetation. The submitter notes that the original windows, casement windows with diamond leadlight and Arts &amp; Craft floral highlights, were removed some years ago.</p> <ul style="list-style-type: none"> <li>• The submitter notes that the upper level was constructed later and therefore diminishes the intactness of the places.</li> <li>• Further the existing building does not meet Criteria F.</li> <li>• Lastly, the property is well located at the edge of the Moonee Ponds activity centre and is a perfect site to meet the housing diversity objectives in</li> </ul>	<p><i>shingles in gables resting on timber corbels, and walls of roughcast render above a tuckpointed red brick plinth. The significance of the house is enhanced by its high degree of intactness. (Criteria D, E &amp; F).</i></p> <p>There is no speculation that this house was <u>designed</u> by Greene &amp; Greene. It has merely been stated that this is one of a relatively small number of California Bungalows in Moonee Ponds (and Victoria) that have adopted a purist version of the Craftsman Bungalows designed by Green &amp; Greene that had a strong Japanese influence and low-pitched gables.</p> <ul style="list-style-type: none"> <li>• Note that it is possible to see the level of the detail described in the precinct citation from the footpath, and in photos taken from the footpath. This was confirmed in a July 2020 visit.</li> </ul> <p>It is standard practice to view buildings from the public domain when assessing them in heritage studies.</p> <p>As viewed in July 2020, the house still retains its 'casement windows with diamond leadlight and Arts &amp; Craft floral highlights'. If they have been replaced in kind at some point, this has been done to a very high standard and should be considered a repair rather than a negative alteration to the house.</p>	<p><b>non-contributory in the Statement of Significance and in the Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			the Moonee Valley Planning Scheme.	<p>The diamond-light casement windows with Art Nouveau highlights to the front façade are entirely appropriate for a house of this style and age.</p> <ul style="list-style-type: none"> <li>While the upper storey of this house may be of light-weight construction, while the ground floor is of brick, this does not mean that it is a later addition. In fact, photos were published of the house in 1918 and show it in its current configuration. This is an article titled 'Extension of the Outer Suburbs: Essendon', in <i>The Australasian</i>, 19 January 1918, page 51. The photo is titled 'In Pascoe Crescent' (the precinct history notes that 'Pascoe Vale Road was originally known as Ashurst Street in the nineteenth century, then Pascoe Crescent by the early twentieth century.') It shows the house in its <u>present</u> form:</li> </ul>	


**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				 <ul style="list-style-type: none"> <li>The house is noted in the precinct history as having a 1916 built-date. The only newspaper tender notice for that year was places by prominent architectural practice Gawler &amp; Drummond in the <i>Flemington Spectator</i> (17 Feb. 1916, p. 2), stating: Messers. Gawler and Drummond, architects, of 443 Little Collins street, Melbourne, invite tenders up till Tuesday, 29<sup>th</sup> February, at noon, for erection of brick residence at Pascoe crescent, Essendon.'</li> </ul> <p>This tender date is in keeping with the purchase of the land on 25 October 1915 by a Mr Albert Hudson James, recorded as a merchant of Flinders Street, Melbourne (CT Vol. 3925 Fol. 803).</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***


Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>Regardless of the designer of 193 Pascoe Vale Road, as expressed in the precinct citation, it was very architecturally advanced for its 1916 date and the massing of its two-storey form is also very rare in Victoria, referencing California examples. For both of these reasons, the house clearly meets Criterion F for its high level of creative achievement.</li> <li>The location of the property is not considered when assessing whether a place satisfies the threshold for the Heritage Overlay.</li> <li>The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a tool used to consider whether the proposed works will have an impact on the place and/or precinct.</li> </ul> <p><u>195 Pascoe Vale Road</u></p> <ul style="list-style-type: none"> <li>Note that while making a site visit to 193 Pascoe Vale Road in July 2020, to explore the issues in this submission, Council's heritage consultant became aware of extensive alterations to the house next door at 195 Pascoe Vale Road.</li> <li>This is an Edwardian Queen Anne villa of 1915. As stated in the precinct description: <i>The Queen Anne villas are characterised by asymmetrical planning, hip roofs with prominent projecting gables, half timbering or roughcast to the gable ends, verandahs</i></li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>formed as an extension of the main roof with ornamental timber slat frieze or valance, tall brick and render chimneys with terracotta pots, and casement sash windows (sometimes with coloured or leadlight toplights). Roofs are clad in terracotta or slate tiles with terracotta ridge capping and finials and walls are clad in either face brick and render (195 &amp; 197 Pascoe Vale Rd).</i></p> <ul style="list-style-type: none"> <li>At the time it was assessed as part of the Pascoe Vale Road Precinct, and graded Contributory, the house at No. 195 was highly intact externally, as shown in the image below, and retained all of the key characteristic traits of a Queen Anne villa.</li> </ul>  <ul style="list-style-type: none"> <li>By July 2020, however, the entire roof of the house had been demolished and replaced with an upper-storey extension that sits</li> </ul>	



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>directly above the front wall of the house, as shown below:</p>  <p>While the front wall of the house and the front verandah have been retained intact, the extension has destroyed the entire original hipped roof as well as the chimneys. The characteristic massing of this architectural style has been lost. As a lesser issue, the terracotta roofing has been replaced with black tiles.</p> <ul style="list-style-type: none"> <li>• While a building can undergo some degree of external change and still contribute to the significance of a precinct, in this case, the form of the house has been so altered and overwhelmed by the new extension, that it is no longer considered to make enough of a</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>contribution to the Edwardian character of the precinct to be graded contributory.</p> <ul style="list-style-type: none"> <li>For this reason, it should be downgraded to non-contributory, but retained within the precinct.</li> </ul>	
<b>#80</b>	No	HO457	<p>The submitter opposes the Heritage Overlay to 219 Pascoe Vale Road, Essendon on the basis that the Heritage Overlay should be applied on a case by case basis, including discussions with owners and heritage consultants.</p> <p>The submitter requests for no ultra-modern homes or low rise apartments to be built in close proximity to heritage homes.</p>	<p>Officers note the submitters' opposition.</p> <p>See response to submission #14</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>#89</b>	No	HO457	<p>The submitters oppose the Heritage Overlay to Pascoe Vale Road, Essendon for the following reasons:</p>	<p>Officers note the submitters' concerns and provide the following response:</p>	<p><b>No change recommended to Amendment</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p><u>Sustainability</u>  The proposal entrenches the wasteful and inefficient usage of land and natural resources. The buildings are inefficient to heat and cool and require retrofitting to make these buildings more efficient. Further, the buildings are not amenable to the installation of solar power generation panels and or solar water heating due their age and construction. The properties have antiquated roofing systems – slate and lead flashings which limit the possibility of rain water harvesting and usage due to contamination.</p> <p>The land usage is inefficient, large area blocks occupied by oversized dwellings which is an inefficient usage of the land and buildings for modern family life and family size, ie 2 adults and 2 children. The inefficient use of the land is contributing to the urban sprawl as it forces newly arrived migrants and less established migrant groups onto the fringes of Melbourne and denies</p>	<p>The <i>Heritage Study</i> recommends the property to be included on the basis that Pascoe Vale Road precinct <i>is part of the original township of Essendon, gazetted in 1852. Further the house is a 1920s bungalow which falls within the historic period referred to in the Statement of Significance, c.1880 to c.1940.</i> This precinct is <i>distinguished by the intactness to the original period of development and the lack of post-war redevelopment. It is also notable for the overall quality and intactness of the majority of the houses, many of which are complemented by original front fences, and sympathetic gardens.</i></p> <p><u>Sustainability</u>  It is agreed that houses of 100+ years require regular maintenance as well as some retrofitting of insulation and seals to windows and doors to increase thermal comfort and increase energy efficiency when heating and cooling. This can be done without compromising their heritage significance.</p> <p>There are also many houses in current heritage precincts that have solar panels and/or solar hot water.</p> <p>If property owners wish to harvest potable water from their roofs, lead flashings can be replaced</p>	<p><b>C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>them the opportunity to partake in the inner urban lifestyle and amenities which would be possible if the large wasteful and inefficient housing was redeveloped, replacing them with dwellings conforming to modern planning and building practices.</p> <p>The buildings are old and past their useful engineered/design life. Foundations are failing be they concrete with the brick construction or stumps in the case of weatherboard construction, masonry walls deteriorating, roofs using outmoded materials eg slate, corrugated iron. The buildings also experience periodic rising damp due to the deterioration of the damp suppression systems used in the original construction.</p> <p>The buildings in many cases needs large scale renovation and restoration to bring them up to approximate the standard of their past original conditions and would still fail to meet the modern building codes.</p>	<p>with another material, such as galvanised sheet steel.</p> <p>All houses require regular maintenance to keep them in good condition, as well as more major works every century or so (such as new slate roofing, repairs to foundations/restumping, renewal of damp-proof courses).</p> <p>The advantage of traditional buildings such as these is that they were designed to be repaired in an incremental way and thus can far outlast modern houses built for a 30-year lifespan with many unrepairable components.</p> <p>One of the most sustainable forms of housing is in fact the upgrading of existing housing stock (by methods such as shading and insulating), in keeping with the motto “The greenest building is the one already standing”. It is full demolition and new construction with energy-intensive new materials that is the less sustainable approach.</p> <p>Furthermore, houses such as the Edwardian Queen Anne villas at 221 and 225, and the California Bungalow at 223, are treasured by much of the community, and there are thousands of examples of houses of this type that have been upgraded to meet modern standards. Note that no special permission is required to internally</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>The submitters asks Council who is to pay for maintaining the dwellings.</p> <p>The submitter asks for financial compensation as a result of the Heritage Overlay and its impact on property values in the form of rate subsidy and subsidy for the update of the buildings.</p> <p><u>Heritage significance of 221, 223 and 225 Pascoe Vale Road</u></p> <p>None of the buildings and especially those at 221, 223 and 225 Pascoe Vale Road Essendon, have any significance historically or culturally, except to represent a wasteful extravagant past which was both racist and xenophobic in its attitudes and treatment of new arrivals in forcing them to the least desirable/amenable suburbs</p> <p>The laneway between 223 and 225 Pascoe Vale Road, has no significance on the basis that it is overgrown with weeds, has periodic graffiti, and is a dumping ground for unwanted goods. The submitter suggests that the laneway should be sold to adjoining landowners which</p>	<p>alter buildings in the Heritage Overlay, and rear extensions are frequently constructed with a planning permit.</p> <p>While it is agreed that there should be densification in Melbourne's suburbs, this should be in specific areas so that the historic character and riches of the suburbs are not lost. There is room for both preservation and change in suburbs.</p> <p><u>Heritage significance of 221, 223 and 225 Pascoe Vale Road and laneway</u></p> <p>The three houses in question undoubtedly have architectural and aesthetic significance, particularly the Edwardian villas at 221 and 223. Both are substantial dwellings that represent two approaches to design in that era. No. 225 is a classic Australian Queen Anne villa, with a high hipped roof that sweeps down over the return verandah, an asymmetrical form created by a projecting gabled bay, a strong diagonal axis that is marked by a corner bay window, and the use of medieval design elements such as faux half-timbering and casement windows. No. 221, on the other hand, is a rarer type: a symmetrical Federation Bungalow. The dominant feature is the steeply pitched, slate-clad pyramidal roof that extends over the encircling verandah. The verandah has Tudor-arched timber fretwork and</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			would remove the need for Council to maintain it.	<p>chamfered timber posts, and a finely detailed brick balustrade. The central entrance is marked by a gablet to the verandah.</p> <p>The California Bungalow at No. 223 is typical example of its era, being a classic brick California Bungalow, with a transverse gabled roof, minor gable to the front façade, and a porch beneath the main roof line resting on tapered piers.</p> <p>All three of these houses are highly intact externally, but visibly neglected.</p> <p>The laneway also appears to be rarely used, hence the growth of grass along it. It retains a bluestone drain along the centre, which appears to be in good condition. If this laneway were fully paved (retaining the bluestone drain), it would provide useful access to rear parking for the two adjoining houses (Nos. 223 &amp; 225) which do not have front driveways.</p>	
#92	No	HO457	<p>The submitters oppose the Heritage Overlay to 215 Pascoe Vale Road, Essendon on the basis that:</p> <p>Components of the dwelling are not original including the front fence</p>	<p>Officers note the submitter's concerns and provide the following response:</p> <p>The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a tool used to consider whether the proposed works will have an impact on the place and/or precinct.</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			The introduction of a Heritage Overlay may limit future redevelopment of the site.	<p>Having noted this, officers also observe that the Pascoe Vale Road Statement of Significance states the non-original structures and alterations or additions are not significant.</p> <p>Further, as it is also important to highlight that this particular the property is graded <b>non-contributory</b> to the precinct. So, as the submitter notes, the house and fence may have been altered, and do not date from the valued period, and this is reflected in their non-contributory grade. As such, the <i>City of Moonee Valley Permit exemptions policy, Heritage Overlay Precincts, May 2019</i> is relevant. The policy applies and exempts non-contributory buildings from seeking planning permissions for certain types of buildings and works and demolition.</p>	
<b>The following submissions, responses and recommendations relate to HO459 Roberts Street.</b>					
<b>#23</b>	No	HO459	<p>The submitter requests 42 Roberts Street, Essendon is removed from the Heritage Overlay on the basis that:</p> <ul style="list-style-type: none"> <li>Demolition and buildings permits have been issued to demolish the building.</li> </ul>	<p>Officers note the submitter's comments and confirm that Council's building department has provided the following information:</p> <ul style="list-style-type: none"> <li>The Building Permit for demolition was issued in March 2019.</li> <li>The Building permits for a new dwelling and garage was issued in July 2019 and August 2019.</li> </ul>	<p><b>Remove 42 Roberts Street, Essendon from HO459.</b></p> <p><b>Revise the Statement of Significance and the map in</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The original building has been demolished in line with the demolition consent.</li> <li>The replacement building has no heritage value.</li> </ul>	<ul style="list-style-type: none"> <li>No Certificate of Final Inspection/Occupancy Permit has been received by Council at this stage.</li> <li>The original dwelling has been demolished.</li> </ul>	<p><b><i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019</i></b> by deleting 42 Roberts Street.</p> <p>Amend Schedule to Clause 43.01 by deleting 42 Roberts Street from HO459.</p> <p>Refer submission to panel for consideration.</p>
<b>#72</b>	No	HO459	The submitters oppose the application of the Heritage Overlay to 43 Roberts Street, Essendon on the basis that it will impact the property value and future sale.	Officers note the submitters' opposition to the Heritage Overlay and respond that the impact to property values is not a consideration when determining whether a property should be included in the Heritage Overlay or not. Planning Panels for similar heritage amendments have considered private economic impacts. The Panel consistently concludes impacts on land values or the individual financial circumstances of the landowner are outside the scope for consideration (e.g. Melbourne C207 Panel, Moreland C149 Panel and Boroondara C266	<p><b>No change recommended to Amendment C200moon.</b></p> <p>Refer submission to panel for consideration.</p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				Panel). The only valid test for the application of the Heritage Overlay is whether a property has recognised heritage value that is suitable for protection. If so, the Heritage Overlay should be applied.	
<b>#104</b>	Yes, with changes	HO459	<p>The submitter supports the amendment however requests for the precinct boundary to be revised to include those houses that have a higher heritage value. Specifically, houses on the west side of Roberts Street between no 33 to 49.</p> <p>In the opinion of the submitter the house from 51 to 59 Roberts Street have little heritage value due to recent modifications.</p> <p>On the east side of Roberts Street, the submitter does not support the inclusion of the properties from 42 to 48 on the basis that No 42 has already been demolished and No 42A and 42B are already non-contributory. No 44, 46 and 48 (which is a brick duplex very different to every other house) are run down and have no heritage</p>	<p>Officers note the submitter's support for the amendment subject to changes, and provide the following response in regard to matters raised:</p> <p>In relation to determining precinct boundaries Planning Practice Note 1 (Applying the Heritage Overlay) does not provide any guidance on how a precinct boundary should be drawn or how many non-contributory places can be included in a precinct.</p> <p>The submitter is correct in stating that the timber interwar bungalow at 42 Roberts Street was demolished c2018, after the precinct was assessed, and a new house is under construction as of July 2020. This property no longer contributes to the precinct. Considering that only the northern end of this side of Roberts Street is included in the heritage precinct, and now Nos. 42, 42A &amp; 42B do not contribute to the precinct. Officers are therefore recommending that Nos. 42, 42A and 42B should be removed from the precinct boundary.</p>	<p><b>Remove 42, 42A &amp; 42B Roberts Street from the precinct.</b></p> <p><b>Delete 42, 42A &amp; 42B Roberts Street from the Statement of Significance and the <i>Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019.</i></b></p> <p><b>Amend Schedule to Clause 43.01 by deleting 42, 42A &amp; 42B Roberts Street.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>value and the property values will be impacted.</p> <p>The submitter also mentions the impact of COVID-19 on property values.</p>	<p>The submitter recommends that 44-48 Roberts Street be removed from the precinct. No. 44 is a highly externally intact Art Deco 1930s bungalow with rendered walls and tapestry brick accents. No. 46 is a highly intact timber California Bungalow of c1930. No. 48 is half of a semi-detached pair with No. 50. They form a cohesive built form, sharing a hipped roof and vergeless front gable typical of the Old English style. While the submitter notes that this is the only face-brick contributory building in the precinct, Old English was one of a number of styles popular in the 1930s. As the precinct is significant for its 1920s and 1930s houses, these four intact interwar dwellings make a clear contribution to the precinct.</p> <p>No. 51 is a non-contributory single-storey house of tumbled bricks. No. 53 is an intact timber California Bungalow. No. 55 is a very well detailed timber California bungalow (bow window, return verandah on paired columns) with a skillion extension to the south side. No. 57 is another intact timber California Bungalow with original details. The presence of a single non-contributory house at No. 51 does not provide a strong enough reason to exclude this row of California Bungalows, which make a clear contribution to the precinct.</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>No. 59 differs from this row in this it is an early post-war house. This is noted in the precinct description, and the reasons for its contributory grade is explained as follows: <i>There is one postwar dwelling at the northern end of the precinct, at 59 Roberts Street. It is a modest brick bungalow with transitional elements (such as an Art Deco 'waterfall' chimney). While built later than the predominance of housing stock within the precinct, it has a similar form and setback that is sympathetic to the overall character of the precinct.</i></p> <p>The submitter recommends that 29 &amp; 31 Roberts Street also be removed from the precinct. While 31 Roberts Street is a contemporary dwelling and two-storeys in height, hence its non-contributory grade, its front setback is in keeping with the rest of the street, and its Old English style and clinker brick walls reference the Old English Duplex at Nos. 48-50. 29 Roberts Street is a highly intact timber California Bungalow that is particular distinguished by its intact setting (woven wire fence and vehicular gates, simple timber driveway gateway, and original concrete driveway and curved front path). Retention of this property in the precinct warrant the inclusion of the non-contributory property at No. 31.</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>It is common practice for non-contributory properties to be included in the Heritage Overlay as part of a precinct even though these buildings do not hold any heritage value in their own right. Their inclusion in the Heritage Overlay will ensure future redevelopment of these properties do not detrimentally impact on the heritage significance of adjoining contributory and significant heritage places or the broader precinct. Given this, officers are not supportive of excluding non-contributory buildings from a precinct as unsympathetic design responses may threaten the heritage values and visual cohesion of the heritage streetscape.</p> <p><u>Property value</u> See response to submission #8.</p>	
<b>#106</b>	Yes, with changes	HO459	Submission is identical to #104.	See response to Submission #104.	<b>See officers' recommendation to submission #104</b>
<b>#119</b>	No	HO459	<p>The submitters opposes the Heritage Overlay to 29 Roberts Street, Essendon for the following reasons:</p> <ul style="list-style-type: none"> <li>• The submitters have intentions to demolish and rebuild on the site.</li> <li>• The submitters have been advised by a painting contractor</li> </ul>	<p>Officers note the submitter concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>• 29 Roberts Street is a highly intact timber California Bungalow of the 1920s that is particular distinguished by its intact setting (woven wire fence and vehicular gates, simple timber driveway gateway, and original concrete driveway and curved front path).</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>that it would be better to pull it down and rebuild.</p> <ul style="list-style-type: none"> <li>• The dwelling is in shadow as result of the two-storey dwelling recently constructed to the north (No. 31). The submitters would like to build their own two-storey house so it is tall enough to install solar panels in the shadow of its neighbour.</li> <li>• The dwelling's weatherboards, windows, internal lath and plaster need to be replaced.</li> </ul>	<p>This is the reason it is recommended for protection as part of the Roberts Street Precinct.</p> <ul style="list-style-type: none"> <li>• The Heritage Overlay requires a planning permit to demolish a contributory building and extend a building. A future application will consider whether demolition and the proposed extension is appropriate.</li> <li>• Further, the <i>City of Moonee Valley Permit exemptions policy, Heritage Overlay Precincts, May 2019</i> sets out the building and works exempt from requiring a planning permit. This includes: <ul style="list-style-type: none"> <li>• <i>Construction of an extension to a dwelling (see Note 1) on a property shown as Contributory on the relevant precinct map provided that all of the following conditions are met:</i> <ul style="list-style-type: none"> <li>○ <i>the property is not on a corner site (including a laneway);</i></li> <li>○ <i>the building height is not more than the building height of the original dwelling excluding any later extensions or additions;</i></li> <li>○ <i>the extension is sited within the rear yard as defined in Figure 1;</i></li> <li>○ <i>there is no alteration or extension to any part of the roof facing the front or side boundary; - there is no alteration</i></li> </ul> </li> </ul> </li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>or extension to any part of the front or side walls of the dwelling; and</i></p> <ul style="list-style-type: none"> <li>○ <i>the setback from side boundaries is not less than the setback of the existing dwelling.</i></li> <li>• This information is available on Council's website. (<a href="https://mvcc.vic.gov.au/work/my-development/heritage/">https://mvcc.vic.gov.au/work/my-development/heritage/</a>).</li> <li>• In relation to fixing up the parts of the dwelling identified in the submitter's submission the Heritage Overlay does not preclude the landowner from undertaking maintenance of a place. In Clause 43.01 of the Moonee Valley Planning Scheme a permit is not required to carry out works, repairs and routine maintenance which does not change the appearance of a heritage place or which are undertaken to the same details, specification and materials.</li> <li>• As the house is nearly 100 years old, it is not surprising that it needs maintenance and repair, particularly if it has not been restumped or painted in recent decades. Happily, timber-framed buildings are very flexible and thus repairable (again and again to give them a very long life).</li> <li>• The issue regarding solar access is acknowledged, though it is not one related to heritage value. The submitters may wish to</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				look at alternative locations for solar panels, such as on the roof of the outbuilding (at the south boundary), or on the west-facing slope of the house roof that would capture late-afternoon sun.	
<b>The following submission, response and recommendation relate to HO460 Scott Street.</b>					
<b>#13</b>	No	HO460	The submitter opposes the Heritage Overlay on the basis that it will impact <u>property values</u> and Scott Street <u>lacks 'heritage' consistency</u> .	<p>Officers note it is unclear which Heritage Overlay the submitter is referring to. That said, officers provide the following response:</p> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul> <p><u>Lack of 'heritage' consistency and Heritage study methodology</u></p> <ul style="list-style-type: none"> <li>The submitter's property, 22 Scott Street, Essendon, is in the proposed HO460 Scott Street, Essendon Precinct, which encompasses 8-30 Scott Street. On the opposite side of the street, 23-27 Scott Street is recommended as an extension to HO371 Levien Street Precinct, and an electrical substation at 1A Scott Street is part of HO302. The remainder of Scott Street is not in or recommended for future inclusion in the Heritage Overlay. The submitter is correct in stating that Scott Street as a whole lacks consistency. It is for this reason that only specific sections of the street were recommended for the Heritage</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				Overlay. The section recommended is a highly intact and visually distinctive group of timber Edwardian houses. While they do not cover the entire street, they are visually cohesive. Note that there is no defined minimum size for a heritage precinct, and this one is larger than some existing precincts in the Moonee Valley Heritage Overlay.	
<b>The following submissions, responses and recommendations relate to HO461 Clarence Street and Marshall Street.</b>					
<b>#4</b>	Yes	HO461	<p>Submitter supports the amendment and confirms the 2017 Heritage Study information about the Clarence St and Marshall St Flemington Precinct is correct. In particular,</p> <ul style="list-style-type: none"> <li>the intactness of the original periods of development in both streets, with a lack of post-war development</li> <li>the consistency of housing stock in both streets as well as the mature trees in Marshall St</li> <li>the fact the precinct compares with two other nearby areas already with HO ie Canterbury Street and Dover Street Precincts (HO79), and the Coronet Street Precinct (HO140).</li> </ul>	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>the Clarence and Marshall Street precinct is of historic (Criterion A) and aesthetic (Criterion E) significance to the City of Moonee Valley, as identified by the consultants' report.</li> </ul>		
<b>#30</b>	Yes	HO461	<p>The submitter supports the Heritage Overlay to Clarence Street and Marshall Street precinct on the following grounds:</p> <ul style="list-style-type: none"> <li>The intactness of the original periods of development in both streets, with a lack of post-war development.</li> <li>The consistency of housing stock in both streets as well as the mature trees in Marshall Street.</li> <li>The precinct compares with two other nearby areas already with the Heritage Overlay i.e. Canterbury Street and Dover Street Precincts (HO79), and the Coronet Street Precinct (HO140).</li> <li>The Clarence and Marshall Street precinct is of historic (Criterion A) and aesthetic (Criterion E) significance to the City of Moonee Valley, as identified by the consultants' report.</li> </ul>	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#31	Yes	HO461	The submitter supports the Heritage Overlay to Clarence Street and Marshall Street precinct on the basis that it is important to formally recognise the importance of this precinct in terms of the intact original homes and to assist in the prevention of inappropriate and unsympathetic development in the future.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
#34	Yes	HO461	<p>The submitter supports the Heritage Overlay to Clarence Street and Marshall Street precinct on the following grounds:</p> <ul style="list-style-type: none"> <li>• The intactness of the original periods of development in both streets, with a lack of post-war development.</li> <li>• The consistency of housing stock in both streets as well as the mature trees in Marshall Street.</li> <li>• The precinct compares with two other nearby areas already with the Heritage Overlay ie Canterbury Street and Dover Street Precincts (HO79), and the Coronet Street Precinct (HO140);</li> <li>• The Clarence and Marshall Street precinct is of historic (Criterion</li> </ul>	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			A) and aesthetic (Criterion E) significance to the City of Moonee Valley, as identified by the consultants' report.		
<b>#35</b>	Yes	HO461	<p>The submitter supports the Heritage Overlay to the Clarence Street and Marshall Street precinct for the following reasons:</p> <ul style="list-style-type: none"> <li>• The precinct's consistency of pre-war housing stock and retention of period details have created an area of considerable historic and aesthetic importance.</li> <li>• The precinct is comparable to other precincts with heritage overlay in our area such as the nearby Coronet Street Precinct (HO140).</li> <li>• The need to preserve Flemington's heritage as the area is being transformed by modern development.</li> </ul>	Officers note the submitters' support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
<b>#48</b>	No	HO461	<p>The submitter opposes the Heritage to 21 Marshall Street, Flemington for the following reasons:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>• The house does not have any historical embellishments,</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>• HO461 in the <i>Heritage Study</i> is an area comprising housing from the late Victorian to early interwar periods. The historic</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>interesting designs or different materials, such as imitation Ashlar, bracketed eaves, verandahs with timber or cast-iron frieze.</p> <ul style="list-style-type: none"> <li>The house is a simple weatherboard with a relatively normal triangular shaped roof and has no features which contribute to the significance of the precinct such as a boom style cement decoration, parapets, verandahs with cast iron decoration or iron fences.</li> </ul> <p><u>Planning permit requirements</u></p> <ul style="list-style-type: none"> <li>The submitter would like to demolish and rebuild a house on the property.</li> <li>It would cost more to fix up the house than to replace it with a new one.</li> </ul> <p><u>Grading</u></p> <p>The submitter requests for the property to be graded non-contributory the same as 22, 29 and 37 Marshall Street.</p>	<p><i>development of this precinct during two brief periods in the late nineteenth and early twentieth centuries is clearly demonstrated in the building stock.</i></p> <ul style="list-style-type: none"> <li>The precinct citation notes: <i>Marshall Street has a high degree of consistency as the houses were not only built within a short period, but by the same builder. Overall, there are three basic types: symmetrical Victorian survival timber villas, and asymmetrical Edwardian houses either single or double fronted.</i></li> <li>21 Marshall Street is one of the single-fronted Edwardian houses described above.</li> <li>While the front verandah of 21 Marshall Street has been removed, the house retains many of the typical features of Edwardian houses as described in the precinct citation, including: a main hipped roof and a projecting front gable, notched weatherboards in the gable end, two roughcast rendered chimneys with chimney pots, paired double-hung timber windows, an original four-panel front door and surround, and the front façade clad in ashlar-look boards (imitating stone). Officers confirm that the boom-style cement decoration, parapets, and iron front fences are <u>Victorian</u> elements, which are seen on Clarence Street.</li> </ul>	<b>to panel for consideration.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>The alteration to the front verandah (its removal) is not uncommon for contributory houses in existing precincts, and it is also seen elsewhere on this street. The citation notes that nearly all the houses on Marshall Street were constructed by the same builder, so if the current or a future owner would like to restore the front verandah, they can use as appropriate models nearby houses (e.g. Nos. 17, 33).</li> </ul> <p><u>Planning permit requirements</u></p> <ul style="list-style-type: none"> <li>The key issue for determination now is the appropriateness of the Heritage Overlay, a future application will consider whether demolition is appropriate.</li> </ul> <p><u>Grading</u></p> <ul style="list-style-type: none"> <li>The properties graded non-contributory to the precinct have either been significantly altered or are post-war houses within a Victorian to early interwar precinct.</li> </ul>	
<b>#111</b>	No	HO461	<p>The submitters oppose the Heritage to 17 Marshall Street, Flemington on the basis that:</p> <ul style="list-style-type: none"> <li>The existing planning controls are sufficient.</li> <li>There is a long tradition of the rest of dwelling internally and externally having very little relationship to the façade.</li> </ul>	<p>Officers note the submitters opposition and provide the following response:</p> <ul style="list-style-type: none"> <li>See response to submission #3 relating to impact to development opportunity</li> <li>It is agreed that old houses, such as the Edwardian house at 17 Marshall Street, often retain an “old” external appearance while the interior has been altered and remodelled numerous times. While houses that are of</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>Things like solar panels, double glazed window, insulation, environmentally sound improvements, do not form any part of the heritage.</li> <li>The submitter asks what part of the buildings are excluded from the Heritage Overlay provisions.</li> <li>Impacts the submitter's desires to redevelop the dwelling including a second storey.</li> <li>Additional costs relating to regulation and red tape and puts a burden on households of limited financial means.</li> </ul>	<p>State-significance and listed in the Victorian Heritage Register have controls both on their exterior and interior, the municipal Heritage Overlay usually only controls the externalities of a property (fence, outbuildings; walls, roof, chimneys, windows and external doors of the house). While this approach does not protect the "entire" house, it is considered a reasonable compromise to allow the ongoing use of heritage houses and adaptation to evolving needs. As the interior of a house is generally not controlled in the Heritage Overlay, its intactness is not taken into account when considering whether it warrants protection.</p> <ul style="list-style-type: none"> <li>Further information about what works require a planning permit in the Heritage Overlay or are exempt from these controls is found in the 'City of Moonee Valley Permit Exemptions Policy: Heritage Overlay Precincts', 2017, which can be found on the Council's website.</li> <li>It should also be noted that 17 Marshall Street has also been altered externally. The weatherboard walls have been covered with fake brick sheets, the chimneys have been removed, the bullnose verandah roof replaced with a flat one, and the front door replaced with a glazed one. The house retains its original massing (M-hipped roof, projecting</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>gable to one side of the verandah), verandah joinery (verandah beam, turned timber posts, ladder-back frieze and timber brackets), and paired double-hung sash windows. This puts it into the group of altered houses in the precinct which are still clearly recognisable as part of the Edwardian development of this precinct, and thus contributory.</p> <ul style="list-style-type: none"> <li>Officers acknowledge the Heritage Overlay requires a planning permit for demolition and certain types of building and works which results in associated costs, including statutory planning fees, officers note that these concerns are not relevant to this amendment.</li> </ul>	
<b>#115</b>	Yes	HO461	<p>The submitter supports the application of HO461 to the precinct for the following reasons:</p> <ul style="list-style-type: none"> <li>Purposely purchased their property in Marshall Street due to the intact heritage nature of the streetscape and immediate precinct, inclusive of the Edwardian period properties and large street trees on Marshall Street, and Victorian period properties along Clarence Street.</li> <li>Of particular charm is the unique and original fretwork of the verandah and awning over the</li> </ul>	<p>Officers note the submitter's support for the amendment.</p> <p>The documentation indicating that the unusual verandah and window hood detail of 38 Marshall Street is original should be noted in the precinct description.</p> <p>It is agreed that 2 and 4 Marshall Street are typical semi-detached houses of the 1930s. They are largely intact, apart from the loss of the original windows. While there are some heritage precincts that protect a range of building eras, Marshall Street has been identified as significant for the housing that was developed over a six-</p>	<p><b>Revise the Heritage Study's precinct description relating to 38 Marshall Street to include</b></p> <ul style="list-style-type: none"> <li><b>the unusual timber fretwork to the verandah</b></li> <li><b>the window hood is original.</b></li> </ul>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>front window of 38 Marshall Street, and the rarer symphony of rooflines in Marshall Street – if looked at along the south side of Marshall Street from East to west, roof tops have Edwardian peaked gable roof line.</p> <ul style="list-style-type: none"> <li>• The community supports the preservation of the precinct.</li> <li>• The need to protect the character and history of the neighbourhood.</li> <li>• Suggests inclusion of 2 and 4 Marshall Street as part of the precinct.</li> <li>• Suggests the three brick properties in Marshall Street be provided with guidance so that future renovations complement the streetscape.</li> </ul>	<p>year period in the Edwardian era (1909-15). It is the ‘overall consistency for Edwardian housing form’ that is the rationale for its protection. As the 1930s duplex at Nos. 2-4 is of a different era and form, and it stands across from another excluded section of Marshall Street (Nos. 1-9), there is no strong rationale to add it to the precinct.</p> <p>If the owners of non-contributory brick houses in Marshall Street wish to redevelop or renovate their properties in the future, they will need to demonstrate that the new design is contextual in its scale, setbacks and materials to the precinct</p>	<b>Refer submission to panel for consideration.</b>
<b>#116</b>	Yes	HO461	Submission is identical to #115.	See response to Submission #115.	<p><b>Revise the Heritage Study’s precinct description relating to 38 Marshall Street to include:</b></p> <ul style="list-style-type: none"> <li>• the unusual timber</li> </ul>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
					<p>fretwork to the verandah</p> <ul style="list-style-type: none"> <li>the window hood is original.</li> </ul> <p>Refer submission to panel for consideration.</p>
#117	Yes	HO461	<p>The submitter supports the application of HO461 to the precinct for the following reasons:</p> <ul style="list-style-type: none"> <li>Purposely purchased their property in Marshall Street due to the intact heritage nature of the streetscape and immediate precinct.</li> <li>The streetscape has a uniformity of scale and character that has been unchanged for more than 100 years with homes dating from the early 1900s in Marshall Street and late 1800's in Clarence Street. Marshall Street is further enhanced by the planting of plane trees on either side.</li> </ul>	Officers note the submitter's support for the amendment.	<p><b>No change recommended to Amendment C200moon.</b></p> <p>Refer submission to panel for consideration.</p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The whole row of six houses are nearly identical in scale with their facades matching. This includes clinker patterned timber detailing on the front weatherboards of each house, iron roofing, and a verandah. Each of the row houses has two windows under the front verandah and identical cast iron lacework detailing on the verandahs.</li> <li>The original bluestone gutters.</li> <li>There is a sense that the area retains a physical connection to the rail and sale yards where Robert Alexander Fisher the original owner of the house would have worked.</li> <li>The neighbourhood character is highly valued by the community who support the preservation of the precinct</li> <li>The need to protect the character and history of the neighbourhood</li> </ul>		
The following submission, response and recommendation relate to HO462 Ardmillan Road.					

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#84	Yes, with changes	HO462	The submitters requests 33 Ardmillian Road, Moonee Ponds is excluded from the precinct basis on the basis that it is non-contributory. The building itself has no significance to what the Heritage Overlay is designed to achieve.	<p>Officers note the submitter's response and provide the following response:</p> <p>It is common practice for non-contributory properties to be included in the Heritage Overlay as part of a precinct even though these buildings do not hold any heritage value in their own right. Their inclusion in the Heritage Overlay will ensure future redevelopment of these properties do not detrimentally impact on the heritage significance of adjoining contributory and significant heritage places or the broader precinct. Given this, officers are not supportive of excluding non-contributory buildings from a precinct as unsympathetic design responses may threaten the heritage values and visual cohesion of the heritage streetscape.</p> <p>Officers are satisfied that the precinct boundary as currently proposed is appropriate and aligns with best practice.</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>The following submissions, responses and recommendations relate to HO464 Grace Street.</b>					
#16	No	HO464	<p>The submitters oppose applying the Heritage Overlay to 27 Grace Street, Moonee Ponds for the following reasons:</p> <p><u>External alterations</u></p> <ul style="list-style-type: none"> <li>The house contains non-original alterations additions and many</li> </ul>	<p>Officers note the submitters' comments and provide the following response:</p> <p><u>27 Grace Street</u></p> <ul style="list-style-type: none"> <li>The <i>Heritage Study</i> identifies <i>Grace Street is a residential precinct comprised of Victorian era houses. The houses are mainly detached, and single storey with small front setbacks and</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>of the original features have been removed.</p> <ul style="list-style-type: none"> <li>In 1995/86 the block was subdivided and has no backyard</li> <li>The new extension is not in keeping with the original aesthetic of the home.</li> </ul> <p><u>Internal alterations</u></p> <ul style="list-style-type: none"> <li>The house has been internally altered including: <ul style="list-style-type: none"> <li>the original kitchen, loungeroom, laundry and bathroom have been removed</li> <li>one of the original bedrooms is now the kitchen</li> <li>one of the original bedrooms is now the loungeroom</li> </ul> </li> </ul> <p>The submitters requests 27 Grace Street, Moonee Ponds is regraded to non-contributory in the precinct, similar to 4 and 4a Grace Street Moonee Ponds.</p>	<p><i>narrow side setbacks. There are attached pairs at nos. 3-5 and 14-16 and one double storey terrace at no.15. Most of the houses show the influence of the Italianate style with details such as bracketed eaves, verandahs with cast iron decoration and timber or cast iron posts, panelled front doors with sidelights and highlights and tripartite (including the less common separated example at nos. 7 &amp; 10) or double hung timber sash windows. No fences are original but most are low and several are in sympathetic reproduction (timber picket or cast iron) styles. The double fronted houses are either symmetrical or asymmetrical with a canted (18,20) or flat (2, 8, 9, 23, 27) bay with one house (no.1) having bays to the front and side with a return verandah between, while at no.17 the verandah is enclosed by wing walls embellished with scrolls. Almost all are brick (most in bi-chrome with decorative quoining and diaper patterns, with others in plain red or brown) or rendered brick: there are two timber houses at nos. 11 and 13, which have imitation Ashlar boards and feature bay windows. The roofs are hipped and several retain the original (10, 14-16, 17, 19) or reinstated (1, 18) slate and chimneys are corbelled brick or rendered with cornices and stringcourse. Of note is the shared hip with a single central chimney to the attached pair at</i></p>	<p><b>to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>nos. 14-16.</i></p> <p><i>The integrity of the houses varies, with most common alterations including replacement of roof materials (often with tiles), replacement of windows, removal of chimneys, possible rendering of brick walls, and alterations to or replacement of front verandahs. No.21 is the most altered, but still retains sufficient original facade detailing to identify it as a Victorian dwelling. There are some visible additions, but they are relatively recessive and do not intrude upon the streetscape.</i></p> <p><u>External alterations</u></p> <ul style="list-style-type: none"> <li>• The fact that there has been modification to a building does not necessarily result in heritage value has been diminished. The <i>Heritage Study</i> states that a contributory place may not be completely 'intact' (i.e., retaining all original fabric) however repairs or maintenance that have been carried out using the same or similar materials, details and finishes are considered to have maintained the places' 'integrity'.</li> <li>• It is agreed that the property has been subdivided, leaving the Victorian house at 27 Grace Street on a very reduced block. As the new development faces Derby Street, this subdivision does not impact upon the Grace</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>Street precinct or the contributory value of the Victorian house.</p> <ul style="list-style-type: none"> <li>• While some rear rooms of the house may have been demolished to allow the subdivision, the principal part of the original house survives, as indicated by the current roof form.</li> <li>• It is agreed that there have been alterations to the front façade of this Victorian house. In particular, the verandah posts and ornament have been removed, leaving only the original verandah roof. The brick walls have been rendered.</li> <li>• Other original features of the front façade survive, such as the verandah roof, the double-hung windows, one with sidelights, and the four-panelled front door with sidelights and highlights. This level of intactness is not unusual, and is seen at 2, 16 and 23 Grace Street as well, which are all graded contributory.</li> <li>• Finally, note that the new semi-detached pair at 4-4A Grace Street is still recommended for inclusion in the heritage precinct, as a non-contributory graded property.</li> </ul> <p><u>Internal Controls</u></p> <ul style="list-style-type: none"> <li>• HO464 does not require a planning for internal works, there is nothing that prohibits</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				an owner to improve the internal amenity of the property.	
<b>#73</b>	No	HO464	<p>The submitter opposes the Heritage Overlay to 1 Grace Street, Moonee Ponds, because of the impact that boundary properties can have to the contributory area specified by this Amendment: Their site would be covered by the Heritage Overlay, whereas the abutting property is not restricted and a towering property could be built without consideration of the heritage character this overlay is trying to protect. Already the Ardmillian Place site is over their back fence. That would result in the overlay being entirely worthless and will not achieve its objectives.</p> <p>The submitter requests the Amendment would need to be implemented in conjunction with appropriate controls on the property over the back fence which would ensure the Grace St precinct would be preserved as intended, or should the amendment not be implemented at all.</p>	Officers note the submitter's opposition. The Heritage Overlay should only apply to places of heritage significance.	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#85	Yes	HO464	The submitters support the application of the Heritage Overlay to the Grace Street precincts on the basis that developments similar to 4 and 4A Grace Street does not fit into the area.	Officers note the submitters' support for the amendment.	<b>No change recommended to Amendment C200moon.</b>  Refer submission to panel for consideration.
<b>The following submissions, responses and recommendations relate to HO465 Margaret Street &amp; Park Street.</b>					
#29	Yes	HO465	The submitter supports the Heritage Overlay to 37 Margaret Street, Moonee Ponds.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#32	No	HO465	<p>The submitter opposes the Heritage Overlay to 7 Park Street, Moonee Ponds for the following reasons:</p> <p><u>Heritage Gap Study</u></p> <ul style="list-style-type: none"> <li>The Heritage 2014 Gap Study did not identify this property as significant.</li> <li>The properties of significance are on the western side of the railway.</li> </ul> <p><u>Modifications and cost to reinstate the building</u></p> <ul style="list-style-type: none"> <li>The property has been modified many years ago and is not in great condition - water leaks, rusted roofing and large cracks are present.</li> <li>The cost of renovation to reinstate the building would be prohibitive.</li> <li>The overlay will make it very difficult to sell.</li> </ul> <p><u>Location of property</u></p> <ul style="list-style-type: none"> <li>The property also stands next to a three-story block of apartments.</li> </ul> <p><u>Planning Permit</u></p> <ul style="list-style-type: none"> <li>Permits for this property, which is on the very border of the</li> </ul>	<p>Officers note the submitter's opposition and provide the following comments:</p> <p><u>2017 Heritage Gap Study</u></p> <ul style="list-style-type: none"> <li>The property was identified in the 2014 Heritage Gap Study as part of the Margaret Street potential precinct. There is a second precinct centred around Park Street on the western side of the railway line as well.</li> </ul> <p><u>Modifications and cost to reinstate the building</u></p> <ul style="list-style-type: none"> <li>Modification to a building does not necessarily result in heritage value has been diminished. <i>The Heritage Study</i> states that a contributory place may not be completely 'intact' (i.e., retaining all original fabric) however repairs or maintenance that have been carried out using the same or similar materials, details and finishes are considered to have maintained the place's 'integrity'.</li> <li>Considering the house at 7 Park Street, there are <u>no</u> alterations visible from the street. This is a highly externally intact timber Victorian Italianate house, which retains its front verandah and cast-iron detail, ashlar board cladding, double-hung windows and front door with sidelights and highlights, an M-hipped roof with rendered and cornices chimneys and decorative eaves brackets. While there may have been internal changes or changes to the rear, this is not considered</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			designated precinct, are approved, and were so well before this proposal, so should stand.	<p>in assessing whether a place is contributory to a heritage precinct.</p> <ul style="list-style-type: none"> <li>• It is agreed that the corrugated roofing to the house and front verandah are rusted and need to be replaced. This is standard maintenance for a house.</li> <li>• The Heritage Overlay does not preclude the landowner for undertaking maintenance of a place. In Clause 43.01 of the Moonee Valley Planning Scheme a permit is not required to carry out works, repairs and routine maintenance which does not change the appearance of a heritage place or which are undertaken to the same details, specification and materials. Further, several Panel reports (Whitehorse C74 Part 2, Melton C71) distinguish between condition and intactness: a place may be quite run-down but still be substantially intact and retain its heritage values. Being in poor condition does not of itself disqualify a place from being listed on the Heritage Overlay.</li> <li>• Heritage controls identify special qualities of an area, and when preserved over time through the planning scheme, they are enhanced. Heritage areas often become highly sought-after locations by people who value historical character and by people who</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>know this character is protected by planning scheme controls.</p> <ul style="list-style-type: none"> <li>There may be some circumstances, however, where future development of a heritage site may be limited. This may affect a person's decision to purchase a property.</li> </ul> <p><u>Location of property</u></p> <ul style="list-style-type: none"> <li>It is agreed that there is a three-storey apartment building next door, at 5 Park Street, which has been left outside of the heritage precinct.</li> <li>There is always a boundary to a heritage precinct, and this boundary is usually located at the point where a streetscape loses its strong heritage character. There are, however, contributory houses opposite 7 Park Street (2-6 Park Street) which provide an appropriate setting for this Victorian house.</li> </ul> <p><u>Planning Permit</u></p> <ul style="list-style-type: none"> <li>Council officers can confirm a planning permit for has been issued for the property in 2014. The permit include the demolition of the existing dwelling. An extension of time has been requested, however the decision has been placed on hold in light of the amendment.</li> </ul>	
<b>#47</b>	No	HO465	The submitter opposes the Heritage Overlay to 79 Margaret Street, Moonee Ponds and requests that the	Officers note the submitters' concerns and provide the following response: <u>Heritage significance</u>	<b>Revise the Heritage Study's precinct description and</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>property is removed from the Heritage Overlay or the grading is revised from contributory to non-contributory for the following reasons:</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>There was a major renovation of the property from 2000 onwards. The renovation includes a modernised structure, extension and elevation, including a completely new fit out. The design is modern with only the front façade at street level remaining close to its original character, and is now no longer consistent with the typical historical Edwardian characteristics. Given this, the submitter does not agree the building should be graded contributory.</li> </ul> <p><u>Planning permit requirements</u></p> <ul style="list-style-type: none"> <li>The submitter argues the overlay will restrict their ability to make any external facing alternations impacting walls, windows, balconies and paint schemes. A</li> </ul>	<ul style="list-style-type: none"> <li>It is agreed that a quite visible upper-level extension has been built at 79 Margaret Street, set back about one room's depth from the front façade. The front façade and entrance porch, however, have been retained and are highly intact.</li> </ul> <p>The building permit plans for this work have been reviewed (No. 99038, 3 Nov. 1999). They document that the walls of the house were retained to a depth of four room (with changes to some north side windows). A wider rear section was constructed as well as the upper-level extension which is set back 1.5 rooms from the front façade. The only changes to the front façade, itself, noted in the plans is the removal of the existing "lattice" from the front porch and its replacement with "new timber fretwork". The removed "lattice" was likely identical to that seen at Nos. 75 and 81, and appears to be the original verandah treatment. It also appears that the brackets supporting the front window hood at No. 79 were replaced during these works. While the other houses in this row have simple ladder-back brackets, those at No. 79 incorporated a wide slat with an incised flower. This same detail is seen on the new porch fretwork. While the current window hood brackets and</p>	<p><b>note the original lattice form of the fretwork to 69-81 Margaret Street, which survives intact at Nos. 75 and 81.</b></p> <p><b>No change recommended to the precinct statement of significance.</b></p> <p><b>Refer submission to panel for consideration</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>clear impact which cannot be disputed.</p> <ul style="list-style-type: none"> <li>Further, any future decision to install rooftop solar panels, and associated infrastructure, visible from the streets adjoining our property, may be subject to further permit restrictions and/or design or installation requirements. This may very likely influence the financial viability of such work in the first place. The irony here is not lost either.</li> </ul> <p><u>Surrounding development</u></p> <ul style="list-style-type: none"> <li>Development occurring in the area, both small and large, do not fit any period considerations or local character attributes, which puts additional focus on heritage areas. The Heritage Overlay may have adverse impacts to the resale value of the properties which are not fully known or assessable at present.</li> </ul> <p><u>Heritage protection</u></p> <ul style="list-style-type: none"> <li>The property was purchased in good faith with no such</li> </ul>	<p>porch fretwork of No. 79 are not original, they are both sympathetic to the Edwardian-era design of the house. While this is a minor alteration, and not one that impact the house's overall contribution to the precinct, the original lattice form of the porch fretwork should be noted in the precinct citation.</p> <ul style="list-style-type: none"> <li>Officers note that there is an upper level extension at the nearby 73 Margaret Street that is only a half-room back from the front. Again the façade is highly intact.</li> <li>Both of these houses are a part of a row of identical single-fronted brick Edwardian dwellings at 69-81 Margaret Street, which differ only in the varied designs of their porch fretwork. This row is described as follows in the precinct citation: <i>These are all distinguished by the bracketed window hoods that extend the full width of the projecting bay and the square bay casement windows with highlights (originally containing leadlight glass), which have a flared skirt of notched boards. Nos. 69-81 are detached and have half-timbered gable ends.</i></li> <li>This row is quite important in creating what is described in the precinct statement of significance as: <i>Federation/Edwardian housing with characteristic, form, materials and</i></li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>restrictions in place or planned to the best of our knowledge and conveyancing information at the time.</p> <ul style="list-style-type: none"> <li>The submitter did not request heritage consideration of our property via any application or inquiry process and suggests that a voluntary approach, similar to Bayside City Council approach, should be adopted.</li> </ul>	<p><i>detailing and good visual cohesion due to the consistency of built form.</i></p> <ul style="list-style-type: none"> <li>While Victorian-era housing is characterised by the terrace (attached) form, this had lost popularity by the early 1900s. The Edwardian variant on this medium-density housing is rows of semi-detached or detached pairs, as seen at 69-81 Margaret Street. As this row was designed and constructed as a cohesive whole, it should be treated as such when assessing the contribution of the individual houses to the precinct. As 79 Margaret Street (and No. 73) still retain the distinctive gable-fronted form and all façade details, it is still an important part of this row and should remain contributory to the precinct.</li> <li>Officers note that the later alterations and extensions to the house are recognised as having <u>no</u> heritage significance. Any future planning permit applications would seek to preserve the original external part of the house, but not the extension.</li> </ul> <p><u>Permit requirements</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay does not preclude opportunity for changes to a property, rather it is a tool used to consider whether the proposed works will have an impact on the place and/or precinct.</li> </ul> <p><u>Permit requirement for solar systems</u></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

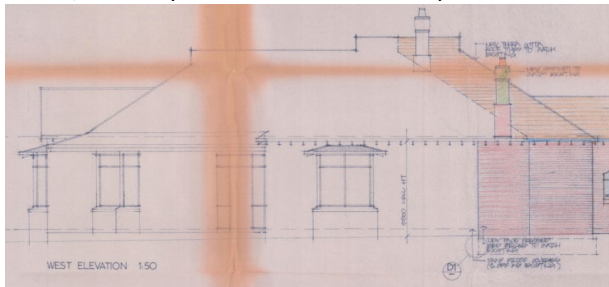
Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>The Heritage Overlay requires a landowner to seek a planning permit for installation of solar system. At this time the proposal will be considered to determine whether the solar system will have an impact on the heritage values of the place and/or precinct.</li> </ul> <p><u>Surrounding development</u></p> <ul style="list-style-type: none"> <li>Development in the area is not relevant to this amendment.</li> <li>See response to submission #3</li> </ul> <p><u>Heritage protection</u></p> <ul style="list-style-type: none"> <li>Moonee Valley City Council is required under the <i>Planning and Environment Act 1987</i> to protect significant heritage places within the municipality.</li> <li>The submitter mentions that the City of Bayside has allowed self-nominations of properties instead of proper heritage studies. This voluntary approach has since been discredited, with direct intervention by the Minister for Planning. In June 2020 the Bayside Council voted to restart their abandoned heritage study.</li> </ul>	
<b>#79</b>	Yes	HO465	The submitters support the application of the Heritage Overlay to 78 Margaret Street, Moonee Ponds and the Margaret Street and Park Street precinct for the following reasons:	Officers note the submitters' support for the amendment.	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The house has historical significance and beauty and was previously owned by the same family for over 100 years.</li> <li>The house has, fortunately, maintained many original features.</li> <li>The house and neighbouring properties reflect a bygone era of craftsmanship and skill that is hard to find in current developments.</li> <li>Moonee Ponds has a special history that is reflected in its buildings.</li> </ul> <p>The submitter states that without the Heritage Overlay Moonee Ponds will lose part of its local knowledge and ambience.</p>		<b>to panel for consideration.</b>
<b>#90</b>	No	HO465	<p>The submitters oppose the Heritage Overlay to 17 Park Street, Moonee Ponds on the basis that the dwelling has been substantially renovated including alterations to the facade and the fence has been rebuilt.</p> <p>Further, the property was purchased without any heritage overlays and to</p>	<p>Officers note the submitters' opposition.</p> <p>It is agreed that the front fence of 17 Park Street has been replaced with a sympathetic "Edwardian style" brick and timber front fence. While not historically accurate, it does echo the materials and details of the house itself and it is low to allow clear views to this corner house. Note that there are only a small number of Victorian and</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			impose it now would substantially affect the value of the property which is unfair compared to development of other properties in the very near vicinity, a good example of which is the total demolition and construction of multi apartments directly opposite our property in Park street. The submitter points to nearby developments in Moonee Ponds, that are not covered by the Heritage Overlay, to highlight the impacts of these development on the look, traffic and overshadowing in properties in Moonee Ponds.	<p>Edwardian-era original fences to survive, so an original fence is not required for a property to be contributory to a precinct.</p> <p>Building permit plans (No. 22065, 6 Feb. 1992) document a small, single-storey rear extension to the house. It shows that the return verandah and flanking projecting gabled bays to the north and west remained intact. To the rear, the gabled-hipped roofline was extended slightly to create an enlarge family room and new kitchen. These works were carried out with materials matching the original extent of the house, including red face brick, roof tiles, expressed rafter tails beneath the eaves, and a new chimney. This is shown on the detail, below (new elements shaded):</p>  <p>While this “seamless” approach to extensions for heritage buildings is not always supported today, in favour of “legible” alterations, this was considered a sympathetic approach in the 1990s and is frequently seen in early heritage precincts</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>(for example, the City of Essendon's heritage guidelines of that time recommended such works). More importantly, this is a minor extension and – apart from the new chimney – barely visible from the street. Nearly the entire original house survives including its fine modelling and decorative elements facing Park and Margaret streets. It is certainly of an intactness that allows it to contribute to the precinct.</p> <p>Further, see response to submission #5 relating to heritage study precinct methodology which outline the threshold for contributory buildings in a precinct.</p> <p>The concerned raised by the submitters that the property was purchased without the Heritage Overlay is not relevant to this amendment. Planning controls from time to time can be implemented to achieve an appropriate outcome.</p>	
<b>#118</b>	No	HO465	<p>The submitter objects to the application of HO465 to 8 Park Street, Moonee Ponds, on the basis that:</p> <ul style="list-style-type: none"> <li>The imposed restrictions and controls will limit interest to only people who value historical features and discourage developers from purchasing it</li> </ul>	<p>Officers note the submitter's concerns and provide the following response:</p> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>See response to submission #8 relating to property value</li> </ul> <p><u>Increases in insurance premiums</u></p> <ul style="list-style-type: none"> <li>See response to submission #14 relating to insurance premiums</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>thereby limiting the ability to obtain the best possible price for the property.</p> <ul style="list-style-type: none"> <li>The property's insurance premiums will increase once heritage overlays are imposed.</li> </ul>		
<b>The following submissions, responses and recommendations relate to HO468 Tweedside Estate Serial Listing.</b>					
<b>#3</b>	No	HO468	<p>The submitter objects to the recommendation to include the property at 49 Lincoln Road, Essendon in the Heritage Overlay for the following reasons:</p> <p><u>Location of the property and loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>The property is located on a main road.</li> </ul> <p><u>Additional planning controls</u></p> <ul style="list-style-type: none"> <li>The property has been without restrictions for many years</li> </ul>	<p>Officers note the submitter's comments and provide the following response:</p> <p><u>Location and interface of the property</u></p> <p>The interface of the property is not considered when assessing whether a place satisfies the threshold for the Heritage Overlay.</p> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a tool used to consider whether the proposed works will have an impact on the significance of the place and/or precinct.</li> </ul> <p><u>Planning controls</u></p> <ul style="list-style-type: none"> <li>All municipalities (or Council areas) in Victoria are covered by planning controls that specify appropriate parameters around the use and development of land in a site/area. The principle legislation governing such controls is the <i>Planning and Environment Act 1987</i>. Applying the Heritage Overlay, is but one of numerous components of the long</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				established and accepted practice in Victoria of appropriately regulating development by planning schemes where heritage conditions exist.	
<b>#71</b>	No	HO468	<p>The submitters request 4 Black Street, Essendon to be removed from HO468 for the following reasons:</p> <ul style="list-style-type: none"> <li>• They are in the planning stages of a single storey rear extension and have had to halt their plans due to the Heritage Overlay.</li> <li>• The Heritage Overlay will cause unnecessary costs and involve a lengthy process to have the plans approved.</li> <li>• The character of the street has already been altered with the construction of units, contemporary houses and townhouses.</li> </ul>	<p>Officers note the submitters' points and provide the following response:</p> <ul style="list-style-type: none"> <li>• The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a tool used to consider whether the proposed works will have an impact on the place and/or precinct. As the interim controls were approved in January 2020, the submitters can apply for a planning permit for the second storey extensions.</li> <li>• Whilst officers acknowledge the Heritage Overlay requires a planning permit and there are associated costs, statutory planning fees are not relevant to this amendment.</li> </ul> <p><u>Serial listing</u></p> <ul style="list-style-type: none"> <li>• The property is part of a serial listing.</li> <li>• Planning Practice Note 1 (Applying the Heritage Overlay) identifies the criteria for assessing places of heritage significance. There are few ways to protect places of heritage significance in the Heritage Overlay. Either a site-specific Heritage Overlay is applied to individually significant places, a group of properties as part of a precinct or as a serial listing. The typical way the Heritage</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>Overlay is applied to precincts is to protect streetscapes which comprise primarily contributory properties. Properties in a precinct can be “typical” examples of their style and era, and together they create an area that is of significance. This approach is considered best practice and has been supported by various Planning Panels.</p> <p>Given this, when assessing properties as part of a serial listing the character of the streetscape is less of a consideration than the common characteristic shared by the places.</p>	
<b>The following submission, response and recommendation relate to HO470.</b>					
<b>#82</b>	No	HO470	<p>The submitter opposes the Heritage Overlay to 1 Adelaide Street, Ascot Vale for the following reasons:</p> <p><u>Structural Integrity</u></p> <ul style="list-style-type: none"> <li>The house is in bad condition structurally and needs to be entirely demolished or partially demolished and replaced with a two or three story building. House foundations are also subsiding.</li> </ul> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The property is not significant, only the windows are of interest.</li> </ul> <p><u>Impacts development opportunity</u></p>	<p>Officer's note the submitter concerns and provides the following response:</p> <p><u>Structural Integrity</u></p> <ul style="list-style-type: none"> <li>See response to submission #60</li> </ul> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>1 Adelaide Street, along with 3 Adelaide Street, have been identified and an example of a <i>matched pair of interwar Californian Bungalow</i> and are included in this Amendment as they are of local aesthetic significance to the City of Moonee Valley. <i>The pair of timber Californian Bungalows at 1 and 3 Adelaide Street, Ascot Vale, are of aesthetic significance for their joinery detail and prominent appearance. In keeping with the</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The Heritage Overlay will prohibit the submitters ability to demolish the back of the property and construction a second storey addition and prohibits any changes to the house.</li> <li>The house needs redevelopment to let in natural light.</li> <li>Other properties in the area have been able to redevelop their site.</li> <li>Council needs to fix the drain on Sydney Street rather than 'protecting' houses with heritage overlays.</li> <li>The submitter concludes: There must be NO restrictions on demolishing the entire back half facing west (as it has NO significant period features). The rear chimney (southwest) should NOT be protected. It needs to be demolished but the front chimney can remain. IMPORTANTLY, the roof section of the entire back half of the house facing west must NOT be protected. There is NO</li> </ul>	<p><i>Japanese influence on bungalows when they developed in California, this pair boasts picturesque detail of this type including taper-cut bargeboards to the outer sides of the paired gables of each front façade, the tapered architraves to windows and doors, the elaborate window hoods, and the pierced timber frieze to number 3. The presence of the houses is greatly enhanced by their situation as a pair, at the top of a hill, and by their elongated front facades, with two gables surrounding the front porch. (Criterion E).</i></p> <p>As set out at length, above and in the heritage study, there are far more features of value than just the front windows of 1 Adelaide Street.</p> <p><u>Impacts development opportunity</u></p> <ul style="list-style-type: none"> <li>The details of any proposed partial demolition and extension to 1 Adelaide Street will be considered at the planning permit application stage. The current amendment stage is to establish whether this pair of houses warrants protection in the Heritage Overlay.</li> <li>See response to submission #3 relating to impacts to development opportunity.</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			architectural significance to the back half of the house. You MUST allow the entire back half (facing west) to be rebuilt to a second story level or higher with a new roof that will project higher than the front section roof and designed in an Arts and Crafts style consistent with the architectural style. The roof material should not be limited to heavy tiles. If at all, ONLY the front facade should be protected!		
<b>The following submissions, responses and recommendations relate to HO473.</b>					
<b>#28</b>	Yes	HO473	The submitter supports the recommendation to apply the Heritage Overlay to 13 Milton Street, Ascot Vale on the basis that it urgently needs protection due to the fact that it used to belong to the Strack family who are famous removalists. Further, the submitter notes that the house is falling apart.	Officers note the submitter's support for the amendment.	<b>No change recommended to Amendment C200moon.</b>
<b>#110</b>	No	HO473	The submitter, while acknowledging the design and features of the dwelling, opposes the Heritage	Officers note the submitter's opposition and refer to response to submission #60 relating to structural integrity.	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>Overlay to 13 Milton Street, Ascot Vale for the following reasons:</p> <p><u>Structural integrity of the building</u></p> <ul style="list-style-type: none"> <li>• The property has aged and suffers as the central walls are approximately 3 meters deeper than the outer walls so that, whenever there is a lack of rain, eg in a time of drought, the inner walls maintain their stability but the outer walls sink– there is cracking, issues with tree roots, the need to underpin foundations, and the balcony railing is not safe</li> <li>• The cost of renovation is beyond the capacity of the current owners.</li> <li>• Suggests that the renovation costs would be prohibitive for a potential future purchaser.</li> </ul>		<p><b>Refer submission to panel for consideration.</b></p>
<p><b>The following submission, response and recommendation relate to HO476.</b></p>					



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#77	No	HO476	<p>The submitters oppose the Heritage Overlay to 37 Sandown Street, Ascot Vale on the basis that:</p> <ul style="list-style-type: none"> <li>• The property has some evidence of structural damage and that the front fence has some partial damage.</li> <li>• The surrounding area has a range of dwelling styles, including some modern townhouses.</li> </ul>	<p>Officers note the comments put forward by the submitters and provide the following response:</p> <p>In relation to structural damage, see response to submission #60 structural integrity.</p> <p>Officers agree that there is relatively recent damage to the original front brick fence, with a section detached and laying on the ground. This fence mirrors the materials palette of the house (red and clinker bricks) and is well detailed, with a sloping coping course and a central soldier course. There is no planning permit required to make repairs to elements such as the fence, reusing the original materials and detail. Alternatively, matching bricks could be used. No external alterations to the house are visible from the street.</p> <p>The Statement of Significance states:  <i>'Tahoma' at 37 Sandown Road, Ascot Vale, is a fine and intact representative example of a late Californian Bungalow with some stylistic influence from neoclassical styles popular at the time. It illustrates characteristic elements of the Californian Bungalow style such as the use of a minor gable to house the front porch, the use of bold brick piers and arch framing the entry, and the contrasting materials, particularly the shingles to the front gable and above the bow window. The</i></p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p><i>stylised Adamesque leadlight windows and the hipped roof and expressed brick quoining show influence from the Georgian Revival style which was popular in the 1930s. (Criterion D)</i></p> <p>It is recognised that the surrounding dwellings are varied in style, and that there is no single architectural vernacular that can be used to describe the streetscape. Notwithstanding this the dwelling provides the last example of the Californian Bungalow style in the street.</p> <p>It is appropriate to apply a Heritage Overlays to single buildings of significant character if it can be demonstrated that they meet the threshold of local significance. In the assessment for a site-specific Heritage Overlay, the other properties on the street are not taken into consideration.</p>	
<b>The following submission, response and recommendation relate to HO481.</b>					
<b>#41</b>	Yes, with changes	HO481	<p>The submitters support the Heritage Overlay to 1c Ardoch Street, Essendon however notes that:</p> <ul style="list-style-type: none"> <li>Clause 43.01-4 incorrectly refers to front fence and garage controls for 1 Albion Street, Essendon. The fences at 1c Ardoch Street are constructed from tea tree and would have</li> </ul>	<p>Officers note the submitters' points and provide the following response:</p> <ul style="list-style-type: none"> <li>The Statement of Significance notes that the carport and fences are not significant. Therefore, officers agree that front fence and garage is not significant and that Clause 43.01-4 incorrectly references 1 Albion Street.</li> <li>The Statement of Significance identifies the rough-hewn beams as significant fabric. Their</li> </ul>	<p><b>Remove reference to 1 Albion Street in the Schedule to Clause 43.01 Heritage Overlay.</b></p> <p><b>Amend the Statement of Significance to</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>been constructed in the 1950s and is therefore not significant. We do not have a garage to Albion St.</p> <ul style="list-style-type: none"> <li>The 'hewn timbers' in the Spanish section of the building are cast cement, which replaced the original which were rotting and replaced 1990s. That said, there are a number of original 'hewn timber' elements remaining.</li> </ul>	<p>replacement with cast-concrete copies should be noted in the citation.</p>	<p><b>include a note that highlights the timber vigas (beams) have been replaced with cast-concrete facsimiles.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>The following submission, response and recommendation relate to HO485.</b>					
<b>#40</b>	Unsure	HO485	<p>The submitter seeks clarification on:</p> <ul style="list-style-type: none"> <li>The aspects that make 6 Banchory Street, Essendon, significant.</li> <li>Whether other properties form part of Amendment C200moon.</li> <li>Is it a coincidence that other properties the submitter owns have had the Heritage Overlay applied, specifically 47, 49 and 51 Rose Street, Essendon.</li> </ul>	<p>Officers note the submitters concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>The Statement of Significance outlines why the property is significant, citing that 6 Banchory Street is a <i>very early Californian Bungalow in the municipality, constructed for a prominent member of the Essendon area, which provided a model for what would become the most popular residential style of the 1920s.</i></li> <li>The <i>Heritage Study</i> assessed 1-3, 17-19, 2-8 &amp; 20- 22 Balmoral Street, 5-23, 8 &amp; 18 Banchory Street, 2-6, 8-18 &amp; 11-15 Woolley Street and found these properties to not meet the threshold for local significance on the basis</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>that <i>Balmoral Street and Woolley Street</i> each have very low cohesion and poor consistency with several intrusive buildings. In <i>Banchory Street</i>, the west side is relatively intact and the houses are mostly intact. However, the east side is less intact and includes some visually intrusive buildings. This era of housing is well represented in other precincts in Essendon.</p> <ul style="list-style-type: none"> <li>47, 49 and 51 Rose Street, Essendon are not relevant to this amendment. That said, these properties were assessed as part of the <i>Moonee Valley Heritage Study 2015</i>. The Heritage Overlay was applied to those properties as part of amendment C164 (gazetted 10/08/2017).</li> </ul>	
<b>The following submission, response and recommendation relate to HO487.</b>					
<b>#114</b>	No	HO487	<p>The submitters oppose the Heritage Overlay to 55 Brewster Street, Essendon for the following reasons: Heritage significance</p> <ol style="list-style-type: none"> <li>The submitters have a report, not provided to Council, that raises valid concerns: <ul style="list-style-type: none"> <li>About the heritage value of the property compared with other examples of the stylistic</li> </ul> </li> </ol>	<p>Officers note the submitters' concerns and provide the following response:</p> <ol style="list-style-type: none"> <li><u>Appropriate grading</u>: As noted by the submitter, 55 &amp; 57 Brewster Street do not possess all the key characteristics of the Moderne and Old English styles, in comparison to other individually significant houses in Moonee Valley. It is agreed that this is the case. Instead, as expressed in the citation, the two houses are: <i>fine representative examples of the</i></li> </ol>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>type more broadly known and understood as 'Old English' or 'Moderne' Interwar styles in the municipality.</p> <ul style="list-style-type: none"> <li>• Places considered to be of individual significance (and therefore warrant inclusion in the Heritage Overlay in their own right) generally demonstrate these styles in both form and detail more clearly than 55 and 57 Brewster St.</li> <li>• The subject houses compare more directly with contributory houses within heritage precincts, as opposed to the two standalone properties being specifically defined as a precinct itself. The proposed precinct status is further weakened given that the properties are not geographically</li> </ul>	<p><i>stylistic eclecticism applied to the standard hipped-roof houses of the late interwar period.</i></p> <p>During the interwar period there was a strong desire for eclecticism. In many cases, particularly in the 1930s, this resulted in a standard building form (hipped-roof bungalow) given varied porch and decorative details to express a certain style. When built in a group, they often had varied details but an overall homogeneity in materials and massing so as to create a pleasingly cohesive group. While many such houses are, indeed, contributory to existing HO precinct, 55 &amp; 57 Brewster Street are exemplars of this approach. This can be seen in their substantial size, as compared to the typical 1930s house in Moonee Valley, by the level of fine craftsmanship seen in the external details, the interplay between similar materials and massing vs. contrasting stylistic details, and the extremely high level of external intactness both to the houses and their setting. For all these reasons, the pair is correctly identified as significant as representative examples of this type.</p> <p><u>Precinct size:</u> While there is no defined minimum size of a heritage precinct, it is</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>located within one of Moonee Valley's highly intact Interwar precincts.</p> <ul style="list-style-type: none"> <li>• Interwar precincts generally consist of more than two houses, clearly contradicting the proposal to define these two properties as a discrete precinct.</li> <li>• The reference to the property being highly intact was made based on an external visit to the property by the MVCC heritage study team. It's the submitters view that this does not present a complete picture. Whilst it remains liveable, the house internally can only be classed as dilapidated.</li> <li>• The heritage overlay would severely impede any attempts to make improvements, as in our</li> </ul>	<p>agreed that they tend to be larger than two properties. Instead, as a cohesively designed ensemble, the pair of houses has been assessed as an individual place, much like a Victorian terrace row.</p> <p><u>Intactness:</u> It is agreed that only the external elements of 55 &amp; 57 Brewster Street, as seen from the public domain, have been assessed. This is standard practice for municipal heritage studies. As the interiors of private dwellings are only very rarely controlled in the Heritage Overlay, the intactness of the interior is not taken into account in the heritage assessment. In this case, the owners can make internal alterations and upgrades without special permission, and planning permits for rear extensions are frequently granted for houses in the Heritage Overlay.</p> <p><u>Significant features:</u> The heritage assessment has taken into account the entirety of the two houses, as viewed from the public domain (the street). More than just the chimney (with its decorative brickwork) and the hipped roof (characteristic of 1930s bungalows), there are many other features of 55 Brewster Street that are significant. As identified in the statement of significance, these</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>view, we would have to make significant structural changes to the property.</p> <ul style="list-style-type: none"> <li>Furthermore, the submitters do not agree with MVCC's assertion that the house is of individual significance because it relates only to a small and insignificant number of features (namely the chimney and pitched rooftop).</li> </ul> <p>2. Significant financial loss as a result of the study not being completed within a timely manner has also impacted the submitters' ability to make improvements to the property, has caused a loss of money associated with drawing up plans and rental loss.</p> <p>3. The Amendment and notification process has caused extreme stress for the submitters.</p> <p>4. The failure of process, suspension of demolition</p>	<p>additional elements are: the front wall of textured render with brick flashes (decorative bricks left exposed), the front porch (with its Tudor arched openings and terrazzo floor), the double-hung sash windows and glazed pair of front doors (all with geometric leadlights), cast-cement planter boxes to the front porch (NB: the planter to the west front window is damaged), the low brick front fence with decorative capping and mild-steel gate, the "Loreto" name in raised lettering on the façade, and the ornamentally curved concrete front path.</p> <p>2. Officer accept that the <i>Heritage Study</i> and Amendment has taken some time to get to this point. However, it is not unusual of a study of this size to take this long. Officers confirm the Amendment has been carried out pursuant to the <i>Planning and Environment Act 1987</i>.</p> <p>3. It is appreciated that the planning system is complex. To help those affected by the amendment the planning scheme amendment process includes an exhibition period where submitters can provide feedback to Council on the Amendment. Additionally, the contact details for Council's Strategic Planning department were provided, should a</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			consent, and application of the interim heritage controls.	<p>submitter require further information or assistance.</p> <p>4. Council adopted a process on 25 May 2015, to assess demolition consents for those properties identified in heritage studies. This process assesses an application against the threshold criteria, significant or landmark building, good condition, rarity in the local context, and if in a precinct or group of buildings – the loss of the building will irreversibly jeopardise the significance of the entire precinct. If the building meets the threshold the demolition consent is suspended and a request for interim Heritage Overlay is sought.</p>	
<b>The following submissions, responses and recommendations relate to HO488.</b>					
<b>#60</b>	No	HO488	<p>The submitter opposes the Heritage Overlay to 330 Buckley Street, Essendon for the following reasons:</p> <p><u>Making the roof significant restricts to opportunity to redevelop and install a solar system</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay will restrict the possibility of extending the house into a double storey or using the roof space as a loft.</li> </ul>	<p>Officers note the submitters' concerns and provide the following responses:</p> <p><u>Making the roof significant restricts opportunity to redevelop and install solar system</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay does not preclude opportunity for redevelopment, rather it is a planning tool used to consider whether the proposed works will have an impact on the place and/or precinct. The Heritage Overlay sets a planning permit triggers for external</li> </ul>	<p><b>Amend the Statement of Significance to note the removal of the bay window and associated details from the western projecting gable in the place description.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The submitter is concerned the Heritage Overlay will impact their ability to improve the energy efficiency of the house. Their key concern relates to the installation of a solar system to suit modern living requirements. The potential installation of solar panels on the north facing façade is unlikely to comply with the provisions of the Heritage Overlay as they will be visible from the street. Therefore, this restriction will make it almost impossible for the house to be environmentally sustainable.</li> </ul> <p><u>Structural integrity</u></p> <ul style="list-style-type: none"> <li>The submitter notes that the chimneys have become compromised over time and are causing structural problems to the home and therefore the chimneys should not be significant.</li> </ul> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>The submitter questions the heritage value of the property on the basis that the projecting gable bay to the side west</li> </ul>	<p>alterations and additions, including works that seek to improve the environmental sustainability of a building (i.e. solar panels) to allow Council to assess the potential impacts of the proposed alterations and additions. The <i>Moonee Valley Heritage Guidelines 2016</i> provide owners with guidance in relation to the citing and location of additions.</p> <ul style="list-style-type: none"> <li>That said, the roof form of Federation Queen Anne villas, of which this is an excellent example, is one of the most important elements of the overall design and a key marker of the style. In assessing the heritage significance of the house at 330 Buckley Street, the roof form must be included.</li> </ul> <p><u>Structural integrity</u></p> <ul style="list-style-type: none"> <li>The structural integrity of a building is not a matter for consideration in heritage assessments. The assessment is focussed on intactness of a building as viewed from the public realm. Nonetheless, if the Heritage Overlay is introduced on a permanent basis, matters such as structural integrity can be considered during the planning permit process. In addition, Clause 43.01 of the Moonee Valley Planning Scheme a permit is not required to carry out works, repairs and routine maintenance which does not change the appearance of a heritage place or which</li> </ul>	<p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>elevation and the bay window and window hood (west side) have been removed. Further, that the crimped wire front fence and pedestrian and vehicular gates should not be significant on the basis they do not provide any privacy or safety to the home.</p> <p><u>Location of the property</u></p> <ul style="list-style-type: none"> <li>The property is on a main road with a huge number of vehicles using this road and a large number pedestrian walking past this home every day. This fence and gate do not provide any privacy or safety to the home.</li> </ul>	<p>are undertaken to the same details, specification and materials.</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>See response to submission #52 relating to Heritage Study methodology for individually significant places.</li> <li>As reported by the submitter, after the assessment of the house, the western projecting bay window (including the rendered neck above it and the casement windows within it), has been removed. French doors have been installed in its place. This is an unfortunate alteration, but one to a secondary part of the house (this section faces the side yard and is behind a high paling fence). Despite its removal, the house still exhibits the following elements that make it significant including: <ul style="list-style-type: none"> <li>detached, single-storey built form;</li> <li>timber block front and weatherboard cladding;</li> <li>main hipped-roof form with a small central half-gable and projecting gable bays to the front (south) and side (west) elevations, and associated details including terracotta tiles, ridge cresting, finials and capping;</li> <li>unpainted red brick chimneys;</li> </ul> </li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<ul style="list-style-type: none"> <li>○ detailing to the gable ends, eaves and porch;</li> <li>○ original pattern of fenestration, elements of window and door joinery to the principal façade;</li> <li>○ original building setbacks at front and side; and</li> <li>○ crimped wire front fence and associated pedestrian and vehicular gates.</li> <li>• The front fence and associated pedestrian and vehicular gates are significant. They are a rare surviving examples of what was once a very popular fence type. While many current homeowners like this type of fence and have installed modern interpretations in front of their houses all over Moonee Valley, there is a limited number of original examples which should be protected. Note that a popular and traditional way of increasing the privacy of this kind of fence is to plant a hedge behind it. <u>Location of the property</u> <ul style="list-style-type: none"> <li>• See response to submission #3</li> </ul> </li> </ul>	
<b>#87</b>	No	HO488	The submitter opposes the Heritage Overlay to 330 Buckley Street, Essendon for the following reasons:	<p>Officers note the submitters' concerns.</p> <p>The key issue for determination now is the appropriateness of the Heritage Overlay, a future application will consider whether a second storey addition appropriate.</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>The number of significant elements placed on this property make any future work limited.</p> <p>The submitter criticizes Council for allowing a subdivision of this property in the first place as there is now a limited amount of rear and side P.O.S that can be used to extend this home in the future due to the existing setback of the house on corner block from its two street frontages. It is only three bedroom house which means that a second storey future addition may not achieve planning consent due to these severe restrictions about to be placed permanently on the property. It will also be difficult to extend the property at ground level as you will not achieve the required minimum garden area as well requirements under Rescode / Siting Regulations.</p> <p><u>Front Fence</u>  The submitter dispute the validity of classing the crimped wire front fence and associated pedestrian and vehicular gates as contributory on the basis there are so many other</p>	<p>The historical subdivision is not relevant to this amendment.</p> <p><u>Front Fence</u>  <i>The Heritage Study specifically the integrity of the place is enhanced by the survival of a crimped wire fence to both frontages, believed to be an early addition.</i></p> <p>While there are many houses, in and out of heritage precincts, that have a picket fence or crimped wire fence, very few of them retain an <u>original</u> fence. The rarity of original surviving post and crimped wire fences of this type, in Moonee Valley and the Melbourne metropolitan area more broadly, is the reason the fence is considered an important element that should be protected along with the house at 330 Buckley Street.</p> <p>Given this, officers agree with the heritage consultants who undertook the heritage study and do not support revising the grading of the fence.</p>	<p><b>to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			period homes in the Moonee Valley Municipality (whether they have heritage protection or not) with picket fences which is also a form and style of fencing that reflects significant heritage element. The submitter requests the front fence element is removed from the statement of significance.		
<b>The following submission, response and recommendation relate to HO489.</b>					
<b>#24</b>	Yes, with changes	HO489	<p>The submitters support the Heritage Overlay to 1/50 Fletcher Street, Essendon, however they oppose the application of the Heritage Overlay to 2/50 Fletcher Street, Essendon for the following reasons:</p> <p><u>Heritage Value</u></p> <ul style="list-style-type: none"> <li>The building was added in 1959</li> <li>The building does not have the period features as the original art deco building</li> </ul> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay limits any future developments/improvement</li> </ul> <p><u>Property Value</u></p> <ul style="list-style-type: none"> <li>The Heritage Overlay will affect the value of the property.</li> </ul>	<p>Officers note the submitter comments and provide the following response:</p> <p><u>Heritage Value</u></p> <ul style="list-style-type: none"> <li>2/50 Fletcher Street is graded contributory whereas 50 Fletcher Street is graded significant.</li> <li>The <i>Heritage Study</i> provides justification for inclusion of 2/50 Fletcher Street due to: <i>The original owner (who was also the architect) extended the building in the 1950s two decades after its original construction in a style that matched the original design, adding wings to the south and north – these extensions, complementary to the original design albeit with slightly simplified detailing, are considered as contributory to the overall place.</i> The statement of significance notes that the place is significant in part for its</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>associations with owner/occupier/designer Harry Winbush and that: <i>The extensions to the north and south of the house illustrate his continued use of the property and its respectful adaptation to changing needs, particularly the northern wing where he moved his architectural practice.</i></p> <ul style="list-style-type: none"> <li>Whilst the study notes that <i>the integrity of the building is slightly diminished by roller shutter door between the main south wing and the northern wing, which presumably replaced an earlier door, and in-filled panel of brickwork immediately north of the roller door</i>, it does not justify the removal of the Heritage Overlay from 2/50 Fletcher Street.</li> </ul> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>See responses to submission #3</li> </ul> <p>Property Value</p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul>	
<b>The following submission, response and recommendation relate to HO491.</b>					
<b>#51</b>	No	HO491	<p>The submitters oppose the Heritage Overlay to 52 Hedderwick Street, Essendon on the basis that:</p> <ul style="list-style-type: none"> <li>The property has some significant elements however the property has been altered.</li> <li>Hedderwick Street is not a heritage precinct on the basis</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <ul style="list-style-type: none"> <li>The submitter is correct in stating that there is no (current or potential) heritage precinct around this house.</li> </ul> <p>In this case, the house at 52 Hedderwick Street is considered to be very important itself (locally significant), so it is</p>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			that there a number of newer homes, including new double storey houses at numbers 50, 56, 58 Hedderwick Street.	<p>recommended to be protected individually (not in a precinct).For this reason, the presence of new houses nearby, such as Nos. 50, 56 and 58, are not considered when considering if 52 Hedderwick Street should be included in the Heritage Overlay.</p> <ul style="list-style-type: none"> <li>50, 56, 58 Hedderwick Street do not form part of this amendment.</li> </ul>	
<b>The following submission, response and recommendation relate to HO492.</b>					
<b>#63</b>	No	HO492	<p>The submitter objects to the application of the Heritage Overlay to 20 Hesleden Street, Essendon for the following reasons:</p> <ul style="list-style-type: none"> <li>lack of consultation and engagement between the between 2014 and 2020 Heritage Studies.</li> <li>the initial assessment and Moonee Valley Heritage Gap Study 2014 is factually wrong and erroneous</li> <li>the property is not of local significance and has been significantly altered, changed and renovated over the years.</li> <li>The property does not reach the benchmark for an individual citation or for heritage</li> </ul>	<p>Officers note the submitters' opposition and note the following:</p> <ul style="list-style-type: none"> <li>The draft <i>Moonee Valley Heritage Gap Study 2014</i> underwent extensive community consultation between 28 July and 29 August 2014. This included sending letters to all affected landowners seeking their feedback. The <i>Moonee Valley Heritage Gap Study 2014</i> was adopted by Council on 25 November 2014 and includes a programme to undertake Stage 2 heritage studies.</li> <li>As the submitter notes, the owner of 20 Hesleden Street made an objecting submission to the 2014 study recommendation. It noted that the owner had made alterations to the front façade, in particular: replacement of porch posts with tapered masonry piers, and the addition of a</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

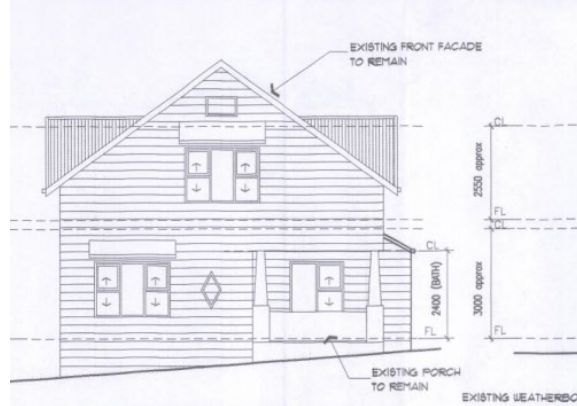
Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>protections on its own and it is a simple statement of fact there are no other properties in Hesleden Street that are part of this amendment.</p> <ul style="list-style-type: none"> <li>As an interwar dwelling, it has no heritage context, no heritage streetscape and in itself the dwelling has no visual importance or aesthetic interest.</li> <li>The submitter points to other properties, specifically a property on the corner of Morton and Hesleden streets, to suggest there are other properties not included in the amendment that are a better candidate for the Heritage Overlay.</li> </ul>	<p>timber hood and shingle cladding to the attic window.</p> <ul style="list-style-type: none"> <li>Council officers have sought confirmation of these reported alterations, including searching Council archives for historic building permit plans. Council officers asked if the submitter could provide any evidence of changes, for example, a photo pre-dating them. Council officers also requested that their heritage expert be permitted to enter the property and closely inspect the front façade. The submitter did not provide any further information, and did not grant permission to enter the property.</li> <li>Council officers were able to find building permit plans for alterations and extension to the dwelling from 2000 (Permit No. 16450, 30 Nov. 2000). These plans illustrate the following external alterations: the construction of a small extension to a bathroom on the south side elevation, set back three rooms behind the gabled bay. This extension has a skillion roof; demolition of the kitchen, bathroom and laundry at the rear of the house and their replacement with a single-storey extension and covered deck; replacement of windows on the side elevations; and replacement of a garage set just behind the house with one at the back</li> </ul>	



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>corner of the block.</p> <p>No changes to the front façade are shown with notes on the drawing stating: <i>Existing front façade to remain</i> and <i>Existing porch to remain</i>. The configuration of the porch is as it exists today (with tapered piers), and a hood is shown over the attic window. The front façade is shown with double-hung sashes and a four-panelled front door (see image, below). This contrasts with the casement windows and two-panelled door currently in place. As the submitter has not raised issues about changes to the front windows or doors, it is assumed that this is one of the many cases where details to an elevation with no proposed changes is drawn in a simplified and inaccurate manner. Importantly the 2000 building permit plans do not provide any evidence of the changes to the porch and attic window raised by the submitter.</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				 <ul style="list-style-type: none"> <li>As no firm evidence of alteration to the front of the house could be obtained, it is not possible to re-assess the heritage significance of the place, so it should remain in the Heritage Overlay as an individual place.</li> <li>It is agreed that 20 Hesleden Street is not within a potential heritage precinct, so it must meet the threshold of local significance on its own to warrant heritage protection.</li> <li>Planning Practice Note 1 (Applying the Heritage Overlay) states that 'a heritage place could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land'. Therefore, it is appropriate to select individual properties for the Heritage Overlay where it</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>can be demonstrated the place satisfies the requirements set out in the practice note.</p> <ul style="list-style-type: none"> <li>Further, Planning Practice Note 1 (Applying the Heritage Overlay) identifies the criteria for assessing places of heritage significance by including an assessment of the HERCON criteria. The <i>Heritage Study</i> recommends the Heritage Overlay is applied to the property on the basis that of local architectural (representative) significance to the City of Moonee Valley (HERCON Criterion D).</li> <li>The properties in Morton Street and Hesleden Street, except for 20 Hesleden Street, do not form part of this amendment. Moreover, it was a very typical example of a California Bungalow, seen in many suburbs in Moonee Valley and around Melbourne. This means that this house could have been contributory to a heritage precinct, but would not warrant a site-specific Heritage Overlay.</li> </ul>	
<b>The following submission, response and recommendation relate to HO501.</b>					
<b>#44</b>	No	HO501	The submitter opposes the application of the Heritage Overlay to their property at 23 Nicholson Street for the following reasons: <u>Siting, context and modification degradation</u>	<p>Officers note the submitters' comments and provide the following response: Officers note the submitters' comments and provide the following response: <u>Physical siting</u></p> <ul style="list-style-type: none"> <li>See response to submission #3</li> </ul> <p><u>Modifications</u></p>	<b>No change recommended to Amendment C200moon.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The scale and size of an already proposed multi-storey apartment block adjacent to the submitters home, as well as other larger potential future redevelopment proposals along Fletcher St will overshadow and diminish the heritage value and context of the submitters' property.</li> <li>Changes to the building include the original slate roofs being replaced by corrugated iron and the original ornamental lace iron being removed in the 1950's affects the heritage value.</li> </ul> <p><u>Property value, maintenance and financial considerations</u></p> <ul style="list-style-type: none"> <li>The submitter outlines the financial cost of ongoing maintenance has/will become so onerous and cease to be a practical financial option either for themselves or prospective purchasers when the house is eventually sold.</li> <li>The house (along with 21 Nicholson St) was cheaply constructed on shallow footings</li> </ul>	<ul style="list-style-type: none"> <li>It is agreed that the original cast-iron ornament has been removed from the verandah, and this has decreased its overall intactness somewhat. Even with this alteration, it is still clearly of an intactness expected of a contributory building in a precinct. The house may have had a slate roof originally, as speculated by the verandah, though modest houses such as this also had corrugated iron roofs originally. In either case, roofing is regularly replaced by necessity and the style of house – with a highly ornamental front parapet – means that the roof has always been a secondary element of its design.</li> </ul> <p><u>Property value</u></p> <ul style="list-style-type: none"> <li>See response to submission #8</li> </ul> <p><u>Maintenance</u></p> <ul style="list-style-type: none"> <li>See responses to submission #8.</li> </ul> <p><u>Impacts development opportunity</u></p> <p>See response to submission #3.</p>	<b>Refer submission to panel for consideration.</b>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>with very soft hand-made bricks, which the submitter believes may have been second hand back in 1890. They outline these factors require a lot of on-going maintenance, which given the submitter's age makes them overly burdensome.</p> <p><u>Impacts development opportunity</u></p> <ul style="list-style-type: none"> <li>The overlay will restrict any future redevelopment of the site thereby reducing the possible financial return to the submitter.</li> </ul> <p>The submitters favour Heritage conservation, however believe applying heritage controls to the property is occurring too late.</p>		
<b>The following submission, response and recommendation relate to HO503.</b>					
<b>#26</b>	No	HO503	<p>The submitter opposes the introduction of the Heritage Overlay to 247 Pascoe Vale Road, Essendon on the basis that:</p> <p><u>Heritage Value</u></p> <ul style="list-style-type: none"> <li>The house is impossible for the public to enjoy the heritage character as there is nowhere to stop out front.</li> </ul>	<p>Officers note the submitters' comments and provide the following:</p> <p><u>Heritage Value</u></p> <ul style="list-style-type: none"> <li>The interface of a place is not considered when assessing whether a place or precinct satisfies the threshold for the Heritage Overlay. Planning Practice Note 1 (Applying the Heritage Overlay) states that '<i>a heritage place could include a site, area, building,</i></li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>The house is on a busy main road, is a single property not within a heritage precinct or street (e.g. Brewster Street, Peterleigh Grove, Kalimna St) and as such is much less attractive to lovers of historical character.</li> </ul> <p><u>Alterations to the house</u></p> <ul style="list-style-type: none"> <li>The house has been significantly altered since 1929.</li> </ul> <p><u>Relevance of Robert Gordon White to Moonee Valley</u></p> <ul style="list-style-type: none"> <li>The submitter has questioned the significance of 'Robert Gordon White' the history of Moonee Valley.</li> </ul> <p><u>Statement of Significance</u></p> <ul style="list-style-type: none"> <li>The submitter holds the view that the Statement of Significance is a proforma and includes vague statements such as 'the subtle expression of structural detailing', which tell very little about why the house is an archetypal representation of the late Californian bungalow style.</li> </ul>	<p><i>group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land</i>'. Therefore, it is appropriate to select individual properties for the Heritage Overlay where it can be demonstrated the place satisfies the requirements set out in the practice note.</p> <ul style="list-style-type: none"> <li>In this case, the subject property is recognised as individually significant on the basis of its high-quality interwar brick attic-storey bungalow design and is comparable to other individually significant attic bungalows in Moonee Valley including, 10 Leslie Road, Essendon, 113 McCracken Street, Essendon, 5 The Strand, Moonee Ponds and 125 Wellington Street, Flemington.</li> </ul> <p><u>Alterations to the house</u></p> <ul style="list-style-type: none"> <li>The changes to the exterior of the building have been documented in the citation and noted in the statement of significance. The changes are not considered to be substantial enough to diminish the integrity of the building.</li> </ul> <p><u>Relevance of Robert Gordon White to Moonee Valley</u></p> <ul style="list-style-type: none"> <li>The fact that the was built as a home for Robert Gordon White is noted only as part of the historical details at the start of the</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***


Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p><u>Property Value and loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>• Council is proposing to preserve Australia's post-colonial heritage, at the personal expense of probably hundreds of thousands of dollars given the loss of potential buyers and development scope.</li> <li>• The house is over 1000sqm, and the original façade is too wide to allow sufficient access to all of the vacant land at back – thus it is a large piece of land that will be very difficult to develop should this go ahead.</li> </ul>	<p>statement of significance. The connection of the house with Mr White is <u>not</u> in any way the basis for recommending for inclusion in the Heritage Overlay.</p> <ul style="list-style-type: none"> <li>• The reason the house should be in the Heritage Overlay is explained in the “Why is it significant?” section, which explains that it is of architectural significance for its fine design.</li> </ul> <p><u>Statement of Significance</u></p> <ul style="list-style-type: none"> <li>• Planning Practice Note 1 (Applying the Heritage Overlay) requires the writing of a statement of significance and states that '<i>For every heritage place (that is, a precinct or individual place) a statement of significance must be prepared using the format of 'What is significant?'; 'How is it significant?' and 'Why is it significant?'. The Statement of Significance is drafted in line with the practice note.</i></li> <li>• As the submitter notes, details that are applicable to the given place are then recorded using this standard format.</li> </ul> <p><u>Property value</u></p> <ul style="list-style-type: none"> <li>• See response to submission #8</li> </ul> <p><u>Loss of development opportunity</u></p> <ul style="list-style-type: none"> <li>• See response to submission #3</li> </ul>	
The following submission, response and recommendation relate to HO504.					

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#52	No	HO504	<p>The submitter opposes the inclusion of 71 Primrose Street, Essendon on the basis that:</p> <ul style="list-style-type: none"> <li>The dwelling is not anywhere near its original form, and is in the process of being restored: We believe that if it wasn't for our work undertaken thus far the house wouldn't be recognised as significant and that because so many features of the original house are missing it can't be deemed as heritage listed</li> <li>Placing the Heritage Overlay on the property will delay the restoration works and add additional cost.</li> <li>The submitter questions why other houses in the area are not under consideration or have an existing overlay such as number 10 Primrose Street, Moonee Ponds. This dwelling has all complete original features such as: slate roof, chimneys, gutters, verandah, coloured feature glass, original woodwork,</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:  <u>Heritage Study methodology for individually significant places</u></p> <ul style="list-style-type: none"> <li>This property was identified as potentially significant in 2014, before any apparent restoration works were undertaken. It was recommended for further assessment, in the Moonee Valley 2017 Heritage Study, due to the use bluestone masonry and quoining to the front façade, which are rare in Moonee Valley. The retention of the original windows, door, verandah and front palisade fence enhanced this. The loss of the chimneys and later terracotta tiles to the roof was noted, but the property overall was still considered to be of high heritage value. Its appearance in 2014:</li> </ul>	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			feature tessellated tiles to front entrance and front fence.	 <ul style="list-style-type: none"> <li>• Since 2014, a new garage has been built next to the house, and the front verandah superstructure has been removed. There have also been some works to the front palisade fence, replacing part of the bluestone plinth. This further alteration to the house has been considered and despite these changes, it is still considered to be of local heritage significance.</li> <li>• The Moonee Valley 2017 Heritage Study outlines the methodology which was used to determine whether individual places were likely to meet the threshold of local significance when applying the HERCON criteria. In the case of 71 Primrose Street, its stone construction is considered to make it significant for its rarity in the municipality,</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>and moreover it retains a number of representative features of a Victorian Italianate villa (including the front fence).</p> <ul style="list-style-type: none"> <li>The Heritage Overlay requires a planning permit for certain types of buildings and works. That said, a planning permit is not required to carry out works, repairs or routine maintenance that does not change the external appearance of a heritage place or which are undertaken to the same details, specifications and materials.</li> </ul> <p><u>71 Primrose Street</u></p> <ul style="list-style-type: none"> <li>The <i>Heritage Study</i> applies the Heritage Overlay to the property as it <i>possesses rarity value and is of local architectural (representative) significance to the City of Moonee Valley</i>.</li> </ul> <p><u>Primrose Street</u></p> <ul style="list-style-type: none"> <li>The <i>Moonee Valley Heritage Gap Study 2014</i> identifies the properties, 1-21 &amp; 2-22 Primrose Street, Moonee Ponds 1-17 &amp; 2-14 Tennyson Street Moonee Ponds, 1-21 &amp; 12-46 Bent Street Moonee Ponds 2 McPherson Street Moonee Ponds as an area of cohesive Edwardian and Victorian homes, known as Bent Street precinct.</li> <li>Following this, the Bent Street precinct was assessed as part of the <i>Heritage Study</i>. The initial assessment revised the boundary of the</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>precinct and added 2A-26 &amp; 27-49 McPherson Street and removed Primrose Street, 30-46 Bent Street and 1-17 &amp; 2-14 Tennyson Street from the precinct.</p> <ul style="list-style-type: none"> <li>The study recommended that: <i>Following detailed assessment and comparative analysis, the Bent Street &amp; McPherson Street precinct was found not to satisfy the threshold of local significance. This is because when compared to similar precincts already within the HO or assessed by this study:</i> <ul style="list-style-type: none"> <li><i>The boundaries of the precinct are not as clearly defined.</i></li> <li><i>The probable demolition of one of the Edwardian cottages on the north side will reduce the integrity of the streetscape.</i></li> <li><i>Potential inclusion of the Victorian Italianate timber villas at 12-20 Bent Street in a small precinct/group was also considered. However, overall, it was found that they lacked sufficient integrity to satisfy the threshold of local significance.</i></li> </ul> </li> </ul> <p><u>10 Primrose Street Moonee Ponds</u>  This property will be assessed as part of a future study.</p>	
The following submission, response and recommendation relate to HO507.					

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
#70	No	HO507	<p>The submitter opposes the Heritage Overlay to 32 Robb Street, Essendon for the following reasons:</p> <p><u>Moonee Valley Gap Study 2014</u></p> <ul style="list-style-type: none"> <li>The Moonee Valley Heritage Gap Study 2014 did not identify 32 Robb Street supporting the argument that 27 and 32 Robb Street are neither particularly notable nor significant.</li> </ul> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>There is no proven link between the two properties in terms of any occupier, builder or architect. In fact, in the case of No. 32 neither the builder or architect is known, nor is a concrete construction date.</li> <li>The later additions further compromise the heritage significance. Specifically, there is an extension within the northern setback of the site, which almost sits in alignment with the dwelling's projecting bay window, obscuring an appreciation of the original volume and setting of the dwelling. While the extension is</li> </ul>	<p>Officers note the submitters' concerns and provide the following response:</p> <p><u>Moonee Valley Gap Study 2014</u></p> <p>32 Robb Street was identified as part of a potential precinct, 3-61, 30-56 Robb Street, Essendon, in the <i>Moonee Valley Gap Study 2014</i>. The 2014 study only included preliminary assessments of groups of buildings and potential precinct, and generally did not ascribe any grades to properties within such groups at that time. This recommendation meant that 27 and 32 Robb Street were intended to be assessed further; in no way should this be interpreted as the two dwellings being "overlooked" or that this indicates they "are neither particularly notable nor significant".</p> <p><u>Heritage significance</u></p> <ul style="list-style-type: none"> <li>It is agreed that the statement of significance provides only an approximate date for 32 Robb Street: c.1886-91. In fact, the place history has established a more precise built-date: <i>The Commercial Bank of Australia owned the seven-roomed brick dwelling built in 1889 at 32 Robb Street (EHS 2018)</i>.</li> <li>The HERCON criterion used to justify the inclusion of 27 &amp; 32 Robb Street to be covered by the Heritage Overlay is CRITERION D: Importance in demonstrating the principal characteristics of a class of cultural or natural</li> </ul>	<p>Remove 32 Robb Street from the amendment and update the current Statement of Significance to solely include 27 Robb Street as an individual place.</p> <p>Clarify the aesthetic significance of the rare design feature (Venetian Gothic polychromy) of 27 Robb Street in its Statement of Significance.</p> <p>Refer submission to panel for consideration.</p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>currently covered in greenery (somewhat disguising it) such landscaping cannot be considered permanent. There is also a substantial two level addition within the southern setback of the dwelling, as well as a double carport which sits well forward of the dwelling. There is also a substantial two level addition within the southern setback of the dwelling, as well as a double carport which sits well forward of the dwelling.</p> <ul style="list-style-type: none"> <li>• The submitter also notes that the front fence is not original (being constructed within the last decade) and the original verandah tiles are in very poor repair.</li> <li>• The Statement of Significance acknowledges that the Victorian era Italianate villa style is already well represented in Heritage Overlays in the municipality of Moonee Valley, further supporting the submitters position that site is neither a</li> </ul>	<p>places or environments (representativeness). HERCON criteria CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the City of Moonee Valley's history (associative significance) is not used to justify their inclusion. This means that a common owner, designer or builder has not been used as a justification for inclusion of the two houses in the Heritage Overlay. Instead, it is their design qualities.</p> <ul style="list-style-type: none"> <li>• While Italianate Victorian villas might be reasonably common in Moonee Valley, there are few that have Venetian Gothic details as seen in the Robb Street pair. This conclusion is made clear by the examples provided in the comparative analysis, in which only two houses with such detailing have been identified in Moonee Valley. This point should be made clearer in the Statement of Significance. It would also be more appropriate to address this aspect of their significance under Criterion E (aesthetic significance).</li> <li>• The existence of an appropriate and sympathetic <u>reproduction</u> front fence in front of 27 and 32 Robb Street has been noted in the citation and considered when assessing</li> </ul>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>remarkable or unusual example of the style or era. Given the style is already well represented locally, and the relatively low grading attributable to my client's site, it is submitted that the proposed Heritage Overlay is an unreasonable and excessive burden, which is of little benefit in terms of heritage conservation.</p> <p><u>Physical siting</u></p> <ul style="list-style-type: none"> <li>The sites are on opposite sides of the street and they are separated by some 55m.</li> </ul> <p>Further, once the approved dwelling at 30 Rob Street is constructed, an appreciation of the dwelling at the site will be additionally compromised.</p> <p><u>Method of listing</u></p> <ul style="list-style-type: none"> <li>The Explanatory Report accompanying the Amendment identifies that the heritage place (i.e. HO 507) is individually significant. The method of listing is unusual and confusing, and further, it implies that neither dwelling would be historically</li> </ul>	<p>the house. Extensions to the houses are also noted in the citation.</p> <ul style="list-style-type: none"> <li>The Statement of Significance correctly states <i>the rear contemporary verandah and pergola, double carport and single garage are not significant.</i></li> </ul> <p><u>Physical siting</u></p> <p>See response to submission #3 relating to physical siting. Further as individually significant properties, and not a precinct, the presence of other buildings between them does not impact their fundamental heritage significance.</p> <p><u>Method of listing</u></p> <p>It is agreed that how the properties have been listed is confusing. Officers recommended 27 and 32 Robb Street, Essendon be listed as a serial listing. The Practice Note states that <i>places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place.</i> Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay Schedule and a single Heritage Overlay number. <i>The way the properties have been listed in the Explanatory Report does not impact the heritage significance of the properties to the City of Moonee Valley.</i></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>significant were it not for the existence of the other, despite their physical separation, which means that the two properties can never be read or viewed as one.</p> <p>The submitter provided a letter from Mr Bryce Raworth, Heritage Consultant, on 24 July 2020, who provided comment on the significance of 32 Robb Street, Essendon. Mr Raworth report states that:</p> <ul style="list-style-type: none"> <li>Buildings in Robb Street were not identified in the Essendon Conservation Study or the Moonee Valley Heritage Study 2015 and were originally discounted as part of the Moonee Valley 2017 Heritage Study to support the notion that 27 and 32 Robb Street are neither particular or significance, and are of marginal interest at best.</li> <li>The buildings are not of individual interest sufficient to warrant the proposed control,</li> </ul>	<p>In the case of 27 and 32 Robb Street, the two houses are linked by their unusual Venetian Gothic style window openings, which differentiate them from the many Italianate houses in Moonee Valley. The use of the serial listing mechanism was intended to highlight this relationship between their designs.</p> <p>However, many panel reports have only supported the use of the serial listing mechanism to places that are considered to be individually significant, notwithstanding the links between their reasons for significance. Of the two houses, 32 Robb Street is somewhat more modest in scale (having only a front verandah, as opposed to a return verandah), and it is far more altered. These alterations include some that are reversible, such as the carport, and some that are well set back from the front (the rear extension), as well as the north side extension which is clearly visible. Combined with these is the sandblasting of the bricks and resultant loss of tuckpointing (and brick faces). The overall impact of these alterations on a comparatively modest house puts its level of significance into question.</p> <p><u>Bryce Raworth submission</u>  <i>Identification in previous heritage studies</i>  Mr Raworth argues that the absence of gradings for houses on Robb Street in the 1985 'Essendon</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>even though they might have been considered contributory buildings if the precinct proposed in 2014 had been pursued and found to be warranted (which is clearly not the case).</p> <ul style="list-style-type: none"> <li>• The places have been significantly altered which undermined the significance and integrity.</li> <li>• The alterations include: <ul style="list-style-type: none"> <li>• Heavy handed removal of paint from the exterior walls and repairs to pointing, which has resulted in the loss of all tuckpointing and patina to the walls.</li> <li>• Construction of a modern fence of period character with modern operable gates to a broad driveway.</li> <li>• Construction of a visible two storey addition to the south and rear of the house.</li> </ul> </li> </ul>	<p>Conservation Study' indicates that 'no buildings were considered worthy of grading'. As all heritage consultants are aware, there are limits to the budget, and thus time, for every heritage study, and this means that none of them can be considered 'definitive'. It is for this reason that many planning panel decisions have explicitly recognised that it is appropriate to follow initial heritage studies for an area with gaps studies. Certainly the Stage 1 'Moonee Valley Gap Study', carried out some 20 years later in 2014, indicated large gaps in coverage in the former City of Essendon.</p> <p>Mr Raworth cites the brief description of a group of Victorian and Edwardian houses on Robb Street that was identified as being of potential heritage significance, and then posits that: <i>The apparent intent was that this would be followed up with a more detailed study, which appears not to have been undertaken at that time.</i> This is correct: the Moonee Valley 2017 Heritage Study is the follow-up 'more detailed study', which has considered this group of houses.</p> <p>As Mr Raworth points out, the 2015 <i>Moonee Valley Heritage Study</i> did <u>not</u> assess residential buildings, so the absence of the Robb Street</p>	



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<ul style="list-style-type: none"> <li>Construction of a highly visible and bulky carport forward of the front setback of the house.</li> <li>Damage to the tessellated tiling of the verandah, which is incomplete, with the supporting slab or slurry visible below.</li> </ul> <p>Mr Raworth also states that 27 and 32 Robb Street are similar to innumerable other double fronted, asymmetrical polychrome brick houses in Moonee Valley (and in Essendon, Ascot Vale and Moonee Ponds in particular), many of which are subject to precinct heritage controls, and some of which have individual controls and are therefore more comparable to building that are contributory within precincts rather than individually listed places.</p> <p>To support this argument the report references 3 Aberfeldie Street, Essendon (HO143), 55 Holmes Road, Moonee Ponds (HO322), Eglinton and Laura Streets (HO7), properties</p>	<p>houses from this study does not indicate anything about their level of significance.</p> <p>Mr Raworth notes that the original large group (3-61 &amp; 30-56 Robb Street) recommended for further assessment in the 2014 Stage 1 Gap Study was assessed in the 2017 Heritage Study, and only part of it recommended for protection in the Heritage Overlay. On this basis, he concludes that 'the original proposal to introduce a broad Heritage Overlay to this street was flawed'. This statement reveals a lack of understanding of how Stage 1 and Stage 2 heritage studies are conducted. The purpose of Stage 1 is to identify a group of individual places and groups of places/precincts considered to be of potential heritage significance, and the purpose of Stage 2 is to make an in-depth investigation of these places – including comparative analysis – to create refined and rigorous final recommendations for the Heritage Overlay. This was the process carried out in the case of Robb Street.</p> <p>Mr Raworth also states that the individual assessment of 27 &amp; 32 Robb Street 'was noted for <i>potential</i> inclusion more or less as an afterthought of the Review authors'. Again, it appears as if he has neglected to consider the actual methodology of the 2017 Heritage Study. There are two parts of</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>on Holmes Road, the buildings at 18 and 20 Locke Street and thee group at 1, 3 and 5 Levien Street, to demonstrate these places are better examples and therefore warrant the Heritage Overlay.</p> <p>Mr Raworth also points out that the only distinctive feature that the buildings share that is slightly unusual, and thus appears to have elevated in importance, is the presence of pointed arch label moulds to some, windows, which complements their polychrome brickwork, as referenced in the Statement of Significance.</p> <p>Mr Raworth concludes that while the subject dwelling is recognisable as a Victorian villa, it is of limited interest in relation to the matters set out in the Statement of Significance, and is not of sufficient interest either in itself or when considered in relation to 27 Robb Street to warrant introduction of a permanent heritage control.</p>	<p>this study, as represented by the two volumes. First the potential precincts were assessed (Volume 1), followed by the individual place (Volume 2). As set out in Volume 1 (pp. 50-51), the potential precinct was first assessed, and then reduced in size (to 15-25 Robb Street). Due to the reduction in precinct size, the potentially individually significant places were identified and recommended for full assessment in the second half of the project (Volume 2). As heritage consultants are aware, it is inappropriate to definitively recommend a place for inclusion in the Heritage Overlay prior to its assessment, hence the wording in Volume 1 that 27 &amp; 32 Robb Street should be considered for 'potential inclusion' in the Heritage Overlay.</p> <p><i>Intactness</i></p> <p>The alterations listed by Mr Raworth are not under dispute, and have been listed in the place citation and taken into consideration in the assessment.</p> <p>Finally, the damage to the front verandah tiles is an issue of condition, and not heritage significance. It can be remedied by repair and replacement of missing tiles with matching.</p> <p><i>Comparative analysis</i></p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>It is agreed that there are many bichrome brick Italianate villas in the City of Moonee Valley, many of which are already protected in the Heritage Overlay, some contributory and some of individual significance.</p> <p>In order to determine which are of individual significance, the larger group must be compared, and those few examples that are differentiated among them will rise above them to local significance. Mr Raworth is correct in stating that the main 'differentiating feature' of 27 &amp; 32 Robb Street is the lancet form to their window surrounds, which provides a Venetian Gothic element to the standard Italianate house. This justification is the reason that the two other examples with Venetian Gothic windows identified in Essendon are both considered to be of local significance (28 Nicholson Street and 3 Aberfeldie Street). Including 27 &amp; 32 Robb Street, this makes a total of four such houses identified in the City of Moonee Valley, and thus they are all rare examples of this unusual approach to the ubiquitous Italianate villa.</p> <p>It is also the case, disregarding the front fences, that 32 Robb Street is the least intact of these four examples, both the house and its setting. It is also the most modest of the four – all others have a return verandah, and 27 Robb Street is further</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>enhanced by its corner location and high bluestone plinth.</p> <p>In conclusion, it is agreed that 32 Robb Street falls short of the threshold of local significance, as determined by comparison with similar places in the City of Moonee Valley, so it should be excluded from the serial listing with 27 Robb Street.</p> <p>Conversely, this same process of comparison has confirmed the individual significance of 27 Robb Street, so it should be protected in a site-specific Heritage Overlay.</p>	
<b>The following submission, response and recommendation relate to HO509.</b>					
<b>#108</b>	Yes, subject to changes	HO509	<p>The submitter supports the application of the Heritage Overlay applying to 57 Vanberg Road, Essendon.</p> <p>The submitter requests for the Statement of Significance to be revised to clearly reference to both the significant elements, as well as elements of lesser or no importance to the significance of the place on the basis that the application of an</p>	<p>Officers note the submitter's support and matters raised, and provide the following comments:</p> <p>The Statement of Significance clearly states which elements of the place are considered significant. The Statement of Significance reflects the guidance in PPN1. PPN1 also notes as options: <i>Clarification could also be made of elements that are not significant</i>. If those elements that are <u>not</u> significant are not clear enough for the owner and the submitter to provide confidence in the future management of 57 Vanberg Street, then further</p>	<p><b>Amend the Statement of Significance to include:</b></p> <ul style="list-style-type: none"> <li>• <b>The brick garage and contemporary gabled rear extension are not significant</b></li> <li>• <b>A note clarifying the Peppercorn</b></li> </ul>


**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>overlay has implications relating to development potential.</p> <p>The submitter references the PPN1, specifically <i>the heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria, to seek clarification on the following:</i></p> <ul style="list-style-type: none"> <li>• The extent of the garden setting included as contributory, noting that the garden to the frontage is not disputed, but that the significance of the garden and land more broadly such as to the rear and side has not been demonstrated.</li> <li>• The Peppercorn tree (<i>Schinus molle</i>) in the rear northwest corner is not listed as significant, nor the large Canary Island palm, though the Peppercorn tree is older than other specified trees,</li> </ul>	<p>guidance can be provided in the place citation and the statement of significance.</p> <p>While the current statement of significance already makes clear that it is the Victorian, Edwardian and interwar built fabric that is significant, along with the metal palisade fence, the statement of significance could note the following as not significant: <i>the brick garage on the west side of the house and the contemporary gabled rear extension.</i></p> <p>The submitter calls into question which trees on the site are significant, and notes inconsistency when referring to the Peppercorn tree at the north-east corner of the site.</p> <p>The garden setting and trees at 57 Vanberg Road were assessed for Context by Richard Aitken, who is a recognised and published specialist on historic gardens. Mr Aitken determined that the row of Monterey Cypress (along the east boundary) and the Norfolk Island Pine (just west of the house) are of heritage significance, while a number of large but semi-mature trees (e.g. the Canary Island Palm) are not. This is reflected in the statement of significance and the proposed Tree Controls.</p>	<p><b>tree is protected by the Environmental Significance Overlay (ESO).</b></p> <p><b>Refer submission to panel for consideration.</b></p>

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>but then is included under Criterion E – whether overlays should be applied to trees, or the garden setting in which they are located.</p> <ul style="list-style-type: none"> <li>The extent of controls to non-contributory built form to the rear.</li> </ul>	<p>The Peppercorn tree is a different matter. It is agreed that it is one of the oldest trees on the site (100+ years). It has been mentioned in the section of ‘why is it significant’, but not in the Tree Controls. The reason behind this is that the Peppercorn already has statutory controls: it is included in the ESO as part of the Moonee Valley Significant Tree Register (tree T316). The location of the ESO is shown on the planning map below:</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				 <p>It is agreed that it would provide greater clarity if the presence of the ESO on the Peppercorn were mentioned in the statement of significance.</p> <p>The purpose of the amendment and the introduction of the Heritage Overlay is to</p>	

**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
				<p>conserve and enhance heritage places of cultural significance. Further, the Heritage Overlay is a tool used to consider whether proposed works will have an impact on the significance of the place and/or precinct.</p> <p>Furthermore, the <i>Moonee Valley Heritage Guidelines 2016</i> provide owners with guidance in relation to the citing and location of additions.</p>	
<b>The following submission, response and recommendation relate to HO520.</b>					
<b>#61</b>	Yes	HO520	The submitter supports the application of the Heritage Overlay to 83 Holmes Road, Moonee Ponds.	Officers note the submitters support for the amendment.	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>
<b>The following submission, response and recommendation relate to HO523.</b>					
<b>#86</b>	Unsure	HO523	The submitters appreciates the importance of preserving heritage assets, however are mindful that if the heritage overlay were to be applied to 2 Ngarveno Street, Moonee Ponds, the submitter may require a planning permit process	Officers note the submitter's response and provide the following response: Clause 43.01 and Schedule to Clause 43.01 sets out the permit requirements. Officers can confirm a permit is required to externally paint an unpainted surface and to carry our works for a fence, if the fence is visible from a street (other	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission</b></p>



**Moonee Valley Planning Scheme Amendment C200moon**  
**Implementing the recommendations of the *Moonee Valley 2017 Heritage Study***

Submitter Number	Support C200moon	Heritage Overlay (HO)	Summary of submission	Response to submission (responses have had input from heritage expert Landmark Heritage Pty Ltd, where required)	Recommendation
			<p>(with the expense of additional time and money), to make even minor changes such as painting or alterations to fencing etc.</p> <p>If there were to be a significant amount of time and expense associated with even minor maintenance works at the property, the submitter opposes the permanent application of the heritage overlay to the property.</p>	<p>than a lane) or public park. Officers note that these type of planning permits can be considered under the VicSmart applications. Further, no planning permit is required to repaint an already painted surface in any colour desired.</p> <p>Officers note that the Heritage Overlay does not preclude the landowner from undertaking maintenance of a place. In Clause 43.01 of the Moonee Valley Planning Scheme a permit is not required to carry out works, repairs and routine maintenance which does not change the appearance of a heritage place or which are undertaken to the same details, specification and materials.</p>	<b>to panel for consideration.</b>
<b>The following submission, response and recommendation relate to HO524.</b>					
<b>#83</b>	Yes	HO524	The submitter supports the application of the Heritage Overlay to 42 Taylor Street, Moonee Ponds and seeks clarification about what they require a planning permit for.	Officers note the submitter's support and advise the submitter Clause 43.01 and Schedule to Clause 43.01 sets out the permit requirements.	<p><b>No change recommended to Amendment C200moon.</b></p> <p><b>Refer submission to panel for consideration.</b></p>

## Amendment C200moon

Summary of proposed changes, in response to submissions, to the following exhibited documents:

- Schedule to Clause 43.01 Heritage Overlay
- Statements of Significance
- *Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019*

HO number	Schedule to Clause 43.01	Statement of Significance	Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019
HO2		Amend Statement of Significance to clearly state which buildings are non-contributory to the precinct.	
HO12		Amend the map enclosed in the Statement of Significance to include the bluestone laneway.	Amend the map enclosed in the permit exemption policy to include the bluestone laneway.
HO16		Amend the Statement of Significance and precinct map by revising the grading of 33A Gladstone Street, Moonee Ponds from contributory to non-contributory.	Amend the map in the permit exemptions policy by revising the grading of 33A Gladstone Street, Moonee Ponds from contributory to non-contributory.
HO21		Amend the Statement of Significance and precinct map by revising the grading of 2 & 2A Ayr Street, Ascot Vale from contributory to non-contributory.	Amend the map enclosed in the permit exemptions policy by revising the grading of 2 & 2A Ayr Street, Ascot Vale from contributory to non-contributory.
HO450	Remove 151A & 151B Park Street, Moonee Ponds and 23 Waverley Street, Essendon from Schedule to Clause 43.01.	Remove 151A & 151B Park Street, Moonee Ponds and 23 Waverley Street, Essendon from the precinct map and the Statement of Significance.	Remove 151A & 151B Park Street, Moonee Ponds and 23 Waverley Street, Essendon from the map enclosed in the permit exemptions policy.
HO451		Revise the Statement of Significance to include references to 'small groups of attached Victorian house' and 'the houses have 'front boundary treatments that allow views of the houses from the street'.  Amend the Statement of Significance and precinct map by revising the grading of 14	Amend the map enclosed in the permit exemptions policy by revising the grading of 14 Brown Avenue, Ascot Vale from contributory to non-contributory.

HO number	Schedule to Clause 43.01	Statement of Significance	Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019
		Brown Avenue, Ascot Vale from contributory to non-contributory.	
HO453		Remove 2 Tasma Street, Ascot Vale from the map enclosed in the Statement of Significance.	Remove 2 Tasma Street, Ascot Vale from the map enclosed in the permit exemptions policy.
HO455	Remove front fence controls for 48 MacKay Street, Essendon in the Schedule to Clause 43.01 Heritage Overlay.	Remove reference to the original front fence at 48 MacKay Street, Essendon and revise the grading for 17 and 24 MacKay Street, Essendon in the Statement of Significance.	Amend the map enclosed in the permit exemptions policy by revising the grading of 17 and 24 MacKay Street, Essendon from contributory to non-contributory.
HO456	Remove front fence controls for 43 McCracken Street, Essendon in the Schedule to Clause 43.01 Heritage Overlay.	Remove mention of the fence at 43 McCracken Street, Essendon from the Statement of Significance.	
HO457		Amend the Statement of Significance to include references to the built date and architect of 193 Pascoe Vale Road, Essendon and revise the grading of 195 Pascoe Vale Road, Essendon from contributory to non-contributory.	Amend the map enclosed in the permit exemptions policy by revising the grading 195 Pascoe Vale Road, Essendon from contributory to non-contributory.
HO459	Remove 42, 42A & 42B Roberts Street, Essendon from the precinct from Schedule to Clause 43.01.	Remove 42, 42A & 42B Roberts Street, Essendon from the precinct from Statement of Significance.	Remove 42, 42A & 42B Roberts Street, Essendon from the map enclosed in the permit exemptions policy.
HO481	Remove reference to 1 Albion Street in the Schedule to Clause 43.01 Heritage Overlay.	Amend the Statement of Significance to include a note that highlights the timber vigas (beams) have been replaced with cast-concrete facsimiles.	
HO488		Amend the Statement of Significance to note the removal of the bay window and associated details from the western projecting gable in the place description.	

HO number	Schedule to Clause 43.01	Statement of Significance	Moonee Valley Permit Exemptions Policy – Heritage Overlay Precincts, May 2019
HO507	Remove 32 Robb Street, Essendon from the precinct from Schedule to Clause 43.01.	<p>Remove 32 Robb Street, Essendon from the Statement of Significance.</p> <p>Amend the Statement of Significance to solely include 27 Robb Street as an individual place.</p>	
HO509		<p>Amend the Statement of Significance to include:</p> <ul style="list-style-type: none"> <li>• The brick garage and contemporary gabled rear extension are not significant</li> <li>• A note clarifying the Peppercorn tree is protected by the Environmental Significance Overlay (ESO).</li> </ul>	