

**Nillumbik Planning Scheme Amendment C142nill
Heritage Overlay for part of 50 Oatland Road, Plenty**

Panel Report

Planning and Environment Act 1987

27 July 2022

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment. [section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Nillumbik Planning Scheme Amendment C142nill

Heritage Overlay for part of 50 Oatland Road, Plenty

27 July 2022



David Merrett, Chair

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Glossary and abbreviations

Council	Nillumbik Shire Council
HERCON	Heritage Convention
HO271	Heritage Overlay 271
PE Act	<i>Planning and Environment Act 1987</i>
the VHR Guidelines	Victorian Heritage Register Criteria and Threshold Guidelines, 2020

Overview

Amendment summary

The Amendment	Nillumbik Planning Scheme Amendment C142nill
Brief description	Heritage Overlay for part of 50 Oatland Road, Plenty
Subject land	Part of 50 Oatland Road, Plenty
Planning Authority	Nillumbik Shire Council
Authorisation	9 December 2021
Exhibition	27 January to 2 March 2022
Submissions	Number of Submissions: 28 Opposed: 28 Refer to Appendix A

Panel process

The Panel	David Merrett, Chair
Directions Hearing	By video conference, 31 May 2022
Panel Hearing	By video conference, 12 July 2022
Site inspection	Unaccompanied, 8 July 2022
Parties to the Hearing	Nillumbik Shire Council represented by Julie Paget, who called the expert evidence on: - Heritage from Mark Huntersmith of GML Heritage Andrew and Kathy Mead represented by John Cicero of Best Hooper, who called expert evidence on: - Heritage from Bryce Raworth of Bryce Raworth Conservation and Heritage Richard Kelsey
Citation	Nillumbik PSA C142nill [2022] PPV
Date of this report	27 July 2022

Executive summary

Nillumbik Planning Scheme Amendment C142nill (the Amendment) seeks to apply the Heritage Overlay (HO271) to the front portion of the land at 50 Oatland Road, Plenty which contains a dwelling, garage and two sheds.

The Amendment was prepared in 2021 in response to a request to demolish the dwelling to allow for the construction of a accessible dwelling to meet the specific needs of the landowner's family member. The landowners live next door at 56 Oatland Road.

Amendment C141nill, approved on 14 April 2022, applied HO272 to the land on an interim basis. Amendment C142nill proposes to replace HO272 with HO271 and include additional land in the overlay. HO271 does not propose internal, tree or external paint controls. It does propose outbuildings and fence controls.

While the Panel acknowledges the personal and financial circumstances of the landowners, they are not relevant to the Amendment, but may be considered as part of any future development proposal.

Key issues raised in submissions included:

- If approved, the Heritage Overlay extent should be reduced to allow for the construction of a dwelling between 50 and 56 Oatland Road.
- The *Victorian Heritage Register Criteria and Threshold Guidelines, 2020* (the VHR Guidelines) can be used as a guide to assess thresholds of significance.
- The dwelling is in such a poor state that the demolition is justified.
- The threshold of significance had not been met for Heritage Convention (HERCON) Criteria A (historical significance) and D (representativeness).
- Council has not followed due process by failing to notify prospective landowners of the potential heritage control.

The Panel finds:

- the curtilage of HO271 reflects the setting of the dwelling and outbuildings and former use of the site as a poultry farm
- the place does not meet the threshold of local heritage significance, therefore the Amendment is not strategically justified
- the integrity or condition of the dwelling is not an issue that can be considered at the Amendment stage, but can be considered in assessing development proposals
- the use of the Step 1 test of the VHR Guidelines is appropriate.

On matters of heritage significance, the Panel concludes the threshold for:

- Criteria A has not been met because there is no family association with the land and the 1.6 hectare lot does not provide tangible evidence of the interwar subdivision pattern of the area where lots of 10 (4 hectares) to 30 acres (12.1 hectares) were created.
- Criterion D has not been met because the comparative analysis in the citation has not demonstrated the dwelling is an important representative example of an interwar bungalow.

Recommendation

Based on the reasons set out in this Report, the Panel recommends:

- 1. Nillumbik Planning Scheme Amendment C142nill be abandoned.**

1 Introduction

1.1 The Amendment

The purpose of the Amendment is to apply the Heritage Overlay to part of 50 Oatland Road, Plenty.

Specifically, the Amendment proposes to amend:

- the Schedule to Clause 43.01 (Heritage Overlay) to permanently apply Heritage Overlay 271 (HO271) to the front half of 50 Oatland Road, Plenty
- Planning Scheme Map No 008 to apply the Heritage Overlay
- the Schedule to Clause 72.04 (Schedule to the Documents Incorporated in this Planning Scheme) to include the statement of significance for 50 Oatland Road, Plenty
- the Schedule to Clause 72.08 (Background Documents) to include the citation for 50 Oatland Road, Plenty.

HO271 does not propose internal, tree or external paint controls. It does propose outbuildings and fence controls.

1.2 The subject land

Figure 1 shows the location of the dwelling at 50 Oatland Road within the outline of proposed HO271 shown in red. The blue line shows the property boundaries.

Figure 1 Aerial photo of the land



Figure 2 shows how the Heritage Overlay is to be applied to the land.

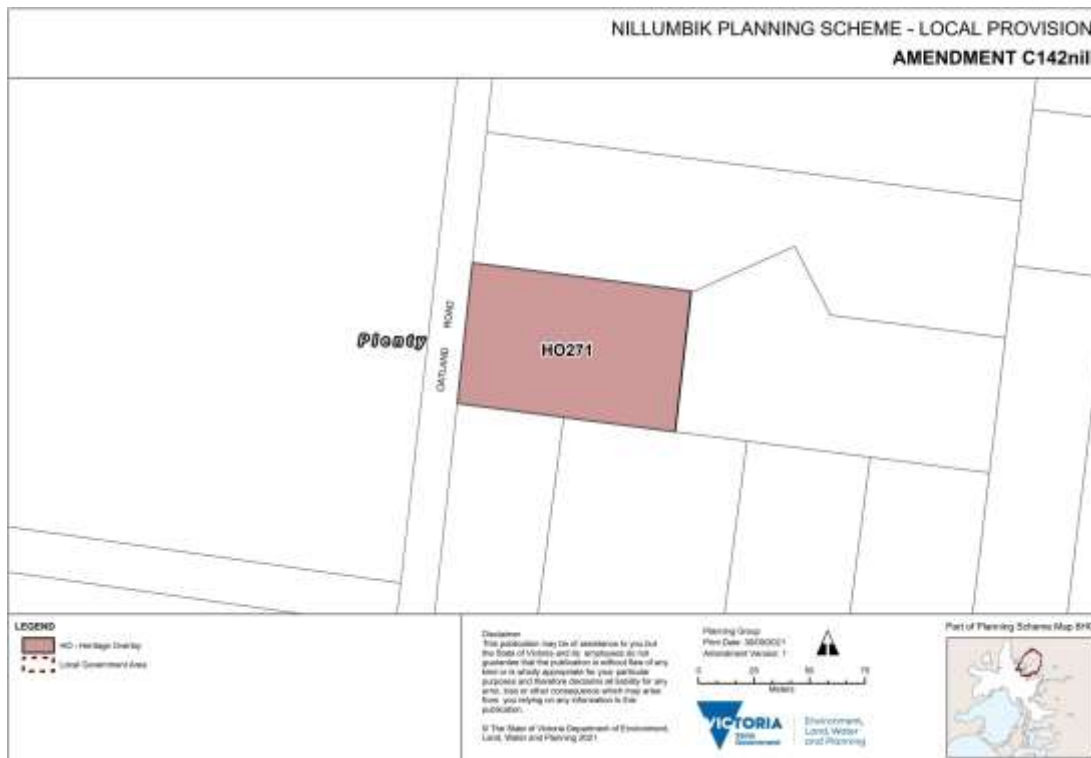
The dwelling is a single storey weatherboard-clad structure (Figures 3 and 4) constructed in 1928 by the Lierse family, originally on a 30 acre lot (12.14 hectares). Further subdivision occurred in more recent years and the dwelling is now contained on a 1.6 hectare lot. A modern steel-clad shed with no heritage value is located next to the original garage to the south of the dwelling (Figure 5). To the rear of the dwelling is a shed that has been converted to an outdoor/indoor recreation and barbeque area with a concrete floor (Figure 6). A recently constructed fence is located along the Oatland Road frontage (Figure 7). The dwelling has been stripped inside, with only the stud walls, floors, fireplaces and roof trusses remaining (Figures 8 and 9). The dwelling

has a new corrugated iron roof. The front verandah has been shortened and a brick planter box supports the verandah posts (Figure 10). The side verandah has had some timbers cut and replaced (Figure 11).

The land is relatively cleared of vegetation with other nearby land retaining more vegetation. High voltage overhead powerlines are located immediately south of the land.

The land is within the Plenty Gorge area and is zoned Rural Conservation for its conservation values.

Figure 2 Heritage Overlay



Source: Amendment material

Figure 3 East and north facades of the dwelling



Source: Panel

Figure 4 South and west facades of the dwelling



Source: Panel

Figure 5 Old garage (left) and contemporary shed (right)



Source: Panel

Figure 6 Converted rear shed



Source: Panel

Figure 7 View from Oatland Road with new front fence



Source: Panel

Figure 8 Double sided fireplace



Source: Panel

Figure 9 Rear laundry area



Source: Panel

Figure 10 Front veranda with planter box

Source: Panel

Figure 11 Side verandah

Source: Panel

1.3 The statement of significance

A citation and statement of significance were first prepared for the property in 2016. These described the property as a farm complex, partly due to the poultry sheds that existed at the time. As the poultry sheds were demolished in 2018, the 2021 statement of significance exhibited with the Amendment does not refer to the property as a farm complex.

The exhibited statement of significance for the property is provided below.

What is Significant?

50 Oatland Road, Plenty, built c1928, is significant.

Elements that contribute to the significance of the place include:

- setback from Oatland Road;
- asymmetric built form with a projecting front room and return verandah;
- weatherboard-clad walls;
- corrugated iron Dutch gable roof that extends down at a lower pitch over the return verandah;
- exposed rafter ends;
- red brick chimney;
- projecting front gable;
- decorative gable end detail, including timber lattice work and small timber brackets;
- corrugated iron clad timber window hood with scalloped trim supported by brackets;
- original pattern of fenestrations on the west, south and north elevations;
- timber double-hung sash windows;

- glazed door under the verandah on the west elevation;
- half-glazed front door set in a moulded timber door frame with sidelights;
- original or early timber flywire screen doors;
- timber garage with pitched roof south of the house;
- extant corrugated iron clad agricultural shed to the rear.

The mature tree in front of the house is not significant in its own right but contributes to the setting of the place.

Other more recent outbuildings are not significant.

How is it Significant?

50 Oatland Road, Plenty, is of local historical and representative significance to the Shire of Nillumbik.

Why is it Significant?

50 Oatland Road, Plenty, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for William Charles and Priscilla Mary Lierse in c1928, originally on a 30 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were (sic) divided for sale in allotments of 10 of 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920s, the town centre included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248).

The Lierse family were early residents in the Diamond Creek and Plenty area involved in a variety of agricultural and other pursuits. They were heavily involved in the development of community life in Plenty from the mid-1920s (Criterion A).

Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines, as well as tending their fruit trees. This was the case for William Charles Lierse, who was an orchardist and sanitary contractor prior to establishing a poultry farm on the property by 1943. 50 Oatland Road provides important tangible evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains its street frontage and setback to Oatland Road (Criterion A).

The house at 50 Oatland Road, Plenty, is a largely intact representative example of a timber interwar bungalow. It has had very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with projecting front room below a dominant Dutch gable roof, and an extensive wraparound verandah under the sweep of the main roof line. The extant c1920s garage, poultry shed, and open setting evidence the use of the site as a poultry farm complex (Criterion D).

It was the evidence of Mr Huntersmith and Mr Raworth that the Lierse family association with the land was not so significant to meet the threshold required for Criteria A. Given this position, at the end of the Hearing the Panel requested Council provide a tracked change version representing its final position on the statement of significance and citation. Other updates and edits were made to the citation. This is contained at Appendix C. The amended statement of significance is provided below.

STATEMENT OF SIGNIFICANCE

What is significant?

50 Oatland Road, Plenty, built c1928, is significant.

Elements that contribute to the significance of the place include:

- setback from Oatland Road;
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- extant corrugated iron clad agricultural shed to the rear.

The mature tree in front of the house is not significant in its own right but contributes to the setting of the place.

Other more recent outbuildings are not significant.

How is it significant?

50 Oatland Road, Plenty, is of local historical and representative significance to the Shire of Nillumbik.

Why is it significant?

50 Oatland Road, Plenty, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for William Charles and Priscilla Mary Lierse in c1928, originally on a 30 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 of 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920s, the town centre included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248). ~~The Lierse family were early residents in the Diamond Creek and Plenty area involved in a variety of agricultural and other pursuits. They were heavily involved in the development of community life in Plenty from the mid-1920s~~ (Criterion A).

Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines, as well as tending their fruit trees. This was the case for William Charles Lierse, who was an orchardist and sanitary contractor prior to establishing a poultry farm on the property by 1943. 50 Oatland Road provides important tangible evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains its street frontage and setback to Oatland Road (Criterion A).

The house at 50 Oatland Road, Plenty, is a largely intact representative example of a timber interwar bungalow. It has had very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with projecting front room below a dominant Dutch gable roof, and an extensive wrap-around verandah under the sweep of the main roof line. The extant c1920s garage, poultry shed, and open setting evidence the use of the site as a poultry farm complex (Criterion D).

1.4 Background

Council completed an internal heritage review in 2013 that identified 144 places for their potential heritage significance, including 50 Oatland Road, Plenty.

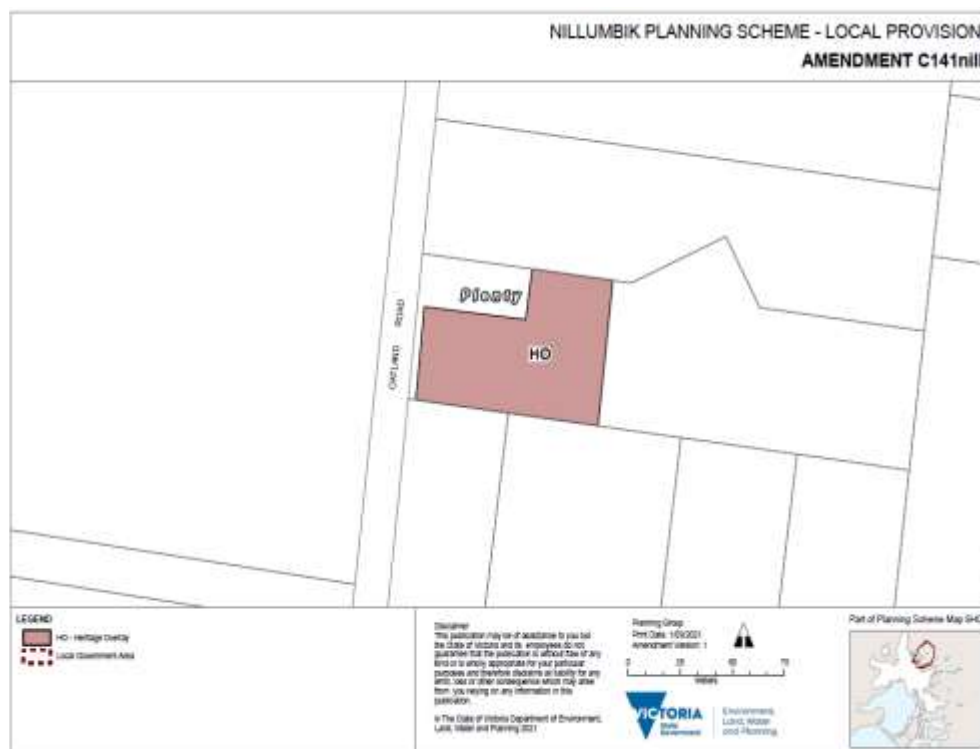
In 2016, a draft citation for the property was prepared by Council's heritage adviser, Samantha Westbrooke, as part of the *North West Nillumbik Heritage Study Assessment of potentially significant places 2016*.

The property was included on Council's priority list for the Stage B of the Nillumbik Heritage Review adopted by Council in June 2021.

The current owners of 50 Oatland Road reside next door. They purchased the land in April 2021 to develop accessible accommodation for their son. The stripping of dwelling and demolition of the poultry sheds to the rear was carried out by previous landowners.

Council received a demolition consent application for the dwelling and outbuildings on 25 August 2021 under section 19A of the *Building Act 1993*. This prompted it to seek approval for an interim Heritage Overlay on the land under section 20(4) of the *Planning and Environment Act 1987* (the Act). This was approved under Amendment C141nill on 14 April 2022 with the interim Heritage Overlay due to expire on 9 February 2023. Figure 12 shows the interim Heritage Overlay, which differs from that proposed under this Amendment.

Figure 12 Amendment C141nill Heritage Overlay



Source: Council Part A submission

1.5 Summary of issues raised in submissions

(i) Nillumbik Shire Council

The key issues for Council were:

- the property meets the significance threshold for HERCON Criteria A and D
- Planning Practice Note 01 *Applying the Heritage Overlay* (PPN01) should be the primary consideration because the VHR Guidelines applies to state level significance and their use for local significance should be limited
- personal and financial issues associated with the cost of retaining the dwelling are not relevant issues at the amendment stage.

(ii) Individual submitters

The key issues by submitters were:

- the property does not meet the significance threshold for HERCON Criteria A and D
- the VHR Guidelines can be carefully used to determine local significance
- the landowner's son requires 24 hour care and a new wheelchair accessible, purpose-built dwelling is proposed to replace the current dwelling
- retaining the dwelling will reduce the property's value
- the dwelling is in poor condition and the cost of renovating the dwelling is excessive
- if the Panel recommends the Amendment be approved, the curtilage of the Heritage Overlay should be reduced to allow for a new dwelling to be constructed between the dwellings on 50 and 56 Oatland Road.

These submissions remain unresolved.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from the site visit, and submissions, evidence and other material presented to it during the Hearing. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- General issues in submissions
- Heritage significance.

1.6 Limitations

Some submitters noted that Council had not followed due process with the preparation and exhibition of the Amendment. It is not the role of Planning Panels Victoria to make rulings about the validity or otherwise of an amendment or procedure. A person who is substantially and materially affected by a technical defect can refer the matter to the Victorian Civil and Administrative Tribunal for resolution.

2 Planning context

2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Victorian planning objectives

The Amendment will assist in implementing State policy objectives set out in section 4 of the PE Act by conserving and enhancing those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value (objective 1d).

Clause 12 (Environmental and landscapes values)

The Amendment supports Clause 12.05-2L (Rural landscapes in Nillumbik) which seeks to encourage uses, buildings and works to maintain or enhance the landscape character of the locality, including any significant views to the site.

Clause 15 (Built environment and heritage)

The Amendment supports Clause 15.03-1S (Heritage conservation) which seeks to ensure the conservation of places of heritage significance. Relevant strategies are:

- Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
- Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.
- Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance.
- Encourage appropriate development that respects places with identified heritage values.
- Retain those elements that contribute to the importance of the heritage place.
- Encourage the conservation and restoration of contributory elements.
- Ensure an appropriate setting and context for heritage places is maintained or enhanced.

2.2 Other relevant planning strategies and policies

(i) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. Outcomes that are particularly relevant to the Amendment are set out in Table 1

Relevant parts of Plan Melbourne

1.

Table 1 Relevant parts of Plan Melbourne

Outcome	Directions	Policies
4 Melbourne is a distinctive and liveable city with quality design and amenity	Respect Melbourne's heritage as we build for the future	Recognise the value of heritage when managing growth and change Stimulate economic growth through heritage conservation Protect Melbourne's heritage through telling its stories

(ii) Municipal Planning Strategy

Council submitted that the Amendment supports the objectives of Clause 02.03-5 (Heritage) which seeks to protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.

2.3 Planning scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

(i) Zone

The land is in the Rural Conservation Zone. The purposes of the Zone are to:

- conserve the values specified in a schedule to this zone.
- protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.
- protect and enhance natural resources and the biodiversity of the area.
- encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
- provide for agricultural use consistent with the conservation of environmental and landscape values of the area.
- conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.

The Amendment does not propose to change the zone.

(ii) Overlays

The Amendment proposes to apply the Heritage Overlay to part of the land. The purposes of the Overlay are to:

- conserve and enhance heritage places of natural or cultural significance.
- conserve and enhance those elements which contribute to the significance of heritage places.
- ensure that development does not adversely affect the significance of heritage places.
- conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Other overlays apply to the land but are not proposed to be changed by the Amendment.

2.4 Ministerial Directions and Practice Notes

Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018. That discussion is not repeated here.

Planning Practice Notes

PPN01 was introduced in 2012 and updated in August 2018 is relevant to the Amendment. It provides guidance about using the Heritage Overlay. It states that the Heritage Overlay should be applied to, among other places:

Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

PPN01 specifies that documentation for each heritage place needs to include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria. It recognises the following model criteria (the HERCON criteria) that have been adopted for assessing the value of a heritage place:

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

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

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

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

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

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

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

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

PPN01 provides some commentary on significance thresholds. On page 2 it states:

To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay. Places identified to be of potential state significance should undergo analysis on a broader (statewide) comparative basis.

2.5 Discussion and conclusion

Whether the place has met the threshold for local significance is the key issue. The strategic justification for the Amendment is dependent on the local significance of the heritage place being established. This is discussed on the following chapters of this report.

3 General issues in submissions

3.1 The issues

The issues are:

- whether private financial concerns, personal circumstances and condition of the proposed heritage place are relevant planning considerations at the Amendment stage
- how the curtilage of the Heritage Overlay should be defined.

3.2 Personal and financial matters

(i) Submissions

Submitters raised the following concerns:

- restoration would be prohibitively expensive, and the current owners bought intending to demolish
- the current owners first became aware of Council's interest when the demolition consent order was suspended
- negative impact on property values.

Mr Kelsey reinforced these concerns as a member of the local community and family friend.

Council submitted *"that the private financial impacts for property owners (such as those raised by submitters) are not relevant economic matters when considering an amendment to the Planning Scheme. Financial implications are more appropriate considerations when seeking an application for a planning permit."*

Some submissions referred to the negative impact on property values that would potentially arise from the Heritage Overlay. Council submitted *"these issues have been considered by multiple planning panels and are not considered relevant to this stage of the process."*

Council referred the Panel to other Panel reports¹ that considered these matters and noted they have been dealt with in a consistent manner. Section 12(2)(c) of the Act requires planning authorities to consider social and economic effects of an Amendment, where the economic effects *"are generally considered in relation to the broader community rather than individual circumstances."*

Council acknowledged *"the special needs of the landowners given their individual circumstances"* and noted that a suitable planning outcome could see the existing dwelling 'decommissioned'² and a new dwelling constructed that would meet the needs of the landowners. The structural condition of the place could then be considered at the permit application stage.

Mr Cicero submitted that the main issue is whether the place has local heritage significance and accepted that personal circumstances are not relevant in establishing whether a place has local heritage significance.

¹ Frankston C53, Glenelg C89, Boroondara C266 Panel Reports

² Refers to the building not being used as a dwelling to enable the consideration of a new dwelling on the land

(ii) Discussion

Personal and economic issues of landowners are often cited as issues in heritage amendments. The Panel acknowledges the personal circumstances of the landowners and their desire to develop an accessible dwelling. However, this is not a matter the Panel can consider at the Amendment stage. There was general agreement from those that presented to the Panel that this was the case.

The Heritage Overlay ensures heritage matters are considered as part of any future planning process. It does not unduly burden the land or prohibit further development. Other issues aside from the place's heritage significance can be considered at this stage of the planning process.

(iii) Conclusion

The Panel concludes personal and financial considerations (including impacts on property values) are not relevant at the Amendment stage.

3.3 Structural issues**(i) Submissions**

Submissions made the following comments on the structural integrity of the dwelling:

- the current dwelling is not suitable for the specific needs of the owner
- heritage protection of a disused, unliveable dwelling shell is not warranted and is not an appropriately balanced outcome
- an independent building adviser recommended demolition.

Submission 1 (on behalf of the landowners) appended a structural assessment of the dwelling by Melbourne House Plans. This assessment found that *“rectification works to bring the building up to standard are considered far too costly and impractical. Given the number of structural issues, areas of non-compliance and general aged condition of the building, it is recommended that the building be demolished”* due to:

- few or no noggins in between wall studs
- undersized lintels over several window openings
- roof struts not adequately supported
- insufficient wall bracing
- undersized framing members to front verandah
- undersized framing members to rear roof
- single skin brick wall to rear fireplace not adequately braced
- water-stained framing members indicating water ingress
- water-damaged verandah beams
- floor bearers supported by stacked bricks or timber props.

Council advised the structural integrity or condition of a place was discussed by the Advisory Committee on the *Review of the Heritage Provisions in Planning Schemes* in 2007. Section 2.2 of Advisory Committee's report notes:

... structural integrity or condition should not be a criterion in assessing heritage significance. It would be contrary to the fundamental principle in the Burra Charter that ... the consideration of significance should not be coloured by consideration of the management consequences of listing. There are also good policy reasons why condition should not affect the

assessment of criteria: if it were to be a factor, it would encourage owners of heritage properties who were opposed to listing to allow them to fall into disrepair.

(ii) Discussion

The Panel acknowledges the dwelling would be unlikely to meet the needs of the landowners, even if renovated. The Panel has observed the dwelling to be in a state of poor repair, albeit with a new roof. Externally the dwelling presents as relatively intact, however it has been stripped internally, restumping is required, and some timbers, windows and electricals would need to be replaced. The Panel has placed little weight in the one-page structural assessment that was provided even though some of the issues noted were verified on site.

The Panel agrees with Council that the structure integrity of the building is not relevant to determine heritage significance. This can be considered at the permit application stage, but not now.

(iii) Conclusion

The Panel concludes that structural integrity of a place is not a relevant consideration in determining heritage significance.

3.4 Extent of curtilage

(i) Evidence and submissions

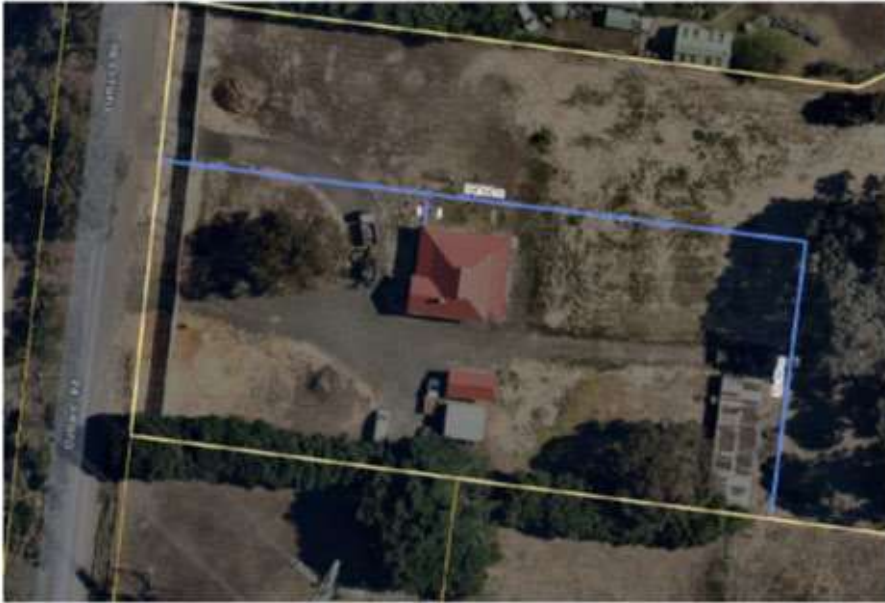
Submission 1 submitted if the Heritage Overlay is supported, its curtilage should be *“limited to cover a smaller area with a more direct focus on the old house and the actual remaining farm buildings.”* Figure 13 shows how this could be achieved (outlined in blue). This shows the northern boundary of the Heritage Overlay three metres from the dwelling.

It was Mr Huntersmith’s evidence that both the Burra Charter and PPN01 require consideration of the setting or context of the heritage place to define curtilage. Council considered the setting of the dwelling was defined by its historic use as a poultry farm and the location of the poultry sheds (now demolished) as shown in Figure 14. Mr Huntersmith considered the following matters were important in defining its curtilage:

- The retention of the setting or context of the significant building, structure or feature.
- Ability to regulate development (including subdivision) in proximity to the significant building.
- Where possible, uncomplicated and easily recognised boundaries (such as a fence line) should be used.
- Use of aerial photos to assist in a reduced curtilage.

He concluded a reduction in the width of the curtilage would:

- limit the ability to regulate development to the north side of the dwelling
- be inconsistent with PPN01 which notes the importance of retaining the setting and context of significant features of a place.

Figure 13 Landowner preferred extent of curtilage

Source: Submission 1

Figure 14 Poultry sheds (demolished in 2018)

Source: 2021 Citation

(ii) Discussion

Where heritage places are located on smaller urban sites it is usual for the curtilage to be defined by the place's property boundaries. On larger sites, such as this, it becomes a matter of context and balance. The location of the dwelling and its outbuildings is the obvious starting point. This would indicate that the southern boundary is logical in defining the Heritage Overlay curtilage as the old shed and garage are located close by. While the historical significance of the property as a poultry farm has diminished with the demolition of the poultry sheds, it is still a relevant issue to consider. Their former location forms the eastern extent of the proposed Heritage Overlay. The presentation of the dwelling to Oatland Road is considered important by Council and Mr Huntersmith and the Panel agrees that this front property boundary should form the western curtilage.

The main point of disagreement is the northern curtilage. The landowners have requested it be reduced to three metres from the dwelling and Council wants the property boundary with 56 Oatland Road. The Panel understands the reduced curtilage is requested as it coincides with the area where a new dwelling could be constructed if the current dwelling is retained. The Panel agrees with Council that this could still be pursued even if the Heritage Overlay was applied. The Heritage Overlay is not designed to prohibit development but to ensure heritage matters are considered in development proposals.

If the place is found to have local heritage significance it would be partly due to its historical use as a poultry farm. The Panel therefore supports the inclusion of the former poultry sheds within the curtilage of the Heritage Overlay.

(iii) Conclusion

The Panel concludes the exhibited extent of the Heritage Overlay is appropriate.

4 Heritage significance

4.1 The issues

The issues are whether the:

- VHR Guidelines can be used to establish local heritage significance
- dwelling meets the threshold of significance for HERCON Criteria A and D for local heritage significance.

Criteria A relates to the place's historical significance (that is, importance to the course or pattern of our cultural or natural history). Criteria D relates to the place's representativeness (that is, importance in demonstrating the principal characteristics of a class of cultural or natural places or environments). Meeting at least one of the criteria is sufficient to establish state or local heritage significance.

4.2 The use of the VHR Guidelines

(i) Evidence and submissions

Council's position was PPN01 should provide the primary guidance in determining local heritage significance, and not the VHR Guidelines that determine state heritage significance. Mr Huntersmith, commenting on the VHR Guidelines, agreed that *"they are of some value in providing guidance for Step 1"* where Step 1 of 3 of the VHR Guidelines is *"a basic test for satisfying the criterion."* Other steps relate directly to state level heritage significance. Mr Huntersmith disagreed with Mr Raworth that the *"better than most"* test of Step 2 was relevant.

It was Mr Raworth's evidence that *"it is accepted that PPN01 provides only general guidance on the application of the heritage criteria"* and the Heritage Council of Victoria³ had *"identified the need to update the practice note and create local threshold guidelines, similar to those used for State heritage."* Mr Raworth therefore considered the VHR Guidelines could be used appropriately to determine local heritage significance. Mr Raworth referred to other Panel reports⁴ where this was supported. The Melbourne C387melb Panel Report⁵ noted they are *"useful"*, but it recommended *"caution in their use in order to ensure that they are applied as a method of analysis rather than as a checklist."*

Mr Raworth said the Step 1 test for Criteria A could be adapted to read:

The place/object has a CLEAR ASSOCIATION with an event, phase, period, process, function, movement, custom or way of life in [Nillumbik's] cultural history.

The association of the place/object to the event, phase, etc IS EVIDENT in the physical fabric of the place/object and/or in documentary resources or oral history.

The EVENT, PHASE, etc is of HISTORICAL IMPORTANCE, having made a strong or influential contribution to [Nillumbik].

Mr Cicero referred to the Mornington Peninsula C262morn Panel Report as another example of use of the VHR Guidelines to determine local heritage significance.

³ Heritage Council of Victoria *State of Heritage Review: Local Heritage 2020*, page 47

⁴ Nillumbik C100, pages 12-28

⁵ Pages 47-53

(ii) Discussion

This Panel agrees that Step 1 of the VHR Guidelines is helpful in establishing heritage significance. This is consistent with the findings of previous Panels.

The primary consideration is PPN01, which sets out the following approach to thresholds:

To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay.

The comparative analysis is therefore the primary tool in determining heritage significance. PPN01 provides limited clarity on how thresholds are met. The Panel considers the VHR Guidelines are a useful tool to determine significance. The *Nillumbik Shire Thematic Environmental History 2016* that defines the themes important to Nillumbik's history is important, particularly for Criteria A.

For Criterion A and D, the descriptor is its "*importance*". Whether the dwelling is of such importance that it meets the threshold of significance for Criterion A and D is discussed next.

(iii) Conclusions

The Panel concludes the use of the VHR Guidelines to determine local heritage significance is appropriate.

4.3 Criteria A – historical significance**(i) Statement of Significance**

The exhibited statement of significance attributes historical significance to the dwelling because:

50 Oatland Road, Plenty, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for William Charles and Priscilla Mary Lierse in c1928, originally on a 30 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 of 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920s, the town centre included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248). The Lierse family were early residents in the Diamond Creek and Plenty area involved in a variety of agricultural and other pursuits. They were heavily involved in the development of community life in Plenty from the mid-1920s (Criterion A).

Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines, as well as tending their fruit trees. This was the case for William Charles Lierse, who was an orchardist and sanitary contractor prior to establishing a poultry farm on the property by 1943. 50 Oatland Road provides important tangible evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains its street frontage and setback to Oatland Road (Criterion A).

(ii) Evidence and submissions

Council submitted the *Nillumbik Thematic Environmental History, 2016* addressed two themes that were relevant and informed the significance of the place:

4 TRANSFORMING AND MANAGING THE LAND AND NATURAL RESOURCES

4.4 Agriculture, orchards and viticulture

6 BUILDINGS, TOWNS AND SHAPING SUBURBS

6.3 Interwar subdivisions and estates

It was the evidence of Mr Huntersmith that the place met the threshold for Criteria A because:

- it provides tangible evidence of the interwar subdivision pattern in which large rural holdings in the Plenty area were subdivided for sale
- the property was used for poultry farming and the house was the residence of William Charles Lierse, who ran his poultry business from the property.

He concluded *“the house (1928), its early garage (evident by 1936) and remaining poultry shed (evident by 1946) and their rural setting are historically significant for the tangible evidence they provide of these early agricultural activities in the Plenty area.”* Even though the Lierse family is mentioned in the exhibited citation and statement of significance Mr Huntersmith confirmed the place is not significant for its family history. The Panel notes the amended statement of significance (Document 13) had removed these family references.

He acknowledged *“while the original landholding has been reduced, the current allotment is sufficient for the property to be understood as an early agricultural landholding.”* He added *“historical significance is attributed to the house and its setting for the tangible evidence it provides of the interwar subdivision pattern in which large rural landholdings in the Plenty area were subdivided for sale.”*

Mr Huntersmith considered *“50 Oatland Road also provides tangible evidence of orchardists in the area who struggled to make a living from their fruit trees and turned to other activities, in this instance poultry farming.”* But at paragraph 113 Mr Huntersmith noted *“the citation history does not claim that there were orchards at the (sic) 50 Oatland Road property, as conclusive evidence of this was not found.”* The Lierse family did have a link to orchardists, but this was in Diamond Creek, not in Plenty.

It was the evidence of Mr Raworth that the place did not meet the threshold for criteria A. In referring to the VHR Guidelines for Step 1 of criteria A, Mr Raworth stated:

The application of Criterion A is in part based on the association of the place with the development of Plenty in the interwar era. While there is clearly a temporal association of this kind, it is generic and not at all ‘clear’ or ‘evident’, insofar as the place has undergone change and its historical use in the 1930s and in the 1940s is no longer apparent. Nor is it clear that the event or phase, ie interwar subdivision and farming in Plenty, is of more than passing interest to the municipality, given the lack of attention given to it in background documents as discussed above, ie the 2016 *Thematic Environmental History*.

Mr Raworth noted the only evidence the Lierse family was active in agriculture in Plenty was from 1943 when the electoral role nominated William Lierse as a poultry farmer, which is not from the interwar period of significance. Prior to this he was listed as an orchardist in Diamond Creek, the ‘Lierse Bros.’ were sanitary contractors to the Shire in 1928 and 1931 and he operated a bus from 1936.

Mr Raworth advised there was no evidence that the remaining shed was ever used for agriculture, but he conceded this was on the advice of the current landowners and not the result of any conclusive research. In response to a question from the Panel he agreed that it could have been used as part of the poultry farm.

Regarding interwar subdivision, it was the evidence of Mr Raworth that “... *in its current form the site does not exhibit this pattern in any clear or evident manner, being on a reduced allotment without any orchards or poultry sheds.*”

In cross examination, Mr Cicero referred to section 6.3 of the *Nillumbik Thematic Environmental History, 2016* for interwar subdivisions and estates and noted there was no mention of Plenty. Mr Huntersmith agreed but added that this is not a full history of the municipality, it has been supplemented in the citation and there is a pattern of cleared land that distinguishes the place from those adjoining and this would indicate its former use for agriculture. Mr Huntersmith agreed with Mr Cicero that poultry farming in Plenty is not a key historical theme and the remaining shed was “*probably not*” evidence of past poultry farm activity on site.

Discussion

The Panel accepts the evidence of Mr Huntersmith and Mr Raworth that the Lierse family association with the site and general development of Plenty are not important to satisfying the threshold for Criteria A. The post-Hearing revised citation and statement of significance (Document 13) provided by Council deletes the references to the Lierse family.

Use of the land for agriculture (poultry farming) is not a key theme in the *Nillumbik Thematic Environmental History 2016* and does not demonstrate local significance for Criteria A.

The remaining justification is therefore whether the place provides tangible evidence of an interwar subdivision pattern. The Panel considers this has not been established. The 1.6 hectare lot does not provide tangible evidence of the interwar subdivision pattern of the area where lots of 10 (4 hectares) to 30 (12.1 hectares) acres were created. There is no mention in the *Nillumbik Thematic Environmental History 2016* that interwar subdivision in Plenty is an important theme. The northern edges of Eltham and further north into Diamond Creek and Hurstbridge are mentioned, but not Plenty. The Panel does not accept the evidence of Mr Huntersmith that this omission can be resolved with new material in the citation.

If the surrounding land was at or close to interwar subdivision sizes then this may be a further consideration, but this is not the case for this area of Plenty. It seems lots are generally in the range of one to three hectares, and this is supported by a minimum subdivision lot size in the Rural Conservation Zone of one hectare. If subdivision history alone could justify the historical significance of a place, then this would apply generally across many areas in middle and outer metropolitan Melbourne.

(iii) Conclusion

The Panel concludes the threshold has not been met for local heritage significance under Criteria A.

4.4 Criteria D – representativeness

(i) Statement of Significance

The exhibited statement of significance considers the dwelling is representative of an interwar bungalow because:

The house at 50 Oatland Road, Plenty, is a largely intact representative example of a timber interwar bungalow. It has had very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with

projecting front room below a dominant Dutch gable roof, and an extensive wrap-around verandah under the sweep of the main roof line. The extant c1920s garage, poultry shed, and open setting evidence the use of the site as a poultry farm complex (Criterion D).

(ii) Evidence and submissions

Submitters considered the dwelling and outbuildings were not significant for the following reasons:

- Recent works including the demolition of the poultry sheds, internal stripping of the dwelling, replacement of the old wire front fence with a higher picket fence have reduced the heritage values.
- It cannot be referred to as a farm complex as only the dwelling and garage remain.
- The dwelling is shielded from public view by the new front fence.
- The dwelling designer and builder are unknown, and it is not a notable example of an interwar bungalow.

It was the evidence of Mr Huntersmith *“the broader place type is the residential building typology, with the class being interwar bungalow built between 1919 and 1939.”* He added the key characteristics of the interwar bungalow at 50 Oatland Road were:

- walls of timber weatherboard
- low-pitched gabled and hip roof pf corrugated iron with overhanging eaves and expressed rafters
- projecting street-facing windows
- shingles to gable ends
- a deep verandah
- double-hung sash windows
- flat-topped chimney.

He considered the dwelling has *“extremely high intactness and integrity.”*

Regarding the view from Oatland Road Mr Huntersmith stated⁶:

The house is clearly visible from the public realm ... the house's materiality, scale and setting are all visible from the street and the house is easily understood from the public realm as an interwar timber residence in a rural setting. Notwithstanding this, it should be noted that significance of a place is not dependent on it being visible from the public realm. It is relevant for the heritage assessment to consider the layout and features of the entire site, and not only elements that are visible from the vantage point of the public realm.

Mr Huntersmith considered the new front fence *“does not detract from the significance of the place, with the house and setting remaining clearly visible from the public realm.”*

He considered *“in order to satisfy Criterion D at the local level, a place does not have to be a notable example; it has to be representative. Modest homes of this type were generally built by local builders and identity of the builder is not critical to the significance of the place.”*

Mr Raworth adopted the VHR Guidelines for the assessment of Criteria D. His view was different to Mr Huntersmith and considered the place had to be a notable example of an interwar bungalow, not just representative. Reference Tool D explains that a notable example is a 'fine example', a 'highly intact example', an 'influential example' or a 'pivotal example'. In a different

⁶ Mr Huntersmith evidence statement, page 20 paragraph 87

approach to this, he then referred to the Melbourne C387melb Panel Report that addressed this issue at page 55 and considered a 'better than typical' test would be appropriate:

The question is how well each place demonstrates representativeness with a class to be considered important. While places do not need to meet superlatives such as 'landmarks', 'exceptional', 'remarkable' or be notable (including pivotal or influential) at the local level, they should be better than typical. Again, the level of intactness and integrity and the comparative analysis plays a key role in demonstrating this or setting an appropriate benchmark. A representative place should demonstrate most of the principal characteristics (sic) of the class in a manner that is clearly evident.

Mr Raworth considered the dwelling *"is also informed by relatively 'old fashioned' Federation period elements such as the predominant hipped roof form and return side verandah and turn of the century detailing in terms of the windows with curved 'horns'"*.

Mr Raworth, in responding to the key elements of the place, considered *"none of these features are themselves notable or better than typical in any way."* He again referred to the Melbourne C387melb Panel Report which stated:

The Panel considers that to meet Criterion D requires more than a checklist approach of attributes so that buildings are not able to satisfy the threshold simply by possessing a handful of common characteristics. The threshold needs more than this, particularly if some of those characteristics are also common to other classes. Places need to demonstrate the principal characteristics of the class, which implies most of those characteristics.

The citation contains a comparative analysis against eight other examples of interwar bungalows. There were:

- three examples not included in the Heritage Overlay
- three examples currently included the Heritage Overlay
- two earlier examples of houses built in the 1910's included in the Heritage Overlay.

Mr Raworth considered the dwelling at 50 Oatland Road compared poorly with these examples and Mr Huntersmith considered it compared well.

(iii) Discussion

In Section 4.2 of this Report the Panel has supported the use of the VHR Guidelines to assist in defining heritage significance, particularly for Step 1 assessments. However, the Panel does not support the need for places to be notable examples as this relates to Step 2 that is specific to determining state level significance. At the same time the Panel believes there still needs to be some rigour in this assessment and generally supports the views put in the Melbourne C387melb Panel Report that the places should be *"better than typical"* and more than just a checklist of elements that are common to the style. The proposed new guidelines for local level significance should provide further direction and clarity.

Both heritage experts agreed that the broader place type was a residential building, and the class was an interwar bungalow. The question then is whether the dwelling is an important representative example of an interwar bungalow. The answer lies in the dwelling's intactness and the comparative analysis.

The Panel is not surprised that over time as building design and construction evolves, some key elements of one class are carried over to the next. Mr Raworth's reference to the dwelling having some Federation and Edwardian features is noted but is of little consequence. If these ancillary elements are so significant that it transforms the design of the dwelling to a level where it is not

clear which class applies, then this would be a different matter. This is not the case for 50 Oatland Road. The Panel considers it is an example of an interwar bungalow.

The Panel agrees the dwelling would need to be better than typical and have elements that were more than just a checklist of an interwar bungalow to meet Criteria D.

In the comparative analysis three properties were identified “*as demonstrating this development period*” but were not in the Heritage Overlay. The Panel has reviewed these and notes:

- as they are not in the Heritage Overlay, they have not met the test of significance
- 145 River Avenue, Plenty – constructed of brick and retains farm sheds
- ‘Nilgiris’ 183 Yan Yean Road, Plenty – is a War Service Home and retains poultry sheds from the 1930’s
- 14-26 Browns Lane, Plenty – cited for many of the same reasons as 50 Oatland Road, but is in a habitable condition. As advised by Council Amendment C138nill was approved on 21 July 2022 for a permanent Heritage Overlay for 14-26 Browns Lane, Plenty. Mr Cicero noted this was with the support of the landowner.

For those in the Heritage Overlay, the Panel notes:

- 25 Cottles Bridge-Strathewen Road, Cottles Bridge – brick construction unusual for pre-1930’s and there is a family association with the name of a local bridge
- 200 Ryans Road, Eltham North – early house built in the Glen Park Estate
- ‘Brinkkotter House’ 32 Lindon Strike Court, Research – brick construction, strong family association and unusual design.

For the 1910’s era houses, the Panel notes:

- ‘Edwin Peters House’ 5 Hyde Street, Diamond Creek – strong association with local carpenter and butcher, not in the Heritage Overlay
- ‘Fermanagh’ 1080 Heidelberg-Kinglake Road, Hurstbridge – association with orcharding and retains original garden.

The Panel finds that the dwelling at 50 Oatland Road, Plenty is not important as a representative example of an interwar bungalow. The comparative analysis demonstrates this. In comparison the dwelling:

- retains little or no outbuildings associated with poultry farming
- has timber construction typical of the day
- is not part of a farm complex
- does not have a family association
- the builder is unknown.

While not a consideration, all other examples in the comparative analysis seem to be in a habitable condition. Externally the dwelling is relatively intact however the Panel finds that the dwelling is not a ‘better than typical’ or an important representative example of an interwar bungalow.

(iv) Conclusion

The Panel concludes the threshold has not been met for local heritage significance under Criteria D.

4.5 Overall conclusion and recommendation

The Panel concludes the dwelling at 50 Oatland Road, Plenty has not met the threshold required for local heritage significance under Criteria A or D.

Recommendation

The Panel recommends Nillumbik Planning Scheme Amendment C142nill be abandoned.

Appendix A Submitters to the Amendment

No.	Submitter	No.	Submitter
1	Andrew and Kathy Mead	15	Deborah Keogh
2	Kathy Mead	16	Bianca Keogh
3	Richard Kelsey	17	Jason Keogh
4	Val Bristow	18	Brianne Keogh
5	Dianne Vissaritis	19	Greg Bristow
6	Margaret Porritt	20	Mark Privitelli
7	Les Porritt	21	Julian Carafa
8	Valmai Maskell	22	Anna Checchin
9	Ben Rinando	23	Damela De Bortoli
10	Laurie Maskell	24	Sam Buonannatta
11	Valmai Maskell (part of petition)	25	Fabian surname not provided
12	Joshua Maskell	26	Adrian Marrsman
13	Rachel Maskell	27	James Corazzo
14	Lyn Lashford	28	Erica Corazzo

Appendix B Document list

No.	Date	Description	Provided by
1	6 June 22	Panel Directions and Timetable	Planning Panels Victoria (PPV)
2	22 June 22	Version 2 of Timetable	PPV
3	5 July 22	Evidence statement of Mark Huntersmith	Nillumbik Shire Council (Council)
4	5 July 22	Part A submission with 15 attachments	Council
5	5 July 22	Evidence statement of Bryce Raworth	A and K Mead
6	11 July 22	Part B submission	Council
7	11 July 22	Submission for Andrew and Kathy Mead	A and K Mead
8	11 July 22	Submission	Richard Kelsey
9	12 July 22	PowerPoint evidence summary of Mark Huntersmith	Council
10	15 July 22	Track changed version of the citation and statement of significance	Council

Appendix C Council preferred citation

50 Oatland Road, Plenty

House, Farm

Prepared by: Context	Survey date: September 2021
Place type: Residential	Designer: Not known
Significance level: Significant	Builder: Not known
Extent of overlay: See map below	Major construction: c1928



Figure 15. Main (west) elevation of 50 Oatland Road, Plenty. (Source: Nillumbik Shire Council, photograph of owner)



Figure 2. Main (west elevation) with mature tree in front and timber garage. (Source: Nillumbik Shire Council, photograph of owner)

HISTORICAL CONTEXT

This place is associated with the following historic themes in the *Nillumbik Thematic Environmental History* (2016):

- 4 *TRANSFORMING AND MANAGING THE LAND AND NATURAL RESOURCES*
 - 4.4 *Agriculture, orchards and viticulture*
- 6 *BUILDING TOWNS AND SHAPING SUBURBS*
 - 6.3 *Interwar subdivisions and estates*

LOCALITY HISTORY

Plenty is a semi-rural district north of Greensborough, about 20 kilometres northeast of Melbourne.

The name Plenty is drawn from the nearby Plenty River, which was named by Joseph Gellibrand in 1835. Gellibrand chose the name to reflect the promising countryside of the area (Victorian Places 2015).

Crown land sales in the area began in the 1840s, with blocks ranging from around 300 to 800 acres. Alexander McKillop was the first to purchase a block: Crown Portion 5, Parish of Morang, comprising 820 acres (Figure 3). The Crown continued to auction the other blocks in 1853: Patrick Mornane obtained Portion 3 Section 4, and LC Luscombe purchased 308 acres in Portion 2 Section 4 (Westbrooke 2016).

The land between Plenty River and the early Yan Yean Road (now part Heard Avenue and part Yan Yean Road), was subdivided gradually until the early twentieth century. From this time the need for smallholdings increased, and land was divided more frequently as a result (Westbrooke 2016).

This initial, ad hoc settlement pattern contrasts with other settlements in the Nillumbik Shire and relates to the selection and take-up of occupation licences. Much of this land was believed to be auriferous and hence was taken up under 20-acre occupation licences under the Land Acts. Fruit-growing became the most viable use of the small hilly lots. A number of small communities developed to service this new settlement pattern and industry. Often these settlements featured only a school and post office. 'Glenaulin', on Portion 2 Section 12 of the Parish of Yan Yean farther north, was subdivided into 108 two-acre lots and 72 one-acre lots, which were advertised in early 1854. The selling of the lots, however, was unsuccessful (Westbrooke 2016).

The alignment of the Greensborough Road (now Yan Yean Road) was altered from the original survey line with a series of curves to the west in 1869 (Argus, 23 June 1869:2). This new road formed a boundary for a number of subsequent subdivisions (Westbrooke 2016).

Some who owned large blocks of land towards the north in Yan Yean Parish attempted ambitious early subdivisions involving division of the land into several smallholder blocks. Portion 2 Section 4 of Yan Yean, to the north of Plenty, was subdivided by Henry and John Cooke, who advertised the blocks as 'Egglestone Estate' c1885 (Westbrooke 2016).

The 1870s marked a more traditional pattern of subdivision in the area in which larger blocks were divided into two or three lots. This pattern lasted until 1900, by which time only a few significant homesteads had been erected.

The early twentieth century marked the height of a subdivision trend in the area. This was likely influenced by the success of smallholders, particularly orchardists, in surrounding areas such as Arthurs Creek. Leslie Woodbourne Clarke, a grazier from the Doreen property 'Linton Grange', inspired this trend in 1905, having bought the northern lot of the northern half of Crown Portion 5, subdividing it into nine lots of 10 to 28 acres. The first of Clarke's allotments was purchased in 1906. By 1914 eight had been sold, and the last was sold in 1927 (CT: V3098 FF446). The southern edge of the subdivision included a private road, Clarkes Road, now Worns Lane. This success led to an increase in subdivision in the Plenty area, where most smallholdings ranged from 10 to 30 acres.

Portion 5 west of Yan Yean Road, owned by Bank of Australia Ltd (presumably the rebadged Real Estate Bank Ltd, which had purchased the land in 1888), was subdivided into 17 lots of approximately 20 acres each in 1911. Browns Lane provided a central dividing line for the subdivision. Fourteen lots had sold by 1916 (CT: V2020 F836).

Arthur Grenbry Outhwaite of 'Tallarook', in Walsh Street, South Yarra, purchased a section of Portion 3 Section 4 west of the Yan Yean Road, comprising 496 acres, from John Butler's executors in April 1912 (CT: V2326 F062), and immediately subdivided the property into 40 lots (CT: 3589 F730). In 1925 the Lierse brothers bought the 38 acres at the western end of the subdivision, which included a number of weekender lots (CT: V3589 F 730). When Outhwaite died in 1938, only two lots remained unsold (CT: V3589 F730).

In 1924 the secretary of the Plenty Progress Association proclaimed, 'within eight years our district has been converted by city workers from absolute bush into orchards and poultry farms...' (Age, 26 October 1924:9).

The area was described as being 'thrown open for selection' in 1913, with Plenty's new landscape celebrated in a 1925 article in the *Advertiser (Hurstbridge)*, as being 'the Toorak of the northern suburbs, where you get a panoramic view of the surrounding landscape for miles; a grand health resort, and only fifteen miles from the GPO' (*Advertiser (Hurstbridge)*, 31 July 1925:4). This intensification of subdivision coincided with the establishment of the Plenty Social Club and the Plenty Progress Association, and the development of a Plenty town centre in the 1920s that included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248).

In 1928–29 the Heidelberg Shire compulsorily acquired 10 acres of land in Portion 2 Section 4 to create a 'pleasure ground and place of public resort'. In May 1930 the Plenty Progress Association began to raise funds to build a hall on this new recreation reserve (*Advertiser (Hurstbridge)*, 9 May 1930:4). Tenders were called in May 1931 and the hall was opened in July 1931 (*Advertiser (Hurstbridge)*, 9 May 1930:4; 23 May 1930:1).

In the early 1930s, the poultry industry was growing in the Diamond Creek area and it was suggested the area may grow a greater reputation for poultry than fruit-growing. The poultry men of Diamond Creek noted as being 'among the first to export eggs to England' (*Advertiser (Hurstbridge)*, 22 April 1932, p. 2.).

After World War II additional community facilities were built. The Plenty reserve became a War Memorial Park featuring memorial gates, a playground, toilets, and trees planted by schoolchildren on Arbour Day. The Plenty War Memorial Gates (HO249) were erected by the Plenty War Memorial Trust in 1951. A fire station shed was erected on the corner of Howell and Yan Yean Roads in the 1960s (Westbrooke 2016).

PLACE HISTORY

50 Oatland Road, Plenty, is located on Crown Portion 2, Section 4, Parish of Morang in the County of Evelyn. LC Luscombe purchased this allotment, comprising 308 acres, from the Crown in 1853 (Figure).



Figure 3. Detail cropped from the Morang Parish Plan with the approximate boundary of the subject site outlined in red. (Source: PROV with OpenStreetMap underlay and Context overlay)

Subdivision of the larger allotments in the localities of Plenty and Tanck's Corner (now Yarrambat) began in the 1880s (Mills 2016a). In June 1885, Robert Byrne, auctioneer of Collins Street, Melbourne, purchased 30 acres of Portion 2 Section 4 in the Parish of Morang (CT V1696 F031). Later in June 1885, Thomas Boyd, a steamship captain of St Kilda, purchased the land (CT: V1708 F492). Boyd's 30 acres was purchased by a St Kilda baker, William Robertson, in 1887 (CT: V1969 F697), and then James Butler, farmer of Clear Hills, in 1917 (CT V1969 F697). After Butler's death in 1922, probate went to William Henry Long of Black Rock in 1924 (CT V1969 F697). Probate papers listing the inventory of Butler's real estate show parts of Portion 2 Section 4, along with 72 acres of land at Clear Hills, were sold to William Charles Lierse, orchardist of Diamond Creek, in 1919. The remaining balance of £256 of the £710 purchase price was still owed at Butler's death (Mills 2016a).

In 1924, brothers William Charles Lierse and Ernst Otto Lierse obtained title of the 30 acres (CT V4863 F425). The Lierse family was well established in the Diamond Creek area at the time of purchase. Brothers William Charles, [Ernst Otto](#) ~~Otto-Ernst~~ and Bernhard [August Lierse](#) appear to have worked together in contracting and farming. They are referred to as orchardists, farmers and market gardeners at various times in the electoral roll and Certificates of Title (ER 1928, 1930, 1931). In 1925 the brothers also purchased Lots 25-39, 38 acres abutting the Plenty River on the west side of the Plenty River Estate, the 1912 subdivision of Portion 3 Section 4 Parish of Morang just to the north (Mills 2016a).

In 1927 William Lierse married Priscilla Mary Wadeson of Diamond Creek. The house at 50 Oatland Road, Plenty appears to have been constructed around 1928. From 1928 the electoral roll lists Priscilla Mary Lierse as residing at 'The Nest' in Plenty, suggesting the house was constructed by this time following her marriage to William in 1927. William remained on the electoral roll as an orchardist of Diamond Creek (ER 1928). It appears he may have worked on his father's Diamond Creek orchard. A

dwelling is evident in a similar position to the house on a topographic map of the area dated 1930 (Figure). The garage to the south of the house appears to have been built contemporaneously to the house. By 1932 William Lierse owned a car, so it is probable the garage was constructed by then (*Advertiser (Hurstbridge)* 8 January 1932, p. 2).

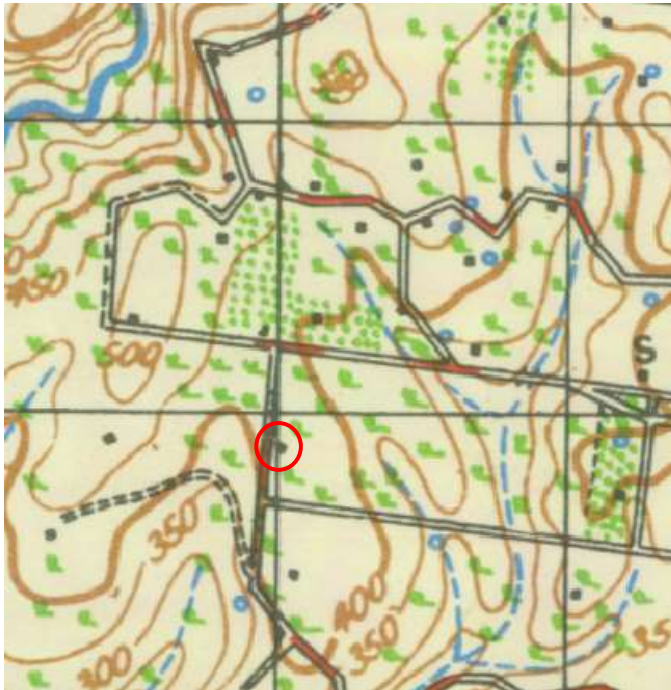


Figure 4. Detail from 'Victoria, Yan Yean' topographic map dated 1930 showing the possible dwelling (black square) circled in red with treed surroundings. (Source: State Library Victoria)

William Charles and Priscilla had one son, William John (John) Lierse, who was born in 1930. A photograph of the family taken from what appears to be the rear of the property shows the rear brick chimney, weatherboard cladding, clerestory window and moulded timber back door that appear extant today (Figure5).

In 1936 the 30-acre property was divided into three. The northern lot was taken by Ernst Lierse and the southern by Bernhard Lierse, and William took the central lot of 11 acres 19 perches that includes the subject site (Figure6). William was described in the certificate of title as a market gardener of Plenty, although it appears he undertook a variety of farming pursuits and services (CT: V4863 F425).

By 1943 William was identified as a poultry farmer of Plenty rather than an orchardist of Diamond Creek (ER 1943). William and Priscilla continued to live in Oatland Road and engage in community life.

Aerial imagery from 1946 shows the subject house surrounded by a number of sheds, likely to be poultry sheds, and areas of cleared land. A garage building to the south of the house, one rear shed and a dam visible in 1946 remain extant today (Figure8).

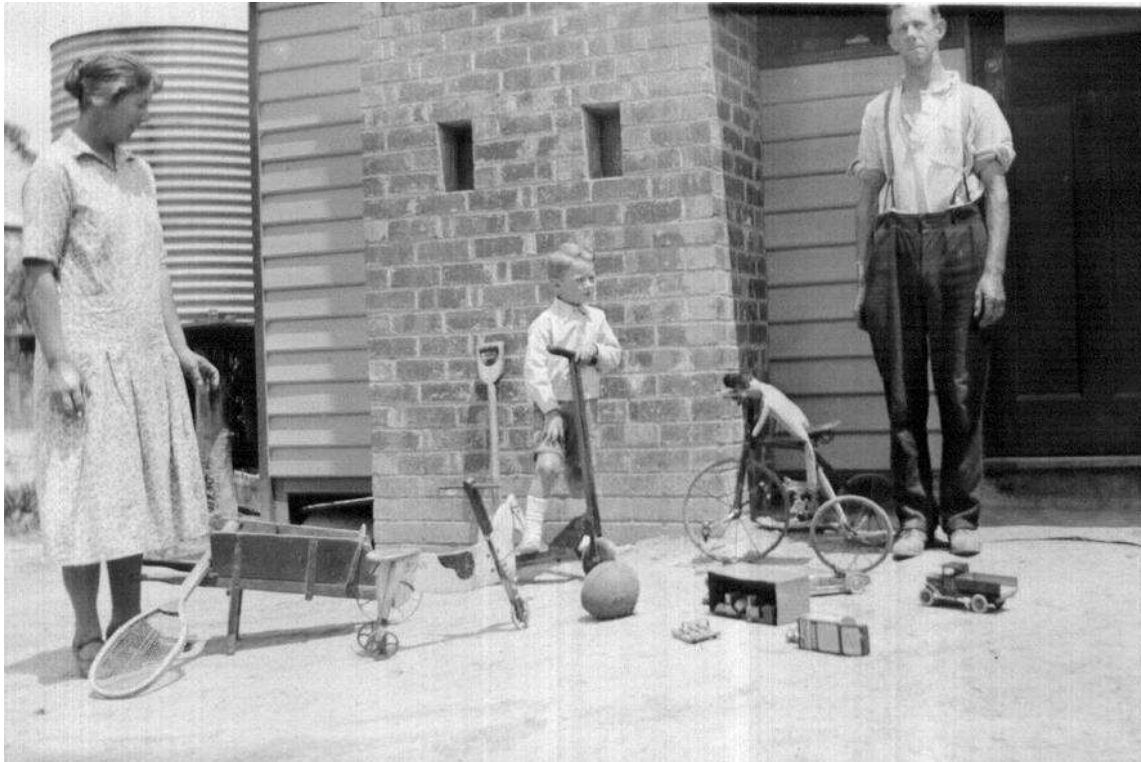


Figure 5. Photograph of Priscilla, John and William Lierse dated 1934, part of the collection of photographs owned by Dorris McLaughlin. The photograph appears to be taken at the rear of the subject house. (Source: Identifier 1315, Victorian Collections, photographer unknown)

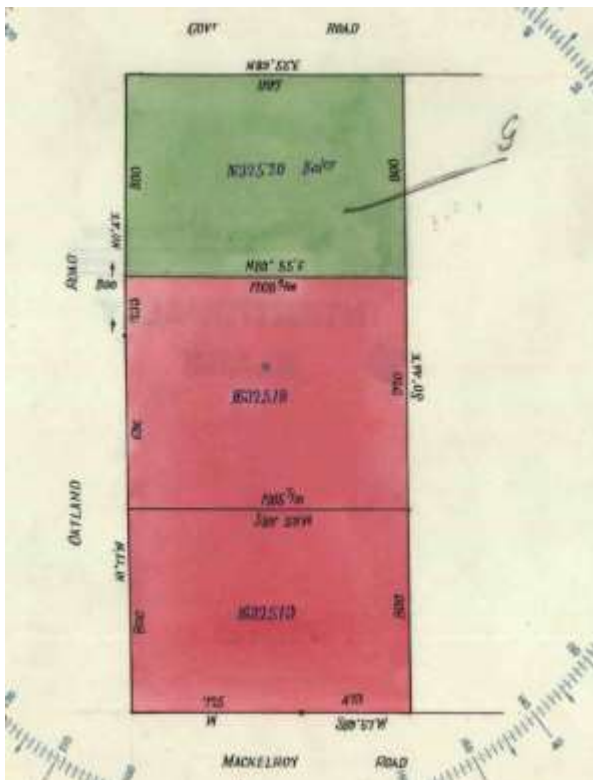


Figure 6. Detail from the certificate of title, showing the subdivision in 1936 whereby the blocks in red were transferred to William and Ernst Lierse as proprietors as tenants in common. The central portion, 1632518, which includes the subject site, was transferred to William Lierse. (Source: CT: V4863 F425)



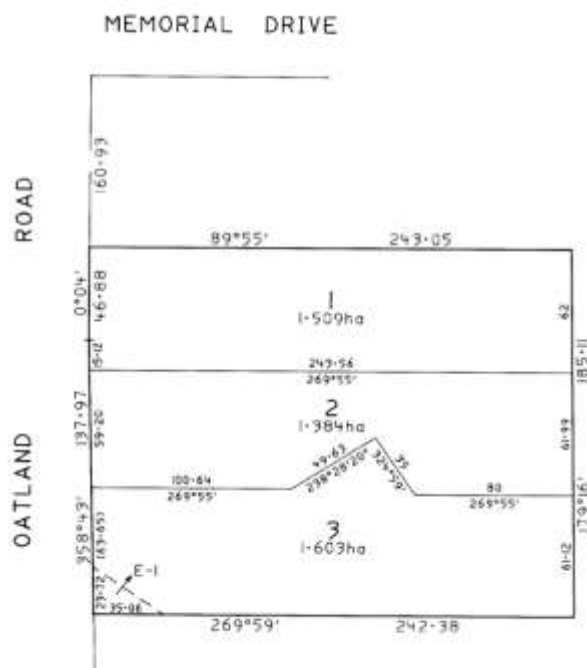
Figure 7. Detail of the subject site from aerial imagery taken in 1946–47 by Adastra Airways, showing the house, garage, and numerous large sheds to the rear. (Source: DELWP)



Figure 8. Detail from aerial imagery dated 1951. (Source: Central Plan Office, photographer unknown)

In 1965 John Lierse was working in poultry sheds on the family property in Oatland Road when a bushfire approached. The house was saved by sprinklers in the garden, but over 500 hens perished in the heat and smoke as the fire passed (Plenty George Bushfire Committee undated, p. 3).

Following the death of William in 1976, the property was transferred to Priscilla. When she died in 1983 the property was transferred to son John Lierse, who appears to have been living at the property. He subdivided the lot comprising 50–68 Oatland Road into three portions in 1996 (CT V6090 F888). The subject site containing the house, portion 3, became 50 Oatland Road (Figure3). John Lierse continued to live at the Oatland Road property until 2018 (CT V10371 F839). He died in 2020 (*Herald Sun* 11 March 2020).



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Figure 11. Aerial photograph of the site in 2015 showing the original sheds prior to demolition. (Source: Nillumbik Shire Council, photographer unknown)

The subject site was sold in 2018 (CT V10371 F839). The corrugated iron roof was replaced in 2011 (Nearmap). All but one of the corrugated iron agricultural sheds to the rear, and other smaller structures, were demolished in 2018 (Nearmap). The 1920s hairpin wire fence that had been at the front of the property was replaced with a slatted timber fence in 2019–20 (Nearmap). The subject site was sold to the current owners in May 2021 (CT V10371 F839).



Figure 12. The subject site in 2021 showing the main house (c1928), timber garage (by 1946) and remaining corrugated iron shed to the rear (by 1946). The property boundary is outlined in blue. (Source: Nearmap)

The Lierse family

~~William (Karl Wilhelm) Lierse, carpenter and father of William Charles (eldest son), Ernst Otto (second son) and Bernhard (third son), was born in Germany in 1853 and came to Diamond Creek in the early 1890s. His carpentry skills featured in many of the early buildings around Diamond Creek (Advertiser (Hurstbridge) 22 April 1932, p. 2). In 1895 William married Marie Louise Strauch (also referred to as Louise Mary Stansh), who was likely a German migrant as well and advertised as a dressmaker in Diamond Creek in the late 1890s (Mercury and Weekly Courier, 26 May 1899, p. 4). The Lierse family lived in Chute Street, Diamond Creek, with their three sons and daughter. William (Karl Wilhelm) appears to have had an orchard at Diamond Creek 'near Mr Alston's'. This was offered for sale or to rent in 1931 (Advertiser (Hurstbridge) 18 December 1931, p. 6). The elder William Lierse died in 1932 (Advertiser (Hurstbridge) 22 April 1932, p. 2).~~

~~The 'Lierse Bros' were sanitary contractors to the Shire in 1928 and 1931 (Advertiser (Hurstbridge), 14 December 1928 p.4; 23 May 1931 p. 6.). The younger William Lierse was involved in sanitary services for a longer period, contracting from c1920 to c1935 (Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate, 22 October 1920 p. 3. Advertiser (Hurstbridge), 10 May 1935 p. 6.).~~

~~The Lierse brothers and their spouses were heavily involved in the developing community life and community facilities of Plenty from the late 1920s. William and Priscilla and Bernhard and his wife Olive were involved in the Plenty Tennis Club and in the construction and maintenance of the courts at Plenty Park (Advertiser (Hurstbridge) 8 January 1932, p. 2). William held the position of joint vice-president of the tennis club committee and was appointed foreman for the construction. Priscilla was secretary (Advertiser (Hurstbridge) 8 January 1932, p. 2). Ernst appears to have been most prolific as secretary of the Plenty Progress Association and Plenty Social Club, secretary of the Plenty Hall Committee, and MC at numerous local social occasions (Advertiser (Hurstbridge) 23 December 1932, p. 3; Advertiser (Hurstbridge) 14 March 1930, p. 5). Ernst and his wife Linda were involved in fundraising for and building the Plenty Hall. Priscilla was elected secretary of the Plenty branch of the Red Cross in 1942 (Eltham and Whittlesea Shires Advertiser, 27 February 1942, p. 4).~~

DESCRIPTION

The house at 50 Oatland Street, Plenty, is a single-storey timber structure built c1928 for the owner, William Charles Lierse. Located on the eastern side of Oatland Road, between Memorial Drive and Mackelroy Road, the house has a generous setback from the street and sits on a 3.95-acre rural allotment. The allotment is broadly rectangular, with a protrusion at the middle of the northern side to accommodate a dam. Outbuildings include a timber garage with pitched roof to the south of the house and two corrugated iron sheds.

Asymmetric in form with a projecting front room, the weatherboard-clad house sits beneath a Dutch gable roof clad in corrugated iron. The base of the weatherboard house is slightly elevated on timber stumps clad with wide boards spaced for ventilation.

A return verandah runs from the projecting front room along the west elevation, wrapping around the northwest corner of the house and along the north side terminating at an enclosed room about two thirds of the way along.

The main roof of the house extends down over the verandah at a lower pitch. Access to the verandah is via a flight of brick steps along the street facing (west) side of the house, aligned to the front door.

Key features of the building and landscape include:

- asymmetric built form with a projecting front room and return verandah;
- weatherboard-clad walls;
- corrugated iron Dutch gable roof that extends down at a lower pitch over the return verandah;
- exposed rafter ends;
- red brick chimney;
- projecting front gable;
- decorative gable end detail, including timber lattice work and small timber brackets;
- timber window hood clad in corrugated iron with scalloped trim, supported by brackets;
- original pattern of fenestrations on the west, south and north elevations;
- timber double-hung sash windows;
- glazed door under the verandah on the west elevation;
- half-glazed front door set in a moulded timber door frame with sidelights;
- original or early timber flywire screen doors;
- corrugated iron clad timber garage with pitched roof and decorative gable end detail including timber lattice work south of the house (by 1946);
- extant corrugated iron clad agricultural shed to the rear (by 1946);
- mature tree in front of the house; and
- open rural landscape setting.

Alterations and additions include:

- the cutting back of the western edge of the verandah and construction of a low brick planter box on which the verandah posts now sit,
- recent corrugated iron shed south of the garage,
- timber front fence (c2019).



Figure 13. Projecting front room with decorative gable end above a pair of timber double hung sash windows with a timber window hood supported by brackets with scalloped trim. (Source: Nillumbik Shire Council, photograph of owner)



Figure 14. Decorative timber fly screen door with half glazed front door behind. Note the unpainted panel on the wall where an original name plate would have been located. (Source: Nillumbik Shire Council, photograph of owner)



Figure 15. North elevation showing the return verandah with turned timber posts and Dutch gable end. (Source: Nillumbik Shire Council, photograph of owner)



Figure 16. South elevation showing Dutch gable end, red brick chimney, pair of double-hung sash windows. (Source: Nillumbik Shire Council, photograph of owner)



Figure 17. Rear (east) elevation. (Source: Nillumbik Shire Council, photograph of owner)



Figure 18. Northeast corner of the house showing the enclosed verandah. Note the extant early window hood that runs the length of the east elevation. (Source: Nillumbik Shire Council, photograph of owner)



Figure 19. Timber garage with pitched roof and corrugated iron walls. (Source: Nillumbik Shire Council, photograph of owner)



Figure 20. Timber garage with lattice gable end detail that matches the house. The timber doors retain their original hinges. (Source: Nillumbik Shire Council, photograph of owner)

INTEGRITY

The house at 50 Oatland Road, Plenty is highly intact, with very few changes visible to its original or early built form and fabric. The integrity of the house is greatly enhanced by the intactness of the main elements and details as listed above. Overall, the place has very high integrity.

COMPARATIVE ANALYSIS

Much of the land in Nillumbik was taken up as large agricultural properties from the 1860s onwards. Although subdivisions occurred in the area in the late 1880s, and again in the first decade of the twentieth century, these subdivisions were predominantly speculative and little development occurred. The land continued to be largely rural until World War I, with small, scattered townships.

The early subdivisions did not drastically change the rural nature of the area. In 1909, when a large farm northeast of Eltham was divided, the lots were still sold in parcels of 6 to 29 acres. These allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes (Mills & Westbrooke 2017).

The success of such subdivisions led to an increase in subdivision in the nearby Plenty area, where most smallholdings ranged from 10 to 30 acres. Coinciding with this intensification of subdivision in the area, the Plenty Social Club and Plenty Progress Association were established along with the development of a Plenty town centre in the 1920s, that included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248).

Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. In 1931 *The Leader's* correspondent wrote that 'scores of small orchards few more than 20 acres in extent, are to be found within the neighbourhood of Diamond Creek and Eltham, and it is on fruit growing that most of the inhabitants of this district depend for their livelihood'. Smaller orchardists however often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines as well as tending their fruit trees (Mills & Westbrooke 2017). This appears to be the case for the subject property, as William Charles appears to have run a poultry farm on the property, established by 1943, after previous work as an orchardist and sanitary contractor. The Lierse brothers undertook a variety of occupational pursuits on various landholdings in the area.

Reflecting the popular architecture of the time, most houses built as a result of the subdivisions in the Plenty area were 'bungalows'. The early bungalows from the 1920s were commonly associated with the Californian Bungalow style, which usually featured a high level of detailing. Many houses built in the same period or later, however, conformed to a broader interwar bungalow type, especially those in outer suburban and semi-rural areas. These houses were generally simpler and more stripped back than their Californian Bungalow counterparts and were commonly asymmetric in form, with large verandahs incorporated under the main roof line of the house.

This interwar period of development in the Shire was identified in the Shire of Nillumbik Heritage Gap Study Framework (June 2009) as under-represented in the Heritage Overlay. Four properties (including the subject property) not included in the Heritage Overlay were identified as demonstrating this development period. The other identified properties are:



Figure 21. 145 River Avenue, Plenty (assessed as Individually Significant by Mills (2016). (Source: Mills 2016c)

145 River Avenue, Plenty, is historically significant as a representative example of an early development within a smallholding subdivision, the Plenty River Estate. The property contains a rare surviving example of a brick interwar farmhouse built during the closer settlement of Plenty.

145 River Avenue is aesthetically significant for its substantially intact brick interwar farmhouse, which retains its original form and main features including an all-encompassing main hip roof, timber-framed windows, front gable-roofed wing and front verandah with brick balustrade and pillars. The farming sheds to the rear demonstrate the operation of a farm smallholding and contribute to the setting of the place (Mills 2016c).



Figure 22. 'Nilgiris', 183 Yan Yean Road, Plenty, assessed as Individually Significant by Mills (2016). (Source: Mill 2016b)

'Nilgiris' is historically significant as a representative example of the farm properties established during the development of Plenty in the 1920s following the major early twentieth century subdivisions. It is of historical importance as an example of a War Service Home erected in the 1920s and as a successful poultry farm during the 1930s.

'Nilgiris' is aesthetically significant as a 1920s weatherboard bungalow. The farming sheds to the rear demonstrate the operation of a poultry farm and contribute to the setting of the place (Mills 2016b).



Figure 23. 14–26 Browns Lane, Plenty assessed as Individually Significant by Context 2021. (Source: Context July 2021)

14–26 Browns Lane, Plenty, is historically significant for its association with the development of Plenty in the interwar years. It provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 or 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes. It is a largely intact representative example of a timber interwar bungalow.

Key characteristics include its asymmetric built form with projecting front room below a dominant hip and gable roof, extensive wrap-around verandah under the sweep of the main roof line, and a box bay window that sits under its own skillion roof with a window hood (Context 2021).

The following examples of 1920s bungalows included in the schedule to the Heritage Overlay in the Shire of Nillumbik are comparable to 50 Oatland Road.



Figure 24. Orchard House, 25 Cottles Bridge – Strathewen Road, Cottles Bridge (HO190). (Source: VHD)

The property at 25 Cottles Bridge –Strathewen Road, Cottles Bridge, is significant as one of few brick houses built prior to 1930 in Nillumbik. It is unique in the municipality as an example of the transitional bungalow style, exhibiting elements of both the interwar and Federation eras. It is also significant for its association with Thomas Cottle, the namesake of the Cottles Bridge area, the Cooke orcharding family, and the probable builder of the house, 'Caffin' (VHD).



Figure 25. 200 Ryans Road, Eltham North, assessed as Individually Significant by Context (2021). (Source: Context 2021)

200 Ryans Road, Eltham North, is historically significant as a house built in the Glen Park Estate area of Eltham North during the 1930s. The subject site is important as one of the earliest surviving houses from this initial development period of the estate. Built in 1933. it is of representative significance as a 1930s timber house built during the time when a general lack of material affluence was evident. The house demonstrates key elements typical of 1930s bungalow, which were designed with more restrained decorative detailing than bungalow types of earlier decades.



Figure 26. Old Brinkkötter House, 32 Lindon Strike Court, Research (HO114). (Source: VHD)

The substantial brick house built c1935 at 32 Lindon Strike Court, Research, is significant for its associations with the Brinkkötter family, well-known Research farmers and orchardists. The existence of two adjacent farmhouses on the one property is rare in the former Shire of Eltham, and the c1935 house is aesthetically significant for its unusual design (VHD).

Conservative in its design, 50 Oatland Road, Plenty is also stylistically comparable to earlier houses built in the shire in the 1910s.

The following examples of earlier houses included in the schedule to the Heritage Overlay in the Shire of Nillumbik are comparable to 50 Oatland Road:



Figure 27. Edwin Peters House, later Henry Ryan House, 5 Hyde Street, Diamond Creek (HO217). (Source: Victorian Heritage Database)

The Peters house at 5 Hyde Street, Diamond Creek, is historically and architecturally significant to Diamond Creek. It is significant as one of the earliest houses in the area and for its association with local carpenter Edwin Peters, and subsequently Henry Ryan of Ryan's butchery.

It is architecturally significant as an early surviving example of a weatherboard Federation Bungalow in the shire (Victorian Heritage Directory).



Figure 28. Fermanagh, 1080 Heidelberg – Kinglake Road, Hurstbridge, assessed as Individually Significant by Context (2021). (Source: Context 2021)

'Fermanagh', 1080 Heidelberg-Kinglake Road, Hurstbridge, is of historical significance to the Shire of Nillumbik for its association with orcharding in Hurstbridge, which was the main agricultural industry in the Diamond Valley region from the 1880s to the 1930s. 'Fermanagh' is aesthetically significant as a particularly well-executed and architect-designed Federation villa that retains an early garden. It is distinguished by its intact Queen Anne details combined with the massing and verandah form of an Australian homestead.

Discussion

The house at 50 Oakland Road, Plenty, is a one of few surviving residences that demonstrates the pattern of interwar subdivision, in which large rural landholdings in the Plenty area were divided up for sale in allotments of 10 to 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes. In response to an increasing population in the area, this development coincides with and supported a growing Plenty town centre established in the 1920s which included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248).

As was typical for many houses built in the area in the interwar era, 50 Oatland Road is of single-storey timber construction with an asymmetric form and a dominant verandah. Stylistically, the house demonstrates characteristics of a standard asymmetrical late Victorian or Federation villa. This is combined with an Australian homestead massing with a wraparound verandah roofed by a lower-pitched extension of the main roof. It is comparable to 5 Hyde Street, Diamond Creek (HO217), 1080 Heidelberg-Kinglake Road ([approved](#) ~~recommended~~ as Individually Significant), which both incorporate

an asymmetric built form with projecting front room below a dominant hip and gable roof. The house at 50 Oatland Road differs from these examples in its incorporation of an extensive wrap around verandah under the sweep of the main roof line and decorative window hood over windows of the projecting room. In this way it is more comparable to 14-16 Browns Lane, Plenty (~~approved~~ recommended as Individually Significant), 25 Cottles Bridge – Strathewen Road, Cottles Bridge (HO190), 200 Ryans Road, Eltham North (recommended as Individually Significant) and Old Brinkkötter House, 32 Lindon Strike Court, Research (HO114).

50 Oatland Road compares well to 'Nilgiris', 183 Yan Yean Road, Plenty (assessed as Individually Significant) and 145 River Avenue, Plenty (assessed as Individually Significant) as an example of a farm smallholding. The c1920s timber garage and one remaining poultry shed at the rear of the house evidence the operation of a farm smallholding.

Overall, 50 Oatland Road, Plenty, is a good representative example of an interwar timber bungalow with a traditional asymmetrical form combined with an Australian homestead massing and verandah form. It is one of few surviving houses built in the interwar period as a result of increased land subdivision in the Plenty area. As such it is a highly intact example of a bungalow typology and corresponding period of development that is under-represented in the Schedule to the Heritage Overlay. Together with the remaining ~~agricultural~~ poultry shed, timber-framed garage and setback, 50 Oatland Road provides tangible evidence of a farm smallholding dating from the interwar period.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

50 Oatland Road, Plenty, built c1928, is significant.

Elements that contribute to the significance of the place include:

- setback from Oatland Road;
- asymmetric built form with a projecting front room and return verandah;
- weatherboard-clad walls;
- corrugated iron Dutch gable roof that extends down at a lower pitch over the return verandah;
- exposed rafter ends;
- red brick chimney;
- projecting front gable;
- decorative gable end detail, including timber lattice work and small timber brackets;
- corrugated iron clad timber window hood with scalloped trim supported by brackets;
- original pattern of fenestrations on the west, south and north elevations;
- timber double-hung sash windows;
- glazed door under the verandah on the west elevation;
- half-glazed front door set in a moulded timber door frame with sidelights;
- original or early timber flywire screen doors;
- timber garage with pitched roof south of the house;
- extant corrugated iron clad agricultural shed to the rear.

The mature tree in front of the house is not significant in its own right but contributes to the setting of the place.

Other more recent outbuildings are not significant.

HOW IS IT SIGNIFICANT?

50 Oatland Road, Plenty, is of local historical and representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

50 Oatland Road, Plenty, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for William Charles and Priscilla Mary Lierse in c1928, originally on a 30 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 or 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920s, the town centre included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248). ~~The Lierse family were early residents in the Diamond Creek and Plenty area involved in a variety of agricultural and other~~

~~pursuits. They were heavily involved in the development of community life in Plenty from the mid-1920s~~ (Criterion A).

Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines, as well as tending their fruit trees. This was the case for William Charles Lierse, who was an orchardist and sanitary contractor prior to establishing a poultry farm on the property by 1943. 50 Oatland Road provides important tangible evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains its street frontage and setback to Oatland Road (Criterion A).

The house at 50 Oatland Road, Plenty, is a largely intact representative example of a timber interwar bungalow. It has had very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with projecting front room below a dominant Dutch gable roof, and an extensive wrap-around verandah under the sweep of the main roof line. The extant c1920s garage, poultry shed, and open setting evidence the use of the site as a poultry farm complex (Criterion D).

RECOMMENDATIONS

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

Extent of overlay: As per map below:



Figure 29. Proposed curtilage for 50 Oatland Road, Plenty, outlined in red. (Source: Nearmap with Context overlay)

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

Nillumbik Planning Scheme

External paint controls	No
Internal alteration controls	No
Tree controls	No
Outbuildings or fences	Yes
To be included on the Victorian Heritage Register	No
Prohibited uses may be permitted	No
Aboriginal heritage place	Unknown

Other

N/A

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